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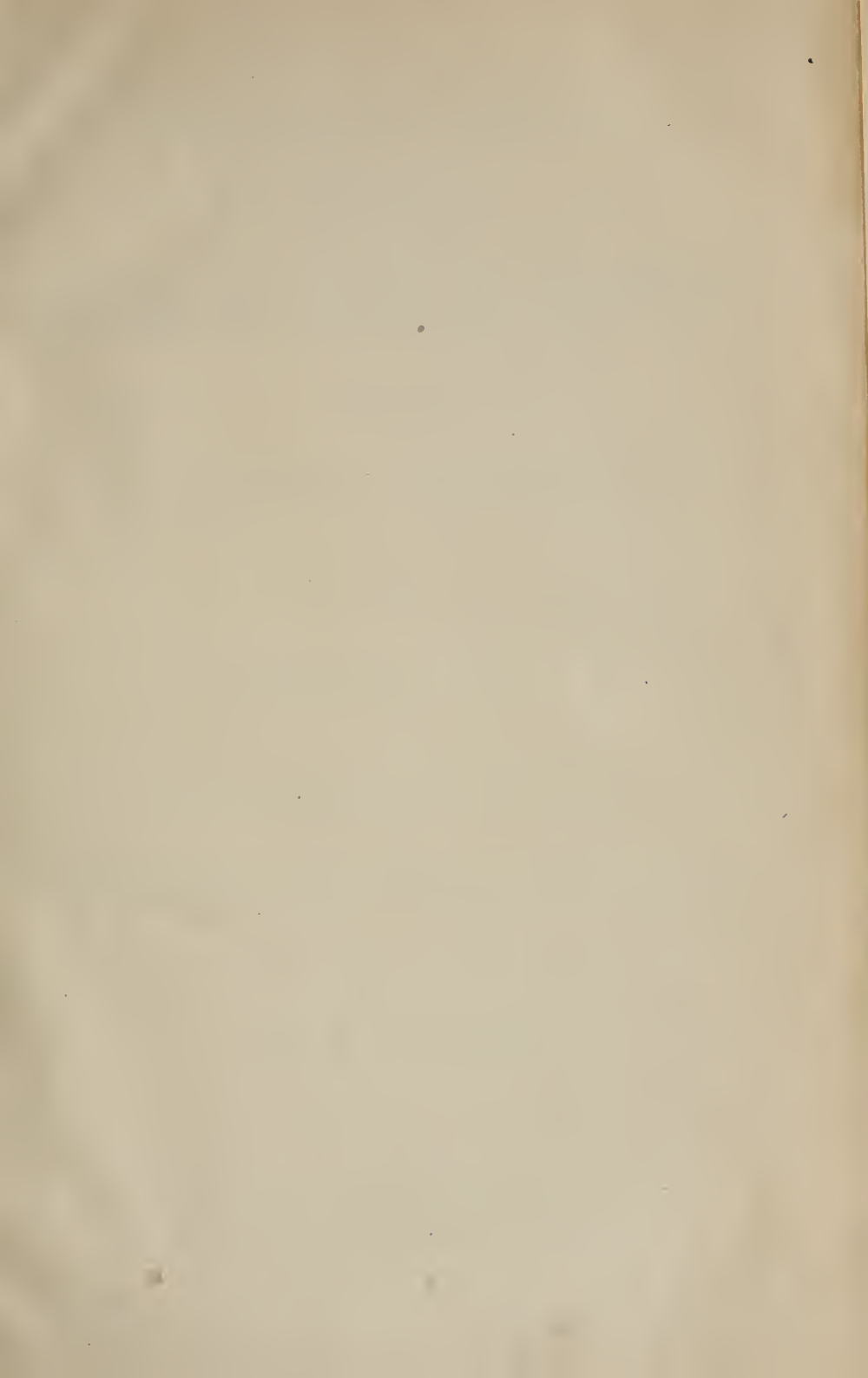
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STATE OF NORTH CAROLINA

PUBLIC-LOCAL LAWS

PASSED BY THE

GENERAL ASSEMBLY

AT ITS

SESSION OF 1917

BEGUN AND HELD IN THE CITY OF RALEIGH

ON

WEDNESDAY, THE THIRD DAY OF JANUARY, A. D. 1917

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CAPTIONS

OF THE

PUBLIC-LOCAL LAWS

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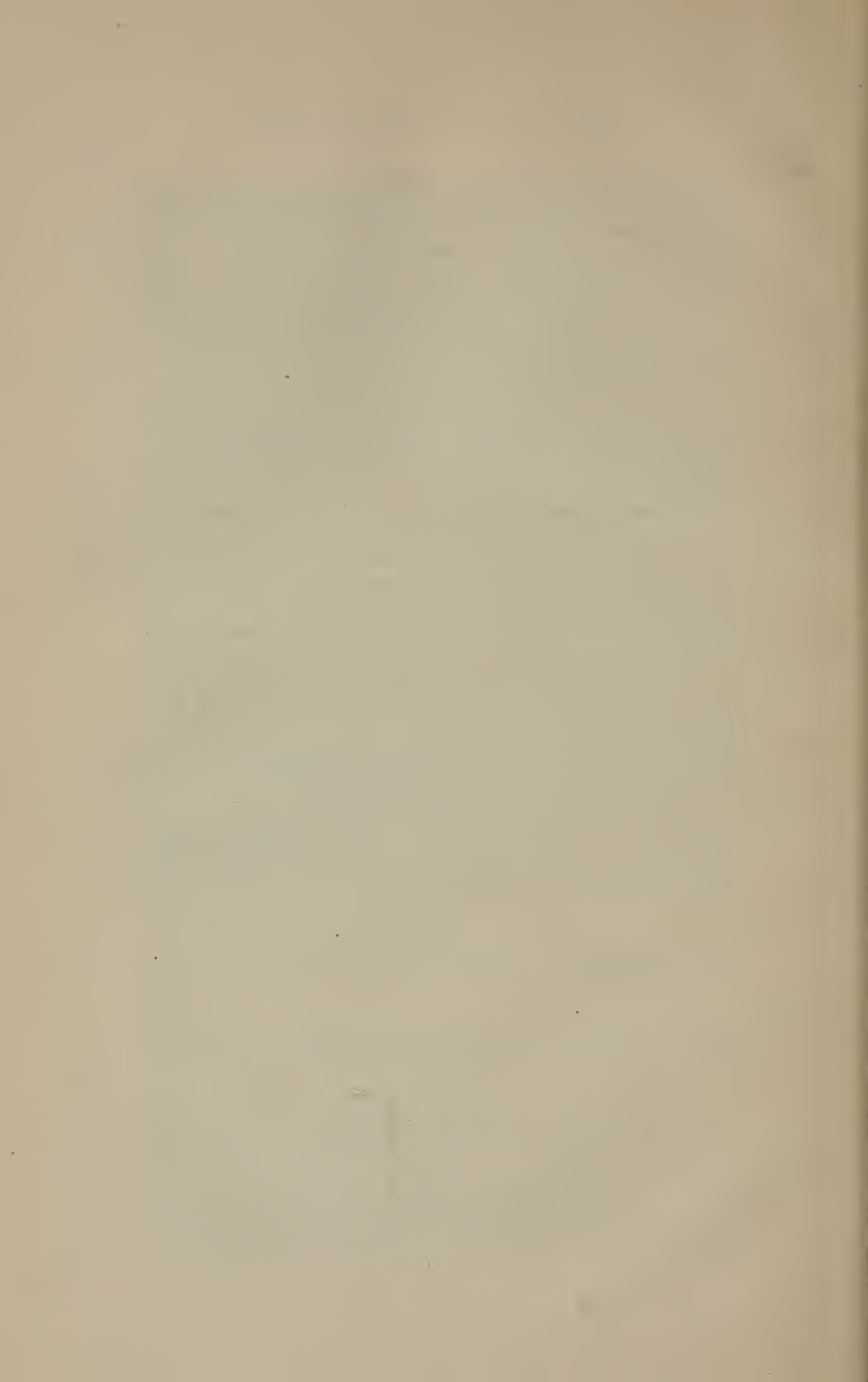
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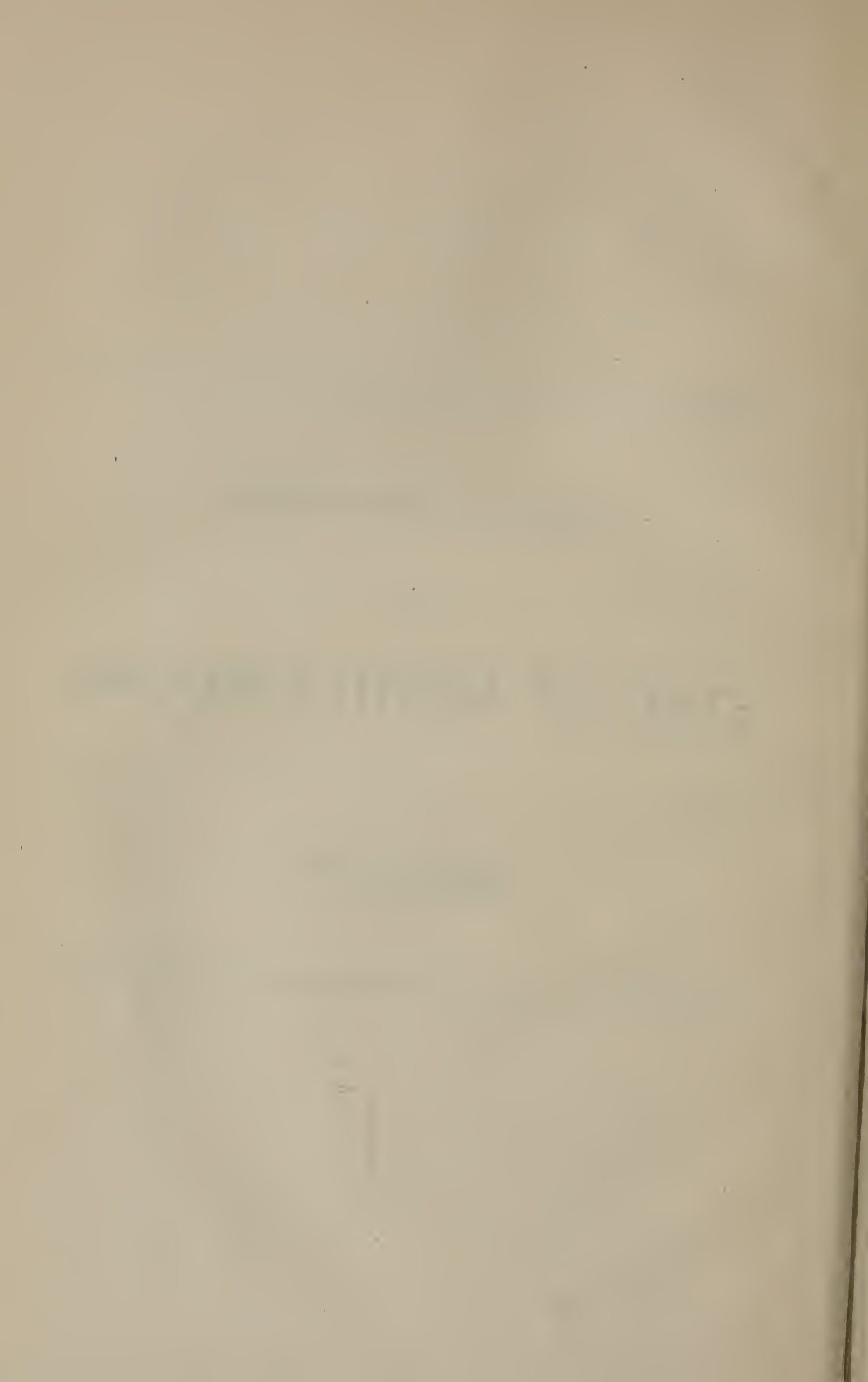


PUBLIC-LOCAL LAWS

OF THE

STATE OF NORTH CAROLINA

SESSION 1917



PUBLIC-LOCAL LAWS

OF THE

STATE OF NORTH CAROLINA

SESSION 1917

CHAPTER 1

AN ACT TO APPOINT A CENSUS TAKER FOR WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be created the office of county Office created.
school census taker for and in the County of Warren.

SEC. 2. That biennially between the first day of April and the Biennial census.
first day of September of the odd years of the calendar there shall
be a true and accurate census taken of all children between the Of school children.
ages of six and twenty-one years of age residing in the county of
Warren, and all illiterates more than twenty-one years of age Of illiterates.
residing in said county. That said census shall show the name of
the parent or guardian, the name of the child, the age and sex of
the child, and the name and age of the illiterate above twenty-
one years of age. That said census shall be taken by school dis- Census by school
tricts and shall show the number of children of the respective districts.
districts, the age, sex, race, and illiterates of said district by
districts; it shall show the school property and give the number Specifications.
of school buildings, the value of the school property, including
equipment, the condition of the building, and under the general
head of equipment show the need of each building in respect to
paint or repairs.

SEC. 3. It shall be the duty of said county school census taker Blanks to be
to inscribe all of the information required by section two (2) of furnished.
this act upon suitable blanks to be furnished by the State De-
partment of Education, and, when so transcribed, to make a copy
thereof and deliver it to the chairman of the school committee of Copies to be
each school district a copy of and for his respective district, for delivered.
each race. which said copy shall be delivered to the teacher of
each school within said district before the opening of said school.
The original census from which said copy was made shall be Original to be
deposited by said county school census taker with the superin- filed.
tendent of public instruction of said Warren County for filing in
his office for inspection by the public.

SEC. 4. That all laws relating to the school census of the State Laws repealed.
insofar as they have heretofore applied to Warren County are

hereby repealed, and all duties heretofore devolving by law upon the census takers of Warren County in respect to the census are hereby repealed, and the county census taker of and for Warren County shall perform the duties set forth in this act and receive the compensation set forth in this act in lieu thereof.

Compensation of
census taker.

SEC. 5. That the compensation for the performance of the duties prescribed by this act shall be six cents for each child between the ages of six and twenty-one years of age, and six cents for each adult illiterate appearing upon said census, which sum shall be paid by warrant drawn upon the general school fund, approved by the county superintendent of public instruction.

Warrant for
payment.

Information for
State department.

SEC. 6. It shall be the duty of said county school census taker to perform all duties in respect to procuring information which may be asked on the census blanks of the Department of Education of the State of North Carolina and such information as may be required by section two of this act.

Warrants issued
on sworn
accounts.

SEC. 7. The superintendent of public instruction for Warren County is hereby forbidden to approve any warrants for the salary or compensation of said county school census taker until said census taker shall under oath state that he has personally visited the home of each child and each adult illiterate whose name shall appear upon said census and procures the information in respect to that child from its parent or guardian or person standing *in loco parentis* to said child, and from the adult illiterate in person.

Term of office.

SEC. 8. That the person named in section nine (9) of this act shall hold office of county school census taker for a term of two years from the first day of April, one thousand nine hundred and seventeen, and until his successor has been appointed and qualified.

Appointment.

SEC. 9. That W. T. Carter of Warren County be and he is hereby appointed county school census taker in and for the County of Warren for a term of two years from the first day of April, one thousand nine hundred and seventeen, or until his successor is appointed and qualified.

Election of suc-
cessor.

SEC. 10. That the board of education of Warren County shall on the first Monday in April, one thousand nine hundred and nineteen, and biennially thereafter elect a county school census taker who shall hold the office for a term of two years or until his successor has been elected and qualified, who shall perform all the duties of the office set forth in this act: *Provided*, that for the purpose of this section a majority of said board of education shall have power to elect to the office of county school census taker.

Proviso: Ma-
jority to elect.

Vacancies.

SEC. 11. That upon failure of the person named in this act to accept the appointment and qualify, then in that event the board of education for the county of Warren shall fill said vacancy on

the first Monday in April, one thousand nine hundred and seven-
teen; and all vacancies occurring in the office of county school
census taker shall be filled by said board of education.

SEC. 12. All laws and clauses of laws in conflict with the pro- Repealing clause.
visions of this act in respect to the county of Warren are hereby
repealed.

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 2

AN ACT TO REPEAL CHAPTER 548 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and forty-eight (548) Law repealed.
of the Public-Local Laws of North Carolina, session nineteen
hundred and fifteen (1915) be, and the same is, hereby repealed.

SEC. 2. That the office of "county treasurer of Columbus Office re-estab-
County" be and the same is hereby created and reestablished. lished.

SEC. 3. That William H. Hickman be and he is hereby ap- Treasurer.
pointed "county treasurer of Columbus County," who shall hold
his office until the first Monday in December, one thousand nine
hundred and eighteen.

SEC. 4. That the treasurer of Columbus County herein ap- Salary.
pointed and hereafter elected shall receive a salary of one thou-
sand dollars per annum in full compensation for his services as
treasurer, which shall be paid him in monthly installments by
order of the board of commissioners of Columbus County out of
the county fund.

SEC. 5. The treasurer of Columbus County herein appointed Duties of
shall perform the same services and do all other acts and things treasurer.
in the same manner and under the same rules and regulations as
the treasurer of Columbus County did prior to the enactment of
chapter five hundred and forty-eight (548) of the Public-Local
Laws of North Carolina, session one thousand nine hundred and
fifteen, and provided for county treasurers under the laws of
North Carolina, who shall before entering upon the discharge of Official bond.
the duties of his office execute such bond for the faithful per-
formance of his duties as the law of North Carolina prescribed,
subject to the approval of the board of commissioners of Colum-
bus County.

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

SEC. 7. That this act shall be in force from and after ratifica-
tion.

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 3

AN ACT TO REPEAL CHAPTER 230 OF THE PUBLIC-LOCAL LAWS OF THE SPECIAL SESSION OF 1913, AND CHAPTER 220 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1915, ENTITLED, RESPECTIVELY, "AN ACT TO ESTABLISH A SPECIAL COURT FOR RICHMOND COUNTY WITH CRIMINAL JURISDICTION, TO BE KNOWN AS RICHMOND COUNTY COURT," AND "AN ACT TO ESTABLISH A RECORDER'S COURT IN RICHMOND COUNTY AND PRESCRIBE THE JURISDICTION THEREOF."

The General Assembly of North Carolina do enact:

Laws repealed

SECTION 1. That chapter two hundred and thirty (230) of the Public-Local Laws of the 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," and chapter two hundred and twenty (220) of the Public-Local Laws of the session of one thousand nine hundred and fifteen, entitled "An act to establish a recorder's court in Richmond County and precribe the jurisdiction thereof" be and the same are hereby repealed.

Transfer of causes and process.

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

Judgments and decrees validated.

SEC. 3. That all judgments and decrees which have or may be made by said courts, and all appeals which have or may be taken from said courts, 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 April, one thousand nine hundred and seventeen.

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 4

AN ACT TO REGULATE THE SALARY OF THE CLERK OF THE SUPERIOR COURT OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Allowance for clerk refunded.

SECTION 1. That section six of chapter fifty-two of the Public-Local Laws of North Carolina, session of nineteen hundred and thirteen, be and the same is hereby amended as follows: Strike

out all after and including the word "and" in line three of said section six of said chapter fifty-two, Public-Local Laws of North Carolina, session of nineteen hundred and thirteen, and all of said section six after and including the word "and" in said line three of said section is hereby repealed.

SEC. 2. That section one of chapter one hundred and fifty-two of the Public, Public-Local, and Private Laws of extra session nineteen hundred and thirteen, be and the same is hereby amended by striking out the word "eighteen" in line four of said section one, and insert in lieu thereof the words "twenty-four," so as to make the salary of the clerk of the Superior Court of Columbus County two thousand and four hundred dollars per annum in lieu of all other compensation whatsoever. Salary of clerk.

SEC. 3. That all laws and clauses of laws in conflict herewith are hereby repealed. Repealing clause.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 5

AN ACT FOR THE RELIEF OF THE SHERIFF OF DAVIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That J. H. Sprinkle, former sheriff of Davie 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 twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, and one thousand nine hundred and sixteen, under the same rules and regulations now provided by law for the collection of taxes in Davie County. Collection of arrears authorized. Years affected.

SEC. 2. That the power and authority herein conferred shall cease and determine on December first, one thousand nine hundred and eighteen (1918). Term of authority.

SEC. 3. That no person shall be compelled to pay any taxes under this act who holds the sheriff's tax receipt for said taxes, or who shall make affidavit that such taxes have 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. Persons not compelled to pay.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 6

AN ACT TO AMEND THE HIGHWAY COMMISSION LAWS
OF MACON COUNTY.

The General Assembly of North Carolina do enact:

Appointment of
commissioners.

SECTION 1. That the chairmen of the several highway commissions in the townships of Ellijay, Cowee, Smiths Bridge, Cartoogechaye, and Franklin, in Macon County, shall at the first meeting after the ratification of this act appoint two of their number, who, with himself, shall transact all road business necessary to be done for each township under existing law.

Road districts.

SEC. 2. That the said highway commissions of the various townships above mentioned shall, at their first meeting after the ratification of this act, divide up all public roads in their respective townships into suitable and convenient road districts, and after due notice sell out the sections to the lowest responsible bidder who shall obligate himself to keep his section in good condition for the least amount of money. He shall be styled the supervisor of the section and shall give a bond with surety to be approved by the highway commission of his said township in a sum to be fixed by said commission, conditioned that his section of road shall be kept in good condition. It is hereby made the duty of the said supervisors to put their respective sections of the roads in good condition with permanent improvements, and they shall make a written report to the highway commission every three months, showing that they have kept their respective sections of the roads in good condition, and the said highway commissions of the various townships shall carefully examine into the accuracy of such reports and may accept or reject the same. It is hereby made the duty of the highway commission of each of the various townships heretofore mentioned to see that each supervisor's section is in good condition at the end of every three months. At the end of each year the chairman of the highway commission shall transmit such reports to the clerk of the Superior Court for the inspection of the solicitor, whose duty it is hereby made to examine closely as to the accuracy of the same. The said supervisors shall be appointed for one year. If any supervisor or highway commission shall willfully fail or neglect to faithfully discharge any duty imposed upon him or them by this act, he or they shall be guilty of a misdemeanor. Any member of the highway commission who willfully fails or refuses to discharge any duty imposed upon him by this act, he shall be guilty of a misdemeanor. That in addition to the powers and duties conferred upon the highway commission by this act, they are also fully empowered to provide for the regrading of any roads or the construction of roads under existing laws.

Work let to
contract.

Official designa-
tion.
Official bonds.

Duties and
quarterly reports.

Examination by
commissioners.

Annual reports.

Duty of solicitor.

Term of
supervisors.
Neglect of duty;
misdemeanor.
Failure in duty;
misdemeanor.

Regrading and
construction of
roads.

SEC. 3. That sections eleven and twelve of chapter one hundred and ninety-one of the Public-Local Laws of nineteen fifteen be and the same are hereby stricken out.

Sections stricken out.

SEC. 4. That each member of the highway commission of the several townships heretofore mentioned in section one hereof shall serve without compensation except they shall be each allowed the sum of one dollar for each day that they shall actually attend the meetings of said board, which, if more than one day in any one month, shall be without compensation.

Compensation of commissioners.

SEC. 5. That sections nineteen, twenty, twenty-one, and twenty two of said chapter one hundred and ninety-one of the Public-Local Laws of nineteen fifteen be and the same are hereby stricken out and the following substituted in lieu thereof: "That in case any bonds should be voted by the people and issued under existing law for road purposes in the townships of Ellijay, Cowee, Smiths Bridge, and Cartoogechaye, it shall be the duty of the members composing the highway commissions of such townships, or a majority of them, to grade, macadamize, etc., in their discretion, such roads as may be deemed by them most advantageous.

Sections stricken out.

Road work under bond issue.

SEC. 6. That the provisions of sections twenty-five and twenty-six of chapter one hundred and ninety-one of the Public-Local Laws of nineteen hundred and fifteen shall not be in force unless and until road bonds shall be issued in the aforesaid townships.

Provisions not effective without bond issue.

SEC. 7. That the highway commissions of the several townships herein named shall hold their respective offices and serve until the next general election to be held in nineteen hundred and eighteen, at which election there shall be elected by the people of the several townships herein named three men who shall be the highway commission of said township, and who shall qualify and serve under existing laws. If any vacancies occur by death, resignation, or otherwise, the remaining members of the highway commission shall fill such vacancies until the next succeeding election. That said highway commissions shall hold their office for two years and be elected at each succeeding election held for members of the General Assembly thereafter.

Terms of highway commissioners.

Election of successors.

Vacancies.

Terms.

SEC. 8. That condemnation proceedings, being in derogation of the rights of landowners, the highway commissions of the various townships above named shall before any road is graded or constructed cause a jury to be summoned to assess such damages as the person over whose lands the road is intended to go may have sustained, and such damage as they may award to the landowner shall be paid or satisfactorily arranged before such road is graded or constructed. Each party has a right to appeal to the board of county commissioners, if not satisfied, and if such appeal is carried to the Superior Court by either party it shall have precedence over all other causes.

Condemnation proceedings.

Payment.

Right of appeal.

Damages charged on county.

Proviso: Roads heretofore constructed.

Fund for payment of damages.

Appropriation of excess.

SEC. 9. That all damages on account of the laying out, building, or construction of any of the public roads in any township in Macon County shall be a county charge: *Provided*, that this section shall not apply to any road that has heretofore been constructed nor to any damage that has heretofore been assessed.

SEC. 10. In order to raise funds with which to pay damages as aforesaid, and to help the weak townships, the tax collector shall turn over to the treasurer of Macon County, or the person acting as such, an amount of money not to exceed ten per cent of all the road funds of each township in said county, and such amounts as may be necessary to pay any damage assessed for building, grading, or repairing roads in any township in the county shall be paid out of this fund on the order of the board of county commissioners. If there should be in any one year any excess after payment of damages, the same may be held over by the commissioners of Macon County to help pay damages assessed in the next year, or may be applied to the townships for road or bridge purposes, in the discretion of the county commissioners.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 7

AN ACT REGULATIVE TO THE ESTABLISHMENT OF THE OFFICE OF COUNTY TRÉASURER FOR THE COUNTY OF MARTIN, STATE OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Office reestablished.

SECTION 1. That the office of county treasurer for the county of Martin, State of North Carolina, is hereby reestablished.

Treasurer named.

SEC. 2. That Charles D. Carstarphen be and he is hereby appointed treasurer for said county, and shall exercise the duties of said office until the next regular election of members for the General Assembly, or until his successor is duly elected and qualified.

Term.

Induction into office.

SEC. 3. That the county commissioners, at any regular or called meeting, shall induct the said appointee into said office, upon his entering into the usual bond as required by law.

Salary.

SEC. 4. That the salary of said officer shall be fifty dollars per month.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 8

AN ACT RELATIVE TO THE PRIMARY ELECTION LAW OF
THE COUNTY OF MARTIN, STATE OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seventy-four, Public-Local Laws of Law repealed. North Carolina, session one thousand nine hundred and fifteen, entitled "An act to repeal chapter six hundred and twenty-five of the Public-Local Laws of the session one thousand nine hundred and thirteen," be and the same is hereby repealed.

SEC. 2. That chapter six hundred and twenty-five, Public-Local Law re-enacted. Laws of North Carolina, session one thousand nine hundred and thirteen, entitled "An act to provide for and regulate the holding of primary elections in the county of Martin" as amended by section three hereof, be and the same is hereby re-enacted.

SEC. 3. Amend section two of the act referred to in section two Time of election. hereof by adding in line three thereof, between the words "fourteen" and "shall," the words "and every two years thereafter."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 9

AN ACT TO AMEND CHAPTER 332 OF THE PUBLIC-LOCAL
LAWS OF NORTH CAROLINA, SESSION 1913, AUTHORIZING
THE COMMISSIONERS OF CARTERET COUNTY TO
ISSUE BONDS, ETC.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section six in lines twelve and thirteen by striking out the following: "or unless removed by the board of said commissioners for good cause shown." Removal for cause rescinded.

SEC. 2. Amend section 8, beginning in line eight, by striking out the following: "Provided further, that the board of county commissioners may remove any member of the various township highway commissioners provided for in this act upon good cause. In case of such removal the successor of the commissioner so removed shall be selected as in case of the death of one of the commissioners." Removal for cause rescinded.

SEC. 3. Amend by striking out all of section sixteen and one-half.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 10

AN ACT TO AMEND CHAPTER 356 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Publication of names of delinquents.

SECTION 1. That chapter three hundred and fifty-six of the Public-Local Laws of one thousand nine hundred and fifteen be amended by striking out section four thereof and the remaining sections renumbered.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 11

AN ACT FOR THE APPOINTMENT OF A HIGHWAY COMMISSION FOR WARREN COUNTY.

The General Assembly of North Carolina do enact:

Highway commissioners for county.

Rights, powers and duties.

Levy of taxes.

Subcommittees.

Term of office.

Terms of commissioners.

SECTION 1. That one man from each township in Warren County be herein appointed as highway commissioners of said county, and these herein appointed shall constitute the highway commission for said county, and that said highway commission shall be vested with all the rights, powers, and duties respecting the public roads of Warren County, which are now vested in the commissioners of the county of Warren or which are now vested in the respective township commissioners (except that of levying taxes, and the county commissioners shall levy such taxes as the highway commission recommends).

SEC. 2. That the said highway commission may appoint, as they may deem advisable for the best interest of the public roads of said townships, one or more men in said townships, who shall be designated a subcommittee, whose duties shall be defined by the highway commissioners, whose term of office shall be for two years from the date of their appointment.

SEC. 3. The term of office of the said highway commissioners shall begin on the second Monday in April, one thousand nine hundred and seventeen, and end on the first Monday in December, one thousand nine hundred and twenty, when their successors shall be elected and qualified as other county officers are, and the term of office of said highway commission on and after the first Monday in December, one thousand nine hundred and twenty, shall be two years.

Meeting for organization.

SEC. 4. Said highway commissioners shall meet in the courthouse in Warrenton, North Carolina, on the second Monday in

April, one thousand nine hundred and seventeen, and organize by electing a chairman, secretary, and a treasurer and such other help as they may see fit and fix the pay for same.

SEC. 5. That said highway commission shall establish a chain-gang during the first three months of their term of office for the county of Warren, and provide for the upkeep of the same, and pay the court cost for all convicts worked upon said roads, and that all persons sentenced to work upon the roads of Warren County shall be by said court ordered to work under the direction of the said highway commission, and any person convicted of crime in the courts of other counties may be committed to the chain-gang of Warren County.

Chain-gang.
Payment of court costs.
Persons sentenced to road work.

SEC. 6. That all moneys due for public roads in any of the townships of Warren County shall be paid over to the treasurer of said highway commission, who shall deposit the same in the banks of Warrenton, Littleton, Macon, and Norlina, equitably. Said treasurer shall give a bond as required by the highway commission.

Transfer and deposit of road funds.

SEC. 7. That the moneys collected from property in each township shall be expended upon public roads of that township.

Money expended in townships.

SEC. 8. All vacancies caused by failure to qualify, resignation, or otherwise, shall be filled by the remaining members of the highway commission.

Vacancies.

SEC. 9. Said highway commission may fix their day of regular meetings when they organize and shall receive as compensation four dollars per day and mileage for each day's service in attending meetings, and all costs and expenses of the highway commission shall be paid out of any funds in the hands of the treasurer of said highway commission.

Meetings.
Per diem.

SEC. 10. The following persons shall constitute the Warren County Highway Commission:

Commissioners named.

- River Township.....T. D. King.
- Six Pound Township.....J. M. Coleman.
- Hawtree Township.....Dr. T. J. Holt.
- Sandy Creek Township.....S. J. Pritchard.
- Nutbush Township.....J. W. Dowling.
- Shocco Township.....J. W. Clements.
- Smith Creek Township.....J. A. Meeder.
- Fork Township.....John S. Davis.
- Fishing Creek Township.....C. S. Tharington.
- Roanoke Township.....H. L. Wall.
- Judkins Township.....W. R. Vaughan.

SEC. 11. Bonds having been issued for the working of the roads of Warrenton Township, and said township now having good roads, Warrenton Township is exempt from the operations of this act: *Provided, however,* that all convicts shall be worked

Exception as to Warren township.
Proviso: Work of convicts.

Proviso: Town-
ship included on
petition.

as recited in section five of this act: *Provided further*, that should said township desire to become a part of this act it can do so by a petition signed by a majority of its present township road commissioners to the Warren County Highway Commission and accepted by said highway commission. Said township shall name the commissioner in their petition.

Repealing clause.

SEC. 12. That all laws and parts of laws in conflict with this act are hereby repealed.

When act
effective.

SEC. 13. That this act shall be in force and effect from and after the second Monday in April, one thousand nine hundred and seventeen.

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 12

AN ACT TO APPOINT CERTAIN JUSTICES OF THE PEACE FOR BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Justices
appointed.

SECTION 1. That A. Mayo of Washington Township, N. W. Paul of Pantego Township, and Franklin Edwards, W. A. Cratch, and W. G. Yeats of Chocowinity Township, in Beaufort County, be and they hereby are appointed justices of the peace for their respective townships for the term of six years from and after the ratification of this act.

Term of office.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 13

AN ACT AUTHORIZING THE COLLECTION OF BACK TAXES IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

Collection of
arrears authorized.

SECTION 1. That Caleb H. Haynes and T. W. Davis, former sheriffs of Surry County, North Carolina, be and they are 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 their hands, charged to them, said former sheriffs, for the years one thousand nine hundred and nine, ten, eleven, and one thousand nine hundred and twelve, and all taxes charged to T. W.

Years.

Davis, former sheriff, for the years one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, and one thousand nine hundred and fifteen, and one thousand nine hundred and sixteen, 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.

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 faithfully 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 the sheriffs for the collection of taxes are hereby vested in such sworn agents or deputies of Caleb H. Haynes.

Agents appointed and sworn.

SEC. 3. That no person shall be compelled to pay any taxes under this act shall hold said former sheriff's receipt for same.

Persons holding receipts.

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 eighteen.

Termination of power.

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

Repealing clause.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 14

AN ACT TO REPEAL CHAPTER 224 OF THE PUBLIC-LOCAL LAWS OF 1915, ENTITLED "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, AND CHAPTER 482 OF THE PUBLIC-LOCAL LAWS OF 1915, IT BEING AN ACT SUPPLEMENTAL TO THE ACT HEREIN REFERRED TO."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and twenty-four of the Public-Local Laws of nineteen hundred and fifteen, entitled "An act to amend chapter three hundred and ninety-one of the Public-Local Laws of nineteen hundred and thirteen of North Carolina, relative to the office of county treasurer in Avery County, and chapter four hundred and eighty-two of the Public Local Laws of

Laws repealed.

nineteen hundred and fifteen, it being a supplemental act," be and the same are hereby repealed.

Election of
county treasurer.

SEC. 2. That within thirty days after the ratification of this act the board of commissioners of Avery County is authorized and directed to appoint a county treasurer, who shall qualify within fifteen days after such appointment and give the bonds required by law. The term of office of said treasurer shall end on December first, nineteen hundred and eighteen, or when his successor shall have been elected and qualified.

Qualification.

Term of office.

Repealing clause.

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 January, A. D. 1917.

CHAPTER 15

AN ACT TO ABOLISH FREE LABOR IN SUCH TOWNSHIPS IN BLADEN COUNTY AS HAVE OR SHALL HEREAFTER VOTE BONDS FOR THE IMPROVEMENT OF THE PUBLIC ROADS IN SUCH TOWNSHIP UNDER THE PROVISIONS OF CHAPTER 336 PUBLIC-LOCAL LAWS OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred fifty-three, Public-Local Laws of the General Assembly of North Carolina, nineteen hundred and fifteen, and section two thousand seven hundred and twenty-five, chapter sixty-five of the Revisal of nineteen hundred and five of North Carolina, providing for free labor upon the public roads of Bladen County, and all other laws or clauses of laws providing for the repair or maintenance of the public roads of Bladen County by free labor, be and the same are hereby repealed: *Provided*, that any person in Bladen County heretofore liable to road duty under the laws above referred to who shall fail to pay such poll tax as may be hereafter lawfully levied against such person shall be liable to road duty in the same manner as before the passage of this act; and, *Provided further*, that this act shall apply only to such townships in Bladen County as have heretofore or shall hereafter vote and issue bonds for improvement of the public highways in such township as provided by chapter three hundred and thirty-six of the Public-Local Laws of nineteen hundred and fifteen.

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

Ratified this the 8th day of January, A. D. 1917.

Free labor
abolished.

Proviso: Pay-
ment of poll tax.

Proviso:
Limitation of
exemption.

CHAPTER 16

AN ACT ESTABLISHING THE OFFICE OF AUDITOR OF
LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of auditor of Lincoln County is hereby established, instituted, and created for the period intervening between the ratification of this act and the general election of one thousand nine hundred and eighteen. Office created.

SEC. 2. That the said auditor shall be appointed by the board of commissioners of Lincoln County within ten (10) days after the ratification of this act, and shall hold office until his successor shall be duly elected and qualified, and shall receive as such compensation for his services at the rate of two hundred dollars (\$200) per annum. Appointment.
Term.
Salary.

SEC. 3. That it shall be the duty of said auditor to well and truly audit all books of public officers of said county at least once a month, and shall report the same to the county commissioners of said county at their meetings the first Monday of each month. Monthly audit
and reports.

SEC. 4. That the said auditor shall enter into a bond, to be approved by the county commissioners, in the sum of one thousand dollars (\$1,000), payable to the State of North Carolina, conditioned that he shall diligently, truly, and faithfully perform the duties of said office. Bond of auditor.

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

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 17

AN ACT TO AMEND SECTION 7, CHAPTER 63, PUBLIC-
LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, RE-
LATING TO DEPUTY CLERK HIRE FOR THE SUPERIOR
COURT OF CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of Public-Local Laws of North Carolina be and the same is hereby amended by striking out the word "three" in line three of said section and inserting in lieu thereof the word "one." Allowance for
assistance.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 18**AN ACT TO REPEAL THE OFFICE OF COUNTY AUDITOR OF
BEAUFORT COUNTY.**

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That section two, chapter six hundred and sixty-four, Public-Local Laws of nineteen hundred and eleven, empowering the board of commissioners of the county of Beaufort to appoint a county auditor be and the same is hereby repealed.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 19**AN ACT TO REPEAL CHAPTER 410 OF THE PUBLIC-LOCAL
LAWS OF 1915, RELATING TO RURAL POLICEMEN FOR
ROBESON COUNTY.**

The General Assembly of North Carolina do enact:

Law repealed.

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

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 20**AN ACT TO REPEAL CHAPTER 595 OF THE PUBLIC-LOCAL
LAWS OF NORTH CAROLINA, SESSION 1915, AND RE-
ENACTING SECTION 10 OF CHAPTER 63 OF THE PUBLIC-
LOCAL LAWS OF 1913, RELATING TO AN AUDITOR FOR
CHEROKEE COUNTY.**

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter five hundred and ninety-five of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, be and the same is hereby repealed, and that section ten of chapter sixty-three of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby reinstated.

Law reinstated.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 21**AN ACT TO APPOINT A BOARD OF EDUCATION OF CURRITUCK COUNTY.**

The General Assembly of North Carolina do enact:

SECTION 1. That R. E. Snowden, William J. Tate, and William H. Walker are hereby appointed a board of education of Currituck County. Appointees.

SEC. 2. That R. E. Snowden's term shall expire the first Monday in July, one thousand nine hundred and nineteen; William J. Tate's term shall expire the first Monday in July, one thousand nine-hundred and twenty-one; William H. Walker's term shall expire the first Monday in July, one thousand nine hundred and twenty-three. Terms of office.

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 8th day of January, A. D. 1917.

CHAPTER 22**AN ACT TO REPEAL CHAPTER 352, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, RELATIVE TO THE APPOINTMENT OF COURT STENOGRAPHERS OF GRAHAM AND CHEROKEE COUNTIES BY STRIKING OUT CHEROKEE COUNTY.**

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and fifty-two of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, be and the same is hereby repealed by striking out from said act Cherokee County. Partial repeal.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 23**AN ACT TO AMEND CHAPTER 226 OF THE PUBLIC-LOCAL LAWS OF EXTRA SESSION 1913, RELATING TO RECORDER'S COURT OF CURRITUCK COUNTY.**

The General Assembly of North Carolina do enact:

SECTION 1. That section seven, sub-section b, be and the same is hereby amended by striking out in line two the word "exclusive," and insert in lieu thereof the word "concurrent," and add. Jurisdiction.

ing after the word "jurisdiction" in line three and before the word "of" in same line "with Superior Court."

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

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 24

AN ACT TO CREATE A GAME COMMISSION IN CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

Game commis-
sioners.

Appointment of
wardens.

Wardens to
qualify.

Official bonds.

Powers of
wardens.

Pay of wardens.

Non-resident's
license.

Provisions of
former law.

Law repealed.

SECTION 1. That Henry E. Morrisette, Edward D. Forbes, and Arthur Hampton are hereby created game commissioners for the county of Currituck, and they are hereby authorized and empowered to appoint for said county, on the first Monday in September, one thousand nine hundred and seventeen, and biennially thereafter, three game wardens. That each game warden so appointed shall, before entering upon the duties of his office, take and subscribe an oath, before entering upon the duties of his office, by some official qualified to administer oaths, to perform the duties of said office. The game commission may require each appointee to execute such bond before entering upon duties of said office as they in their discretion may think proper for the faithful discharge of their duties. The said wardens are hereby empowered to execute any and all papers which may come into their hands relative to the enforcing of the game laws of said county with the same methods and under the same regulations as constables at the common law and under the statutes of the State.

SEC. 2. That each warden shall receive for his services an amount to be mutually agreed upon between himself and the game commissioners.

SEC. 3. That said game commissioners may fix the amount of nonresident's license.

SEC. 4. That said wardens so appointed shall be subject to all the provisions of chapter eight hundred and forty of the Public Laws of one thousand nine hundred and nine not in conflict with this act.

SEC. 5. That chapter three hundred and sixty-three of the Public-Local Laws of one thousand nine hundred and thirteen are hereby repealed.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 25

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF McDOWELL COUNTY TO PAY \$1,500 ON THE ERECTION OF A CHAPEL OR MONUMENT TO THE CONFEDERATE SOLDIERS OF McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of McDowell County are hereby authorized, directed, and it shall be their duty, and they are hereby required to appropriate one thousand five hundred dollars to pay on the erection of a Confederate chapel or monument on the courthouse square in the town of Marion, North Carolina, in memory of the bravery and devotion of the Confederate soldiers of McDowell County in the Civil War; and they shall pay the same to the Daughters of the Confederacy of said county upon demand. Appropriation ordered.

SEC. 2. That the Daughters of the Confederacy of McDowell County are permitted and authorized to erect a Confederate chapel or monument in the courthouse square in Marion, McDowell County, North Carolina. Daughters of Confederacy to erect monument.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 26

AN ACT TO AMEND CHAPTER 16 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO WORKING THE ROADS OF CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter sixteen of the Public Local Laws of one thousand nine hundred and fifteen be and the same is hereby repealed and the following section inserted in lieu thereof:

"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 two dollars in lieu of such labor, to be applied by said supervisor to the improvement of the roads in that district, or work three days upon the roads in said district: *Provided further*, that ten hours shall constitute a day's work as required under this act, and that the two dollars paid in lieu of work be paid on or before the first Monday in July Commutation for road work.
Day's work.
Time of payment.

Road year.

of the current road year, which road year shall begin on the first day of April and end on the thirty-first day of March.' "

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 January, A. D. 1917.

CHAPTER 27

AN ACT TO AUTHORIZE THE TAKING OF GRAVEL AND OTHER MATERIAL FOR THE USE OF AND THE CLEARING OF LAND BORDERING ON HIGHWAYS IN CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

Entry on land
for material.

SECTION 1. That for the purpose of aiding in the construction, maintenance, or repair of any public roads the board of county commissioners, the road commissioners of Chatham County, and commissioners of road districts in Chatham County, through the superintendent of roads or other duly authorized agent having charge of the construction, maintenance, and repair of roads, be and the same are hereby authorized to enter upon any uncultivated lands near to or adjoining such roads, to dig or cause to be dug and carry away any gravel, sand, clay, or stone which may be necessary to construct, maintain, or repair said roads, and are hereby authorized to clear the timber, trees, and brush from lands adjoining the public roads to a distance of twenty-five feet on either side from the ditch, and shall have free ingress and egress from and to said lands for the transportation of material and for the clearing of said adjoining lands.

Power to clear
land.

Ingress and
egress.

Claims for
damages.

SEC. 2. If the owner of any lands or the agent or agents of said owner having in charge lands from which gravel, sand, clay, or stone have been taken or upon which timber, trees and brush have been cleared, shall present an account of the same directly or through the road superintendent or agent at any regular meeting of the county commissioners, or to the commissioners of the road district, as the case may be, within sixty days after the taking and cutting away of such gravel, sand, clay, or stone, or the clearing of the timber, trees, and brush, it shall be the duty of the said commissioners to pay for the same at a fair price without deducting therefrom any increase in the valuation of the adjoining lands by reason of the construction, maintenance, or repairs of the said road; and before deciding upon such fair price the said commissioners may cause to be appointed a jury of three freeholders, one to be selected by the commission-

Jury of view.

ers, one by the party claiming damages, and the third to be selected by these two, which jury shall report in writing to the board of county commissioners or to the commissioners of the road district, as the case may be, their decision for revision or confirmation.

SEC. 3. That any owner of land dissatisfied with the finding of the jury and the order of the board of county commissioners or commissioners of road district, confirming or revising the same, as provided in section two, may appeal to the next term of the Superior Court of the county upon the question of damages or compensation: *Provided*, such appeal shall be taken and bond, with security, for the sum of two hundred dollars shall be given within ten days, to pay such cost as may be awarded against him, and no cost shall be awarded against the county commissioners or road commissioners unless the damages awarded in the Superior Court are greater than the assessment appealed from.

Right of appeal.

Proviso: Time for and bond on appeal.

Costs.

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

· Ratified this the 8th day of January, A. D. 1917.

CHAPTER 28

AN ACT TO AMEND CHAPTER 788 OF THE PUBLIC-LOCAL LAWS OF 1915 AND CHAPTER SEVENTEEN OF THE PUBLIC-LOCAL LAWS OF 1913 IN REGARD TO THE ROAD LAWS OF LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter seven hundred and eighty-eight of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out in line two on page one thousand one hundred and forty-three all the words after the word "commissioners" and by putting a period after the word "commissioners" instead of a comma.

Pay to county commissioners.

SEC. 2. That sections four, five, six, and seven of chapter seven hundred and eighty-eight of the Public-Local Laws of one thousand nine hundred and fifteen be and the same are hereby repealed.

Sections stricken out.

SEC. 3. That at the first meeting of the board of county commissioners of Lincoln County after the ratification of this act, or within sixty days after the ratification of this act if said board does not see fit to act sooner, the said board of county commissioners shall employ a competent road manager or superintendent and shall fix his salary or compensation, and road manager or superintendent shall hold his position for a term of two

Road manager.

Salary.

Term.

years unless discharged for incompetency or neglect of duty sooner than that time.

Powers and duties of manager.

SEC. 4. That the said superintendent or manager of roads shall have full and complete charge of the working, laying out and repairing of all public roads and bridges in Lincoln County, under such rules and regulations as may be laid down for his guidance by the county commissioners, and it shall be his duty to see that all new roads and new bridges are properly laid out and constructed and that all of the public roads and bridges of the county are kept in good repair, and to this end all of the road machinery and road-working tools belonging to the county shall be turned over to him, and he shall have power to employ such hands or laborers, teams, and tools as in his judgment are needed to keep in good condition and repair the public roads of the county, and he may employ one or more overseers or bosses for such roads or sections of roads as he deems best and for such length of time as in his judgment they may be needed.

Road machinery and tools.

Hands, teams and tools.

Overseers.

Monthly statements.

SEC. 5. It shall be the duty of said superintendent or road manager to render to the board of county commissioners a monthly statement of all work done, hands hired, material purchased, or other items of expense in connection with his said duties, and said report or itemized statement shall be duly sworn to by said road manager.

Purchase of material and supplies.

SEC. 6. In addition to hiring of hands, teams, etc., as set out above, the said road superintendent or manager shall purchase all needed materials and supplies for the purpose of keeping said roads in good condition and in laying out new roads, and the board of county commissioners shall pass upon and order paid all such bills for supplies, teams, hands, or other expense incurred by said road superintendent, but said road superintendent shall use his best judgment to obtain at the best and most reasonable price he can any and all supplies or labor he may need for the purpose of keeping up said public roads and discharging the duties of his office: *Provided*, that the purchase of new machinery shall first be approved by board of commissioners.

Approval of bills.

Proviso: Purchase of machinery.
Rebates.

SEC. 7. It shall be unlawful for said road superintendent to give any rebate or make any trade or bargain whereby he is to receive any other compensation than allowed him by the county commissioners in relation to or in connection with any hiring of hands or any contracts he may make for the county in the discharge of his said duties, and if he shall violate the provisions of this section knowingly and willfully he shall be guilty of a high crime and shall be punished, upon conviction, by imprisonment for not less than six months or not more than two years, in the discretion of the court.

High crime.

Punishment.

Manager to qualify and give bond.

SEC. 8. Before entering upon the duties of his said office the said road manager or road superintendent shall take the

usual oaths prescribed for county officers and shall give bond in the sum of not less than five thousand dollars and not more than ten thousand dollars for the faithful discharge of his duties.

SEC. 9. If the said road superintendent or road manager shall knowingly and willfully fail to discharge any of his duties laid down under this act he shall be guilty of a misdemeanor and fined or imprisoned, at the discretion of the court.

Failure to discharge duty a misdemeanor.
Punishment.

SEC. 10. The road superintendent shall erect and maintain mile-posts on all public roads, and at each intersection or cross-road shall be placed direction posts, giving direction and distance to the various towns in the county.

Mile and guide posts.

SEC. 11. It shall be the duty of the road superintendent to have the property owners along all public highways to cut all timber or trees to a distance of thirty feet back on each side of the road. In the event the property owners fail or refuse to do this it shall be his duty to have it done. In the event that this shall damage the property owners to any extent, the county shall pay the same: *Provided*, no shade trees in any yard nor fruit trees shall be cut.

Timber shading road.

Damages paid by county.

Proviso: Shade and fruit trees.

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

Ratified the 8th day of January, A. D. 1917.

CHAPTER 29

AN ACT TO AMEND SECTION 12 AND SECTION 14 OF CHAPTER 41 OF THE PUBLIC-LOCAL LAWS 1913, RELATING TO HIGHWAYS IN STOKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section twelve of chapter forty-one of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows: Strike out all of said section after the word "applied" in line nine of said section, and insert in lieu thereof the following: "by the permanent roads commissioners of their respective townships to the upkeep and maintenance of the public roads in their respective townships." That any excess of taxes already levied and collected to meet interest on bonds now in the hands of the respective treasurers of townships which have voted bonds under said act may be used by the respective permanent roads commissioners of such townships for the upkeep and maintenance of the public roads in same, instead of being applied to reduce levies for succeeding years.

Application of surplus.

Surplus heretofore collected.

SEC. 2. That section fourteen of chapter forty-one of the Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out of said section all of the words after the word "shall" in line thirty-five of said section, page one hundred and ten of said chapter, to the word "upon" in line thirty-seven of said section, and inserting in lieu thereof the following: "That the said permanent roads commission for

Work to be let to contract.

each township in which bonds have been voted or may hereafter be voted for the improvement of roads shall let to contract to the lowest responsible bidder in writing under seal after posting notices at three public places in their respective townships, at least fifteen days before letting the contract or contracts, specifying the time that the contracts will be let and specifying the duties to be performed, for the proper construction, improvement, maintenance, and upkeeping of all or any parts of the highways of said townships."

Notice of lettings.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 30

AN ACT TO PROVIDE FOR THE APPOINTMENT OF FINANCE COMMITTEES FOR AVERY AND MITCHELL COUNTIES.

The General Assembly of North Carolina do enact:

Committee for Avery County.

SECTION 1. That L. E. Norman, Ernest Vance and J. H. Pritchard be and they are hereby appointed a finance committee for Avery County, and R. H. Griffith, D. H. S. Tappan, and George K. Pritchard be and they are hereby appointed a finance committee for Mitchell County.

Committee for Mitchell.

Powers under general law.

SEC. 2. That said finance committees, in their respective counties, shall have the powers and perform the duties prescribed by 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, and shall also report their findings and conclusions involving malfeasance or nonfeasance in office to the solicitor of the judicial district. They shall have authority to make such investigations and reports for such time back as, from their investigations, they deem it proper to go: *Provided*, that they shall make such investigations and reports for not less than two years and not more than six prior to the passage of this act.

Reports to solicitor.

Investigations of former transactions.

Proviso: Time limits.

Meetings.

SEC. 3. That said finance committees shall have authority to meet, for the purpose of making such investigations and re-

ports, at such times and places in their respective counties, and from time to time for such time as they may deem proper, during the years nineteen hundred and seventeen and nineteen hundred and eighteen.

SEC. 4. That each member of the said finance committees shall receive as compensation three dollars per day while actually employed in such work, and ten cents mileage one way, to be allowed by the county commissioners of their respective counties on vouchers duly verified. Pay of commissioners.

SEC. 5. That in case of vacancy occurring by death, resignation, refusal to act, or otherwise, such vacancy shall be filled by the board of county commissioners of the county in which such vacancy occurs. Vacancies.

SEC. 6. That chapter six hundred and sixteen, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby repealed. Local Laws repealed.

SEC. 7. That this act shall go into effect from and after its ratification.

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 31

AN ACT TO REPEAL CHAPTERS 205 AND 209 OF THE PUBLIC LAWS OF 1907, IN REFERENCE TO DRAWING JURORS IN JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapters two hundred and five and two hundred and nine of the Public Laws of one thousand nine hundred and seven be and the same are, hereby repealed. Laws repealed.

SEC. 2. The board of commissioners of Johnston County, at a special meeting to be called on Monday, the fifteenth day of January, one thousand nine hundred and seventeen, shall cause the clerk of said board to lay before them the tax returns of the preceding year for Johnston County, from which they shall proceed to select the names of all such persons as have paid all taxes assessed against them for the preceding year, and are of good moral character, and of sufficient intelligence. A list of names thus selected shall be made out by the clerk of the board of commissioners, and shall constitute the jury list and shall be preserved as such. Lists from tax returns.

SEC. 3. That the board of commissioners of Johnston County shall, on Monday the fifteenth day of January, one thousand nine hundred and seventeen, cause the names on their jury list to be copied on small scrolls of paper, of equal size, and put into Jury box.

Custodians of keys and box. a box procured for that purpose, which must have two divisions, marked "No. 1," and "No. 2," respectively, and two locks; the key of one box to be kept by the sheriff of the county, the other by the chairman of the board of commissioners, and the box by the clerk of the board.

Drawing jurors. SEC. 4. That the board of commissioners shall select and draw from said box the jurors for the February, March, and April terms, one thousand nine hundred and seventeen, of the Superior Court to be held for the county of Johnston, under the provisions and directions of the general public law as contained in the Revisal of one thousand nine hundred and eight, sections one thousand nine hundred and fifty-nine, one thousand nine hundred and sixty, one thousand nine hundred and sixty-one, one thousand nine hundred and sixty-two and one thousand nine hundred and sixty-three.

Future drawings. SEC. 5. That after the jurors have been drawn for April term of the Superior Court, the board of Commissioners of Johnston County shall, at all times thereafter proceed to draw jurors under the general law as contained in Revisal of one thousand nine hundred and eight, chapter forty-five.

SEC. 6. That all laws and clauses of laws in conflict with this law be and the same 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 January, A. D. 1917.

CHAPTER 32

AN ACT TO AMEND CHAPTER 782 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE ELECTION OF COMMISSIONERS FOR ROWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter seven hundred and eighty two of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out the word "seven" in line three thereof and substituting in lieu thereof the word "five," so that the said section shall read:

Number of commissioners.

"That at the next election for commissioners held for the county of Rowan, and every two years thereafter, there shall be elected in said county of Rowan, five commissioners, with the powers and duties which now are, or may be hereafter prescribed by law for county commissioners."

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 33

AN ACT TO AUTHORIZE THE COMMISSIONERS OF HERTFORD COUNTY TO PLACE CERTAIN MONEYS TO THE CREDIT OF THE ROAD FUND OF MURFREESBORO TOWNSHIP, HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Hertford County are hereby authorized and directed to place to the credit of the road fund of Murfreesboro Township in said county all surplus money in the hands of the treasurer of Hertford County arising from taxes levied and collected in said township for the payment of the bonded indebtedness of said township. Surplus to road fund.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 34

AN ACT TO AMEND CHAPTER 19, PUBLIC-LOCAL LAWS 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter nineteen of Public-Local Laws of one thousand nine hundred and fifteen, be and is hereby repealed. Section repealed.

SEC. 2. That the board of commissioners of Orange County shall, as soon as practicable after the ratification of this act, divide all of the public roads of Orange County into sections not to exceed five miles in length, and make and enter into contracts with suitable persons for their yearly maintenance, repair and upkeep. Roads divided into sections.
Contracts for maintenance.

SEC. 3. The board of commissioners shall appropriate and allot for the yearly maintenance, repair and upkeep of the two branches of the Central Highway leading from Durham through Hillsboro to the Alamance County line, and from Durham through Chapel Hill to the Alamance County line, the sum of forty dollars (\$40) per mile. All other roads shall be divided into two classes, to be known as class "A" and class "B." Class "A" shall include all graded and surface roads. Class "B" shall include all other public roads except those included in class "A." The commissioners shall appropriate and allot for the yearly maintenance, repair, and upkeep of class "A" roads, the sum of Appropriation for Central Highway.
Roads classified.
Class "A."
Class "B."
Allotment to class "A."

- Proviso: Ratio of allotment. twenty dollars per mile; and for class "B" roads, the sum of fifteen dollars per mile: *Provided*, the road fund is of sufficient amount to do so. If the road fund is not sufficient to provide the amount above specified, then it shall be spent in the above named ratio.
- Use of surplus. SEC. 4. In the event the road fund collected from the various sources should exceed the amount authorized to be expended by this act, then the board of commissioners are hereby empowered to apply the surplus in such places as in their judgment will subserve the best interests of the roads.
- Road inspectors. SEC. 5. The board of commissioners shall as soon as practicable after the ratification of this act, appoint a road inspector for each township, whose duty it shall be to inspect each mile of road in his township and report to the said board quarterly through the year on the condition of the various sections of the roads in the respective townships. The inspectors thus appointed shall hold office for one year and shall receive for their services the sum of two and fifty one-hundredth dollars per day, not exceeding fifteen days in any one year.
- Inspection and quarterly reports. SEC. 6. The board of commissioners of Orange County shall have power at all times to remove any contractor or inspector when they deem it to be for the best interests of the roads to do so.
- Term of office and pay of inspectors. SEC. 7. Each contractor and inspector shall before entering upon his duties, take and subscribe an oath for the faithful performance of the same.
- Power of removal. SEC. 8. All laws and clauses of laws in conflict with this act are hereby repealed.
- Contractors and inspectors to qualify. SEC. 9. That this act shall be in force and effect from and after its ratification.
- Ratified this the 8th day of January, A. D. 1917.

CHAPTER 35

AN ACT TO AMEND CHAPTER 301 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, 1915, RELATIVE TO EXTENDING TIME FOR THE SHERIFF OF NASH COUNTY TO EXECUTE DEEDS FOR SALE OF LAND FOR 1913 TAXES.

The General Assembly of North Carolina do enact:

- Time extended. SECTION 1. That chapter three hundred and one of the Public-Local Laws of nineteen hundred and fifteen be amended by striking ou the word "sixteen" in line five, section one, of said act, and the word "eighteen" be substituted therefor.

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 8th day of January, A. D. 1917.

CHAPTER 36

AN ACT TO TAX DOGS AND MAKE THEM THE SUBJECT OF LARCENY IN PERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person owning or keeping a dog shall pay annually on each male or spayed female dog so owned or kept a license or privilege tax of one and one-half dollars; and on each open bitch so owned or kept by any person, a license or privilege tax or two and one-half dollars. It shall be the duty of every person owning or keeping a dog to list the same for such tax at the same time and place as personal property is listed. Tax on males and spayed females. On open bitches. Dogs to be listed.

SEC. 2. Any dog so listed for taxation shall be held to be property, and shall be the subject of larceny. Listed dogs property.

SEC. 3. That the taxes hereunder shall be paid to and collected by the sheriff in the same manner as provided for the payment and collection of other taxes. Collection of tax.

SEC. 4. That the net proceeds raised from the collection of said taxes shall be turned over to the county treasurer, one-half to be added to the road fund of the county and one-half to the school fund. Allotment of tax

SEC. 5. 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 more than ten dollars or imprisoned not more than twenty days. Failure to list a misdemeanor. Punishment.

SEC. 6. In the event any person listing a dog for taxation under the provisions of this act shall fail to pay said tax prior to December thirty-first of each year, and the sheriff shall be unable to find other property of such person subject to levy, it shall be his duty to levy upon the dog or dogs of such person, and unless such tax and costs of levy are paid, to cause such dog or dogs to be killed. Levy on dogs.

SEC. 7. That this act shall apply only to Person County. Application of act.

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 full force and effect from and after its ratification.

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 37

AN ACT TO APPOINT JUSTICES OF THE PEACE FOR SYLVA TOWNSHIP, JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Justices term.

SECTION 1. That R. W. Fisher and B. H. Cathey, Jr., be and they are hereby appointed justices of the peace for Sylva Township, Jackson County, for a term of six years each.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 38

AN ACT TO REPEAL PART OF CHAPTER 292, PUBLIC-LOCAL LAWS 1915, RELATING TO BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

County stricken out.

SECTION 1. That the words "Brunswick and" in line five of section one of chapter two hundred and ninety-two of the Public-Local Laws of one thousand nine hundred and fifteen be and the same are hereby stricken out.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 39

AN ACT TO PROVIDE FOR THE NOMINATION AND ELECTION OF COUNTY COMMISSIONERS OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Districts for nominating commissioners.
Number one.

Number two.
Number three.

Number four.

SECTION 1. That for the purpose of nominating county commissioners for Robeson County, the county shall be divided into five districts as follows: District number one shall be composed of Lumberton, Orrum, Britts, Wisharts and Howellville townships. District number two shall be composed of Rowland, Gaddys, Fairmont, White House, and Sterlings townships. District number three shall be composed of Maxton, Alfordsville, Thomp-sons, Pembroke, and Back Swamp townships. District number four shall be composed of Red Springs, Smiths, Raft Swamp,

Saddle Tree, and Burnt Swamp townships. District number five shall be composed of Lumber Bridge, Shannon, Parkton, Rennert and St. Paul townships. Number five.

SEC. 2. That at the primary election for county officers in Robeson County held in the year one thousand nine hundred and eighteen, there shall be nominated by each of the political parties a county commissioner from each of the two districts numbers three and five, as mentioned in section one of this chapter, and that the rules and regulations prescribed for the nomination of other county officers of Robeson County shall be applicable to the nomination of county commissioners in each of the two districts numbers three and five, as mentioned in section one of this chapter: *Provided*, that in said primary election a candidate for the nomination of county commissioners shall be voted for only in the district from which he offers himself as a candidate. Nominations by districts three and five.
Proviso: Vote by district.

SEC. 3. That at the general election to be held in November, in the year one thousand nine hundred and eighteen for the election of county officers in Robeson County, there shall be elected two commissioners for Robeson County who shall serve for a term of two years and until their successors are elected and qualified, and the candidates nominated from each of the two districts numbers three and five, as mentioned in section one of this chapter, at the primary election preceding the general election in the year one thousand nine hundred and eighteen, shall be voted for by the county at large. Election of commissioners.
Candidates.

SEC. 4. That at the primary election for county officers in Robeson County held in the year one thousand nine hundred and twenty, and biennially thereafter, there shall be nominated by each of the political parties a county commissioner from each of the five districts mentioned in section one of this chapter, and the rules and regulations prescribed for the nomination of other county officers of Robeson County shall be applicable to the nomination of county commissioners in each of the five districts mentioned in section one of this chapter: *Provided* that in any primary election a candidate for the nomination of county commissioner shall be voted for only in the district from which he offers himself as a candidate. Nominations for all districts.
Proviso: Vote by districts.

SEC. 5. That at the general election to be held in November in the year one thousand nine hundred and twenty for the election of county officers in Robeson County, and biennially thereafter, there shall be elected five commissioners for Robeson County who shall serve for a term of two years and until their successors are elected and qualified, and the candidates nominated from each of the districts mentioned in section one of this chapter, at the primary election next preceding the general election, shall be voted for by the county at large. Election of commissioners.
Candidates.

Repealing clause. SEC. 6. That chapter four hundred and fifteen of the Public-Local Laws of North Carolina, session of one thousand nine hundred and eleven of the General Assembly, insofar as it conflicts with the provisions of this chapter, be and the same is hereby repealed, and that all other laws or 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 8th day of January, A. D. 1917.

CHAPTER 40

AN ACT TO AMEND THE COMPULSORY ATTENDANCE LAW IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Parents and guardians to compel attendance of children.

SECTION 1. That from and after the first day of July, one thousand nine hundred and seventeen, every parent, guardian, or other person of the county of Buncombe in the State of 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, whose scholarship shall be investigated and approved by the Superintendent of Public Instruction of Buncombe County, may be accepted in lieu of attendance upon the local public school.

Proviso: Attendance on private and church schools.

Misdemeanor.

SEC. 2. Any parent, guardian, or other person violating the provisions of this act shall be guilty of a misdemeanor and, upon conviction, shall pay a fine of not less than one dollar for each school day that said child has been absent from school: *Provided*, that each day that any child in charge of parent, guardian, or other person shall fail to attend school shall constitute a separate offense under this act, and, upon failure or refusal to pay such fine, said parent, guardian, or other person shall be imprisoned not to exceed thirty days in the county jail.

Penalty.

Proviso: Separate offenses.

Imprisonment.

Duties devolved on sheriff.

SEC. 3. That all the duties imposed upon the attendance officer of any township or townships of Buncombe County set forth and particularly mentioned in the compulsory law, enacted by the General Assembly of North Carolina at its session in nineteen-thirteen, and the amendments thereto contained in chapter two hundred and thirty-six of the Public Laws of the State of North Carolina of nineteen hundred and fifteen, shall be imposed upon and devolved upon the sheriff of Buncombe County and his deputies, and all the duties and obligations of the attendance

officer, or which may hereafter be imposed upon the attendance officer of the various townships of the counties of the State by general law, shall be and become the duties of the sheriff of Buncombe County and his deputies. In discharging the duties imposed upon the sheriff by this act all laws governing, controlling and directing the sheriff in the discharge of his duties in the service of criminal process of Buncombe County shall apply to the discharge of his duties under this enactment. And the duties herein mentioned shall be performed by the sheriff of Buncombe County and his deputies in addition to the duties of said sheriff and his deputies as now prescribed by law.

Laws applicable to sheriff.

Duties additional.

SEC. 4. Upon the petition of a majority of the patrons of any school district in Buncombe County, duly filed with the county board of education of Buncombe County, the period of compulsory attendance may be extended by the county board of education by order duly made in said district for the entire time of the school term in such district under the same provisions, rules, and regulations of this act and the general attendance compulsory law of the State of North Carolina applicable to Buncombe County under this act: *Provided*, that thirty days notice of such extension of compulsory attendance be posted at the school-house door and three public places in the district in which the school is located.

Extension of time by board of education.

Proviso: Notice of extension.

SEC. 5. That all the provisions of the compulsory attendance law of the State of North Carolina not in conflict or inconsistent with this act are hereby declared to be in full force and effect in Buncombe County, and all laws or clauses of laws in conflict with this act are hereby repealed.

General law applicable.

Repealing clause.

SEC. 6. This act shall be in force and effect in Buncombe County of North Carolina from and after the first day of June, nineteen hundred and seventeen.

When act effective.

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 41

AN ACT TO AMEND CHAPTER 634 OF THE PUBLIC-LOCAL LAWS OF 1915, ESTABLISHING A RECORDER'S COURT FOR ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and thirty four of the Public-Local Laws of North Carolina, session of one thousand nine hundred and fifteen, be and the same is hereby amended as follows: Strike out section three of said chapter and insert in lieu thereof, the following:

"The recorders herein provided for and the recorders hereafter elected before entering upon the discharge of their duties

Recorder's oath of office.

Salary—for Lum- berton district Maxton district. Rowland district. Red Springs district. Fairmont district. St. Paul's district. Payment of salaries. Fees to salary account. Repealing clause.	<p>shall take and subscribe the oath subscribed by 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 the Maxton district shall be sixty-five dollars per month; the salary of the recorder for the Rowland district shall be fifty dollars per month; the salary of the recorder for the Red Springs district shall be fifty dollars per month; the salary of the recorder for the Fairmont district shall be fifty dollars per month; the salary of the recorder for the St. Paul's district shall be forty dollars per month; said salaries to 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 recorder's salary account.</p> <p>SEC. 2. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.</p> <p>SEC. 3. That this act shall be in force from and after its ratification.</p> <p>Ratified this the 8th day of January, A. D. 1917.</p>
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CHAPTER 42

AN ACT TO AMEND CHAPTER 653, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915, RELATIVE TO THE APPOINTMENT OF THE KEEPER OF THE COMMON JAIL OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of said act be amended by striking out the word "shall" in line three, and insert in lieu thereof the word "may."

SEC. 2. That section one of said act be further amended by adding after the word "qualified" in line five the following:

Sheriff to act as
jailer.

"Provided, that in case the sheriff shall fail to appoint a keeper of the common jail, then and in that event the sheriff shall be the keeper of the common jail, and as such he shall be required to comply with the provisions of chapter six hundred and fifty-three, except that said sheriff, as keeper of the common jail, shall not be required to give bond as provided in section three of said act."

SEC. 3. That all laws in conflict with this act as amended are hereby repealed.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 43

AN ACT TO VALIDATE CERTAIN PROBATES AND REGISTRATIONS IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in every case prior to the first day of January, one thousand and nine hundred, where a notary public or justice of the peace residing in this or any other state, has taken the acknowledgment of any deed, mortgage or other instrument requiring registration, or the privy examination of a married woman, or the proof of the execution of such deed, mortgage or other instrument, by witness, and has certified such acknowledgment, privy examination or proof, without the use of his notarial seal, and without the clerk of a court of record having certified to the genuineness of the signature of such justice of the peace and that he was an acting justice of the peace at the time, and the clerk of the court of the county where the land is situate has adjudged such certificate or certificates to be in due form and has ordered such deed, mortgage or other instrument to be registered, and the same has been registered, every such certificate is hereby declared to be in all respects valid, and such deed, mortgage or other instrument from the date hereof duly and regularly registered: *Provided*, this act shall only apply to Jackson County and shall not apply to pending suits: *Provided further*, that such proof, acknowledgment, privy examination, certificate and registration shall be valid against creditors or purchasers from the donor, bargainor or lessor named in the deed, mortgage, or other instrument against purchasers for a valuable consideration, only from the date of the ratification hereof.

Ancient probates and registrations validated.

Proviso: Application of act.

Pending suits not affected.

Proviso: Purchasers and creditors protected.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 44

AN ACT TO AMEND CHAPTER 502 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter five hundred and two of the public-local laws of session one thousand nine hundred and fifteen be amended by striking out in line two of said section the word "in" and insert in lieu thereof the word "for."

Deputy sheriffs for townships.

Deputy sheriffs
for county at
large.

Fees to be re-
tained by
deputies.

Proviso: Sum-
mons for jurors.

That said section be amended further by adding at the end thereof the following: "*Provided*, that the sheriff of Caswell County shall have the right, if in his judgment it is to the best interest of the county, to appoint one or more deputy sheriffs for said county as deputy sheriff or deputy sheriffs-at-large, who shall have power to serve all process, both civil and criminal, from all the courts of Caswell County or the State of North Carolina, and the said deputy or deputies shall retain his or their fees for serving said processes in all of the townships except Yanceyville Township, and in the event he shall serve any papers or process of any kind in Yanceyville Township, he shall faithfully account for and pay over to the sheriff of Caswell County such fees to the end that said sheriff shall pay the same into the general fund of Caswell County as provided for in said act: *Provided further*, that the sheriff and his deputy in Yanceyville Township shall summon the jurors for the several terms of Superior Court and deliver all notices and books to judges and registrars of election.

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 8th day of January, A. D. 1917.

CHAPTER 45

AN ACT TO AMEND CHAPTER 601 OF THE PUBLIC-LOCAL LAWS OF REGULAR SESSION OF THE GENERAL ASSEMBLY OF 1913, ENTITLED AN ACT TO PROVIDE FOR THE BETTER WORKING OF THE PUBLIC ROADS OF PERQUIMANS COUNTY, AND TO REPEAL CHAPTER 62, PUBLIC-LOCAL LAWS OF THE GENERAL ASSEMBLY OF 1915.

The General Assembly of North Carolina do enact:

Act repealed.

SECTION 1. That chapter sixty-two, Public-Local Laws of the General Assembly of nineteen hundred and fifteen, be and the same is hereby repealed.

Design, construc-
tion and mainte-
nance of bridges.

SEC. 2. That chapter six hundred and one, Public-Local Laws of the General Assembly of nineteen hundred and thirteen be amended by striking out section ten thereof and all of section nine thereof after the word "commissioners" in line twenty-two and in lieu thereof substitute the following: "The superintendent of roads, under the direction of and with the approval of the commissioners, shall, at the expense and cost of the county, design, construct and maintain all the bridges across

the public roads of the county and be wholly responsible for the proper care and prompt repair of same: *Provided*, that when any drain or ditch across the public roads has been cut or shall be cut, either by the superintendent, or adjoining or interested landowners, for the purpose of draining lands for cultivation or otherwise, the bridge over same shall be designed, constructed and maintained as to afford an ample and sufficient passage and an unobstructed flow of water. In the construction and maintenance of such bridge, the person or persons whose lands are drained and benefited by such ditch across the road shall each be chargeable in proportion to the benefits he receives by such drainage, and such person or all such persons together shall be liable to the county for a sum not exceeding fifty per cent of the actual cost f. o. b. at the place of manufacture of all lime, cement, brick and terra cotta piping that shall be necessary and used in the construction of such bridge, and such sum so apportioned shall be charged against such person or persons and shall be due, payable and collected by the sheriff of said county as he collects other taxes, except, however, the sheriff's receipt of such tax shall show an itemized cost of the material used in the construction of every such bridge. The county commissioners are herein empowered and requested to establish and maintain, so far as possible, an uniformity in its design, construction and maintenance of bridges of similar size and dimensions.

Proviso:
Charges against
landowners.

Charges to be
collected as taxes.

Itemized receipt.

Uniformity.

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 January, A. D. 1917.

CHAPTER 46

AN ACT TO PROVIDE FOR THE MORE ECONOMICAL DISBURSEMENT OF PUBLIC FUNDS IN THE COUNTY OF ROBESON.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of county treasurer in the county of Robeson be and the same is hereby abolished.

Office of treasurer abolished.

SEC. 2. That the board of commissioners of Robeson County is hereby authorized, empowered, and directed to appoint one or more solvent banks or trust companies located in the county of Robeson as a depository and financial agent for said county of Robeson as hereinafter provided, but no bank or trust company shall be eligible for appointment as aforesaid unless the

Financial agent to be selected.

same is authorized to conduct the business of banking as now provided by the laws of North Carolina.

Duties devolved
on bank.

SEC. 3. That the bank or trust company appointed as herein provided shall perform all the duties heretofore performed, or required by law to be performed by the treasurer of Robeson County and the sheriff of Robeson County in respect to the disbursement of public funds coming into their hands by virtue of their office, as well as certain other duties specified in this act: *Provided*, that such bank or trust company shall not charge nor receive any compensation for its services as county depository or financial agent other than such advantages or benefits as may accrue to it from the deposit and disbursement of the public funds of Robeson County in the usual course of banking.

Proviso: No
direct compensa-
tion.

Deposits by
sheriff.

SEC. 4. That all moneys coming into the hands of the sheriff of Robeson County by virtue of his office as such sheriff, or by virtue of his office as *ex officio* treasurer of Robeson County, whether belonging to the general county fund, general road fund, any district or township road fund, general school fund, any special school tax fund, county sinking fund or otherwise, and any and all public moneys from whatever source derived and coming into the hands of the sheriff of Robeson County by virtue of his office as sheriff, or by virtue of his office as *ex officio* treasurer of Robeson County or custodian of any public funds of said county, shall be deposited by the said sheriff in such bank or banks as may be designated by the board of commissioners of Robeson County in accordance with the provisions of this act.

Officers to re-
quire deposits of
funds.

SEC. 5. It shall be the duty of the board of commissioners of Robeson County and the board of education of Robeson County, any and all boards of road trustees of Robeson County, as well as all other officers or authorities having control of the disbursement of the public funds hereinbefore mentioned, to direct the sheriff of Robeson County or any other public officers, having at any time the custody and control of any of the public funds of said county as hereinbefore mentioned, to deposit all of said funds in such bank or banks as shall be designated by the board of commissioners of Robeson County under the provisions of this act.

Depository banks
to be selected
annually.

SEC. 6. The board of commissioners of Robeson County shall meet at the courthouse in Lumberton, North Carolina, on the first Monday in May, one thousand nine hundred and seventeen, and on the first Monday in May in each succeeding year thereafter, at twelve o'clock noon for the purpose of receiving bids and designating a depository or financial agent for the public funds of the said county of Robeson in accordance with the provisions of this act.

SEC. 7. On the first Monday in April, one thousand nine hundred and seventeen, and on said day in each and every year thereafter it shall be the duty of the clerk of the board of commissioners of said county of Robeson to publish at the courthouse door and in every other town in the county of Robeson in which a bank is located and also in some newspaper in general circulation in said county, for a period of four weeks preceding the first Monday in May in each year, a notice which shall set forth in substance that on the first Monday in May thereafter the board of commissioners of Robeson County will meet at the courthouse in Lumberton for the purpose of receiving and opening bids for the deposit of all public moneys and for the purpose of designating a depository and financial agent of said county under the provisions of this act, and said notice shall also contain in a brief way the conditions and terms upon which the said depository and financial agent is to be designated under the provisions of this act. All bids shall be sealed and shall be endorsed "Bids for deposit of public moneys of Robeson County," and shall be addressed to the register of deeds as *ex officio* clerk of the board of commissioners of Robeson County, and shall be filed with him not later than eleven o'clock in the forenoon of the day on which the said bids are to be opened. All bids shall remain under seal until opened as herein provided, and it shall be the duty of the said clerk of the board of commissioners of Robeson County as custodian of said bids to see that no one shall have access to the contents of said bids until they are to be opened as herein provided.

Notice of meeting for selection of depository.

Notice to contain conditions.

Bids.

Protection of bids.

SEC. 8. At twelve o'clock noon on the said first Monday in May, one thousand nine hundred and seventeen, and on said day in each and every year thereafter, the board of Commissioners of Robeson County shall meet at the courthouse in Lumberton as hereinbefore provided, and shall open all of the bids filed in accordance with the terms of this act and shall thereupon proceed to designate a depository and financial agent for the county of Robeson and award the deposit of all public moneys coming into the hands of the officers of said county as provided in section four of this act for a period of one year from the date of said award, such bank having its principal office within the county of Robeson, and as shall agree to pay the highest rate of interest on the average daily balances of public funds on deposit, and as shall agree to loan to the board of commissioners of Robeson County for the use of the county such sums of money as may be required, not exceeding the sum of twenty-five thousand dollars at any one time, and to the board of education of Robeson County such sums of money as may be required by said board, not exceeding the sum of fifteen thousand dollars at any one time, and to any board having charge

Opening of bids.

Designation of depository.

and control of the work of public roads of Robeson County such sums of money as they may be authorized to borrow by virtue of any law then in force, for the use of such board or boards, not exceeding at any one time, the sum of ten thousand dollars, at the lowest rate of interest, and shall execute the undertaking and perform all other duties required by this act.

Joint depositories. SEC. 9. If the bids submitted by any two or more banks shall be the same, but higher and more advantageous to the public than the other bids received, then said banks so submitting the same bids shall be designated as depositories and financial agents jointly, and all public moneys required to be deposited under the provisions of this act shall be divided between or among the said banks *pro rata*.

Deposits divided.
Notice to selected depositories.
Time for filing bond.

SEC. 10. It shall be the duty of the clerk of said board of commissioners on said first Monday in May, one thousand nine hundred and seventeen, and at said time in each succeeding year, immediately after the bids are opened and a depository and financial agent designated as herein provided, to notify the president or cashier of the successful bidder or bidders thereof, and thereupon the bank or banks to which the award has been made, and which has been designated as herein provided, shall have ten days after receipt of such notice in which to execute and tender the bonds and undertakings required by this act.

Bonds to be given by depositories.
Bond filed and recorded.

SEC. 11. Before receiving any deposit of public money under the provisions of this act, the bank or banks which have been designated as depository or financial agent for said county of Robeson, shall enter into an undertaking payable to the State of North Carolina, in some solvent surety company doing business in North Carolina, and approved by the insurance commissioner of said State in the penal sum of fifty thousand dollars, conditioned upon the safe keeping, proper disbursing and accounting for to the authorities of said county having control of the disbursement of said funds, of all public moneys which may be deposited with, or which may come into the possession and custody of said depository or depositories under the provisions of this act, and the said bonds shall inure to the benefit of the board of commissioners of said county, the board of education of said county, and any board or boards having charge of the roads of said county, as well as all other boards having charge of the disbursement of any public funds of Robeson County; and if it shall become necessary to bring any suit for any breach of said bond, the said suit shall be brought in the name of the State of North Carolina on the relation of any one or more of said boards which may have an interest in the matter in controversy. The said undertaking shall be filed with the board of commissioners of said county and shall be approved by them if given in accordance with this act, and thereupon the

said undertaking shall be recorded and filed in the same manner as is now required by law for the filing and recording of other official bonds of said county: *Provided, however*, that if more than one bank is designated as a depository under the terms of this act the amount of the bond hereinbefore provided to be made by said depository shall be apportioned equally among said banks, and the amount of money to be loaned to the respective boards shall be apportioned among said banks *pro rata*, so that each of said banks shall be required to lend its *pro rata* to each of said boards.

Proviso: Bonds given *pro rata*.

SEC. 12. Upon the execution and approval of said undertaking it shall be the duty of the clerk or chairman of said board of commissioners in writing to notify the sheriff of Robeson County and all other officers of said county having in their custody or control, any of the moneys required to be deposited as specified in this act, of the bank or banks which have been designated as depositories for public moneys, and it shall thereupon be the duty of the said sheriff or other officer having in his possession or control, any of said moneys, immediately to deposit or cause to be deposited all moneys in his possession or under his control, or which may thereafter come into his possession or under his control by virtue of his office or position of trust held by him, in the bank or banks so designated as depositories by the board of commissioners, and to continue to so deposit all such public moneys until otherwise directed in writing by the board of commissioners County.

Officers to be notified of depository selected.

SEC. 13. If any bank or banks which have been designated as depositories for public funds under the terms of this act shall fail within ten days after being notified as hereinbefore provided, to give the undertaking required by this act, then in such event said board of commissioners shall designate the next highest or best bidder as such depository, and thereupon the said bank or banks so designated shall give the undertaking as required by the provisions of this act.

Deposits by officers.

Secondary selection.

SEC. 14. The bank or banks designated under the terms of this act and to which the deposit of public moneys has been awarded as herein provided, upon compliance with the terms of its bid, shall be entitled to receive from the sheriff of Robeson County and all other public officers having in their possession or under their control any of the funds mentioned in this act, all public funds during the term for which they have been designated as said depositories; and upon the expiration of said period it shall be the duty of the board of commissioners to again advertise for bids and designate the depository and award the deposit of public money in accordance with the provisions of this act, and so on, in each year thereafter.

Depositories entitled to deposits.

Successive selections.

Interest to be credited to funds.

SEC. 15. It shall be the duty of the bank or banks designated under the terms of this act to credit the interest due upon any fund in accordance with its bid and to credit the same to the particular fund upon which the said interest has accrued, and such credit of interest shall accrue and be paid semi-annually on the first Mondays in November and May in each and every year, and the said depository shall submit within ten days after the said interest shall accrue and become payable, a statement to the board of commissioners of Robeson County, and also to the auditor of Robeson County, showing the amount of interest so credited, and to what fund it was credited. If such depository shall fail, neglect or refuse to credit and account for the interest due in accordance with its bid, then it shall be the duty of the board of commissioners to cause such action to be instituted as may be necessary in any court of competent jurisdiction to collect the amount then due and to prosecute such action to final judgment.

Statements of credits of interest.

Action instituted on default.

Auditor to require monthly reports.

SEC. 16. It shall be the duty of the auditor of Robeson County to demand and receive from the bank or banks designated as depositories under the provisions of this act, statements at least once a month showing a true, accurate and itemized account of all the funds received and disbursed by said bank according to the custom of dealings between banks and depositors or customers, and thereupon the said auditor shall audit the said account and see that all deposits have been properly credited to the proper funds, that all disbursements have been made and charged to the proper account, and that the statement of said depository as to its receipts and disbursements are in all respects true and correct, and said auditor shall, in respect to the accounts of said depository, examine and audit the same as he is now required by law to do the accounts of other public officers of Robeson County.

Depository to file monthly statements.

SEC. 17. It shall be the duty of the said bank or banks so designated as depositories under the direction of the auditor of Robeson County, to file with the clerk of the board of commissioners of Robeson County once in each month a statement showing the amount in the hands of said bank belonging to the county fund and to file with the board of education of Robeson County a statement showing the amount on deposit with it to the credit of the school fund, and with all boards or road trustees or other authorities having in charge the public roads of Robeson County a statement showing the amount on deposit in said bank belonging to said funds.

Monthly reports by depositing officers.

SEC. 18. It shall be the duty of the sheriff or other public officer of Robeson County required by this act to deposit any funds in said depositories, to file with the board of commissioners of Robeson County by twelve o'clock noon on the first

Monday in each month, a statement under oath, showing the amount which he has deposited in said depository within the preceding month, and the amount of all public funds in his hands at the time of filing said report and which have not been deposited in said depository, whether the same be represented by cash, checks, drafts or other writing.

SEC. 19. It shall be the duty of any bank or banks designated as depositories under the terms of this act to provide and maintain during the period in which it shall act as such depository some agent or other representative in the town of Lumberton, who shall, when demanded, pay in specie coin or currency, any and all checks, drafts, or other orders drawn upon it by any proper officer of Robeson County entitled to draw the same. All of the said funds shall be disbursed by said depository without any exchange or collection cost.

Disbursing agent
in Lumberton.

SEC. 20. That nothing in this act shall be construed as limiting the power of the board of commissioners or other proper authorities of Robeson County to borrow money for any legal purpose under any power or authority now conferred by law.

Power of com-
missioners to
borrow money.

SEC. 21. It shall be the duty of the sheriff or other officer of Robeson County charged with the duty of collecting any of the moneys and funds mentioned in this act, to turn over and deposit the same in the bank or banks so designated as depositories of funds collected or received by him and belonging to any of said public funds on the same day or next day after they are so received or collected, and if the said sheriff or other officers, so receiving and collecting any of said funds, shall fail to turn over and deposit the same or any part thereof to the said depository at the time herein required, or if he or they shall fail or neglect to deposit the said money in the bank or banks so designated by the said board of commissioners at the times herein provided, or if he or they shall fail to file the statement under oath hereinbefore required, then the said sheriff or other person so offending shall forfeit and pay to any person who shall sue for the same, the sum of two hundred dollars for each day in which he shall neglect or refuse to do so, and the said penalty and forfeiture may be recovered by a civil action in any court of competent jurisdiction, and the said sheriff or other person so offending shall be guilty of a misdemeanor and upon conviction shall be fined not less than two hundred dollars or imprisoned not less than thirty days, and each day of said failure or neglect shall constitute a separate offense.

Officers to make
prompt deposits.

Penalty for
failure.

Misdemeanor.
Punishment.

SEC. 22. If the board of commissioners of Robeson County or any member thereof, shall fail, neglect or refuse to award the deposit of public moneys as and in accordance with the provisions of this act, then every member of said board so offending shall be guilty of a misdemeanor, and upon conviction be

Failure of board
to award deposit
a misdemeanor.

Punishment.

Penalty.

fined or imprisoned in the discretion of the court, and shall also forfeit and pay the sum and penalty of two hundred dollars to be recovered by any person who shall sue for the same in any court of competent jurisdiction in Robeson County.

Laches of bank constituting misdemeanor.

SEC. 23. If any bank or banks which may be designated in accordance with the terms of this act, shall fail, neglect or refuse to account for the interest which shall accrue on the funds deposited in accordance with the terms of this act, or shall fail to file the statement hereinbefore mentioned, the said bank or banks so offending shall be guilty of a misdemeanor, and shall upon conviction be fined in the discretion of the court, and shall also forfeit and 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 in Robeson County.

Penalty.

SEC. 24. That chapter six hundred and forty-five of the Public-Local Laws of North Carolina, session one thousand nine hundred and eleven, and chapter five hundred and eighty-one Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, and chapter six hundred and seventy-four of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, be and the same are hereby repealed.

Laws specifically repealed.

Repealing clause.

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

SEC. 26. This act shall be in force from and after its ratification.

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 47

AN ACT FOR THE PROTECTION OF BIRDS IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. It shall be unlawful for any person to hunt, kill, capture or in any manner destroy any quail or partridges, dove, meadow lark, robin or other game bird between the fifteenth day of January and the first day of December of any year.

Shipment forbidden.

SEC. 2. It shall be unlawful to ship, carry or in any manner convey any game birds, as set forth in section one, from the county for the purpose of sale or barter.

Sale forbidden.

SEC. 3. No person shall sell, offer or expose for sale any game birds between the fifteenth day of January and the first day of December of any year, and the possession by any person, firm, or corporation of such game birds during the above-named period of the year shall be *prima facie* evidence that such birds are being offered for sale.

Possession prima facie evidence.

SEC. 4. That it shall be unlawful for any person to hunt, kill, capture, or in any manner destroy any pheasant or wild turkey between the fifteenth of January one thousand nine hundred and seventeen and the fifteenth of January one thousand nine hundred and twenty-two. Full protection for pheasants and wild turkey.

SEC. 5. That it shall be unlawful for any person to net or trap any of the birds mentioned in section one of this act or any pheasants. Netting and trapping forbidden.

SEC. 6. Any person, firm, or corporation found guilty of violating any of the provisions of this act shall be guilty of misdemeanor and shall be fined not less than ten dollars nor more than fifty dollars for each offense, or be imprisoned less than ten days nor more than thirty days. Misdemeanor. Punishment.

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

SEC. 8. This act shall apply to Surry County and shall be in force from and after its ratification. Application of act.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 48

AN ACT TO AMEND CHAPTER 374 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA RELATING TO THE ROADS OF LOVELADY TOWNSHIP, CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter three hundred and seventy-four of the Public-Local Laws of North Carolina, session of one thousand nine hundred and fifteen, be and the same is hereby amended by adding after the word "maturity" in line five thereof and before the word "as," the following; "and to provide for the maintenance of the roads of said township." Tax for maintenance.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 49

AN ACT TO PUT THE SHERIFF OF YADKIN COUNTY ON A SALARY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Yadkin County shall receive a salary of eighteen hundred dollars per annum in full compensation for his services as tax collector of Yadkin County, including Salary as tax collector.

Fees as sheriff. ing all special and school taxes. The sheriff shall receive the same fees as now provided for the sheriff otherwise than for the collection of taxes.

When act effective. SEC. 2. That the provisions of this act shall not go into effect until the first day of December, 1918.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 50

AN ACT TO AMEND AND REVISE CHAPTER 334 OF THE PUBLIC-LOCAL LAWS OF THE GENERAL ASSEMBLY OF 1915, KNOWN AS THE DAVIDSON COUNTY ROAD LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and thirty-four of the Public-Local Laws of North Carolina, session or nineteen hundred and fifteen, be and the same is hereby amended and revised as follows: Amend section one of this act by adding thereto this proviso: 'The term of all the members of the board of road commissioners, except E. J. Buchanan and L. A. Smith, created under this section, shall expire on the first Monday in December of the year nineteen hundred and eighteen, or until their successors are duly qualified. That the successors to the present board of road commissioners of Davidson County, except the successors of E. J. Buchanan and L. A. Smith, who shall be elected by the remaining members of the present board, shall be nominated and elected at all succeeding general elections in the same manner as the other county officers and member of the House of Representatives of Davidson County, except that the said board shall consist of four members instead of six as at present constituted. That at the county convention of each of the political parties in the State there shall be nominated two candidates for road commissioners, and it shall be the duty of the general board of elections, as they may exist from time to time, in said county to prepare, print and distribute in due time for the elections such ballots as will ascertain the will of the electors, said ballots to contain the names of the candidates of each political party, and of both political parties, for said office of road commissioner. They are also to prepare and cause to be used such boxes' in which to deposit the ballots as may be necessary. Each elector shall be entitled to vote for as many as two candidates of each of the respective parties: that is, each elector shall be entitled to vote for a total of four road commissioners, but not more than two of them shall be of the same political party. The

Terms of commissioners.

Election of successors.

Nominations.

Ballots.

Ballot boxes.

Votes.

Political parties.

political parties naming the candidates for road commissioners shall be the majority political party and the minority political party in the State, being the two parties which cast the highest and next to the highest number of votes for Governor in the general election next preceding the election of any road board under this act. The term of office of all road commissioners elected under this act shall begin on the first Monday in December of the year of their election, at which time they shall qualify and enter upon the duties of their office and shall hold their office for the term of four years except as hereinafter provided, and until their successors shall duly qualify. At the first election held under this act there shall be nominated in the convention and voted upon at the election two candidates to hold office for the term of two years and the other two candidates to hold office for a term of four years. Each party shall nominate only one candidate for the two year term, and only one candidate for the four year term. Thereafter the term of office of each member of the board shall be four years, there being two new members to be nominated and elected at each general election, preserving the nonpartisan feature herein set out.

Terms of elected commissioners.

Terms of first elected commissioners.

Nominees.

Sec. 2. Upon failure of any member of the road board to qualify, or in case of death or resignation of any member the remaining members of the board shall select some other elector of Davidson County to fill the vacancy, such elector to be of the same political party as his predecessor.

Vacancies.

Sec. 3. That all public roads, cartways and bridges along the public roads in the county of Davidson shall be under the exclusive supervision and control of the Davidson County Road Board, and all petitions for establishing, locating, changing, and discontinuing any public road or cartway and all other matters in reference thereto are by this act placed under the exclusive supervision and control of said road board.

Supervision of roads, cartways and bridges.

Sec. 4. 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 Mondays in January, March, July, and October, 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.

Separate accounts.

Quarterly reports.

The secretary and treasurer 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

Statement to be published annually.

Items of statement.

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 of 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.

Entry on land for material.

SEC. 5. Strike out sections twelve, twenty-one, and twenty-two of chapter three hundred and thirty-four of the said Public-Local Laws of said Assembly of its session of nineteen hundred and fifteen and insert in lieu thereof the following: For the purpose of construction, improving or repairing public roads, the superintendent of road work or other person consulting the owner or his agent, shall have authority to enter upon any uncultivated land near to or adjoining the roads, to cut or carry away any timber except trees left for ornament or shade; to dig or cause to be dug and carried away any stones, 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 landowner considering 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 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 the costs of the appeal.

Drains and ditches.

Obstructing drains a misdemeanor.

Punishment.

Presentation of claims for damages.

Right of appeal.

Costs on appeal.

Powers of commission enumerated.

Entry on land for survey.

Notice to be given land owners.

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, when in their judgment the same will be advantageous to public travel, and for such purposes are authorized, through their agents, to enter upon lands to make the necessary surveys. Before doing any work of construction, apart from the surveys, the board shall give to 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 or his guardian, or if there be no guardian, the person with whom he is living. If the landowner be a non-resident or cannot be found within the county, such notice shall be mailed to his last known address and published in a newspaper of Davidson 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, 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. No strip of land wider than forty feet, with such additional width as may be necessary for cuts and fills, shall be acquired by condemnation. Upon making the order of condemnation, 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, 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 the 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 other 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 damage 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 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 re-

Notice to persons under disability.

Notice to non-residents.

Order of condemnation.

Order not subject to review.

Limit of land condemned.

Immediate action authorized.

Assessment of damages.

Notice to highway commission. Jury of review.

Benefits considered.

Costs of assessment.

Right of appeal.

Bond on appeal.

Costs on appeal.

- covered 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 makes affidavit of inability, by reason of poverty, to give the required bond or 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 court shall in no wise adjudicate the necessity for relocation, widening, or other change, 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 the taking of lands condemned, and the rights of appeal and proceeding 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 case the clerk of 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.
- Appeal in forma pauperis.
- Question on appeal.
- Proviso: Assessment before location.
- Proceedings for assessment.
- Proviso: Power of election.
- Township road supervisors.
- Supervisors to qualify.
- Term of office.
- Township supervisors to attend meetings.
- SEC. 6. The board of road commissioners shall appoint in each township of Davidson County at least one, and not exceeding two, road supervisors to be appointed from the qualified voters of the township on petition of not less than one-fifth of the qualified voters of the township, said supervisors to qualify before the central board and enter upon the duties of their office on the first Monday of December next succeeding their selection, and shall hold office for the term of two years and until their successors shall be selected and qualified.
- SEC. 7. It shall be the duty of the township road supervisors to attend the regular meetings of the highway commissioners, in January, May, and September of each year, and such other meetings as they may be notified to attend by the chairman of

the highway commission, for the purpose of informing the board of highway commissioners by written reports specifying the condition of the roads in their respective townships, and the nature and extent of the work which they may deem necessary for improvements and repairs and setting forth such recommendations as they deem needful for making changes in the roads or in opening new roads. For attending such meetings the supervisors shall each receive compensation not exceeding two dollars per day and mileage not exceeding five cents per mile one way.

Reports of township supervisors.

Recommendations.

Pay of supervisors.

SEC. 8. Such work of repairing and keeping in repair the roads in the several townships as may not be done by the convict force, outfit, and machinery, shall be done by the township supervisors with hired labor. Before doing any work, the supervisor shall submit to the highway commission a written statement specifying the nature, extent and probable cost of the contemplated work, and the board shall authorize said supervisor to do so much of said work as the highway commission may deem it necessary and which cannot be advantageously or conveniently done through the county convict force, outfit, and machinery. The highway commission may also, in its discretion, from time to time, authorize the supervisors to expend such sums as may be necessary, up to certain amounts, on emergency repair works which cannot without public detriment be reported before doing the work: *Provided*, that the amounts allowed to any supervisor for emergency work shall not exceed in the aggregate one hundred dollars for any one year.

Hired labor.

Specifications to be submitted to commissioners.

Authority for emergency expenditures.

Proviso: Limit of amount.

SEC. 9. The township supervisors shall receive as compensation not exceeding two dollars per day for such time as they are actually employed in working hands on the roads in their townships. They shall keep an accurate account of the time necessarily employed by them and the expenses necessarily incurred by them with the date of such item thereof, the names and amounts paid each employee, and render a sworn statement thereof to the chairman of the highway commission each month of the year. No supervisor shall, without permission from the highway commission, employ any member of his immediate family as laborer, nor shall any supervisor hire any of his own teams in doing the work in his township without permission of the highway commission. The highway commission shall have power to prescribe such rules and regulations relating to the working of the roads by the supervisors as may not be inconsistent with the provisions of this act: *Provided*, that the road work of all kinds in the different townships or any part of said work may be done by the board of road commissioners with their agents, employees, machinery and teams instead of by and through the township supervisors as provided in this and the preceding section.

Pay of supervisors.

Verified accounts.

Personal or family interest in contracts forbidden.

Highway commissioners to prescribe rules.

Proviso: Work done by commissioners.

- Vacancies. SEC. 10. Vacancies occurring from any cause in the office of any supervisor shall be filled by the highway commission for the unexpired term, and said highway commission, for cause which it deems good, and may remove any supervisor from office and appoint his successor to fill out the unexpired term.
- Removal for cause. SEC. 11. 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 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 crossings has become dangerous or unsafe by reason of the construction and maintenance of the crossing at grade, over or under the public road, the highway commission shall give 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 roads safe or less dangerous.
- Highway commission to examine crossings. SEC. 12. That said highway commission shall, after notice, investigate the conditions at the crossing, hear such evidence as may be offered, and 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 or unsafe, and if so, the highway commission shall order and direct its removal or change 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. That upon the findings of the highway commission as to the removal of such obstructions, the railroad company, street car company, other corporation, or private 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.
- Order to show cause. SEC. 13. That said highway commission shall not incur obligations or borrow money in any one year in excess of ten thousand dollars to be used in road construction, to be paid out of the road funds coming into its custody by virtue of this act; and if the State or Federal Government shall offer to loan money or furnish aid to counties for road purposes, then the road board shall not borrow a sum in excess of ten thousand dollars in any one year for that purpose, in addition to the
- Hearing on notice.
- Order on hearing.
- Misdemeanor.
- Punishment.
- Right of appeal.
- Bond on appeal.
- Limit of debt.
- State or federal aid.

other ten thousand dollars herein provided for to be repaid out of the road funds provided under this act.

SEC. 14. The highway commission shall have authority to discontinue any public road at discretion which they may deem unnecessary, first, however, giving the landowners 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. 15. That said highway commission may appoint any of its members to superintend and look after the construction of any of the roads and bridges in the county, and such member may be allowed three dollars per day for such service, but in no event shall such member for this class of service be allowed a sum exceeding one hundred dollars for any one year.

Allowance for special work.

SEC. 16. That the terms "Road Board," or "Highway Commission," wherever used in this act, shall be deemed and construed as being synonymous with the words "Board of Road Commissioners of Davidson County."

Definition of terms.

SEC. 17. That the county commissioners of Davidson County shall have the books of the board of road commissioners and its officers properly audited under the provisions of section ten of chapter five hundred and ninety-six of the Public-Local Laws of the General Assembly of its session of nineteen hundred and fifteen, and the first audit shall cover the account of the receipts and disbursements of the said board of road commissioners since the creation of the said board in the year nineteen hundred and fifteen.

Audit of accounts.

SEC. 18. That any obligations heretofore incurred by the present board of road commissioners in the prosecution of the road work of the county, in whatever form the obligation may exist, is validated and made a debt against the said board of road commissioners and its successors, to be paid back out of any general road funds coming into their hands from time to time.

Existing debts validated.

SEC. 19. This is a supplemental act, and does not contemplate a complete revision of chapter three hundred and thirty-four of the Public-Local Laws of the General Assembly, session of nineteen hundred and fifteen, and all parts of said chapter

Act supplemental to former act.

are hereby repealed and modified only when so expressly done or where the same is in conflict with the provisions of this act.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 51

AN ACT TO AUTHORIZE THE COMMISSIONERS OF HARNETT COUNTY TO REVISE THE JURY LIST OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Revision authorized.

SECTION 1. That the Board of Commissioners of Harnett County be and are hereby authorized and empowered to revise the jury list of said county in the manner provided by law during the month of January, one thousand nine hundred and seventeen, in lieu of the revision provided by law for June and July of said year.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 52

AN ACT TO APPOINT MEMBERS OF THE BOARD OF EDUCATION FOR WARREN COUNTY.

The General Assembly of North Carolina do enact:

Appointment and terms.

SECTION 1. That the following named persons are hereby appointed members of the County Board of Education in and for Warren County for the term of years as follows:

From the first Monday in July, 1917—

J. D. Newall, for term of six years.

John Skinner, for term of four years.

Certificate from Secretary of State.

SEC. 2. That the Secretary of State shall within sixty days after the ratification of this act, send a certified copy of the names of the members of this act to the clerk of the Superior Court of Warren County, North Carolina; thereupon said clerk shall immediately notify each member of his appointment, and direct said members to appear at the courthouse on the first Monday in July thereafter for the purpose of qualifying as directed by law.

Notice to appointees.

SEC. 3. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 53

AN ACT TO AMEND CHAPTER 555 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915, ENTITLED "AN ACT TO PROTECT GAME IN BERTIE COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and fifty-five of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, entitled "An act to protect game in Bertie County," be and the same is hereby amended as follows:

(a) Strike out section one, and insert in lieu thereof the following: "That it shall be unlawful for any person to hunt with gun or dog, or trap, or otherwise kill, any wild turkey, quail, or partridge, from the first day of March to the fifteenth day of November, or any wild deer from the first day of January to the first day of September, or any squirrel from the first day of February to the first day of October." Close season for feathered game.
Deer.
Squirrel.

(b) Strike out section two and insert in lieu thereof the following: "That no person shall set any steel or log trap on the lands of another without written permission of the owner of said lands, and it shall be unlawful to bait any wild turkey or other game." Steel or log traps.
Baiting game.

(c) Amend section three by adding the words "woods" before the word "lands" in line one thereof. Prima facie evidence.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 54

AN ACT PROHIBITING HOGS BEING FED ON THE PUBLIC ROADS OF TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. No person shall feed hogs on the public roads, or within twenty yards of the public roads of Tyrrell County unless they are behind a fence five yards from the road. Feeding forbidden.

Fine.

SEC. 2. For every violation of the above, the person violating it shall be fined not less than one nor more than five dollars.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 55

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF JACKSON COUNTY TO APPROPRIATE A SUM NOT EXCEEDING \$450 TO BE APPLIED ON THE BALANCE DUE FOR THE ERECTION OF THE CONFEDERATE MONUMENT IN THE TOWN OF SYLVA.

The General Assembly of North Carolina do enact:

Appropriation
authorized.

SECTION 1. That the county board of commissioners of Jackson County be and they are hereby authorized to appropriate a sum not exceeding four hundred and fifty dollars to be applied upon the payment of the indebtedness due for the erection of the Confederate monument in the town of Sylva. Such amount may be appropriated by said board, not exceeding the sum of four hundred and fifty dollars, out of any available funds of the county, as said board may deem best.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 56

AN ACT TO REPEAL SECTION 3 OF THE PUBLIC-LOCAL LAWS OF 1913, AND TO RE-ENACT SECTION 12 OF CHAPTER 636, PUBLIC LAWS OF 1905, SO AS TO MAKE SAID SECTION 12 OF SAID CHAPTER 636 OF THE PUBLIC LAWS OF 1905 APPLY TO TUCKAHOE TOWNSHIP OF JONES COUNTY.

Law repealed.

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

Road duty.

SEC. 2. That section twelve of chapter six hundred and thirty-six, Public Laws of one thousand nine hundred and five, is hereby reënacted, so that the whole of said section shall apply to Tuckahoe Township, Jones 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 9th day of January, A. D. 1917.

CHAPTER 57

AN ACT TO REGULATE THE HUNTING AND TRAPPING OF GAME IN THE COUNTY OF SCOTLAND.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to hunt, kill, or trap deer in the county of Scotland except from November first to December first, inclusive; and foxes except from August fifteenth to March first, inclusive; and squirrels and wild turkeys except from November first to December first, inclusive; and quail from November fifteenth to February fifteenth, inclusive; of each and every year.

Open season for deer.

Foxes.

Squirrels and wild turkeys.
Quail.

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 Scotland 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 apply to the hunting, killing, or trapping of rabbits.

Hunting without written permission forbidden.

Proviso: Rabbits.

SEC. 3. That it shall be unlawful for any person or persons not residing in the county of Scotland 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 upon the issuance, and the license fee for the privilege of hunting, killing or trapping of 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 road fund: *Provided*, that this section shall not prohibit non-residents who own land in the county of Scotland from hunting upon their own lands without first having obtained a license from said clerk as aforesaid.

Non-residents to obtain license.

License fees.

License fees paid into road fund.
Proviso: Non-residents owning land in county.

SEC. 4. That the board of county commissioners of the county of Scotland 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

Game wardens.

Term of office.

Proviso: Revo-
cation of appoint-
ment.

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.

Shipping game.

SEC. 5. That it shall be unlawful for any person, firm or corporation to ship or carry away quail out of Scotland except that landowners in said county may kill and carry out of the county game killed on the premises of such owners.

Penalty for vio-
lation of act.

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.

One-half to war-
den's informant.

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 9th day of January, A. D. 1917.

CHAPTER 58

AN ACT REPEALING CHAPTER 366 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915, RELATING TO ABOLISHING THE OFFICE OF TREASURER OF BERTIE COUNTY; AND TO RESTORE THE OFFICE OF TREASURER OF SAID COUNTY AND TO FIX THE SALARY OF SUCH TREASURER.

The General Assembly of North Carolina do enact:

Act repealed.

SECTION 1. That chapter three hundred and sixty-six of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, entitled, "An act to abolish the office of treasurer of Bertie County and to have its public accounts annually audited," be and the same is hereby repealed in all respects, except wherein it is made the duty of the said commissioners of Bertie County, in section six and section seven of said act, to have an auditing of all the public accounts of said county, and publication of a detailed statement thereof.

Office restored.

SEC. 2. That the office of treasurer of the county of Bertie is hereby restored to the extent and to all intents and purposes, and subject to all the provisions of law existing at the time the aforesaid act abolishing said office was passed, and to those thereafter passed or that may hereafter be passed.

SEC. 3. That a treasurer for the county of Bertie shall be elected at the next general election had in said county for election of other county officers, and biennially thereafter as now provided by law for electing county officers. Treasurer to be elected.

SEC. 4. That on the first Monday in February, one thousand nine hundred and seventeen, the commissioners of the county of Bertie shall elect a treasurer of said county and fix his bond according to law. who after his bonding and qualification by taking the necessary oath of office, shall hold his office until his successor is elected and qualified as herein provided. Time of election.

SEC. 5. That the annual compensation of said county treasurer, for all the duties performed by him, shall be the sum of six hundred dollars as fixed by chapter five hundred and ninety, Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, entitled "An act to fix salaries for certain public officers in Bertie County," and all the provisions of that act relating to the office of treasurer of Bertie County are hereby reenacted and reinstated. Compensation.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 59

AN ACT TO AUTHORIZE THE REMOVING OF TELEPHONE AND TELEGRAPH POLES OBSTRUCTING THE PASSAGE OR IMPROVEMENTS OF HIGHWAYS IN PERQUIMANS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all telephone and telegraph poles placed within the bounds of such roads or highways obstructing passage or interfering with improvements to such highways, are ordered removed. Removal ordered.

SEC. 2. The telephone and telegraph companies shall have the authority to place the poles along the lands bordering such highways when poles have been condemned by road supervisor. Replacement.

SEC. 3. Any private landowner adjacent to the highways of said county shall receive from any telephone or telegraph company a sum for his damages, to be fixed by the county commissioners, not exceeding one dollar for each pole or guide erected by said company. Damages.

SEC. 4. Any telegraph or telephone company, or their officers or agents, failing to remove within six months any of their poles which have or may be condemned shall be guilty of mis- Failure to remove poles misdemeanor.

Punishment.

demeanor and fined not exceeding the sum of fifty dollars for each offense or imprisoned not more than thirty days, or as the court may direct.

SEC. 5. This act shall apply only to Perquimans County.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 60

AN ACT TO AMEND CHAPTER 383 OF THE PUBLIC-LOCAL LAWS OF 1915, ENTITLED 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 chapter three hundred and eighty-three of the Public-Local Laws of one thousand nine hundred and fifteen, entitled an act relating to manure, compost and litter made by animals kept upon rented or leased farm lands in Wake and Craven counties, be and the same is hereby amended as follows: In section one, line three, after the word "Wake," insert "Robeson." In section two, line two, after the word "Wake" insert "Robeson."

Law extended.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 61

AN ACT TO AUTHORIZE THE COMMISSIONERS OF SURRY COUNTY TO APPOINT A HIGHWAY COMMISSION, AMENDING CHAPTERS 344, 334, 372, 380, 478, 494, 267, 443, 452, AND 598, PUBLIC-LOCAL LAWS 1913, IN STEWARD CREEK AND OTHER TOWNSHIPS IN SURRY COUNTY, AND CHAPTER 347, PUBLIC-LOCAL LAWS 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter three hundred and forty-four, Public-Local laws, one thousand nine hundred and thirteen, be and the same is hereby amended as follows: Strike out all after the word "belief" in line two and before the word

Commission for
Steward's Creek
Township.

“as” in line three, and insert the following: “to be appointed by the board of county commissioners of Surry County,” and in line six of section nineteen, strike out the words, “twenty-five” and insert the word “thirty,” and in line seven of said section nineteen, strike out the words “seventy-five” and insert the word “ninety.”

SEC. 2. That section two of chapter three hundred and thirty-four, Public-Local Laws, one thousand nine hundred and thirteen, be and the same is hereby amended as follows: Strike out all after the word “belief” in line two and before the word “as” in line three and insert the following: “to be appointed by the board of county commissioners of Surry County.”

Commission for Sheals Township.

SEC. 3. That section two of chapter three hundred and seventy-two of Public-Local Laws, one thousand nine hundred and thirteen, be and the same is hereby amended as follows: Strike out all after the word “belief” in line two and before the word “as” in line three and insert the following: “to be appointed by the board of county commissioners of Surry County.”

Commission for Rockford Township.

SEC. 4. That section two of chapter three hundred and eighty, Public-Local Laws, one thousand nine hundred and thirteen, be and the same is hereby amended as follows: Strike out all after the word “belief” in line two and before the word “as” in line three, and insert the following: “to be appointed by the board of county commissioners of Surry County.”

Commission for Dobson Township.

SEC. 5. That section two of chapter four hundred and seventy-eight, Public-Local Laws, one thousand nine hundred and thirteen, be and the same is hereby amended as follows: Strike out all after the word “belief” in line two and before the word “provided” in line six, and insert the following: “to be appointed by the board of county commissioners of Surry County as their terms expire, except as hereinafter provided, and of those named D. F. Needham and Millard Needham shall hold office for four years; Joe Samuel and shall hold office for two years.”

Commission for Long Hill Township.

SEC. 6. That section two of chapter four hundred and ninety-four, Public-Local Laws, one thousand nine hundred and thirteen, be and the same is hereby amended as follows: Strike out all after the word “belief” in line two and before the word “as” in line three and insert the following: “to be appointed by the board of county commissioners of Surry County.”

Commission for Westfield Township.

SEC. 7. That section two of chapter two hundred and sixty-seven, Public-Local Laws, one thousand nine hundred and thirteen, be amended as follows: Strike out all after the word “belief” in line two and the word “as” in line three, and insert the following: “to be appointed by the board of county commissioners of Surry County.”

Commission for Mt. Airy Township.

SEC. 8. That section two of chapter four hundred and forty-three, Public-Local Laws, one thousand nine hundred and thirteen, be and the same is hereby amended as follows: Strike out all after the word "belief" in line two and before the word "as" in line three, and insert the following: "to be appointed by the board of county commissioners of Surry County."

Commission for
Eldora Township.

SEC. 9. That section two of chapter four hundred and fifty-two, Public-Local Laws, one thousand nine hundred and thirteen, be and the same is hereby amended as follows: Strike out all after the word "belief" in line two and before the word "as" in line three, and insert the following: "to be appointed by the board of county commissioners of Surry County."

Commission for
Siloam Township.

SEC. 10. That section two of chapter five hundred and ninety-eight, Public-Local Laws, one thousand nine hundred and thirteen, be and the same is hereby amended as follows: Strike out all after the word "belief" in line two and before the word "as" in line three, and insert the following: "to be appointed by the board of county commissioners of Surry County."

Commission for
Pilot Township.

SEC. 11. That section two of chapter three hundred and forty-seven, Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended as follows: Strike out all after the word "belief" in line two and before the word "as" in line three and insert the following: "to be appointed by the board of county commissioners of Surry County."

Pay of commis-
sioners.

SEC. 12. That the members of the board of commissioners of Surry County be allowed to charge a per diem for their service, of not more than five dollars per day for time actually employed.

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 and effect from and after the first Monday in February, one thousand nine hundred and seventeen.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 62

AN ACT TO CREATE A HIGHWAY COMMISSION FOR THE COUNTY OF CAMDEN.

The General Assembly of North Carolina do enact:

Camden Highway
Commission.

SECTION 1. That there be established in and for the county of Camden a highway commission to be known as Camden Highway Commission, the said highway commission to be composed of five citizens and taxpayers of Camden County, North Carolina, all of the said members to be appointed by the pres-

Appointment and
terms.

ent General Assembly of North Carolina, one for the term of two years, two for the term of four years, and two 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.

Incorporation.

SEC. 2. That all public roads and bridges along or across the public roads of Camden County shall be under the exclusive supervision and control of the Camden Highway Commission; that all petitions for establishing, locating, 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 Camden Highway Commission.

Exclusive powers of commission.

SEC. 3. That the term of office of the members of Camden Highway Commission shall begin on the first Monday in February, one thousand nine hundred and seventeen. The first one hereinafter named in this act shall hold office for two years, the second and third ones named hereinafter shall hold office for four years, and the fourth and fifth hereinafter named shall hold office for six years, and their successors shall hereafter be elected by the General Assembly at its biennial session.

Beginning of term of commissioners.
Terms of each commissioner.

Election of successors.

SEC. 4. That upon failure of any member of the Camden Highway Commission, now or hereafter appointed, to qualify, in case of death or resignation of any member of said highway commission, the said vacancy shall be filled by appointment made by the clerk of the Superior Court of Camden County.

Vacancies.

SEC. 5. That all duties herein prescribed for the secretary of said highway commission shall be performed by the said secretary, whose compensation shall not exceed the sum of three hundred dollars per annum, and D. H. Tillett 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.

Secretary of commission.

Salary.

Secretary named.

Term.

SEC. 6. It shall be the duty of the secretary of the highway commission to keep a complete record of all 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 shall 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 of the 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,

Records of commission.

Audit of bills.

Purchase of supplies.

Bank selected as treasurer.

Official bond.

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 good grounds as to the financial condition of said bank, in the opinion of 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 designated 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 funds and perform the duties of treasurer without commission or compensation.

Proviso: Term of selection.

Accounts to be kept.

Authentication of warrants.

Proviso: Bank to act without pay.

Special tax for roads.

Limit of rate.

Constitutional equation.

Purchase of stock, material and tools.

Proviso: Apportionment for permanent improvements.

Appropriation from general county funds.

Work may be let to contract.

Employees.

SEC. 7. The board of county commissioners for the county of Camden 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 twenty-five cents on the one hundred dollars valuation of property, and not less than thirty cents and not greater than seventy-five cents on each taxable poll, the constitutional equation to be observed at all times.

SEC. 8. The said highway commission may purchase stock, material, implements, wagons, road scrapers, tractors, 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 money raised under this section shall, as far as possible, be used for the 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 said 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.

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, after having received sealed bids for same, or upon the best obtainable terms, taking sufficient bond from the contractor to indemnify the county against breach of contract and to fix forfeitures or liquidated 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 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. The highway commission 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.

Limit of engineer's salary.

Discharge for cause.

Expense of instruction.

SEC. 11. For the purpose of constructing, 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 claim to the said 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 appeal.

Entry on land for material.

Drains or ditches.

Obstructing drains or ditches a misdemeanor.

Presentation of claims for damages.

Right of appeal.

Costs of appeal.

SEC. 12. No person shall allow or cause to drain water from his lands into the public roads or ditches thereof, when, or in the opinion of the said commission, such drainage into the public roads or ditches thereof shall in any wise damage or injure the said public roads, and if it shall be the opinion of the said commission that the said water drained into the said public roads or ditches thereof has injured the said roads in any manner it shall be the duty of the secretary of said commission after action by the said commission to give notice in writing to the owner of such land the ditches of which now drain 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 owner shall be required to discontinue the draining of said land into the public roads or ditches thereof within six months of such notice so given, and any person failing or

Drainage of lands into public roads or ditches.

Notice for discontinuation.

Failure a misdemeanor.

Punishment.

Drains across roads.

Bridge repaired at cost of land-owner.

Cost a lien on property.

Proviso: Criminal prosecution.

Proviso: Plans for construction of bridges.

Drainage of roads.

Proviso: Work to be done by landowners.

Proviso: Payment by land-owner for work done by county.

Maintenance a county charge.

Roads classified.

Class No. 1.

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 Camden 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. All such roads shall be thoroughly drained, and whenever it may be necessary to turn water across the road this shall be done by putting in sewer pipe or other forms of covered drains or culverts; and further, the superintendent of roads shall have charge of all bridges and drains across the road, and, when practicable, shall put down sewer pipe or drain tile, except across creeks, rivers, or large swamp canals, where bridges, either of iron or wood, shall be built under the direction and at the discretion of the board of county commissioners: *Provided*, that when any drain is cut across any road for the purpose of draining any lands, the owner thereof shall cause such sewer pipe or drain tile to be put down at his own expense as the roads superintendent may direct: *Provided further, however*, that if the owner of the land, or the one for whose benefit the drain or ditch is cut, shall elect, the road superintendent shall construct said tile drain or bridge, keeping an itemized statement of the cost of same, and the said owner shall pay said superintendent the total amount of such itemized cost immediately upon the completion of same; such tile drain, or bridge, or structure shall ever after said payment be a county charge, and the county shall ever after keep and maintain such tile drain or bridge as such was first constructed.

SEC. 14. The said highway commission shall have power and authority to divide all the roads in the said county into three classes, and shall have further authority to remove one road from a class in which it may have been placed into another class, as in their discretion it may seem best to do. These classes shall be as follows: Class No. 1, width of the road twenty-eight

feet, with an additional space of six feet on one side of the said road for the erection of telephone and telegraph lines; Class No. 2. Class No. 2.
 2, width of the road twenty-four feet, with an additional six feet on one side for the erection of telephone and telegraph lines; Class No. 3, width of road twenty-two feet with an additional six feet on one side for the erection of telephone and telegraph lines. Class No. 3.

SEC. 15. The highway commission shall have full power to prescribe rules and regulations governing the use of any public road within Camden County, and any violation of such rules and regulations shall be and the same is hereby made a misdemeanor. Regulations for use of roads.
 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 or 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 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 the public roads. Violation of rules a misdemeanor.
 Removal of telegraph and telephone poles.
 Proviso: Removal of poles.
 Right of condemnation of land for poles.
 Trees shading roads.

SEC. 16. 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 constructing 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 the time and place when and where the highway commission will consider the question of condemning the land. If the landowner may 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 Location and construction of roads.
 Entry on land for survey.
 Notice to landowner.

Order of condemnation.	address and published in a newspaper of Camden 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 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 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, apply to the clerk of the Superior Court for an assessment of damages. Five days notice of such application shall be given 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 of the landowner and shall render a verdict for such amount, if any, as the damages may exceed the benefit and shall render judgment accordingly, and shall tax the landowner with the costs of 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 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 ways 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
Findings not subject to review.	
Procedure for assessment of damages.	
Costs of assessment.	
Right of appeal.	
Bond on appeal.	
Costs on appeal.	
Appeal in forma pauperis.	
Judgment on appeal.	

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 damages, if any, caused by the survey, or surveys, and taking of land condemned, and the rights of appeal and proceeding 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: Assessment before condemnation.

Proviso: Condemnation of land for material.

SEC. 17. 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.

Obstruction of officers a misdemeanor.

Punishment.

SEC. 18. The highway commission shall have authority to discontinue any public road at discretion which they may deem unnecessary, first, however, giving the landowner 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 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.

Discontinuation of roads.

Cartways.

Separate accounts. SEC. 19. 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 repair work done on the roads in the several townships, keeping each township 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.

Quarterly reports.

Publication of annual statement.

SEC. 20. 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 repair thereof; the amount paid out for the opening of 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, and each township separately.

Items of statement.

Purchase of road equipment.

SEC. 21. The highway commission is empowered to purchase all such machinery, stock, and tools as may be necessary for the proper construction of said road, and may purchase 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.

Investigation of crossings.

SEC. 22. The said highway commission shall, upon its own motion, or upon petition of another have the power to investigate 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 crossings has become dangerous, unsafe, or inconvenient by reason of the construction and maintenance of the crossings of the public road or roads, 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.

Notice to show cause.

SEC. 23. That the said highway commission shall, after notice, investigate the condition at the crossings, hear such evidence as may be offered, and 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 such 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, or 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.

Hearing on notice.
Order on hearing.
Misdemeanor.
Punishment.
Right of appeal.
Bond on appeal.

SEC. 24. That the 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.

Power to borrow money.

SEC. 25. The following named citizens and taxpayers of Camden County be and they are hereby appointed members of the Camden Highway Commission: W. S. Berry, whose term of office shall be two years from the first Monday in February one thousand nine hundred and seventeen, or until his successor is appointed and qualified; Chas. T. Hodges and J. B. Williams, whose terms of office shall be for four years from the first Monday in February, one thousand nine hundred and seventeen, or until their successors are appointed and qualified; D. E. Williams and E. Mitchell, whose terms of office shall be for six years from the first Monday in February, one thousand nine hundred and seventeen, or until their successors are appointed and qualified.

Commissioners named.

SEC. 26. 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 each session, 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 February, one thousand nine hundred and seventeen, at which time they shall organize and begin their active duties as herein prescribed.

Regular meetings.
Called meetings.
Per diem.
Proviso: Meeting for organization.

- Place of meeting. SEC. 27. 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.
- Executive expenses.
- Repealing clause. SEC. 28. That all laws and clauses of law in conflict with this act are hereby repealed.
- SEC. 29. That this act shall be in full force and effect from and after its ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 63

AN ACT TO AMEND AND REENACT CHAPTER 345 OF THE PUBLIC-LOCAL LAWS OF 1915, AND TO VALIDATE THE TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000) HIGHWAY IMPROVEMENT BONDS OF WILKES COUNTY, HERETOFORE VOTED.

The General Assembly of North Carolina do enact:

- Amount of bond issue reduced. SECTION 1. That chapter three hundred and forty-five of the Public-Local Laws of nineteen hundred and fifteen, being "An act to authorize the board of commissioners of Wilkes County to issue bonds in the sum of five hundred thousand (\$500,000) dollars to build and improve the public roads of said county and to provide for and maintain same by taxation," be amended by changing the amount of the bonds in the title and in sections one, twenty-seven and thirty-two, and wherever else in said act the amount may be mentioned, from "five hundred thousand dollars" to "two hundred and fifty thousand dollars."
- Actions validated. SEC. 2. That the proceedings heretofore taken by the board of commissioners of Wilkes County and the good roads commission of Wilkes County in submitting to the qualified voters of the county the question of issuing highway improvement bonds in the sum of two hundred and fifty thousand (\$250,000) dollars and in fixing the maturities of said bonds and awarding and selling said bonds, be and the same are hereby validated and confirmed, and when delivered and paid for, said bonds will be valid and binding obligations of Wilkes County.
- Law effective. SEC. 3. That except as herein amended the said chapter three hundred and forty-five of the Public-Local Laws of nineteen hundred and fifteen shall remain in full force and effect.
- SEC. 4. That this act shall be in force from and after its ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 64

AN ACT TO AMEND CHAPTER 12, PUBLIC-LOCAL LAWS, SESSION 1913, RELATIVE TO THE ELECTION OR APPOINTMENT OF THE MEMBERS OF THE FORSYTH HIGHWAY COMMISSION.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter twelve of the Public-Local Laws, session one thousand nine hundred and thirteen, be amended by striking out the words "present General Assembly" in lines five and six, and inserting in lieu thereof the words, "Governor of the State of North Carolina."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 65

AN ACT TO CONSTRUCT AN IRON BRIDGE OVER THE YADKIN RIVER, THE DIVIDING LINE BETWEEN THE COUNTIES OF FORSYTH AND YADKIN, AT OR NEAR DONNAHA.

Whereas the improved public roads in the counties of Forsyth and Yadkin are being laid out and constructed to Donaha Station on the Southern Railway; and whereas there is now no bridge across the river at or near Donaha; and whereas the travel from the counties of Yadkin and Forsyth has no way of crossing said river, except by ferry; and whereas it appears that a public bridge at or near Donaha is a public necessity: now, therefore,

Preamble: Road building.

Preamble: No convenient bridge.

Preamble: Ferry.

Preamble: Public necessity.

The General Assembly of North Carolina do enact:

SECTION 1. That the boards of county commissioners of the counties of Forsyth and Yadkin be and they are hereby authorized, empowered and directed to contract for, and expend a sum not exceeding thirty thousand (\$30,000) dollars, in the construction of an iron bridge across the Yadkin River, the dividing line between the counties of Forsyth and Yadkin, at or within one and a half miles of the village of Donaha, the exact location of said bridge to be determined by said boards of county commissioners of said counties, within the limits above specified.

Contract ordered.

Limit of price.

Location.

SEC. 2. That the charges and costs of building and erecting said bridge shall be defrayed by the counties of Forsyth and

Apportionment of cost.

Yadkin in proportion to the taxable property listed for taxation in each of the said counties, respectively. And the keeping up and repairing of said bridge, after the construction thereof, shall be charged on each of said counties, and shall be defrayed by each in proportion to the taxable property listed for taxation in each of the counties respectively.

Expense of maintenance.

Special tax for Forsyth county.

SEC. 3. That the board of county commissioners of Forsyth County be and it is hereby authorized, empowered, and directed to levy and cause to be collected, a special bridge tax, of not exceeding five (5) cents for the years one thousand nine hundred and seventeen and one thousand nine hundred and eighteen, on the one hundred (\$100) dollars valuation of all property listed for taxation in Forsyth County; and the board of county commissioners of Yadkin County be and it is hereby authorized, empowered, and directed to levy and cause to be collected, a special bridge tax, of not exceeding five (5) cents for the years one thousand nine hundred and seventeen and one thousand nine hundred and eighteen, on the one hundred (\$100) dollars valuation of all property listed for taxation in Yadkin County. Said fund so raised by said tax levy to be applied by each of said boards of commissioners to defray the proportional expense and cost of erection of said bridge by the said counties, respectively:

Special tax for Yadkin county.

Provided, that if Yadkin County shall issue bonds for road building, then the cost to Yadkin County shall be paid out of the funds derived from the sale of said bonds.

Proviso: Payment by Yadkin county.

Approaches and fills.

SEC. 4. That in addition to the construction of said bridge as herein provided at a cost not to exceed thirty thousand (\$30,000) dollars, the construction of the public roads and the fills of the approaches in the respective counties shall be done at the expense of the counties in which the roads are located.

Prerequisites to building.

SEC. 5. That the contract to construct the bridge shall not be let until the county of Yadkin shall let a contract for the construction of an improved public road from the point where the bridge is to be constructed across the river to a connecting point on the improved public road leading from Yadkinville, North Carolina, to Jonesville, North Carolina, or improved road by East Bend and Boonville.

Time for completion.

SEC. 6. That the boards of county commissioners of Forsyth and Yadkin are hereby authorized, empowered, and directed to construct said bridge on or before the first day of December, one thousand nine hundred and eighteen.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 66

AN ACT TO APPOINT A BOARD OF ROAD COMMISSIONERS
FOR TRANSYLVANIA COUNTY AND TO AMEND THE
ROAD LAWS THEREOF.

The General Assembly of North Carolina do enact:

- SECTION 1. That J. W. McMinn, Chas. E. Orr, and R. F. Glazener be and they are hereby appointed and constituted the board of road commissioners for Transylvania County. That immediately after ratification of this act the said commissioners shall meet at Brevard, North Carolina, and organize by electing one of their members chairman of the board, and another of their members secretary of the board. That the term of office of the said commissioners shall be four years each, beginning 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 Transylvania County for the faithful performance of his duties as a member of said board. If a vacancy shall occur in said board, the Governor of North Carolina is hereby authorized and empowered to fill such vacancy or vacancies by appointing thereto a qualified elector or electors of Transylvania County to fill such vacancy, said appointees to hold said offices for the unexpired portion of said term of four years and until their successors are elected and qualified.
- SECTION 2. The said board of road commissioners of Transylvania County and its successors in office be and they are 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 or Transylvania County.
- SECTION 3. The said board of road commissioners shall have all and every power or powers, right or rights, and control over and of all the public roads and cartways of Transylvania County as they now exist or may hereafter exist, as are now vested in, or which may hereafter be vested in, the board of county commissioners of Transylvania County.
- SECTION 4. The said road commissioners are authorized and empowered to employ a county superintendent of roads or such assistants as they may deem necessary, and they shall have the full right and power to appoint rules and regulations for the construction, laying out, alteration, amendment, repair and maintenance of said public roads as they may deem necessary and not inconsistent with the Laws of North Carolina in regard thereto.
- SECTION 5. The said board of road commissioners shall have full and complete charge of and control of the chain-gang and con-
- Commissioners named.
Official title.
Organization.
Terms of office.
Commissioners to qualify.
Vacancies.
Incorporation.
Corporate name.
Powers and rights.
County superintendents and assistants.
Rules and regulations.
Control of chain-gang.

victs working on the public roads in said county in as full and complete a manner as the county commissioners may now have or may hereafter have.

Powers of county commissioners vested in road commissioners.

SEC. 6. That all rights, powers and privileges now vested in the board of county commissioners of Transylvania County as to the laying out, construction, altering, amending, repairing and maintaining the public roads, cartways and bridges in said county, are hereby transferred to and vested in said board of road commissioners, and the said board of road commissioners shall have as full and complete control of all said public roads, cartways and bridges in said county in as full and complete a manner as same have heretofore been, or may hereafter be vested in said board of county commissioners.

Reports to road commissioners.

SEC. 7. That all reports heretofore or hereafter required to be made by the several road overseers, or other persons in said county to said board of county commissioners shall hereafter be made to said board of road commissioners.

Meetings.

SEC. 8. The board shall meet as often as it may deem necessary to carry out the provisions of this act, and shall receive as a compensation a sum not to exceed two (\$2) dollars per day and necessary expenses while in performance of their duties. Said board shall annually in the *Sylvan Valley News*, or other newspapers published in the county of Transylvania, publish a statement showing its receipts and disbursements.

Pay of commissioners.

Publication of annual statement.

Moneys credited to road commissioners.

SEC. 9. That the board of county commissioners of Transylvania County shall place all taxes, assessments, moneys received from the sale of bonds or other evidences of indebtedness with the treasurer of Transylvania County to the credit of the said board of road commissioners, said moneys to be deposited with said county treasurer as soon as same is collected.

Orders on road funds.

SEC. 10. Said board of road commissioners is hereby authorized and empowered to make orders as they deem necessary upon the said county treasurer for any and all moneys in his hands to their credit. All said orders to be signed by the chairman of said board and countersigned by the secretary thereof. The said county treasurer is hereby authorized and empowered, and he shall pay all such orders as may be drawn by said board of road commissioners when the funds heretofore mentioned shall be turned over to him by the said board of county commissioners or the tax collector of said county. The tax collector of Transylvania County, or any other person or persons collecting any general or special tax or assessment for road or bridge purposes in Transylvania County are hereby empowered and directed to pay same to the treasurer of Transylvania County, to be placed to the credit of the board of road commissioners of said county.

Payments by treasurer.

Settlement of taxes.

Laws, contracts and records amended.

SEC. 11. That all laws and clauses of laws, contracts and records heretofore enacted or hereafter enacted, or heretofore or

hereafter made, or heretofore or hereafter recorded in connection with the public roads of Transylvania County shall be amended by substituting "The Board of Road Commissioners of Transylvania County" in lieu and in place of the words "Board of County Commissioners of Transylvania County."

SEC. 12. That all laws and clauses of laws which in any way conflict with this act or any of its provisions are hereby repealed. Repealing clause.

SEC. 13. That this act shall be in effect from and after its ratification.

Ratified this 9th day of January, A. D. 1917.

CHAPTER 67

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF CALDWELL COUNTY TO ISSUE BONDS TO IMPROVE AND MAINTAIN THE PUBLIC ROADS OF SAID COUNTY AND THE SEVERAL TOWNSHIPS THEREIN, AND TO REFUND THE DEBT OF SAID COUNTY INCURRED FOR BUILDING ROADS AND BRIDGES IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of grading, building and constructing of macadam, gravel, soil, sand-clay, or other material, and otherwise improving and maintaining the public roads of Caldwell County, the board of commissioners of said county is hereby authorized, empowered, and directed to issue bonds of said county to an amount not exceeding two hundred and fifty thousand (\$250,000) dollars in denominations not exceeding one thousand (\$1,000) dollars, bearing interest from the date thereof at 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.

Purpose of bond issue.
Bond issue directed.
Amount.
Denominations.
Interest.
Maturity.
Proviso: Sale below par forbidden.

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 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

Authentication.

as the number of the coupon, shall be executed either by the signing by the chairman of the board of county commissioners and the register of deeds of Caldwell County and the official of said board, or with their lithographed signatures.

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

Special tax. 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 county of Caldwell, 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, 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 Caldwell 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 cents upon the hundred dollars of property and ninety cents on each poll.

Constitutional equation.

Proviso: Limit of rate.

Specific appropriation.

SEC. 5. The 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.

Investment of sinking fund.

SEC. 6. That it shall be the duty of the board of commissioners for the county of Caldwell 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 secured 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 no less than five per cent per annum, and any interest from said fund shall be annually invested in the same way, and the notes taken from said loans shall express on their face that the money borrowed belongs to said sinking fund.

Interest on sinking fund.

Use of proceeds of bonds and tax.

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-making machinery, to survey, lay out, grade, macadamize, 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.

SEC. 8. That the funds 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 said board of commissioners. Deposit of funds.

SEC. 9. For the purpose of ascertaining the wishes of the voters of Caldwell County upon the question of issuing said bonds, improving and maintaining the public roads of said county as provided for in this act, an election shall be held at all the voting precincts in said county of Caldwell on Tuesday after the first Monday in May, in the year one thousand nine hundred and seventeen, it being the eighth day of May, one thousand nine hundred and seventeen. At said election all voters in Caldwell 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 Road Improvements" written or printed thereon, and those who oppose the purpose of this act shall vote a ticket with the words "Against Road Improvements" written or printed thereon, and in the event that the majority of the votes cast in said election shall be "For Road Improvements," 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 for the General Assembly, except as is otherwise differently provided in this act. There shall be a new registration of said voters of said county for said election, and the registration books for said new registration shall be open from the fourteenth day of April, one thousand nine hundred and seventeen, at nine o'clock a. m., and shall be closed on the fifth day of May, one thousand nine hundred and seventeen, at sunset. The registrars and judges of election of each precinct shall meet at their respective precincts on Saturday, the fifth day of May, one thousand nine hundred and seventeen, at sunset. The registrars and judges of election of each precinct shall meet at their respective precincts on Saturday, the fifth day of May, one thousand nine hundred and seventeen, at nine o'clock a. m., and hear any complaint for refusing of registration, and also all challenges which may be made against any person admitted to registration. But no names shall be erased from the registration list without notice to said person and a hearing, and said hearing may be on said day or at any day Election on bond issue.

Date for election.

Tickets.

Law governing election.

New registration.

Challenge day.

Hearing on challenges.

Appointment of election officers.	after the registration books shall be closed, and including the day of election. The registrars and judges of election shall be appointed by the board of commissioners for the county of Caldwell not later than the first Monday in March, one thousand nine hundred and seventeen, and the list of persons so appointed shall be published for two weeks in some newspaper published in Caldwell County during the month of March, one thousand nine hundred and seventeen. 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 for members of the General Assembly, except as is otherwise or differently provided in this act. At the close of the election in each precinct the votes shall be counted and returned over the signatures of the registrar and judges of election, or a majority of them, to the board of commissioners of the county of Caldwell.
Publication of appointments.	
Count and return of votes.	
Blanks.	Abstracts or blanks for this purpose shall be prepared by said board of commissioners and furnished to each precinct; and the registrar and one judge of election shall be chosen as messengers 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 Caldwell, one copy to the clerk of the Superior Court of said county, and one copy retained by the registrar of each precinct. On the second Monday in May, one thousand nine hundred and seventeen, being the fourteenth day of May, one thousand nine hundred and seventeen, and the Monday succeeding the election, the board of commissioners for the county of Caldwell shall meet as a canvassing board and shall receive the returns of the 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 in said election shall be "For Road Improvements," 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 while the said registration books were open for registration, but shall have become entitled to registration after the registration books were closed and before or on the day of election, shall be entitled to register on the day of election and vote.
Returns.	
Canvass of returns.	
Declaration and record of results.	
Effect of election.	
Registration on election day.	
Registration on Saturdays.	SEC. 10. On each Saturday during the period of registration, the registrar shall attend with his registration book at the polling place of his precinct for the registration of voters. It shall be the duty of the registrar and judges of election to certify on returns made by them of the votes cast in their respective precincts in said county, the number of voters registered at their precinct in said election; and the registrar shall, on or before the day for the canvass of the votes so cast by the board of
Certificate of number of registered voters.	
Deposit of registration books.	

county commissioners, return his registration book to the clerk of the board of county commissioners. The registrar and judges of election shall keep two poll books containing the names of persons voting at their precinct at said election. The registrar shall receive for their services hereunder two cents for each name registered and one dollar a day for each Saturday; and the registrar and judges of election shall receive one dollar and fifty cents for their services rendered on the day of election and for making returns required by this act. The costs of this election to be paid by the board of county commissioners out of the road fund, in the event that the provisions of this act shall become operative, if not, out of the general county funds.

Poll books.

Pay of registrars.

Pay of registrar and judges.

Cost of election.

SEC. 11. If a majority of votes cast in said election shall not be "For Road Improvements," then the provisions of this act shall not be operative, but the said board of commissioners may call another election to be held at such time and with such length of notice and under such regulations, not inconsistent herewith as they may deem expedient, but no new registration for such second election shall be required.

Further elections.

SEC. 12. The board of county commissioners 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 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 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 land any changes, location, or relocation of any public road, or the establishment of any new public road is to be made, or the discontinuing or abandoning 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 over or on whose land the proposed changes are to be made, and the 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 guardian, or if no guardian has

Location and changes in roads.

Discontinuance of roads.

Survey for location.

Declaration of necessity.

Notice to landowners.

Persons under disability.

Non-residents.	been appointed, then such notice shall be given to any person with whom they are living. If any landowner is a non-resident, the said notice shall be mailed to him at his place of residence, or be published for twenty days before the decision by the said commissioners. The said commissioners upon the day of hearing set by them, shall either make an order granting the change, location, relocation of any public road, or the opening or 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 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 act of the board of commissioners as contemplated in this section.
Orders on hearing.	
Condemnation of land.	
Appeal only as to quantum of damages.	
Obstruction of officers misdemeanor.	SEC. 13. Any person who shall obstruct the county surveyor or engineer in making a survey, in changing the road or in the opening of a new 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 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 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, 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 county commissioners cannot agree and fix the amount of the 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 and the result shall be the verdict; and the said damages, if allowed, shall be paid out of the road fund of the county; and if the jury awards no more damages than the amount offered by the board of commissioners, then the party aggrieved shall pay all costs for making the said assessment of damages: <i>Provided</i> that the board of commissioners or persons so aggrieved shall have the right to appeal to the Superior Court after giving good and sufficient security for costs.
Solicitor to prosecute.	
Procedure for assessment of damages.	
Benefits considered.	
Payment of damages.	
Cost of assessment.	
Proviso: Right of appeal.	

SEC. 14. That for the purpose of carrying out the provisions of this act, the board of commissioners through its superintendent, after first consulting the owner or owners, agent or agents, of the land from which the material for building or repairing roads is gotten, is hereby authorized to enter upon any land 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.

Entrance on
lands 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, soils, sand, or rock, or other materials was taken as aforesaid, shall present an account for the same to the board of county 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, soil, rock, or other material; but said board of 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 said material.

Presentation and
payment of
accounts.

Right of appeal.

SEC. 16. It shall be the duty of the board of commissioners of Caldwell to elect some competent and experienced engineer to be approved by the State Highway Commission, to lay out and supervise the building, improving and maintenance of the public roads of the county of Caldwell and fix his compensation and appoint such assistants and overseers as may be necessary. It shall be the duty of the said engineer, under the direction of the said board of commissioners 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 road; and if the said board of commissioners shall determine to let any part of the grading, macadamizing, or 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 and macadamizing, or the grading or madamizing, 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 commissioners may decide to complete the said road in accordance with the said specifications of the said engineer

Election of
engineer.

Maps and esti-
mates.

Bids on speci-
fications.

Work may be let
to contract.

Bonds of
contractors.

Alternative system.	within the time prescribed by the said board of commissioners, or, the said board of commissioners may hire labor and convicts and use the convicts of the county of Caldwell, and have the said roads graded and macadamized or 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 the county of Caldwell. No more than twenty per centum of the amount apportioned to any township hereunder shall be applied to the improvement of roads or streets in any incorporated town in such township, but as much as twenty per cent of the amount so apportioned to any township may be applied to the improvement of streets and roads in such incorporated town, or towns, in such township.
Work in towns.	
Sale of bonds.	SEC. 17. That the board of commissioners of the county of Caldwell shall offer at such time or times such number of said bonds as may be determined by said board, and the proceeds of sale of said bonds shall be delivered to the treasurer of the county of Caldwell, and shall be disbursed by him upon orders duly signed by the chairman of the said board of commissioners and countersigned by the secretary thereof. The said treasurer is hereby directed and required to keep a separate book of the moneys received from proceeds of the sale of said bonds and the disbursement and date thereof, made by him of the same. And the bonds 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 the sale of the bonds or taxes levied under this act, but may be paid in the discretion of the board of commissioners of Caldwell County on disbursements upon their order, not exceeding one-fourth of one per cent in addition to any compensation he may now or hereafter receive as salary. Any premium paid by said treasurer upon any bond given by him under the provisions hereof shall be repaid to him by the county.
Delivery and disbursement of proceeds.	
Separate accounts.	
Treasurer liable on bond.	
Compensation of treasurer.	
Premium for treasurer's bond.	
System of road work.	SEC. 18. The board of commissioners of Caldwell County shall locate and establish a uniform system of public roads for said county, so as to serve every township in the county, and are hereby directed to expend the proceeds of said bonds as rapidly as it can be wisely or judiciously expended for the purposes of this act expressed by proportioning the amount of such proceeds between the several townships according to the value of the taxable property therein as determined by the assessment of the year one thousand nine hundred and sixteen. After the apportionment of the funds among the several townships, said board of commissioners may, in their discretion, appoint five discreet persons in each township as road commissioners for said township to have charge and supervision of the expenditures of the
Expenditure of funds.	
Apportionment to townships.	
Township road commissioners.	

- funds herein provided for when not in conflict with some provision hereof, which said township commissioners shall be subject to the directions of the board of county commissioners, or the county road commission hereinafter provided for, and for the purpose of selecting such township commissioners, said board of county commissioners may call a mass meeting of the voters of said township. When any bridge or public road shall be a boundary between two townships, the board shall apportion the costs of constructing or improving such bridge or road between such townships in accordance with the amount of taxable property in each; and shall likewise apportion the costs of building any new bridge over such boundary stream in like manner. The cost of building a bridge over any stream which may be a boundary between Caldwell and any other county, shall be payable out of the general county funds.
- SEC. 19. The roads to be laid out and constructed by the board of commissioners under this act shall be of the width and grade 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 board of 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.
- SEC. 20. The treasurer of the county of Caldwell shall quarterly publish in some newspaper published in the county of Caldwell an itemized statement of all receipts and disbursements by him made of money received under the provisions of this act.
- SEC. 21. That no tax shall be levied for road purposes except such as is provided for in this act. If the provisions hereof shall be ratified by a vote of the people then no free labor shall be required from those persons liable for road duty.
- SEC. 22. That on and after September first, one thousand nine hundred and eighteen, the board of commissioners of Caldwell County are authorized and empowered to adopt a uniform system of maintaining the public roads of Caldwell 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 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 Caldwell County. They shall provide the manner and method of working said roads with a view to keep in good repair in every section of the county.
- SEC. 23. If any act shall be passed at this or any subsequent session of the General Assembly authorizing the State to loan
- Selection by mass-meeting.
- Apportionment for roads and bridges on township lines.
- Bridges charged on county funds.
- Width and grade of roads.
- Bridges.
- Statements published quarterly.
- Exclusive tax. Free labor.
- Adoption of uniform road system.
- Funds for road work.
- Method of work.
- Acceptance of State aid.

money to the counties to aid in building or improving public roads, taking county bonds as collateral for said loan, then the board of county commissioners of Caldwell County are hereby authorized and empowered to avail themselves of the privileges and benefits of any such act.

Bond issue authorized for township.

SEC. 24. In the event that the board of commissioners for the county of Caldwell is not authorized to issue bonds under the preceding sections of this act, it shall be lawful for said board to issue coupon bonds bearing interest at the rate not to exceed six per cent per annum, payable semiannually at such place or places as said board may determine, to an amount not to exceed seventy-five thousand dollars for any one township in said county, in the manner and under the restrictions hereinafter provided for, and the bonds so issued by said commissioners shall be paid by the township for which they are issued and shall not be charged against any property or polls outside of said township. The board of county commissioners in performing the duties of issuing, selling and purchasing bonds or doing any other thing under this act shall be deemed the agent of any township under this act. That the proceeds derived from a sale of the bonds made hereunder, as well as funds realized from the levy of taxes under the provisions hereof shall be used for the purpose of laying out, establishing, maintaining, altering, repairing, grading, constructing and improving in any way the public roads in the various townships of said county for which bonds may be issued under the provisions hereof.

Amount.

Payment by townships.

Agent of townships.

Township road funds.

Petition for township elections.

SEC. 25. That under presentation of a petition in writing signed by not less than one-fourth of the qualified voters of any township in said county, to the board of county commissioners of said county requesting it to submit to the qualified voters of the township where such petitioners reside a proposition to issue bonds for the purposes named in the succeeding sections for a definite amount at a maximum rate of interest and to run for a period not to exceed fifty years, all to be named in said petition, the board of county commissioners shall forthwith order an election to be held in such township and submit to the qualified voters therein the question of issuing bonds to the amount, at the rate of interest, and to run for a period specified in said petition, at which election all those qualified to vote who are in favor of said proposition shall vote a ballot on which shall be written or printed the words "For Road Bonds," and those opposed to the proposition shall vote a ballot on which shall be written or printed the words "Against Road Bonds," and the election for this purpose shall be conducted in the same manner and subject to the same rules and regulations as are or may be provided for the election of township officers by the

Order for election.

Ballots.

Law governing election.

general election laws of this State, unless in any manner otherwise provided for in this act. The board of county commissioners shall at the time of ordering any election under this act, appoint one registrar and two judges of election in each precinct in said township to hold said election. The books shall be kept open for the registration of voters for twenty days preceding the day of election, which twenty days may run concurrently with the notice or advertisement for said election hereinafter provided; and for the purpose of registration the books used in the general election shall be delivered to the registrar and commissioners at the time of ordering election. Such election shall be held after thirty days notice thereof, specifying the amount of the proposed bond issue, rate of interest, and the period for which the bonds shall run shall have been posted in the courthouse and at every polling place in the township where said election shall take place and published in four issues of some newspaper published in the county, and the returns thereof shall be made to the board of county commissioners and returns recorded and result declared by said board. If a majority of said votes cast shall be "For Road Bonds" then the board of county commissioners shall issue coupon bonds to the amount at the rate of interest and to run for a period specified in the said petition and order of election, and the bonds shall upon their face indicate on account of what township they are issued. They shall be in denomination as board of county commissioners shall determine. They shall be signed by the chairman of the board of county commissioners and attested by the official seal and signature of register of deeds of said county. And the chairman of the board of county commissioners, under the direction of said board, shall sell the bonds so issued at not less than par value: *Provided*, elections may be ordered and held upon petitions under the provisions of this act not oftener than every six months, in any township until the full amount of bonds authorized by this act shall have been issued for such township. If such bonds are issued for any township no further road duty, or free labor, shall be required from the persons of such township.

SEC. 26. That the county commissioners or other county authorities who are legally authorized and empowered to levy taxes shall, in order to provide for payment of the bonds and interest thereon to be issued under the preceding sections, compute and levy each year, at the time of levying county taxes, a sufficient tax upon the property and poll, observing the constitutional equation, in any township having issued bonds, to pay the interest on the bonds issued on account of such township, and shall also levy a sufficient tax to create a sinking fund to provide for the payment of such bonds at maturity. Such taxes

Election officers.

Registration.

Registration books.

Notice of election.

Returns.

Issue of bonds.

Denominations.

Authentication.

Sale of bonds not below par.

Proviso: Successive elections.

Free labor abolished on bond issue.

Special tax.

Constitutional equation.

- shall be levied and collected annually and under the same laws and regulations as shall be in force for levying and collecting other county taxes. The tax levied under provisions thereof shall not exceed thirty cents on every one hundred dollars worth of taxable property and ninety cents on every taxable poll.
- Limit of tax rate.
- Record of bonds. SEC. 27. That the commissioners of said county shall provide a record in which shall be entered a record of all the acts of said board made in pursuance hereof.
- Corporate powers of county commissioners. SEC. 28. The board of county commissioners may sue and be sued, plead and be impleaded in any court of competent jurisdiction in this State touching the bonds issued on account of any township in any county issuing bonds under this act, or any matter connected therewith, or touching the road fund of any such township derived under this act, or on any contract made by or with the said board for carrying out the purposes of this act, and any judgment in favor of said board shall specify for the benefit of what township such judgment is rendered, and any judgment against such board shall specify what township is liable for the payment thereof, and the said judgment shall be paid only out of the funds of such township, or by taxes derived from property and polls in such township.
- Use of funds. SEC. 29. That the funds derived from the sale of bonds or levy of tax on account of any township shall be used for the purpose of laying out, establishing, altering, repairing, grading, constructing, maintaining and improving in any manner public roads in such township so issuing bonds and for purchasing such material, machinery, and improvements as may be necessary. Any damage that may be awarded to any person by reason of establishing, altering or repairing any public roads on which permanent improvements are to be made in any townships issuing bonds shall be paid by such township.
- Payment of damages
- Township road commissioners. SEC. 30. That the board of county commissioners of the county of Caldwell at the time they shall have declared the result of any election held herein to have been in favor of the issuance of bonds of any township so voting under the provisions thereof, shall appoint five discreet persons of such township as road commissioners thereof, who shall be a body politic, incorporated under the name of "The Road Commissioners of Township." Said commissioners so appointed shall hold office until the first Monday in January which shall happen after the next general election, 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 nineteen (1919) and every two years thereafter. Unexpired terms shall be filled by the remaining members of the board, and the position of
- Incorporation.
- Corporate name.
- Terms of office.
- Election of successors.
- Vacancies.

road commissioner shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina.

SEC. 31. The said board of road commissioners for such township shall have such powers and duties and shall be subject to the same rules and regulations as are provided for the road commission of Lovelady Township, Caldwell County, North Carolina, by the provisions of chapter three hundred and thirty, Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, when not in conflict with the specific provisions hereof.

Powers and duties of township commissions.

SEC. 32. That any funds derived from the sale of any bonds, or from the levy or collection of any taxes under the provisions of this act, shall not be used for the purpose of improving any roads or streets of any incorporated town in such township, unless and except the amount to be used for the purposes and the roads and streets to be so improved shall be stated in the petition under which any election held herein shall be called.

Work in towns.

SEC. 33. In the event that any public road now existing or hereafter to be constructed in said county shall be the boundary line between any two townships, it shall be the duty of the county commissioners to provide for the maintenance of such road and to direct the proportion that shall be expended by each township therefor. Such amount shall be determined according to the relative number of taxable polls in each township of which such road is the boundary.

Roads on township lines.

Basis of apportionment.

SEC. 34. That territory comprised of one or more townships, or comprised of parts of one or more townships, containing more than twenty-five square miles in area, and in which there is property of the assessed valuation of more than one hundred thousand (\$100,000.00) dollars, and upon which there are no road bonds issued, may petition for a bond election under the provisions hereof, and for all the purposes and benefits of this act may be treated as a township, except that any road commission to be appointed therefor shall be styled "The Road Commission of District."

Road districts.

Title of commission.

SEC. 35. The provisions of sections twenty-four to thirty-five hereof, both inclusive, shall not apply in the event that a majority of the votes cast at an election held under the provisions of sections one to twenty-three hereof, both inclusive, shall be in favor of the issuance of road bonds for said county as hereinbefore provided, but shall apply as hereinbefore stated in the event that such road bonds shall not be issued under the provisions of said sections for said county.

Application of alternative powers.

SEC. 36. Chapters four hundred and fifty-six and four hundred and sixty-eight of the Public-Local Laws of the session of nineteen hundred and thirteen (1913) are hereby expressly repealed.

Laws specifically repealed.

Bonds of Lovelady township.

SEC. 37. Inasmuch as Lovelady Township has heretofore issued twenty-five thousand dollars (\$25,000.00 of bonds, the proceeds of which have been used in making roads in said township, and as it is desired to make the road scheme for said county a county movement instead of a township one, the board of commissioners of Caldwell County are hereby authorized and directed in the event of the voting of the county bonds under the provisions hereof, to deliver to the chairman of the board of the road commission of Lovelady Township, twenty-five thousand dollars of the bonds authorized by this act, to be placed on special deposit in some trust company to be selected by the board of county commissioners, and the coupons thereon repaid by the county treasurer as they become due, and the money arising therefrom to be devoted to the payment of the interest on the township bonds as far as they go. In the event that sections one to twenty-three hereof shall be adopted by the people of Caldwell County then such twenty-five thousand dollars of bonds shall be charged to the sum that would be due such township hereunder, and the persons and property of said township shall be taxed in like manner as other townships of said county. The board of county commissioners shall refund to said township any difference in interest. This section shall also be applicable to any townships that may vote township bonds under this or any other act authorizing same.

Other townships issuing bonds.

Further bond issue.

SEC. 38. That the board of commissioners of the county of Caldwell are hereby authorized and directed to issue fifty thousand dollars of coupon bonds of said county in such denominations and bearing such rate of interest and payable at such time or times, and payable at such place or places as said board shall determine, the proceeds of which shall be used in the repayment of the money heretofore borrowed for the repair of the roads and bridges of said county and for the completing of additional roads and bridges and for securing site for and building a new county home for said county, and any bonds heretofore issued, or to be issued, in such sum for said purposes are hereby in all respects fully validated and confirmed.

Use of proceeds.

Bonds validated.

Issue absolutely authorized.

SEC. 39. The bonds directed to be issued under section thirty-eight hereof shall not be dependent upon the vote of the people of said county, but shall be issued by the board as herein directed and shall be in addition to any bonds herein authorized by sections one to twenty-three hereof.

Special tax

SEC. 40. For the payment of the bonds hereinbefore directed to be issued by section thirty-eight, the said board of county commissioners is hereby authorized and directed to levy and collect such additional special taxes upon property and polls, observing the constitutional equation, as may be necessary to

Constitutional equation.

pay the interest thereon as it may hereafter become due, and to create a sinking fund for the payment of said bonds at their maturity.

SEC. 41. The board of county commissioners of Caldwell County, instead of performing the duties made incumbent upon them by the provisions of this act with respect to the construction and maintenance of roads, may delegate such power to a road commission to be appointed by the said board. The said commission shall be composed of five competent electors in said county, no more than three of whom shall belong to the same political party. The said commission, if so appointed, shall perform any and all the duties which are herein conferred upon and directed to be performed by the board of county commissioners, except with respect to the calling of elections, declaring the results thereof, issuing bonds, and levying taxes thereunder. The said road commission shall hold office until the first Monday in July, one thousand nine hundred and nineteen, and their successors shall be elected by said board for a term of two years from said date. Vacancies occurring on said road commission shall be filled by the board of county commissioners. The board of commissioners of said county shall have the right to remove any member of the said road commission for cause. The members of the said road commission shall receive two dollars per day for their services.

Delegation of powers to road commission.

Constituents of board.

Powers and duties devolved.

Term of office.

Election of successors.

Vacancies.

Removal for cause.

Pay of commissioners.

SEC. 42. All laws and sections of laws in conflict herewith are hereby expressly repealed.

Repealing clause.

SEC. 43. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 68

AN ACT TO CREATE A SPECIAL ROAD DISTRICT IN WAKE COUNTY, INCLUDING PARTS OF HOUSE CREEK AND SWIFT CREEK AND CARY TOWNSHIPS.

The General Assembly of North Carolina do enact:

SECTION 1. That the following territory lying and being in Wake County, North Carolina, be and the same is hereby constituted a special road district under the name and style of "Western Wake County Highway District," to wit:

Road district constituted.

All parts of House Creek and Swift Creek and Cary townships embraced within the following bounds to wit: Bounded by a line beginning at the point where the center line of the main line track of the Seaboard Air Line Railway is intersected by

Boundary.

the center line of the spur track which runs into the exposition grounds of the North Carolina Agricultural Society; and runs thence northwardly along the center line of said spur track to where the said track intersects the southern line of the land of the North Carolina Agricultural Society; thence eastwardly, northwardly and westwardly with the land of the said North Carolina Agricultural Society to the land of the North Carolina Experiment Station; thence with the northern and western line of said lands of the North Carolina Experiment Station to the lands formerly belonging to the late W. R. Crawford; thence with the north line of said lands of the said Crawford's heirs to the lands of H. B. Bagwell; thence with the north line of the said H. B. Bagwell to the center of the Highland Farms road; thence northwardly with the center of the said Highland Farms road to the eastern line of the right of way of the Carolina Power & Light Co., now occupied by its power transmission line (running from the Method substation to Henderson, N. C.); thence with the said eastern line of said right of way to where said right of way intersects the road running from Beaver Dam Creek to Method near the Leesville highway; thence westwardly with said Beaver Dam Creek-Method road, by, through or near the farm of F. B. Arendell and others to the intersection of said road with the Highland Farms road; thence westwardly with said road, passing between the farms of John W. Hinsdale, Jr., and D. D. Ellington (formerly), to the intersection of said road with the Cool Springs-Method road; thence southwardly with said Cool Springs-Method road by the farms of A. M. Goodwin, (formerly) D. D. Ellington, J. D. Farrior, Frank Thompson, to where the said road intersects the northern line of the right of way of the Carolina Power & Light Company which is now occupied by a transmission line of said company running between Method, N. C., and Durham, N. C., said point being on the lands known as the Tucker farm; thence northwestwardly with said line of right of way to where said line intersects the line of Cary Township; thence with said line of Cary Township northwardly to Crabtree Creek, thence up said Crabtree Creek and with the line of Cary Township westwardly, southwardly and eastwardly to where said township line intersects the eastern line of the right of way of the Carolina Power & Light Company which is now occupied by the transmission line of said company running between Blewett's Falls, N. C., and Method substation on the lands of J. A. Woodward; thence with the eastern line of said right of way; in a northward direction to where the line of said right of way intersects the southern line of the right of way of the North Carolina Railroad Company (Southern Railway); thence eastwardly with the southern line of the right of way of the North Carolina Railroad Company

(Southern Railway) to a point which is due south from the beginning point first above mentioned in this description, thence due north to the point of beginning.

SEC. 2. That Thomas H. Taylor, Hardy B. Bagwell, Paschal Highway commissioners.
A. Sorrell, S. R. Seymour, Charles J. Parker, Cary K. Durfey, Franklin McNeill, William D. Upchurch, Daniel Allen, Charles W. Horne and C. M. Miller, superintendent of roads of Wake County, be and they are hereby appointed a board of highway commissioners, who shall have supervision of the public highway leading from Raleigh, N. C., by way of Method and Asbury, N. C., to and through Cary Township to the town of Cary, N. C., being part of the central highway as the same is now or may hereafter be located; and said commissioners shall hold office Term of office.
until the completion of the work hereinafter committed to them. All vacancies in said board by death, resignation, or Vacancies.
from other cause shall be filled for the unexpired term by such person, or persons, as shall be elected by a majority vote of the remaining members of the board.

SEC. 3. That the said highway commissioners named in sec- Incorporation.
tion two of this act, and their successors, shall be and they are Corporate name.
hereby constituted a body corporate under the name and style of the "Western Wake Highway Commission," and by that Corporate powers.
name may sue and be sued, plead and be impleaded, make contracts, acquire real and personal property, hold, exchange and sell the same, and exercise such other rights and privileges as are necessary for the purpose set forth in this act. They shall have the same supervision, powers and rights in Rights as to road
respect to said highway as have heretofore been vested in the work.
board of commissioners of Wake County, North Carolina. Said Route of road.
commissioners shall construct said road along the present line thereof, and on the north side of the railroad tracks of the Seaboard Air Line Railroad and the Southern Railway, in a westerly and southwesterly direction to what is known as the Williams crossing over said railroads near and beyond the home of Charles E. Williams, on the north side of said railroads, and construct the said road along or near the present location from that point to the town of Cary, and the said commissioners shall Right of condem-
have all the powers for condemnation for right of way and demnation.
material for the purpose of constructing said highway as have been heretofore vested in the board of county commissioners for Wake County. Said commissioners shall also have the power Railroad cross-
to treat with any railroad company whose tracks are or shall ings.
be located in the said district with respect to carrying the said highway across, over or under such railway tracks at or near Williams crossing, and to make such agreement as in their discretion may seem best with regard to construction and maintenance of said crossing. Said commissioners shall have the Employees.

power to employ all such laborers, agents, engineers and other employees as shall seem necessary to them to carry out the purpose of this act, and they shall have the power to purchase such machinery, tools, blasting material, drain pipes, lumber and any and all other such material as in their judgment may seem necessary to carry on and complete the work committed to them by this act. That in the construction of the said road under the provisions of this act the said Western Wake Highway Commissioners are hereby authorized and directed to build and construct in the same manner and of the same material as the remaining section is constructed and built of the road leading from the section of this highway on the Tucker farm and north of the Seaboard Air Line and Southern Railway tracks across said tracks by Berry O'Kelly's store (as you travel from Raleigh to Cary) westwardly and across said tracks and intersecting said road again (north of said tracks) and near Tucker Grove Church as now located, being the usual traveled road leading from the Central Highway through Method and by said Berry O'Kelly's store.

SEC. 4. Said board of highway commissioners shall meet within twenty days after the ratification of this act, upon the call of a majority of them, or as soon thereafter as may be practicable, at the courthouse in Raleigh, N. C., and after qualifying before some officer authorized to administer oaths, they shall organize by electing one of their number chairman and another one of their number vice-chairman, and another one of their number, or some other suitable person, secretary. The chairman shall preside at all meetings when present. The vice-chairman shall preside in the absence of the chairman. The secretary shall keep a record of the proceedings of said board in permanent form, and the same, upon completion of the work of said board, shall be delivered by said secretary to the chairman of the board of commissioners of Wake County, and shall be preserved by the board of commissioners of Wake County as a part of the permanent records of the county. The treasurer of Wake County shall *ex-officio* be the treasurer of all funds belonging to the said board of highway commissioners or applicable by them under the provision of this act, and the said fund in the hands of said county treasurer shall be disbursed by him upon the written order of the said board of highway commissioners, signed by the chairman and countersigned by the secretary of the said board. The bond given by the said county treasurer shall be responsible for the said funds while in his hands or subject to his control. The accounts of the said fund shall be kept in full detail by said treasurer, and all his accounts relating thereto shall be audited by the county auditor of Wake County in the same manner as the other accounts and records of the

Purchase of equipment and materials.

Spur road.

Meeting for qualification and organization.

Organization.

Duty of chairman and vice-chairman.

Duty of secretary.

Treasurer.

Orders on road fund.

Treasurer liable on bond.

Accounts and audit.

said treasurer are audited by said county auditor. Said orders drawn upon said funds shall in each instance specify in detail the material or services or property toward the payment of which they apply and the person to whom the same are payable, and a strict record thereof shall be kept by the secretary of said board of commissioners as well as by the said county treasurer. Specifications and record of disbursements.

SEC. 5. Said board of highway commissioners shall have full power and authority to improve the said highway committed to their care and to designate the manner in which the same shall be constructed or paved. Details of construction.

SEC. 6. The said board of highway commissioners shall have full power and authority to have any part or all the work committed to them done by contract or by labor directly employed by them as they in their discretion deem best. They shall have full power and authority to employ any such overseers as they may deem necessary and to fix the compensation of all persons employed by them for any services. Work may be let to contract.
Overseers.

SEC. 7. In order to provide the necessary funds and enable the said commissioners to perform the duties committed to them, they are hereby fully authorized and empowered to issue bonds from time to time in the name of the "Western Wake Highway District" not to exceed the aggregate principal sum of one hundred and thirty thousand dollars. They may issue said bonds in such denominations, at such rate of interest, maturing at such times, and in such form as the said commissioners may in their discretion designate: *Provided, however,* the said bonds shall not bear interest at a rate exceeding the lawful rate of interest in North Carolina at the time of their issuance. The said highway commissioners shall have full power and authority to negotiate and sell said bonds at such price at or above par as they in their discretion may deem best. The purchasers of said bonds shall not be required to see to the application of the proceeds from the sale of said bonds. Bond issue authorized.
Amount.
Denominations.
Interest and maturity.
Proviso: Limit of interest rate.
Sale of bonds.
Liability of purchasers released.

SEC. 8. 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 Wake 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 said bonds that will become payable during each year and to create a sinking fund sufficient for the payment of the principal of said bonds when the same fall due. Special tax.

SEC. 9. The sheriff of Wake County is hereby authorized and directed to collect annually the special tax as aforesaid at the same time and in the same manner as other taxes are collected, Collection and settlement of tax.

- Fund kept separate. and he is hereby required and directed to keep said special taxes separate from any other funds in his hands and to pay over and settle for the same with the treasurer of Wake County as he settles for other taxes.
- Pay of commissioners. SEC. 10. The said highway commissioners shall each receive as compensation the sum of three dollars per diem for each meeting of the said board of highway commissioners attended by him, but the total compensation received by any one of said commissioners in any one year shall not exceed the sum of twenty-four dollars. The said board of commissioners may meet as often as they may deem necessary, but their total compensation shall not exceed the sum above mentioned.
- Meetings of boards. SEC. 11. When the said board of highway commissioners shall have gotten the said highway committed to their care, into condition satisfactory to themselves they shall certify said fact under the hands of their chairman and secretary to the board of commissioners of Wake County and file with the said board of commissioners of Wake County all of their records and accounts of every description, and thereupon the said "Western Wake Highway Commission" shall be dissolved and terminated: *Provided, however,* that no obligations made, issued or contracted by or in the name of the said "Western Wake Highway Commission" shall be vacated by the dissolution and termination of said highway commission all the powers, rights and obligations of said Western Wake Highway Commission shall vest in and rest upon the board of county commissioners of Wake County. After the dissolution and termination of the said Western Wake Highway Commission all the powers, rights and authorities in respect to, and all control of, the said highway commission shall vest and be in the board of commissioners of Wake County or such other body as may at said time be looking after and having control over the other highways of Wake County. It is provided, however, that the said Western Wake Highway Commission shall be dissolved and terminated seven years after the date of the ratification of this act unless the said highway commission shall have sooner dissolved and terminated itself in the manner hereinbefore provided.
- Dissolution of board. SEC. 12. Wherever in this act the words "the said highway commissioners," or "the said highway commission" or "the said board of highway commissioners" are used the same are intended to refer to and do refer to the said "Western Wake Highway Commissioners" or "the said Western Wake Highway Commission."
- Proviso: Obligations not vacated. *Provided, however,* that no obligations made, issued or contracted by or in the name of the said "Western Wake Highway Commission" shall be vacated by the dissolution and termination of said highway commission all the powers, rights and obligations of said Western Wake Highway Commission shall vest in and rest upon the board of county commissioners of Wake County. After the dissolution and termination of the said Western Wake Highway Commission all the powers, rights and authorities in respect to, and all control of, the said highway commission shall vest and be in the board of commissioners of Wake County or such other body as may at said time be looking after and having control over the other highways of Wake County. It is provided, however, that the said Western Wake Highway Commission shall be dissolved and terminated seven years after the date of the ratification of this act unless the said highway commission shall have sooner dissolved and terminated itself in the manner hereinbefore provided.
- Subrogation of county commissioners to rights and duties. SEC. 13. The treasurer of Wake County is authorized, empowered and directed to receive, hold, disburse and account for the moneys hereinbefore referred to in the manner hereinbefore set out, and he shall out of the said funds pay the interest on said bonds as the same becomes due, and he shall safely invest
- Proviso: Dissolution in seven years.
- Definition of terms.
- Duties of county treasurer.
- Investment of sinking funds.

the said sinking fund in the same manner as the sinking fund of the bonds of Wake County are invested by him.

SEC. 14. The said Western Wake County Commission is fully authorized and empowered to require and receive from any person employed by it such bond as said Western Wake Highway Commission may deem proper, assuring the full and true performance by such employee of his duties as such. Said bonds shall be payable to the State of North Carolina, and for a breach thereof suit may be maintained in the name of the State of North Carolina by the board of highway commissioners or their successors.

SEC. 15. That before the provisions of this act shall become effective there shall be held in the said Western Wake County Highway District (as defined in section one of this act) an election in which the said act is approved by a majority vote of the qualified voters resident in said special road district and voting in said election, which said election shall be called by the board of commissioners of the town of Cary who shall give thirty days notice thereof, published once a week for five weeks in some newspaper published in Wake County, and also by notices posted in four or more public places in said district (as described in section one of this act). The polling places for said election shall be as follows: All of those residing in Cary Township shall register and vote at the mayor's office in the town of Cary, N. C., and all of those residing elsewhere in said district shall register and vote at Berry O'Kelly's store in House Creek Township. The town commissioners of the town of Cary shall appoint a registrar and two judges of election to serve at each of said polling places, and the election shall be held and conducted as nearly as may be in the same manner as an election for members of the General Assembly. There shall be a new registration of the voters in said special road district for the said election, and only those persons shall be deemed qualified voters for the purpose of this act who shall be registered in the new registration list used for the said election. In said election those qualified voters who approve this act shall deposit in the ballot box a written or printed ballot, or partly written and partly printed ballot, bearing the words "For Highway Improvement," and those opposed thereto shall deposit a like ballot bearing the words "Against Highway Improvement." The registrars and judges of election shall meet at the mayor's office in the town of Cary at ten o'clock on the morning of the day following the said election (Sunday and holidays excluded) and declare the result thereof. They shall make report thereof to the board of commissioners of the said town at their next regular meeting, and the said board of commissioners shall cause the said report to be entered upon their minutes. The said registrars and judges of election shall within forty-eight

Employees may be bonded.

Suits on bonds.

Approval of voters.

Call of election.

Notice of election.

Polling places.

Election officers.

Law governing election.

New registration.

Ballots.

Canvass of votes.

Report and record of canvass.

Report, registration books and poll books filed.

- hours after the closing of the polls file with the clerk of the Superior Court of Wake County a copy of their said return or report, and with this report they shall file the registration books and poll books used in said election, and they shall certify in writing to the correctness of all of said books; and the said clerk shall file said return or report and said registration books and said poll books as a part of the records of his office, and record the said return in the records of elections kept in his office. The said registrars and poll holders shall within forty-eight hours after the closing of said polls file with the clerk of the board of commissioners of said town a copy of said report, which said copy shall be preserved by the said clerk, as shall also the report made by said registrars and judges of election to the said town commissioners, among the permanent public records of said town. The said board of commissioners of said town shall at their said meeting make public declaration of the result of said election. If in said election a majority of all of the votes cast shall be for highway improvement, then the provisions of this act shall immediately, upon the declaration of the result of the said election by the commissioners of the town of Cary, become and be fully effective; but if in said election a majority of the ballots cast shall be against highway improvement, then the provisions of this act shall immediately upon the declaration of such result of said election by the board of commissioners of the town of Cary, North Carolina, be thenceforth noneffective: *Provided, however,* that the expenses of said election shall be paid by the board of commissioners of Wake County out of the general county funds, and if the said election is carried in favor of highway improvement the said expenses of said election shall be reimbursed to Wake County by the said Western Wake Highway Commission out of its funds.
- Report to commissioners of Cary.** SEC. 16. Any feature of said election not provided for in this act shall be governed by the general election laws of this State.
- Declaration of result.** SEC. 17. All offices and places of trust arising under the operation of this act shall be governed and controlled by the laws of this State in respect to accounting for all moneys handled therein and in respect to the faithful performance of the duties thereof generally.
- Majority of votes cast to prevail.** SEC. 18. That all laws and clauses of laws in conflict with the provisions of this act are, to the extent of such conflict, hereby repealed.
- Proviso: Expense of election.** SEC. 19. That for the purpose of holding the election provided for in section fifteen of this act, this act shall be in force and effect from and after its ratification; but the effectiveness of this act for all other purposes shall depend upon the result of said election as hereinbefore provided.
- General law.**
- General law as to officers.**
- Repealing clause.**
- When act effective.**

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 69

AN ACT TO AMEND CHAPTER 372, PUBLIC-LOCAL LAWS
OF NORTH CAROLINA, SESSION 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and seventy-two of the Public-Local Laws of North Carolina, one thousand nine hundred and fifteen (1915), be and the same is hereby amended as follows, to wit: That the words "Recorder's Court for Chadbourn District, Columbus County" in lines two and three, and the words "Recorder's Court for Cerro Gordo Court District, Columbus County," in lines four and five of section one of said chapter three hundred and seventy-two be and the same are hereby stricken out.

SEC. 2. That the words, "Chadbourn District shall be composed of Chadbourn Township and Tatums Township in Columbus County" in lines three and four, and the words "the court of Chadbourn District shall be held in the township of Chadbourn or elsewhere in said district wherever the recorder hereinafter appointed or elected for said district may desire to hold said court" in lines fourteen, fifteen, sixteen, seventeen and eighteen, and the words "Cerro Gordo District shall be composed of Fair Bluff Township in said county" in lines six and seven, and the words "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" in lines twenty, twenty-one, twenty-two and twenty-three in subsection A, section one of said chapter three hundred and seventy-two be and the same are hereby stricken out.

SEC. 3. That after the word "established" and the word "and" in line four of section one, subsection (B) of said chapter three hundred and seventy-two insert the words "except Chadbourn and Cerro Gordo districts which are hereby abolished." That section one, subsection (B) of said chapter three hundred and seventy-two be amended by striking out of said subsection (B) all the words thereof after the word "primary," which begins at the end of line eighteen and ends on the beginning of line nineteen of said subsection (B), and insert in lieu thereof the following:

"For each political party shall be printed on one ballot and the names of all candidates for recorders for each political party shall be printed on one ballot, and the names only of the candidates of one political party shall be printed on the same ballot. and a separate ballot box shall be provided at the several voting precincts in said county, which ballot boxes shall be labeled

- Electors. "Recorders," and the candidates nominated by each political party for recorders shall be voted for by the electors throughout the whole county, and every elector who is qualified to vote in said election for county officers shall be entitled to vote in the general election for the said candidates for recorder in the
- Candidates elected. said county of Columbus. The candidates for recorders receiving the majority of the votes cast throughout the whole county in said general election shall be declared elected recorder for the districts wherein they were nominated."
- Salaries. SEC. 4. That after the word "recorders" and before the word "shall" in line six of section three of said chapter three hundred and seventy-two insert the words "except the recorder for Whiteville District."
- Jurisdiction. SEC. 5. That after the word "courts" and before the word "shall" in line one, section six of said chapter three hundred and seventy-two, insert the words "except the Recorder's Court for Whiteville District."
- Jurisdiction. SEC. 6. That after the words "to wit" and before the word "carrying" in line three, subsection (c) in section six of said chapter three hundred and seventy-two insert the words "manufacturing spirituous liquors and wines." That the words "where the punishment does not exceed a fine of two hundred dollars or imprisonment for more than two years" in lines twenty-three, twenty-four and twenty-five in said subsection (c), section six of chapter three hundred and seventy-two be and the same are hereby stricken out.
- Districts abolished. SEC. 7. That after the word "recorders" and before the word "shall" in line one sub-section (e), section six of said chapter three hundred and seventy-two insert the words "except Chadbourn and Cerro Gordo Districts, which are hereby abolished."
- Appeals to county court. SEC. 8. That the word "superior" in lines seven and eight, subsection (f), section six, of said chapter three hundred and seventy-two, be and the same is hereby stricken out, and the word "county" inserted in lieu thereof.
- Appeals to county court. SEC. 9. That the word "superior" in line five, section nine of said chapter three hundred and seventy-two be and the same is hereby stricken out, and the word "county" inserted in lieu thereof.
- SEC. 10. That section twelve of said chapter three hundred and seventy-two be stricken out, and the following inserted in lieu thereof:
- Warrants issued by mayor. "That the mayor of the town of Whiteville shall issue warrants directed to any policeman or constable of said town of Whiteville, or other lawful officer in the same manner and for the same offenses that he is now authorized by law to issue, but said mayor of the town of Whiteville shall not try any cases. All warrants issued by the mayor of the said town of
- Warrants returned to and triable in county court.

Whiteville shall be returnable before the county court of Columbus County, and the judge of the county court of Columbus County shall try and dispose of all cases according to law made returnable before him by the mayor of the said town of Whiteville."

SEC. 11. That section fifteen of said chapter three hundred and seventy-two be amended by adding to said section fifteen the following words:

"*Provided*, said county tax shall not be taxed as cost unless a jury is drawn and impaneled." Proviso: Jury tax.

SEC. 12. That the office of recorder of Cerro Gordo District in Columbus County and the office of recorder in Chadbourn District in Columbus County be and the same are hereby abolished, and so much of chapter three hundred and seventy-two, Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, as creates and establishes Cerro Gordo District and Chadbourn District in said county of Columbus is hereby repealed. Offices abolished.

SEC. 13. That a special court to be designated "The Recorder's Court for the Western District of Columbus County" be and the same is hereby created and established. Court established.

SUBSEC. (A). That the Western District of Columbus County shall be composed of Chadbourn Township, Tatums Township, and Fair Bluff Township in said county. Western district.

SUBSEC. (B). At the next primary of Columbus County every two years thereafter, tickets shall be printed or written, containing the names of the candidates for recorder for the Western District of Columbus County, herein designated and established, and placed at the polls at each district where special ballot boxes shall be provided to receive ballots for the recorder of said district, and the same rules for primary which apply in nominating county officers in Columbus County, shall apply as to nominating the recorder in said Western District, and the same officers of the primary for nominating candidates for county offices shall act as officers of the primary for nominating the recorder for said "Western District of Columbus County." Every voter who is a qualified elector in the county primary for nominating county officers, shall be qualified to vote for the nomination of recorder in said primary, and the candidate receiving the majority of votes cast for recorder in said Western District of Columbus County, in said primary, shall be declared a candidate for reelection, and at the same election of county officers, and every two years thereafter, the name of the person legally nominated for "Recorder" for said "Western District of Columbus County" at the preceding primary shall be printed or written on the same ballot with the name of other candidates for recorders for Columbus County. Nominations for judge.
Voters.
Nominees.
Ballots.

- of the same political party, and the names only of the candidates of one political party shall be printed or written on the same ballot, and separate ballot boxes shall be provided at the several voting precincts in said county, which said ballot boxes shall be labeled "recorders," and the candidates nominated for each political party for recorders including the candidates nominated in said "Western District of Columbus County" shall be voted for by the electors throughout the whole county, and every elector who is qualified to vote in said election for county officers shall be entitled to vote in the general election for the said candidates for recorders, including the candidates for the "Western District of Columbus County." The candidate for recorder of the "Western District of Columbus County" receiving the majority of the votes cast, throughout the whole county of Columbus, in said general election, shall be declared elected recorder for the said "Western District of Columbus County."
- Ballot boxes.**
- Election.**
- Persons declared elected.**
- Term of office.** SUBSEC. (C). The regular term of office of the recorder herein provided for in the said "Western District of Columbus County" herein designated, and established, shall begin on the first Monday in December, one thousand nine hundred and eighteen, and until that time Ira Lennon be and he is hereby appointed recorder for said "Western District of Columbus County."
- Recorder named.**
- Court of record.** SEC. 14. That the court for the Western District of Columbus County herein created and established shall be a court of record and shall be presided over by the recorder herein appointed and hereinafter elected, who shall be a qualified elector of said district.
- Recorder to qualify.** SEC. 15. The recorder herein appointed, or hereinafter elected, before entering upon the discharge of his duty 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 the said clerk in his office.
- Salary.** The salary of said recorder for the Western District of Columbus County 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 direction of said commissioners.
- Seal of court.** SEC. 16. Said court for the Western District of Columbus County 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.
- Sessions.** SEC. 17. The court for said Western District of Columbus County shall hold session at such times and places as he deems necessary and expedient, Sundays and legal holidays excepted, in the town of Chadbourn in said county.

SEC. 18. The jurisdiction for the said court for the Western Jurisdiction. District of Columbus County shall be as follows, to wit: Final, concurrent and original jurisdiction of all criminal offenses committed in Columbus County, which are now or hereafter may be within the jurisdiction of the justices of the peace, manufacturing spirituous and vinous liquors and wines, carrying concealed weapons, gaming, gambling, keeping gambling places, keeping bawdy houses, and larceny and the receiving stolen goods knowing them to be stolen when the property stolen does not exceed twenty dollars in value; the failure to list taxes, assault and battery with deadly weapons or where serious damage is done, fornication and adultery, abandonment, failure to provide adequate support, cruelty to animals, malicious injury to property, trespassing on lands after being forbidden, forcible trespass, enticing servants to leave masters, retailing spirituous liquors and wines 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 agreement, false pretense, disposing of mortgaged property, maintaining nuisances, all crimes against 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 forty-four inclusive, and not within the jurisdiction of the justices of the peace or misdemeanors contained in chapter eighty-one of the Revisal of one thousand nine hundred and five, and acts amendatory thereof, 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.

(A) In any other criminal matters wherein said court for the "Western District of Columbus County" has not final jurisdiction, it shall have power and is hereby fully authorized to hear and bind over to the county court of Columbus County, 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, and 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 court for the "Western District of Columbus County" as a committing magistrate, against any person or persons for any offense whereof such court has not final jurisdiction, in which probable cause of guilt is found said Jurisdiction as court of inquiry.

- Recognizances to county court. 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 before the county court of Columbus County at such time as the court shall designate in said recognizance. 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 the Superior Court thereof.
- Sentences. (B) Said court for the "Western District of Columbus County" shall have all the power, 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 imprisonment 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.
- Warrants. (C) Warrants may be issued by the recorder for the said "Western District of Columbus County," or by any justice of the peace of Columbus County, residing in said western district, made returnable to said court for the "Western District of Columbus County," who shall investigate the charge in said warrant and shall dispose of said case as the ends of justice may demand, and as provided by law, having due regard for the jurisdiction of his court as provided by law, and any person convicted in said court for the "Western District of Columbus County" shall have the right to appeal from any judgment rendered by said recorder as is now provided for appeals, to the county court of Columbus County, and upon appeal the trial shall be *de novo* in the county court.
- Appeals to county court. (D) The court for the "Western District of Columbus County" shall have jurisdiction to try and dispose of actions for the recovery of any penalty imposed by law in this act and the said penalty shall be recovered in the name of the State, if not inside of the corporate limits of any incorporated town within the "Western District of Columbus County" and if inside of the limits of any incorporated town in said district, then, in the name of said town.
- Jurisdiction for recovery of penalties. (E) Said court for said "Western District of Columbus County" shall have jurisdiction of any and all criminal offenses as hereinbefore in this section enumerated, which has been committed before the ratification of this act, and of which no court has taken jurisdiction.
- Jurisdiction of offenses heretofore committed. (F) Said court for the "Western District of Columbus County" shall have final, concurrent and original jurisdiction
- Civil jurisdiction.

in all civil matters arising in said county of Columbus, which is now or may hereafter be given to justices of the peace.

SEC. 19. When upon affidavit of any defendant or prosecutor made before entering upon the trial of any case before any justice of the peace in the "Western District of Columbus County" that said affiant cannot obtain a fair and impartial trial before said justice, said case shall be removed for trial to the recorder for the said "Western District of Columbus County." Removal on affidavit.

SEC. 20. That either plaintiff or defendant in actions in the court for the "Western District of Columbus County" 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 said court containing the names of all persons residing within the boundaries of the "Western District of Columbus County" qualified to serve as jurors, and the jury when demanded by either plaintiff or defendant shall be drawn from said jury box, and the jurors shall receive the same compensation as now provided in courts of justices of the peace. Jury trials.

SEC. 21. All civil actions shall be commenced in said court for the "Western District of Columbus County" by summons issued by said court, or justices of the peace in such cases as they may have jurisdiction, made returnable to the court by whom issued: *Provided*, either plaintiff or defendant in any justice's court in said "Western District of Columbus County" may appeal from any judgment rendered by said justice to the court for the "Western District of Columbus County," and any plaintiff or defendant in any action, civil or criminal, may appeal from any judgment rendered by the court for the "Western District of Columbus County" to the county court of Columbus County where the trial shall be had *de novo*. Summons in civil actions.
Proviso: Appeals.

SEC. 22. That sections ten, eleven, thirteen, fifteen, sixteen, seventeen, eighteen, nineteen, and twenty of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, chapter three hundred and seventy-two, are hereby brought forward, adopted, enacted and incorporated in this act, and hereby declared to be and constitute section twenty-two in this act, and are hereby declared to be applicable in all respects to the court for the "Western District of Columbus County" herein created and established. Costs and process.

SEC. 23. That the recorder's court for Whiteville District for Columbus County be and the same is hereby constituted an inferior court in and for said county of Columbus and shall be called the "County Court of Columbus County" and shall have an official seal with the words "County Court of Columbus County" thereon, and said county court shall be a court of record. Said "County Court of Columbus County" shall be presided over by a judge who shall be a man of good moral character and who County court of Columbus county.
Seal of court.
Court of record.
Judge of court.

shall be, at the time of his election, a qualified elector in and for Columbus County. Said judge shall be elected by the electors of Columbus County 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.

Process and pleadings.

SEC. 24. The provisions of the Code of Civil Procedure and the process and pleadings, both criminal and civil applicable to actions in the Superior Court, shall be applicable to actions and proceedings in said County Court of Columbus County, so far as the same are practicable.

Jurisdiction.

SEC. 25. The criminal jurisdiction of said "County Court of Columbus County" shall be the same as that prescribed and set out in section six (6), chapter three hundred and seventy-two, Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, with the amendments to said section six as here in this act enacted.

Civil jurisdiction.

SEC. 26. Said "County Court of Columbus County" shall have jurisdiction of civil actions and proceedings as follows, to wit:

Concurrent with justices of the peace.

(A) Concurrent jurisdiction with justices of the peace and recorders in said county of Columbus in all civil matters, actions and proceedings which are now, or may hereafter be given justices of the peace and recorders of Columbus County.

Concurrent with Superior Court on matters of contract.

(B) Concurrent jurisdiction with the Superior Court of Columbus County in all civil actions, matters and proceedings founded on contract wherein the sum demanded shall not exceed one thousand (\$1,000) dollars, and wherein the title to real estate shall not be in controversy.

On matters of tort.

(C) Concurrent jurisdiction with the Superior Court of Columbus 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 (\$1,000) dollars, and wherein the title to real estate shall not be in controversy; and in all civil matters tried by justice of the peace.

In attachment and claim and delivery proceedings.

(D) Concurrent jurisdiction with justices of the peace and the recorders in Columbus County and with the Superior Court of said county in attachment and claim and delivery proceedings, wherein the sum demanded, or the value of the property claimed is within the jurisdiction of said county court of Columbus County as defined herein.

Marriage ceremonies.

(E) In addition to the jurisdiction herein conferred the judge of said "County Court of Columbus County" shall have the power and the legal right to perform marriage ceremonies and unite parties in marriage as allowed by law.

Town ordinances.

(F) Said county court shall have final, exclusive, original jurisdiction of the violation of all town ordinances committed within the corporate limits of the town of Whiteville in said

county of Columbus: *Provided*, that the civil jurisdiction herein conferred on the "County Court of Columbus County," and the recorder's court in said county shall in all cases be confined to the county of Columbus, and that no civil process issued from or by either of said courts shall in any case run out of said county of Columbus. Provide: Civil jurisdiction confined to county.

SEC. 27. All judgments rendered in said "County Court of Columbus County" shall be duly docketed and recorded in the office of the clerk of the Superior Court of Columbus County, and shall have the same force and effect as judgments of the Superior Court, and executions shall issue thereon as now provided by law for executions from the Superior Court. Judgments docketed.

SEC. 28. In all criminal actions heard by justices of the peace of said county of Columbus against any person or persons, for any offense mentioned herein in which said justices of the peace shall not have final jurisdiction, but in which probable cause of guilt is found, such person or persons shall be bound in a personal recognizance with surety to appear for trial before the recorder of the district in which said justice of the peace resides, and if there be no recorder in the district where said justice of the peace resides, then such person or persons shall be bound in a personal recognizance, with surety to appear for trial before the County Court of Columbus County, and in default of such surety such person or persons shall be committed to the common jail of Columbus County to await trial. Recognizances to recorders' courts.

SEC. 29. All persons convicted in said "County Court of Columbus County" for any of the offenses or crimes mentioned in this act, wherein the punishment is imprisonment and costs, shall be sentenced by the judge of said county court to imprisonment in the common jail of said county of Columbus, to be worked on the public roads of Columbus County. All fines, forfeitures, and penalties imposed shall be collected by the judge of said county court and paid into the county treasury, and where a defendant is acquitted, or is convicted and fails to pay the fine or cost adjudged against him, the county of Columbus shall pay such cost in full to the parties entitled thereto, as legally allowed by the judge of said County Court of Columbus County. Sentences.
Fines, forfeitures and penalties.

SEC. 30. In all cases tried before any justice of the peace where any party to the action appeals from the judgment rendered by said justices of the peace, the said justice before whom said case was tried shall make returns thereon, with all papers before him in such case to the recorder of the district wherein said justice of the peace resides, and said recorder before whom said case shall be returned shall try the same *de novo*, and if any party in said case shall appeal from the judgment rendered therein by said recorder, the same with all the papers before Returns on appeals to recorders' courts.
Costs paid by county.
Trial in recorders' courts.
Appeals to county court.

- Trial in county court. Appeal to Superior Court. Appeals in Whiteville district.
- said recorder shall be returned to the County Court of Columbus County for trial, where the same shall be heard *de novo*, and any party to said case may appeal from the judgment of the County Court of Columbus County to the Superior Court. In all cases tried before a justice of the peace in Whiteville District, in said county of Columbus, all returns and appeals from such justice shall be to the County Court of Columbus County, and no justice of the peace of said county shall transfer any case for trial from him to any other justice of the peace.
- Jury trials.
- SEC. 31. That either plaintiff or defendant in actions in said County Court of Columbus County may demand and have a jury as provided in courts of justices of the peace, and the county commissioners shall provide a jury box containing the names of all persons residing in said Whiteville District qualified to serve as jurors, and deliver the same to said County Court of Columbus County, herein created and established, and the jurors shall be drawn from said box and shall receive as compensation for their services as jurors one dollar per day, and all jurors drawn, who shall be summoned and attend court, whether they serve or not, shall receive the same compensation as those jurors who serve. In the event that a jury cannot be obtained from those who are drawn from the jury box, as above stated, then, in such event the judge of the County Court of Columbus County shall have the power and authority to summon from the bystanders tales jurors until a jury shall be completed; and all tales jurors who shall serve shall receive as compensation for their services the same as the jurors drawn from said box.
- Pay of jurors.
- Tales jurors.
- Pay of talesmen.
- Fees of county court.
- SEC. 32. As a fee for issuing a warrant, summons, or other original process returnable to the County Court of Columbus County, for trial, the judge of said County Court of Columbus County shall be entitled to fifty cents. The witnesses shall be entitled to fifty cents per day while attending court, but only such witnesses shall be allowed to prove as are now allowed to prove in the Superior Court. In each action, civil or criminal, within the jurisdiction of the justice of the peace, two dollars, and in all other actions, four dollars, shall be taxed and collected as other costs, for trial and judgment, to be paid to the judge of the said County Court of Columbus County for his services. Except as above provided, the judge of said County Court of Columbus County shall receive the same fees as are allowed clerks of the Superior Court for like services.
- Judge of county court named.
- Term of office.
- Judge to qualify.
- SEC. 33. That Egbert A. Maultsby be and is hereby appointed a judge of the said County Court of Columbus County, to hold office until the first Monday in December, one thousand nine hundred and eighteen (1918), and until his successor is 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 an officer authorized to administer oaths, which oath shall be filed with the clerk of the Superior Court of Columbus County. That his successor shall be elected at the next general election of Columbus County, in the year of one thousand nine hundred and eighteen (1918), by the voters of said county of Columbus, and at every general election thereafter for county officers a judge shall be elected to hold said County Court of Columbus County.

Election of successor.

SEC. 34. That the judge of said County Court of Columbus County shall receive as compensation for his services all fees and emoluments of his office.

Pay of judge.

SEC. 35. That in the event of a vacancy in the office of the County Court of Columbus County, the board of commissioners of Columbus County are hereby authorized and empowered to fill said vacancy by appointing some competent and suitable person as judge of said County Court of Columbus County.

Vacancies.

SEC. 36. That in all actions, civil and criminal, tried and determined, in which judgment is rendered by the judge of the County Court of Columbus County, any and all parties to said action shall have the right to appeal from the judgment rendered by the judge of said County Court of Columbus County to the Superior Court of Columbus County, where the same shall be heard *de novo*.

Right of appeal.

SEC. 37. That in all actions, civil and criminal, commenced before a justice of the peace in said county of Columbus, where any party to the action files an affidavit for removal, as is now allowed by law, the said justice of the peace, before whom said case was pending, shall remove such case wherein said affidavit was filed, for trial before the recorder of the district in which said justice of the peace resides, and if there be no recorder in the district in which said justice of the peace resides, then said justice of the peace shall remove said case for trial before the County Court of Columbus County, who shall hear and try the same.

Removal of actions on affidavit.

SEC. 38. The judge of the County Court of Columbus County shall hold his courts at such times and places as he shall see fit, in the town of Whiteville in said county of Columbus, and his court shall be at all times open for the transaction of business.

Sessions of county court.

SEC. 39. The records of the County Court of Columbus County shall be kept in the office of the clerk of the Superior Court, and the commissioners of Columbus County shall provide a suitable place therein for said records, and the said commissioners shall further provide for said County Court of Columbus County a trial docket, judgment docket, and such other records and stationery as are necessary for said County Court of Columbus County.

Records of county court.

Dockets and office supplies.

Repealing clause. SEC. 40. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 41. This act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 70

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF MITCHELL COUNTY TO PURCHASE A PURE BRED SHORTHORN BULL FOR EACH TOWNSHIP OF MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Purchase authorized. SEC. 1. That the county commissioners be and they are hereby authorized to purchase a pure bred shorthorn bull for each and every township in Mitchell County, and shall keep and maintain such bulls as are bought under the authority of this act at the expense of said county and shall allow only residents of Mitchell County to patronize said bulls free of charge. Said county commissioners shall have authority to expend the necessary amount of money out of general county funds to purchase said bulls and defray necessary expenses of purchase and delivery of said bulls or any number of them. Said county commissioners and their successors in office shall not sell or dispose of any of said bulls so purchased in less than six years after their purchase; and it shall be the duty of said county commissioners to transfer each of such bulls to a different township every two years.

Services to residents. Expenditure authorized. Sale of bulls. Transfer to townships.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 71

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

The General Assembly of North Carolina do enact:

Purpose of tax. SEC. 1. That for the purpose of paying the debts incurred for the erection of a 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

Special tax authorized.

empowered to levy a special tax in the year one thousand nine hundred and seventeen and one thousand nine hundred and eighteen, not to exceed thirty cents on the one hundred dollars worth of taxable property in said county and ninety cents on each poll, the constitutional equation to be observed in said levies. Term.
Limit of rate.

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. Collection.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 72

AN ACT TO PROVIDE FOR ROAD IMPROVEMENT IN BANNER TOWNSHIP, JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That N. T. Ryals, Geo. W. Godwin, J. M. Whitten, P. B. Johnson, and Preston Woodall are hereby appointed a board of trustees for the public roads of Banner Township in Johnston County, to hold office until the first Monday in December, one thousand nine hundred and eighteen, and until their successors are duly elected and qualified. Each member of said board of said township shall be elected biennially for a term of two years, at each general election, who shall take and begin his term of office on the first Monday in December after said general election, and until his successor is duly elected and qualified; and all vacancies caused by death, resignation, removal from township shall be filled by the remaining members of said board until the 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. Trustees named.
Term of office.
Election and term of successors.
Vacancies.

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. Proviso: Trustees not officers.
Incorporation.
Corporate name.
Corporate rights.

SEC. 3. That it shall be the duty of the 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 Control and management of roads.
Rights and powers vested.

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.

Chairman.

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.

Treasurer.

Proviso: Bank as financial agent.

Bond of treasurer.

Secretary and other officers.

Election and compensation of superintendent of roads.

Term of office.

Proviso: Removal for cause.

Duty of superintendent.

Monthly reports.

Proviso: Trustee may be superintendent.

Proviso: Approval of contracts.

Vouchers on road funds.

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 fixed by said board, 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 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: *Provided, however,* that nothing herein shall disqualify a member of said board from acting as superintendent of the roads of said township; and *provided further,* 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.

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.

Machinery and implements.

Engineer or surveyor.

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 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 freeholder, and the person claiming the damage, 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.

Entry on land for material.

Drains and 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, 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

Location and changes of roads.

Procedure for assessment of damages.

- Benefits consid- owner of the land, and if such benefits be considered equal to
ered. or greater than the damages sustained, the jury shall so de-
clare, and it shall report its finding in writing to said trustees
for revision and confirmation: *Provided*, that such owner may
Proviso: Right appeal to the Superior Court of Johnson County from the deci-
of appeal. sion of said trustees.
- Funds to be paid SEC. 9. That all the funds in the hands of the county treas-
over to road urer of Johnston County or that may hereafter come into his
treasurer. 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.
- Convict or hired SEC. 10. That in the working and construction of roads either
labor. convict labor or hired labor, or both may be used. as may be
ordered by said board of trustees, and in the working of con-
victs upon the public roads all rights and privileges existing in
regard thereto, or that may hereafter exist for the use of con-
victs in Johnston County or any township therein, shall exist
and apply to the use of convicts on the public roads of Banner
Township.
- Work in towns. SEC. 11. That no moneys shall be expended under this act
upon any street in any incorporated town, except that the board
of trustees may in its discretion work that part of the streets
of said towns which form a continuation or part of any public
highways leading directly through said town.
- Effect on former SEC. 12. That so much of chapter five hundred and thirty-one,
law. Public Laws of nineteen hundred and nine, relating to the pub-
lic 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,
except it is expressly understood that it is not the intention of
this act to repeal section six of said chapter five hundred and
thirty-one, Public Laws of one thousand nine hundred and
nine.
- Publication of SEC. 13. That the board of road trustees shall publish every
quarterly state- three months an itemized, verified statement of the receipts
ments. and disbursements of said board, and if said board shall fail to
publish such statements as above provided shall be guilty of a
Failure a misde- misdemeanor and fined not more than fifty (\$50.00) dollars or
meanor. imprisoned not more than thirty days.
- Punishment. SEC. 14. That this act shall be in force from and after its
ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 73

AN ACT TO AMEND CHAPTER 202 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1915, BEING ENTITLED "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 chapter two hundred and two of the Public-Local Laws of North Carolina of nineteen hundred and fifteen, entitled "An act to provide for working the public roads in Jackson Township of Northampton County, and to issue bonds for such purpose," be and the same is hereby amended as follows: That the following section be inserted as section 16a of said act:

SEC. 16a. That the board of road commissioners for Jackson Township, Northampton County, are authorized, in their discretion, to hire the convicts, guards, and supervisors under their control together with all teams, machinery, tools, and other supplies in their possession, to any individual or corporation for work within the county of Northampton, on such terms as they may see fit, for and during a period of not exceeding five months from and after the passage of this act, if in their judgment they deem it profitable so to do.

Power to hire out road force and equipment.

Limit of term.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 74

AN ACT TO AUTHORIZE THE COMMISSIONERS IN PERSON COUNTY TO SUBMIT TO THE VOTERS OF SAID COUNTY THE QUESTION OF ISSUING BONDS TO BUILD AND IMPROVE THE PUBLIC ROADS THEREOF AND FOR OTHER PURPOSES.

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 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 said county, as soon after the

Election to be ordered.

Petition for election.

Amount of proposed bond issue.	ratification of this act as practicable, upon petition made to it signed by two hundred and fifty qualified voters of said county, the question of issuing bonds to an amount not exceeding three hundred thousand dollars.
Date of election.	SEC. 2. That the board of county commissioners shall fix the date for holding the election for the purpose of voting on said
Election officers.	bond issue, and shall name the registrars and judges of election
Notice of election.	for the voting precincts of said county, and give notice of said election for at least thirty days prior to the date thereof in
Law governing election.	some newspaper published in Person County; and that said election shall be otherwise conducted in all respects as is now provided for holding elections for members of the General Assembly and other county officers, and said county commissioners
Count and return of votes.	may or may not order a new registration for said election. The votes shall be counted at the close of the polls, and a return thereof made to the said board of commissioners on Thursday
Record of returns.	next following said election, all of which shall be recorded in the minutes of the said board of county commissioners, and no other reading or declaring of the results shall be necessary.
Tickets.	That at said election the voters shall vote a ticket written or printed thereon "For Road Improvement Bonds" or "Against
Sale of bonds.	Road Improvement Bonds"; that if a majority of the votes cast at said election shall be in favor of the said bond issue, then the Central Highway Commission of Person County, which is hereinafter provided for, shall sell the said bonds herein authorized, after thirty days advertisement, at public auction to the highest bidder at the courthouse door in Roxboro, North Carolina; and in the event the bonds are not all thus disposed
Sealed bids.	of, the said Central Highway Commission may receive sealed bids for the remainder of said issue or of such portion thereof as they may see fit to sell, and shall dispose of the said bonds
Interest.	as other bonds are ordinarily sold. The bonds so issued shall
Maturity.	bear interest at the rate of not to exceed five per cent, payable
Retirement.	the first day of January and July of each year, and shall run for a period of not exceeding forty years from date of issue.
	The said Central Highway Commission may provide for the retirement of seventy-five thousand dollars of said bonds at the
	end of ten years after date of issue, seventy-five thousand dollars at the end of twenty years, seventy-five thousand dollars
	at the end of thirty years, and the other seventy-five thousand dollars at the end of forty years, all of this to be in the discretion of the Central Highway Commission.
Authentication.	SEC. 3. The bonds herein provided for shall be signed by the chairman of the Central Highway Commission herein provided
	for and countersigned by the register of deeds of Person County, and the seal of the said county of Person shall be placed thereon
Denominations.	by the said register of deeds. The bonds may be issued in

denominations of one hundred dollars or multiples of one hundred dollars up to one thousand dollars to suit purchasers.

SEC. 4. That at the time of the election hereinbefore provided for, there shall also be elected in each township in Person County three persons to be known as "Township Highway Commissioners," one of whom shall hold office until the next regular election for members of the General Assembly and for county officers, one for four years and one for six years; and thereafter one township highway commissioner shall be elected at each general election by the voters of each township in Person County.

Election of township highway commissioners.

Terms of office.

Election of successor.

SEC. 5. On the first Monday after the election hereinbefore provided for, if a majority of the votes cast in said county shall be in favor of the issuing of the said road bonds, the said township highway commissioners elected in each township shall meet at the courthouse in Roxboro, and it shall be their duty to elect three persons to be known as the "Central Highway Commission of Person County," one of whom shall serve for two years, one of whom shall serve for four years, and one of whom shall serve for six years as members of said Central Highway Commission. The chairman of the Central Highway Commission shall be a resident of Roxboro Township, and the township highway commissioners shall meet biennially thereafter in Roxboro for the purpose of electing the members of the Central Highway Commission, who shall be elected by a majority of of the votes of the township highway commissioners present, and a majority of said highway commissioners shall constitute a quorum of said body: *Provided*, that no township commissioner shall be a member of the Central Highway Commission.

Election of central highway commission.

Terms of office.

Chairman.

Election of successors.

Quorum.

Proviso: Township commissioners ineligible.

SEC. 6. That the central highway commissioners herein provided for shall apportion the money raised by said bond issue among the several townships in Person County, and not less than twenty-five thousand dollars of said amount shall be spent in building, constructing and improving the roads of each township in said county. And it shall be the duty of said highway commission, before these bonds are issued, if possible, to provide for retiring seventy-five thousand dollars of road improvement bonds provided for under chapter four hundred and forty-nine of the Public-Local Laws of North Carolina, passed session of one thousand nine hundred and fifteen; and if the said bonds cannot be retired or exchanged, then in that event seventy-five thousand dollars of the issue herein provided for shall not be issued, and this amount shall be withdrawn from the portion of said bond issue which would be otherwise apportioned to Roxboro Township.

Apportionment of proceeds of bonds.

Retirement of outstanding bonds.

SEC. 7. That each member of the Central Highway Commission, before entering upon the discharge of his duties, shall

Commissioners to qualify.

Organization.	take an oath to faithfully and honestly discharge the duties of his office; after which they shall proceed to organize by electing a chairman, secretary and treasurer, each of said officers to hold said position for a term of two years, and the treasurer need not be a member of said Central Highway Commission. And said Central Highway Commission and its successors shall be
Incorporation.	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. Said Central Highway Commission shall meet at least once a month at the courthouse in Roxboro and oftener if, in its discretion, necessary in order to fully and faithfully perform the duties required of it, and the said members shall receive the sum of three dollars per day and mileage when in the actual performance of their official duties. That it shall be the duty of said Central Highway Commission to provide such rules and regulations as may be necessary for control and management of the public roads of Person County, and it is hereby invested with authority and power to construct, improve and maintain the public roads of the county, and shall purchase and hold or contract for the use of such teams, machinery, implements and stocks as they may deem necessary, and fix the compensation of such employees, and have all other rights and powers for the control and management as may now be vested in the board of county commissioners of Person County. And the several township highway commissioners herein provided for shall, under the general rules and regulations prescribed by the Central Highway Commission, have charge of and management of the laying out, constructing, altering, repairing and building the public roads of the several townships of Person County: <i>Provided</i> , all roads shall be laid out and constructed under the supervision of a competent and expert road engineer acceptable to the Central Highway Commission.
Corporate rights.	
Meetings.	
Pay of commissioners.	
Regulations for road work.	
Power and authority of commission.	
Teams and implements.	
Duties and powers of township commissioners.	
Proviso: Road engineer.	
Pay of township commissioners.	
Meetings of township commissioners.	
Bonds payable.	The members of the said highway commission of each township shall be paid, when in actual service, the sum not to exceed two dollars per day, to be fixed by the Central Highway Commission of Person County. The highway commissioners of each township shall hold meetings under general regulations prescribed by the Central Highway Commission.
Authentication of bonds.	SEC. 8. The bonds herein provided for and interest thereon shall be payable at such place or places as the Central Highway Commission may deem best. The bonds shall be numbered consecutively, beginning with number one, and the coupons to each bond shall bear the number of 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 Central Highway Com-

mission and countersigned by the register of deeds, and the seal of said county of Person shall be affixed to each of said bonds by said register of deeds. And they shall be entitled "Person County Road Improvement Bonds."

Entitlement of bonds.

SEC. 9. None of said bonds shall be sold, hypothecated or otherwise disposed of for a less price than their face value, nor shall the proceeds from the sale of the same be used for any other purpose than that declared by this act: *Provided*, that purchaser or purchasers of said bonds shall not be required to see to the application of the funds, and that all necessary costs and expenses incurred in having said bonds prepared and the sale of the same shall be paid out of the funds arising from the sale thereof.

Sale below par forbidden.

Specific appropriation.

Proviso: Purchasers' liability released.

SEC. 10. That in order to pay the interest on said bonds at maturity, to establish, alter, repair and maintain the public roads of Person County in good condition, the said Central Highway Commission shall certify each year to the board of commissioners of Person County the amount of taxes to be levied, sufficient to carry out these purposes; and the said board of commissioners of Person County shall annually compute and levy, at the time of levying other taxes, a sufficient special tax on all polls and 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 poll. Said levy shall not be more than fifty cents on the one hundred dollars worth of property, nor more than one dollar and fifty cents on the poll; and the said taxes so levied shall be collected as other taxes and paid over to the treasurer of the Central Highway Commission and held by him, to be paid out on order of said Central Highway Commission for the purposes mentioned in this act.

Highway commission to certify tax needed.

County commissioners to levy tax.

Constitutional equation.

Limit of rate.

Collection and settlement.

SEC. 11. Said Central Highway Commission shall provide annually for a sinking fund out of the taxes herein provided for of at least one per centum of the entire issue, and the said commission shall manage and invest the sinking fund at its discretion, or may appoint a trustee for said fund, who shall manage the same under the direction of the said Central Highway Commission; and it may, in its discretion, from time to time, use any of the sinking fund for the purchase in open market of any of the bonds issued under the provisions of this act.

Sinking fund.

Investment of sinking fund.

Purchase of bonds.

SEC. 12. The treasurer of the Central Highway Commission shall be required to execute such bond as may be required of him by said commission for the faithful performance of his duties. He shall receive the taxes levied under the provisions of this act, which shall be turned over to him by the proper officers of

Bond of treasurer.

Receipt and payment of funds.

Person County and shall pay out said funds only upon vouchers drawn on him by the Central Highway Commission; and he shall post on the first Monday of each month at the courthouse door of Person County an itemized statement showing in full an account of his receipts and disbursements for the previous month and the 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. The compensation of said treasurer shall be fixed and determined by the Central Highway Commission. That the said Central Highway Commission shall have all the powers herein given them, and shall have power to adopt general rules and regulations for opening, constructing, laying out, improving, changing, altering, or repairing the public roads of Person County, and may adopt the provisions of any general law now in existence for working, repairing, building, constructing, or improving the public roads of North Carolina, or under any provisions of any special road law now existing providing for working or improving the public roads of Person County or any township thereof.

Interest and sinking fund for outstanding bonds. SEC. 12a. In the event that the seventy-five thousand dollars of road bonds mentioned in section six hereof cannot be retired or exchanged, then it shall be the duty of the Central Highway Commission created herein to assume the payment of the interest on said bonds and provide a sinking fund for the payment of the same as is set out in chapter four hundred and forty-nine, Public-Local Laws of North Carolina, passed session nineteen hundred and fifteen, out of the funds received from the annual levy of taxes on the taxable property and polls in Roxboro Township under this act: *Provided*, that in no event shall the annual levy on the taxable property and the poll in Roxboro Township exceed fifty cents on each hundred dollars worth of taxable property and one dollar and fifty cents on the poll when combined under this act and chapter four hundred and forty-nine, Public-Local Laws of nineteen hundred and fifteen.

Proviso: Limit of tax rate. Vacancies. SEC. 12b. In the event of a vacancy in the Central Highway Commission the several township highway commissioners shall have the power to fill said vacancies, and the party so elected shall hold said office until the next general election. Vacancies in township highway commissioners shall be filled by the other members of the township highway commissioners in which the vacancy occurs the person so elected to hold office until the next general election.

Act validated or invalidated by result of election. SEC. 13. That if at the election provided for under this act, a majority of the votes cast shall not be in favor of issuing the road bonds herein provided for, then all the other provisions of this act shall be null and void; but if a majority of the votes

so cast shall be in favor of issuing said bonds, then the provisions of this act shall be in full force and effect from and after the date of its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 75

AN ACT TO AMEND CHAPTER 101 OF PUBLIC-LOCAL LAWS OF 1915 RELATING TO FINANCIAL AGENT FOR PERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and one, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out lines six, seven, eight and nine thereof, and inserting in lieu thereof "That as to Person County, it shall be the duty of the board of county commissioners to arrange with one or more banks in the county to act as financial agent or agents for said county in lieu of the county treasurer, and in making such agreement said board of county commissioners shall employ such bank or banks with which the most satisfactory agreement can be made." Employment of bank or banks.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 76

AN ACT TO APPOINT A FINANCIAL AGENT FOR CATAWBA COUNTY.

Whereas, chapter one hundred and thirty-two, Public-Local Laws of one thousand nine hundred and fifteen, abolished the office of county treasurer of Catawba County and provided for the designation by the county commissioners of one or more banks in the county to act as county depository without compensation, and whereas no bank in Catawba County will accept said position without compensation, now therefore, Preamble: Former law ineffective.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Catawba County are hereby authorized and empowered to designate one or more banks or trust companies located in said Designation of financial agent.

county, or an individual residing in said county, to act as financial agent of the county upon such terms as shall be most advantageous to the county, which bank, trust company, or individual so appointed shall perform all the duties provided for in chapter one hundred and thirty-two, Public-Local Laws of one thousand nine hundred and fifteen, to be performed by the county depository, and that the bank, trust company, or individual so appointed shall serve for two years from and after its or his appointment: *Provided*, that the first term of appointment under this act shall expire the first Monday of December, one thousand nine hundred and eighteen.

Duties to be performed.

Appointed for two years.

Proviso: First appointment.

Act to remain in force.

SEC. 2. That chapter one hundred and thirty-two, Public-Local Laws of one thousand nine hundred and fifteen, so far as same applies to Catawba County, shall remain in force, except such portion of same as conflicts with the provisions of this act, which portions so conflicting 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 January, A. D. 1917.

CHAPTER 77

AN ACT TO AMEND CHAPTER 602 PUBLIC-LOCAL LAWS OF 1913, SO AS TO ESTABLISH THE RIGHT OF APPEAL FROM THE RECORDER'S COURT OF HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and two, Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by adding to said chapter the following two sections, to wit:

Right of appeal.

"Sec. 28. That either party to any civil action tried in said recorder's court of Harnett County shall have the right to appeal from any judgment rendered in said action to the Superior Court of Harnett County under the same rules and regulations now provided by the general law for appeals from courts of justices of the peace to the Superior Court, and upon such appeal the trial in the Superior Court shall be *de novo*. In all appeals from said court to the Superior Court and in all removal of causes from said court to any other court, the original papers in such causes shall be transmitted to such other court, and a proper notation of said fact shall be entered upon the minutes or other proper record of said recorder's court.

Trial de novo.

Record on appeal.

Appeals validated.

"Sec. 29. That in all cases heretofore tried in said recorder's court of Harnett County from which appeals have been at-

tempted to be taken by notice given in open session of said recorder's court, or by notice served within ten days from the trial of said cause, in which such appeals or attempted appeals have been docketed in the Superior Court of Harnett County and are still pending in said Superior Court, such appeals or attempted appeals shall be held and deemed to be valid in every respect, and the Superior Court shall hold and retain jurisdiction of all such causes and have full authority to hear and determine any such cause upon its merits."

SEC. 2. That all laws and clauses of laws in conflict with this Repealing clause. 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 9th day of January, A. D. 1917.

CHAPTER 78

AN ACT TO ALLOW W. B. CARRINGER, SHERIFF OF SWAIN COUNTY, TO COLLECT ARREARS OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That W. B. Carringer, sheriff of Swain County, be and he is hereby allowed until May 1st, one thousand nine hundred and seventeen, to collect all arrears of taxes for the year one thousand nine hundred and fifteen. Collection authorized.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 79

AN ACT TO REGULATE THE FEES OF THE COUNTY SURVEYOR OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county surveyor of Robeson County, Per diem. when doing work for the county as surveyor, shall receive the sum of five dollars per day for his services.

SEC. 2. That all laws and clauses of laws in conflict with Repealing clause. 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 9th day of January, A. D. 1917.

CHAPTER 80

AN ACT TO AMEND CHAPTER 215 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1915, SO AS TO MAKE THE PROVISIONS THEREOF APPLY TO BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Agreements in conditional sales.

SECTION 1. That chapter two hundred and fifteen of the Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by inserting the word "Buncombe" between the word "to" and the word "Durham" in the first line of section three of said act.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 81

AN ACT TO ALLOW THE COUNTY COMMISSIONERS OF MACON COUNTY TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

Special tax authorized.
Limit of rate.

SECTION 1. That the County Commissioners of Macon County are hereby authorized to levy a special tax, not to exceed five cents on the one hundred dollars valuation of property and fifteen cents on each poll, for the years 1917 and 1918, for the purpose of paying the ordinary indebtedness of the county, or such ordinary expenses as may arise in said years.

Term of authority.
Purpose of tax.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 82

AN ACT SUPPLEMENTAL TO CHAPTER 200 OF THE PUBLIC LAWS OF 1907 TO PROVIDE FOR THE FURTHER ISSUANCE OF ROAD BONDS FOR SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Purpose of bond issue.

SECTION 1. That the board of commissioners of Sampson County in order to continue the building, improving and maintaining the public roads and bridges of said county, are hereby authorized, empowered and directed to continue to issue and sell under the provisions of chapter two hundred of the Public Laws

Bond issue authorized.

of one thousand nine hundred and seven, additional road bonds Amount.
 not to exceed in amount the sum of two hundred thousand
 dollars, said bonds to be issued and sold only as needed for Issue and sale.
 the purposes expressed in said act: *Provided*, that the bonds Proviso:
 issued and sold under this act shall be for a period of twenty Maturity.
 years.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 83

AN ACT FOR THE RELIEF OF THE SHERIFF OF LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That A. P. Willis, Sheriff of Lincoln County, and Collection
 in case of his death or default his personal representatives, authorized.
 bondsmen, or any agent they may designate, is hereby author- Years.
 ized and empowered to collect arrears of taxes of Lincoln
 County for the years nineteen hundred and fifteen and nineteen
 hundred and sixteen, under such laws and regulations as are
 or may be provided for the collection of taxes: *Provided*, that Proviso: Term of
 the authority herein given shall cease and determine on De- authority.
 cember thirty-first, nineteen hundred and eighteen.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 84

AN ACT TO AUTHORIZE AND EMPOWER THE COMMIS- SIONERS OF ROWAN COUNTY TO COMPENSATE OFFI- CERS MAKING ARRESTS AND JUSTICES OF THE PEACE TRYING CRIMINAL CASES, IN CASES OTHER THAN THOSE IN WHICH THE COSTS ARE PAID BY THE DEFENDANT.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Rowan County be and Schedule of fees
 they are hereby authorized and empowered to adopt a schedule payable by county.
 of fees to be paid by the county to officers making arrests with-

Proviso: Limita-
tion on amount.

in that county, magistrates trying criminal cases therein, and the prosecuting attorney of the Rowan County Court in those cases where a conviction is had and the costs are not paid by the defendant: *Provided, however,* that such fees shall not exceed one-half the amount taxable against the defendant, now or hereafter prescribed by law.

SEC. 2. All acts and provisions of acts in conflict herewith be and the same are hereby repealed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 85

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.

SECTION 1. That the board of 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 seventeen (1917) and one thousand nine hundred and eighteen (1918) to be expended and applied to the payment of the indebtedness and current expenses of said county.

Term of authority.

Levy and collec-
tion.

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 ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 86

AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN AND COUNTY COMMISSIONERS TO DONATE TO CHARITABLE AND RELIGIOUS INSTITUTIONS.

The General Assembly of North Carolina do enact:

Appropriations
authorized.

SECTION 1. That the board of aldermen or other governing body of the city of Durham and the board of county commissioners of Durham County shall have the power and authority,

and the same is hereby conferred upon said authorities, to make Beneficiaries.
 from time to time to the Young Men's Christian Association of Durham, N. C., or to the trustees of any church or other religious organization, or to any person, firm, or corporation or charitable institution such reasonable appropriations as they Form of appropriations.
 may deem advisable out of any funds not otherwise appropriated, or by way of concessions of water, lights, building materials, or otherwise, to assist in carrying out the objects and purposes of said organizations.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 87

AN ACT TO ESTABLISH A FARM-LIFE SCHOOL FOR GASTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. There shall be maintained in Gaston County a Maintenance ordered.
 farm-life school for the training of boys and girls for farm life and home making.

SEC. 2. Said school shall be under the management of a Management.
 board of trustees consisting of the members of the county board Board of trustees.
 of education, the county superintendent of schools and the chairman of the six township high schools of the county, and their successors in office.

SEC. 3. The school proper shall be located at Dallas, but it Location.
 shall maintain, as extension work, a department of home eco- Extension work.
 nomics in connection with each of the other five township high schools, viz.: Belmont, Bessemer City, Cherryville, Gastonia, and Mount Holly.

SEC. 4. The board of trustees shall have the right to accept Acceptance of location.
 as a gift from the citizens of Dallas the old courthouse prop- location.
 erty, and the deed of May ninth, nineteen hundred and fifteen, Deed validated.
 from the town of Dallas conveying same is hereby legalized. Further, the expenditures of such sums as needed to convert Expenditures authorized.
 the old courthouse into a convenient school building and fully equip same for farm-life school purposes, to purchase and equip a farm for demonstration work, to secure equip and maintain suitable dormitories, is hereby authorized.

SEC. 5. In all other respects the Gaston County Farm-Life General law applicable.
 School shall conform to the general law of the State. It shall Appropriations and privileges.
 receive the same appropriations and enjoy the same privileges as similar schools established under the general law.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 88

AN ACT TO AMEND SECTION 3367 OF THE REVISAL OF 1905, RELATING TO LANDLORDS AND TENANTS.

The General Assembly of North Carolina do enact:

Law extended. SECTION 1. That section thirty-three thousand and sixty-seven of the Revisal of one thousand nine hundred and five, relating to landlords and tenants, be and the same is hereby amended by adding at the end of said section the words Robeson and Hoke.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 89

AN ACT FOR THE RELIEF OF THE BOARD OF EDUCATION OF BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Levy of special tax ordered. SECTION 1. That it shall be duty of the board of commissioners of Brunswick County, and they are hereby authorized and directed to levy a special tax of fifteen cents on every hundred dollars value of property, real and personal, and forty-five cents on every taxable poll, subject to the constitutional limitation as to poll tax.

Rate. SEC. 2. That said tax shall be levied and collected for the year nineteen hundred and seventeen, at the same time and in the same manner as other taxes are levied and collected, and the funds derived therefrom shall be expended by the board of education of Brunswick County to pay off and discharge any indebtedness heretofore incurred by said board of education of Brunswick County, in order to maintain a four months term of school in each school district in preceding years; whether by borrowing money or otherwise legally incurred.

Constitutional limitation.

Levy and collection.

Purpose of tax.

SEC. 3. That, if after paying off and discharging the indebtedness heretofore mentioned in the preceding action, there shall be a surplus, the same shall be turned into the general school fund of Brunswick County, to be used for school purposes. Use of surplus.

SEC. 4. That this act shall not be construed to affect the general school law now in force as to the levy of taxes for maintenance of public schools. General law not affected.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 90

AN ACT TO AMEND SECTION 3374 OF THE REVISAL OF 1905, RELATING TO THE HIRING OF ANOTHER'S SERVANTS.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand and seventy-four of the Revisal of one thousand nine hundred and five, relating to hiring another's servant, be and the same is hereby amended by adding at the end of such section the words "Robeson and Hoke." Law extended.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 91

AN ACT TO INCORPORATE THE FIRST BAPTIST CHURCH OF NEWTON, CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to operate shows, carnivals, and minstrels within three hundred feet of the First Baptist Church in Newton, Catawba County. Shows, carnivals and minstrels forbidden. Location.

SEC. 2. Any person violating 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 the first day of April, nineteen hundred and seventeen.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 92

AN ACT REGULATING THE TIME OF PAYMENT OF EMPLOYEES IN MANUFACTURING, MINING AND LUMBERING PLANTS IN AVERY AND MITCHELL COUNTIES.

The General Assembly of North Carolina do enact:

Monthly payments.

SECTION 1. That all persons, firms, and corporations owning or operating manufacturing, mining or lumbering plants in Avery and Mitchell counties, shall pay all employees on certain days, not less than once in each calendar month, in full for all work and labor done prior to the pay day, and no such person or corporation shall issue scrip in payment for work or labor unless it is made transferable and redeemable in cash on the next regular pay day; that any person, firm, or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five dollars for each offense, and that section one be further amended by inserting in line five after the word "done" and before the word "prior" the words "three days."

Scrip.

Misdemeanor.

Punishment.

SEC. 2. This act shall go into effect from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 93

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF ROBESON COUNTY TO DO CERTAIN ROAD WORK.

The General Assembly of North Carolina do enact:

Power to borrow money.

SECTION 1. That in order to carry on and complete certain road work in Robeson County, the board of commissioners of said county be and it is hereby authorized and empowered to borrow money and pledge the faith of the road tax of the county to an amount not greater than the amount set apart for the maintenance of the chain-gang to pay the same in such an amount as the said board of commissioners may desire not to exceed the sum of ten thousand (\$10,000) dollars: *Provided*, said board of commissioners shall not borrow said sum for a longer period than five years; and *provided further*, the road fund of the county shall not pay a greater rate of interest than six per cent per annum.

Pledge of road tax.
Limit of amount.

Limit of time.

Interest.

Supplemental work.

SEC. 2. That in order to supplement the work of the chain-gang of the county of Robeson, the board of commissioners is hereby authorized and empowered to have whatever road and

bridge work done in the county it may adjudge will be for the best interest of the county, and this work may be done under contract entered into in writing or the same may be done by the said board of commissioners employing competent labor to be worked on such of the roads of the county as shall be designated by the said board, and under the instructions of a superintendent employed for that purpose.

Alternative methods.

SEC. 3. That the money borrowed under the provisions of section one of this act shall be used exclusively under the supervision of the board of commissioners of the county and for the improvement of the road or roads of the county designated by the said board of commissioners, and said money shall be paid to the lender at such a time as shall be designated by the said board of commissioners out of the road fund of the county set apart for the maintenance of the chain gang and charged as a part of the necessary expenses of the county chain gang.

Exclusive use of money.

Payment of loans.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 94

AN ACT TO CREATE A HIGHWAY COMMISSION FOR THE COUNTY OF PITT.

The General Assembly of North Carolina do enact:

SECTION 1. That there be established in and for the county of Pitt a highway commission, to be known as the Pitt Highway Commission, said highway commission to be composed of three citizens and taxpayers of Pitt County, North Carolina, all of said members to be appointed by the present General Assembly, one for the term of two years, one for a term of four years, and one for a 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.

Highway commission established. Official entitlement. Number and election of commissioners.

Terms. Incorporation.

SEC. 2. That all public roads, cartways and bridges along the public roads in the county of Pitt shall be under the exclusive supervision and control of the Pitt Highway Commission; that all petitions for establishing, locating and changing and discontinuing of any public road or cartway or bridge, and all other matters in reference thereto are by this act placed under the exclusive supervision and control of the Pitt Highway Commission.

Supervision and control of roads. Petitions as to roads.

Terms of office.

SEC. 3. That the term of office of the members of the Pitt Highway Commission shall begin on the first Monday in March, one thousand nine hundred and seventeen. The first one hereinafter named in this act shall hold the office for two years, the second one named for four years, and the one third and last named shall hold office for six years, and their successors shall hereafter be elected for a term of two years each by the township highway advisory commission hereinafter provided for, and according to the methods hereinafter set out.

Election of successors.

Vacancies.

SEC. 4. That upon failure of any member of the Pitt 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 the board of county commissioners of Pitt County.

Secretary and treasurer.

SEC. 5. That the Pitt Highway Commission may appoint one of their number to act as secretary and treasurer for the said commission or the county treasurer or his assistant; or they may appoint some other citizen and taxpayer of Pitt County, who shall be known as the secretary and treasurer of the said Pitt Highway Commission, who shall hold office for one year from the date of his appointment or election, and thereafter shall be elected for a like term by the said highway commission, subject, however, at all times to removal by said highway commission for cause, and in case of such removal his successor shall be named in a like manner by the said highway commission.

Term of office.

Removal for cause.

Salary.

SEC. 6. That the secretary and treasurer of the said highway commission shall be paid a salary not exceeding fifty dollars per month, and it shall be the duty of the secretary and treasurer to keep a complete record of all of the acts and doings of the highway commission, showing the amount of money placed by the treasurer of the county to the credit of the highway commission, and showing all disbursements made by the highway commission and for what purpose made, and also showing the class and kind of road work undertaken and being carried on by the highway commission, and that all checks disbursing the funds of the said highway commission shall be signed by the chairman and countersigned by the secretary and treasurer of said highway commission. That said secretary and treasurer of the highway commission shall give a bond in such sum as may be approved by the highway commission and the board of county commissioners of Pitt County for the faithful discharge of his duties and for the faithful accounting for all funds turned over to him or passing through his hands by order or check as such secretary and treasurer.

Records to be kept.

Checks.

Bond of secretary and treasurer.

Road machinery, stock and implements.

SEC. 7. That after the qualification of said Pitt Highway Commissioners, and their organization, the board of county commissioners of Pitt County shall turn over to the highway com-

mission all road machinery, stock and implements and other property now in use by the county of Pitt, and said board of county commissioners is hereby directed to instruct and require the county treasurer to place in a separate account and subject to the orders of the Pitt Highway Commission, as hereinafter provided, all taxes levied and collected for road purposes from whatever source, which come into his hands by virtue of his office, or which come into the hands of the sheriff of Pitt County, or the county commissioners for said purposes, and said county treasurer shall keep a separate account showing the funds of all character placed subject to the orders of and disbursements by the said highway commission. The board of county commissioners shall also turn over to the said highway commission for road improvement and construction or maintenance as much of the general county funds as may not be needed for other necessary purposes.

Accounts of road funds.

Separate accounts.

Appropriation from general funds.

SEC. 8. The highway commission shall have power to contract all or any part of the road construction or repairs or maintenance to the lowest responsible bidder, keeping public, however, all such actions, and may let the county convicts to such contractor upon such terms as may be agreed upon, unless otherwise provided by a general law, taking sufficient bond from the contractor to indemnify the county against breach of contract and other damages; the county, however, to provide guards for the convicts in all cases.

Work may be let to contract.

Actions kept public. Lease of convicts.

Bonds of contractors.

Guards for convicts.

SEC. 9. The highway commission is authorized in its discretion, to create and fill any positions which it may deem expedient, or hire temporarily for proper road construction and maintenance, superintendent of the convict force engaged in road work, a highway engineer at so much per month or by the job; 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 of 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 or maintenance: *Provided*, the said commission shall at all times take into consideration the need of economy, and in the exercise of their best discretion shall create no offices, and expend no funds that are not absolutely needed in the construction and maintenance of the public roads of Pitt County.

Employees.

Compensation and bonds.

Powers and duties.

Discharge for cause.

Instruction in road work.

Proviso: Need of economy.

Permanent roads.

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 commissioners, taking into consideration the needs of the whole county, and every part thereof, opening or 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, and they shall extend the permanent roads already constructed into those townships or sections of the county not provided with permanent roads: *Provided*, that as far as practicable the taxes derived from each township shall be expended upon the roads of the township from which they are derived.

Extension of permanent roads.

Proviso: Expenditure in townships.

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 the authority to enter upon any uncultivated land near to or adjoining the roads, to cut or carry away any timber except trees left for ornament or shade, to dig or cause to be dug and carried away any stones, 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 constructing 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 landowner considering 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 from notice of the decision, appeal to the Superior Court.

Drains and ditches.

Obstructing drains or ditches misdemeanor.
Punishment.

Presentation of accounts.

Right of appeal.

Location and change of roads.

SEC. 12. 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, and to lay out and construct new roads when in their judgment the same will be advantageous to public travel, and for such purposes are authorized through their agents, to enter upon lands to make the necessary surveys. Before doing any work of construction, apart from the surveys, the board shall give to 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,

Entry on land for surveys.

Notice to landowners.

Persons under disability.

- such notice shall be given to him and his guardian, or if there be no guardian, to the person with whom he is living. If the land-owner 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 Pitt 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, 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. No strip of land wider than forty feet with such additional width as may be necessary for cuts and fills shall be acquired by condemnation. Upon making the order of condemnation, the highway commission shall have authority, through its agents, to immediately take possession of the lands described in the order and proceed to construct the road. That in case of an appeal from the compensation allowed for such lands taken, or damage done, as may be allowed by the highway commission, the law and procedure governing the same shall be the same as set out in chapter seven hundred and fourteen of the public laws of North Carolina, session of nineteen hundred and five; *Provided*, that should appeal be taken from the assessment allowed for damages and the owner or appellant should not recover a greater amount than that assessed, he shall be taxed with the cost of the appeal.
- SEC. 13. Any person who shall obstruct a highway commissioner, the engineer, road superintendent, or supervisor, or other agent, subordinate or employee in making a survey or engaging 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. 14. The highway commission shall have the authority to discontinue any public road which in their best judgment they may deem unnecessary, first, however, giving the landowner 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 have authority to establish or discontinue cartways in a manner as provided by the general law, but the provisions for appeal to the board of commissioners as set out in the general law shall not apply, but an appeal may be taken from the highway commission to the Superior Court under the existing laws and procedure.
- SEC. 15. The highway commission shall keep or cause to be kept a separate account of the road funds of the county, and of

Non-residents.

Order of condemnation.

Findings not subject to review.

Limit of land condemnation.

Immediate possession.

Appeals.

Proviso: Costs on appeals.

Obstruction of officers a misdemeanor.

Punishment.

Discontinuation of road.

Notice to landowners.

Roads made cartways. Establishment of cartways.

Appeals as to cartways.

Separate accounts.

their disbursements of the same; keeping, however, as far as practicable the disbursements on permanent roads separate and distinct from the disbursements for repair work or maintenance done on the roads in the several townships, and keeping as far as possible the disbursements on the roads of each township 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, 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 and published in the county newspaper published in the town of Greenville, and shall also be posted at the courthouse door in the town of Greenville.

Quarterly reports.

Publication and posting of reports.

Statements to be published annually.

SEC. 16. The secretary and treasurer 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 a newspaper printed in the county of Pitt a statement of the preceding year, showing the amount of taxes collected in the county for road purposes and placed to the use of the highway commission, the amount expended in each township for the repair and maintenance of the roads of such township, for the building of bridges and repairs thereof, the amount paid out for opening and constructing new roads in each township; the amount of road machinery purchased during the year and the amount of stock purchased during the year and the cost of each, and the amount of road machinery, stock and supplies on hand; the amount of permanent and repair work done by townships and in the entire county, showing the costs thereof by townships and for the entire county.

Use of stock and machinery.

SEC. 17. 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 the maintenance work upon the roads in the county, and the highway commission is empowered to purchase additional road machinery, stock and other machinery and tools used in road building which from time to time it may become absolutely necessary to have for the construction, repair and maintenance of the roads of the county.

Purchase of machinery and stock.

Convict work.

SEC. 18. That chapter seven hundred and fourteen, public laws of nineteen hundred and five, concerning the working of convicts upon the public roads of Pitt County be and the same shall remain in full force and effect in so far as it may be or become operative consistent with the provisions of this act.

Purchase of supplies and provisions.

SEC. 19. It shall be the duty of the highway commission to purchase supplies and provisions at wholesale, or at the best price obtainable, or by contract, as they may be needed from time to time, and they may advertise for bids for supplies for

Advertisement for bids.

the support of the convicts, and all other necessities during each year. Said bids shall be sealed and filed with the highway commission, and all of the highway commission's acts concerning same shall be of a public nature. Bids.

SEC. 20. There shall be elected at the general election to be held in the year one thousand nine hundred and eighteen, and every two years thereafter by the qualified voters of the county of Pitt, with other county officers, one township highway advisory commissioner for each township in said county. Said commissioner shall qualify and enter upon the duties of his office on the first Monday of December next succeeding their election, and shall hold their office for the term of two years, or until their successors shall have been elected and qualified. Township advisory commission.
Qualification and entrance into office.
Term of office.

SEC. 21. That it shall be the duty of the township highway advisory commissioners to attend the regular meetings of the Pitt Highway Commission in January and September of each year and such other meetings as they may be notified to attend by the chairman of the Pitt Highway Commission for the purpose of informing the Pitt highway commissioners of the condition of the roads in their respective townships, and the extent and nature of the work which they may deem necessary for the improvement, repair and maintenance of the roads in their respective townships, and setting forth such recommendations as they may deem needful for making changes in the roads or in opening new roads, or for the construction of bridges or repairs thereof, both for their respective townships and for the county as a whole. For attending such meetings the members of said advisory commission shall receive compensation not exceeding two dollars per day, and mileage not exceeding five cents per mile both ways. Meetings to be attended.
Information.
Recommendations.

SEC. 22. That the said township highway advisory commission shall at their September meeting in any year in which the term of office of any member of the Pitt Highway Commission shall expire, or in any year in which a vacancy should occur in said Pitt Highway Commission, proceed to elect a successor or fill the vacancy as the case may be, occurring in the said Pitt Highway Commission: *Provided*, that for the purpose of electing any member to the Pitt Highway Commission there shall be present and voting at least ten members of the said township highway advisory commission. That the said township highway advisory commission shall have right to organize for the dispatch of such business as may come before it, first electing a chairman and secretary and such other officers as they may deem advisable. Pay of advisory commissioners.
Election of county highway commissioners.
Proviso: Quorum.
Organization of advisory commission.

SEC. 23. Such work of repairing and keeping in repair the roads in the several townships as may not be done by the convict force, outfit and machinery, shall be done by the township highway advisory commission with hired labor. Before doing any work, the said advisory commission shall submit to the Pitt Work done by hired labor.
Specifications for work.

- Highway Commission a written statement specifying the nature, extent, and probable cost of the contemplated work, and the board shall authorize said advisory commission to do so much of said work as the highway commission may deem necessary and which cannot be advantageously or conveniently done through the county convict force, outfit and machinery. The highway commission may also, in its discretion, from time to time, authorize the said advisory commission to expend such sums as may be necessary, up to certain amounts, on emergency repair work which cannot without public detriment be reported before doing the work: *Provided*, that the amounts allowed to any advisory commissioner for emergency work shall not exceed in the aggregate one hundred dollars for any one year.
- Authority for work.**
- Expenditures for emergency work.**
- Proviso: Limit of amount.**
- Pay of advisory commissioners working hands.**
- Accounts to be kept.**
- Monthly statements.**
- Restrictions on hiring laborers and teams.**
- Rules and regulations.**
- Vacancies.**
- Road crossings.**
- Notice to show cause.**
- SEC. 24. The township advisory commissioners shall be allowed as compensation for themselves or their employees substituted for themselves, not exceeding two dollars per day for such time as they are actually employed in working hands on the roads in their townships. They shall keep an accurate account of the time necessarily employed by them and the expenses necessarily incurred by them, with the date of each item thereof, the names and amounts paid each employee, and render a sworn statement thereof to the chairman of the Pitt Highway Commission each month in the year. No advisory commissioner shall, without permission from the Pitt Highway Commission, employ any member of his immediate family as laborer, nor shall any advisory commissioner hire any of his own teams in doing the work in his township without permission of the highway commission. The highway commission shall have power to prescribe such rules and regulations relating to the working of the roads by the advisory commission as may not be inconsistent with the provisions of this act.
- SEC. 25. Vacancies occurring for any cause in the office of the said township highway advisory commission shall be filled by the Pitt Highway Commission for the unexpired term.
- SEC. 26. The said Pitt Highway Commission shall, upon its own 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 at grade, over, or under the public roads, and whether said crossings be those of railroad companies, street car companies, or other corporations or of private individuals. And whenever said crossings may be so constructed or maintained, as in the opinion of the said Pitt Highway Commission, the use of the public road at such crossing had become dangerous or unsafe by reason of the construction and maintenance of the crossing at grade over or under the public roads, the highway commission shall give ten days notice to such corporation 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 or along the public roads safe or less dangerous.

SEC. 27. That said highway commission shall, after notice, investigate the conditions at the crossings, 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 or unsafe, 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, other corporation or private 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.

SEC. 28. The highway commission shall have full power to prescribe rules and regulations governing the use of any public roads within Pitt County, and any violation of such rules and regulations shall be and the same is hereby made a misdemeanor. The highway commission may require or cause to be removed from the public roads of said county all telephone and telegraph poles or trees, or other things whatsoever that may be regarded as an obstruction retarding or infacilitating the proper working or maintenance of said roads. That said highway commission shall provide and have placed at all public highway crossings or intersections a road sign directing the travelers over said highway as to the direction in which they are traveling, the destination of said highway and the estimated distance of said destination.

SEC. 29. 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.

SEC. 30. That should the highway commission at any time have as a member of its body a civil engineer or expert road builder, then and in that event such member as engineer or road builder may be employed by the highway commissioner to do the engineering work or as superintendent of roads, as the case

Hearing on notice.

Order on hearing.

Failure to obey order a misdemeanor.

Punishment.

Right of appeal.

Bond on appeal.

Rules for use of roads.

Violation a misdemeanor.

Removal of obstructions.

Road signs.

Power to borrow money.

Limit of amount.

Employment of commissioner as engineer or road-builder.

- Limit of pay. may be, or both. But the combined pay for such member as engineer or superintendent or both, his per diem and other work as a member of the highway commission shall not exceed in all two thousand dollars per year. That the secretary and treasurer elected by the said highway commission shall be eligible to fill either the position of engineer or road superintendent: *Provided*, the secretary and treasurer shall not also be the chairman of the said highway commission.
- Secretary eligible as engineer or superintendent. SEC. 31. That the highway commission shall hold regular sessions on the last Thursday in January, April, July, and October of each year, and may at the request of any two of its members hold not to exceed twelve special sessions during any one year, but upon the request of as many as eight members of the township highway advisory commission in connection with two members of the Pitt Highway Commission, other sessions may be called. That for the regular or special sessions herein provided for, five dollars per day shall be allowed each member of the Pitt Highway Commission, and five cents per mile both ways shall be allowed for travel. That no session of the Pitt Highway Commission shall continue longer than two days at any one time.
- Proviso: Secretary not to be chairman.
- Regular meetings. SEC. 32. That said highway commission may appoint any of its members to superintend and look after the construction and maintenance of any of the roads or bridges in the county, and such member may be allowed three dollars per day for his actual time spent in such manner, but in no event shall such member for this class of service be allowed a sum exceeding one hundred dollars for any one year.
- Special meetings.
- Pay of commissioners.
- Limit of sessions.
- Employment of commissioner as superintendent.
- Per diem.
- Limit of amount.
- Election of highway commissioners. SEC. 33. That upon the expiration of the respective terms of the Pitt Highway Commission, or upon the occurrence of a vacancy in said commission, the said township highway advisory commission shall, at their regular meeting or a called meeting for the purpose, elect a successor to fill the vacancy occurring in said Pitt Highway Commission.
- Place of meetings. SEC. 34. That said highway commission shall hold its meetings in the courthouse in the room of the county commissioners when said room shall not be in use by the board of county commissioners, and that all expenses 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.
- Payment of expenses.
- Present road laws effective. SEC. 35. That all of the present road laws shall remain in full force and effect until this act shall have become operative, and the said highway commission created hereunder shall have qualified and organized for the purposes declared herein. That all of the present road laws of the county or State, not directly in conflict with this act shall remain in full force and effect.
- Present general laws.

That such township road officers elected by a popular vote under the present existing law and whose office has not expired, shall retain said offices until the expiration of the terms thereof, but at said expiration such offices as are in conflict with this act are hereby abolished. Officers to complete terms.

SEC. 36. That in the case of townships in Pitt County having issued bonds for the construction of public roads, the funds of which have not already been expended, or in case of townships in Pitt County issuing new bonds for the construction or maintenance of public roads, the funds derived therefrom shall be expended exclusively upon the roads of the township issuing the bonds, and through and under the direction of the Pitt Highway Commission acting jointly with the township highway advisory commissioner of the township issuing the bonds and two other qualified citizens of such township appointed for the said purpose of acting with the Pitt Highway Commission, in the expending of the money derived from the bonds upon the roads of the township, said citizens to be appointed by the board of county commissioners of Pitt County. Bonds issued by townships.

SEC. 37. That for the proper support and maintenance of the county chain-gang of Pitt County, the Pitt Highway Commission shall be liable and responsible to the county commissioners only for so much of the time of the chain-gang as is spent upon the construction or repair and maintenance of the public roads of the county, or in traveling from place to place, or expenses incident to such work or travel. Support and maintenance of chain-gang.

SEC. 38. That the following named citizens and taxpayers of Pitt County be and they are hereby appointed members of the Pitt Highway Commission: Henry Staton, whose term of office shall be for two years from the time specified for his qualification in this act, or until his successor is appointed or elected and qualified; H. A. White, whose term of office shall be for four years from the time specified for his qualification in this act, or until his successor is appointed or elected and qualified; J. Marshall Cox, whose term of office shall be for six years from the time specified for his qualification in this act, or until his successor is appointed or elected and qualified. That immediately after the qualification of the members of the Pitt Highway Commission they shall organize by electing one of their members as chairman, and may appoint a secretary and treasurer as hereinbefore set out, and that any one of the members of said highway commission shall be qualified to act as secretary and treasurer: *Provided*, that either the chairman or the secretary and treasurer of said commission shall reside in the town of Greenville, Pitt County. Commissioners named.
Organization.

SEC. 39. That the following named citizens and taxpayers of Pitt County be and they are hereby appointed members of the Proviso: Residence of chairman or secretary.
Advisory commissioners named.

township highway advisory commission: L. W. Tucker, of Greenville Township; M. O. Blount, of Bethel Township; J. L. Perkins, of Carolina Township; J. E. Warren, of Belvoir Township; W. L. Nobles, of Pactolus Township; S. M. Crisp, of Falkland Township; R. L. Jefferson, of Fountain Township; T. C. Turnage, of Farmville Township; Foy Smith, of Beaverdam Township; Dr. W. W. Dawson, of Ayden Township; Frank Harrington, of Winterville Township; B. A. Gardner, of Swift Creek Township; J. J. Elks, of Chicod Township; who shall each hold office until their successors have been elected at the next general election and qualified.

Repealing clause.

SEC. 40. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 41. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 95

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF CURRITUCK COUNTY TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

Bond issue authorized.

Amount and purpose of issue.

Further amount and purpose of issue.

Denominations.

Maturity.

Interest.

Date.

Sale below par forbidden.
Exclusive use.

SECTION 1. That the board of commissioners of Currituck County be and they are hereby authorized to issue bonds of said county to an amount not to exceed ten thousand (\$10,000) dollars for the purpose of paying the debt contracted by the Currituck Highway Commission; and further to issue bonds not to exceed fifty thousand (\$50,000) dollars in addition thereto, for the purpose of building, repairing and constructing the roads of Currituck County. That the said bonds shall be negotiable coupon bonds payable to bearer in such denominations as the said board of commissioners may determine, and be numbered serially and become due and payable as to principal at such time from the date of issue as the said board of commissioners may determine, and the interest to be payable in semiannual installments at the rate of six per cent per annum, and shall be in such form and payable as to principal and interest at such place or places as said board of commissioners may determine, and shall be dated on such date as said board of commissioners may determine.

SEC. 2. Said bonds shall not be sold at a price less than par, and the funds derived from the sale of any or all of said bonds shall be used exclusively for the purpose of building, repairing, or improving the roads of Currituck County.

SEC. 3. That the said bonds shall be signed by the chairman of the board of county commissioners of Currituck County, attested by the clerk to said board, with its corporate seal thereunto affixed, and the said clerk shall keep an accurate account of same, including a record of the bonds sold, the number of the bonds purchased, the name of the purchaser, and the price received for same, which account or accounts shall at all times be open to the inspection of the citizens of Currituck County at such times and places as is required of other records.

Authentication.

Record of bonds.

Accounts open for inspection.

SEC. 4. That the funds derived from the sale of said bonds shall be turned over to the Currituck Highway Commission and shall be used by it exclusively for the purposes herein named.

Exclusive use of funds.

SEC. 5. That the said board of commissioners of Currituck County, or their successors in office, be and they are hereby authorized and empowered to levy and collect on all taxable property in said county a special tax of sufficient amount to pay the interest on each issue of said bonds as it may become due, and the principal of each issue thereof at maturity; said special taxes shall be levied and collected at the same time as other taxes are levied and collected for the use of said county.

Special tax.

SEC. 6. That section twenty-two of chapter two hundred and sixty of the Public-Local Laws of one thousand nine hundred and fifteen be, and the same is, hereby repealed, and chapter three hundred and twenty-eight of the Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby repealed, and all private or local laws referring to the issuance of bonds for road improvement in Currituck County be and the same are hereby repealed, and all laws and clauses of laws in conflict with this act be, and the same are, hereby repealed.

Former bond laws repealed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 96

AN ACT TO AMEND CHAPTER 12, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, CREATING THE FORSYTH HIGHWAY COMMISSION.

The General Assembly of North Carolina do enact:

SECTION 1. That section twelve of said act be amended by inserting after the word "road" in line nine, the following words: "to cut any timber except trees left for ornament or shade, on either side of the road, or proposed road to a distance not further from the roadway than thirty feet to prevent the roadway from being shaded or cut off from the sun."

Trees shading roads.

Security on appeal.

SEC. 2. That section fifteen of said act be amended by adding after the word "court" in line fifteen, the words, "provided a bond or deposit in the amount of fifty (\$50.00) dollars is made with the secretary and treasurer of the highway commission with the filing of the petition. This bond or deposit to cover all costs in action, unless the petitioners make and file an affidavit as is required in pauper suits."

Quarterly report.

SEC. 3. That section sixteen of said act be amended by striking out the word "March" in line eight, and inserting in lieu thereof, the word "April."

Meeting to be attended by road supervisors.

SEC. 4. That section twenty-three of said act be amended by striking out the word "January" in line three; and that said section twenty-three be further amended by inserting after the word "townships" in line seven the following: "work done and money expended since report at last regular meeting attended by the supervisors."

Report of work done and money spent.

Work within four miles.

SEC. 5. That section twenty-seven of said act be amended by the striking out of the word "two" in line fifteen, and inserting the word "four." That section twenty-seven be further amended by inserting after the word "courthouse" in line fifteen, "any and all expenditures by the Forsyth Highway Commission since the twenty-seventh of February, one thousand nine hundred and thirteen, not in accordance with the act ratified the twenty-seventh day of January, one thousand nine hundred and thirteen, and an amendment thereof ratified on the tenth day of February, one thousand nine hundred and thirteen, are hereby ratified and confirmed."

Expenditures ratified.

Floating debt.

SEC. 6. That section thirty of said act be amended by striking out the words "ten thousand dollars" in line three of said section, and inserting in lieu thereof, the words "fifty thousand dollars, provided the entire floating indebtedness incurred by the highway commission shall not exceed fifty thousand (\$50,000.00) dollars at any one time."

Employment of engineer.

SEC. 7. That section thirty-one of said act be amended by inserting after the word "time" in line one, "before the twenty-eighth day of February, one thousand nine hundred and nineteen, but not thereafter."

Monthly meetings.

SEC. 8. That section thirty-two of said act be amended by striking out the following words: "last Thursday in January April, July, and October," and inserting, "second Monday in every month."

SEC. 9. That all laws in conflict with this act as amended, are hereby repealed.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 97

AN ACT TO PROVIDE FOR MAINTAINING BY TAXATION THE PUBLIC HIGHWAYS OF ANY TOWNSHIP IN BLADEN COUNTY WHICH HAS HERETOFORE OR SHALL HEREAFTER VOTE AND ISSUE BONDS FOR THE IMPROVEMENT OF SUCH HIGHWAYS IN SUCH TOWNSHIPS AS PROVIDED IN CHAPTER 336 OF THE PUBLIC-LOCAL LAWS OF 1915, AND CHARGING THE HIGHWAY COMMISSIONERS OF SUCH TOWNSHIP WITH THE DUTY OF MAINTAINING SUCH HIGHWAYS.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the powers and duties conferred by chapter three hundred and thirty-six of the Public-Local Laws of the General Assembly of North Carolina, one thousand nine hundred and fifteen, upon the highway commissioners of all such townships in said county as shall vote and issue bonds under the provisions of said chapter of said Public-Local Laws, such highway commissioners of each township in the said county which has heretofore or shall hereafter vote and issue bonds for the improvement of the public highways in such township as provided by said chapter of said Public-Local Laws, are hereby expressly charged with the proper maintenance, repair and upkeep of the public highways and bridges within such township. On or before the first Monday in June of each year said highway commissioners shall estimate the amount of money necessary to enable them to properly maintain and keep in good repair the public highways and bridges in such township for the current year, and on or before said date shall recommend to the board of county commissioners of Bladen County the amount of money so necessary, and the said board of county commissioners, at the regular time for levying other taxes, shall levy upon the taxable property and polls in such township a sufficient tax, not to exceed fifteen cents on the hundred dollars in value of property and forty-five cents on poll, to raise the amount of money so recommended to them by the highway commissioners of such township as being necessary, and shall cause the taxes so levied to be collected as is provided in said chapter of said Public-Local Laws for the collection of other taxes, and upon the collection thereof said board of county commissioners shall cause to be paid over to the highway commissioners of such township, and the said highway commissioners for such township shall use the same for the proper maintenance, upkeep and repair of the public highways in such township, and shall be responsible therefor and shall account therefor as is required

Maintenance and repair of bridges.

Estimate of funds.

Recommendation of county commissioners.

County commissioners to levy tax.

Limit of rate.

Collection and settlement.

Use of funds.

of them for other moneys, as set forth in said chapter of said Public-Local Laws.

Maintenance of highways and bridges.

SEC. 2. That the highway commissioners of any township in Bladen County which has heretofore or shall hereafter vote and issue bonds, as provided by chapter three hundred and thirty-six of the Public-Local Laws of the General Assembly of North Carolina, one thousand nine hundred and fifteen, shall cause the public highways and bridges in such township to be properly and efficiently maintained, and shall keep the same at all times in good condition and repair, to the end that the investment of public funds in such highways and bridges shall be preserved and made permanent, and any highway commissioner or commissioners who shall violate the provisions of this section shall be guilty of a misdemeanor.

Misdemeanor.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 98

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF SURRY COUNTY TO ISSUE ADDITIONAL BONDS OF THIRTY-FIVE HUNDRED DOLLARS FOR LONG HILL TOWNSHIP, SURRY COUNTY, FOR ROADS.

Preamble: Former bond issue insufficient.

Whereas, the board of county commissioners of Surry County, in the act, chapter four hundred and seventy-eight, Public-Local Laws, nineteen hundred and thirteen, and the approval thereof by popular vote, did issue twenty thousand dollars in bonds for Long Hill Township, Surry County, for good roads, which has been used in the building of roads in said township, and the same not being sufficient to complete the roads therein, therefore,

The General Assembly of North Carolina do enact:

Bond issue authorized.

SECTION 1. The board of county commissioners of Surry County are hereby authorized and empowered to issue and sell thirty-five hundred dollars of additional bonds under and in accordance with the conditions and requirements of chapter four hundred seventy-eight, Public-Local Laws, nineteen hundred and thirteen, said money to be used for the completion of roads in Long Hill Township, Surry County, by the highway commission of said township as in said act provided.

Amount.

Former law not repealed.

SEC. 2. That this act shall not, nor is it intended, in any way to, repeal said chapter four hundred and seventy-eight, Public-Local Laws, nineteen hundred and thirteen, but only to

authorize the issue of thirty-five hundred dollars additional bonds, which bonds are to be issued and sold in accordance with the conditions and provisions of said act.

SEC. 3. That this act shall be in full force and effect on and after the first Monday of February nineteen hundred and seventeen, and chapter four hundred and seventy-eight, Public-Local Laws, nineteen hundred and thirteen, not in conflict with this act, is not repealed, but the same is hereby confirmed.

When act effective.

Former law confirmed.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 99

AN ACT TO AMEND SECTION 1675, REVISAL OF 1905 OF THE CODE, SO AS TO MAKE SAID SECTION APPLY TO PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand six hundred and seventy-five, Revisal of one thousand nine hundred and five, of the Code, be and the same is hereby amended by inserting the word "Pender" between the words "Cherokee" and the word "and" in the last line of said section.

Elections on release from stock law.

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 January, A. D. 1917.

CHAPTER 100

AN ACT TO AMEND CHAPTER 459 OF THE PUBLIC-LOCAL LAWS OF 1915, REGULATING THE HUNTING AND TRAPPING OF GAME IN HOKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter four hundred and fifty-nine of the Public-Local Laws of one thousand nine hundred and fifteen be, and the same is hereby amended, by striking out the words "November tenth," on lines two and three, and the words "November fifteenth," on line five, and inserting in each place the words "December first," and by striking out the word "January," on line six, and inserting therein and in lieu thereof the word "February."

Open season for deer.

Proviso: Ship-
ment of game.

SEC. 2. That section five of the said act be, and the same is hereby amended by adding thereto the following: "*Provided*, that a nonresident owner of land in the county may take therefrom quail or other game killed by him on his own land."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 101

AN ACT TO AUTHORIZE THE COMMISSIONERS OF BLADEN COUNTY TO LEVY AND COLLECT A SUFFICIENT TAX TO MAINTAIN SIX MONTHS SCHOOLS IN THE SAID COUNTY AND MEET THE CURRENT EXPENSES OF THE COUNTY.

Preamble: Six
months school
term.

Whereas, the State, at the session of the General Assembly of 1913, enacted a law intended to secure a six months school term in each district in the State; and

Preamble: In-
crease of State
taxes.

Whereas, it has been necessary to increase the amount of taxes levied by the State for general State purposes; and

Preamble:
Maintenance of
present system.

Whereas, of the eighty-one and two-thirds cents now levied and collected by the commissioners of Bladen County, it is necessary to appropriate thirty-five cents thereof in order to maintain the present school system; and

Preamble:
Maintenance and
improvement of
system necessary.

Whereas, it is essential that the present school system be maintained and improved upon, and the appropriation of so much of the tax levied, as above indicated, to the cause of schools may leave the county without sufficient revenue with which to pay its current and necessary expenses, now, therefore,

The General Assembly of North Carolina do enact:

Examination of
tax abstracts.

SECTION 1. That the board of county commissioners of Bladen County are hereby directed to examine on or before the first Monday in June of each year the tax abstracts for the current year, and if upon such examination it shall appear that the taxes which the board are authorized to levy, after deducting from the eighty-one and two-thirds cents on the one hundred dollars worth of property and taxes levied by the State for general State purposes for pensions and for schools, and the fifteen cents special school tax will not be sufficient to meet the current and necessary expenses of the county for the current year, then the said board of county commissioners shall be and are hereby authorized, empowered and directed to levy and collect in addition to the said eighty-one and two-thirds cents a sufficient amount of taxes on all the taxable property and polls within the said county of Bladen to meet the current and necessary ex-

Additional tax
levy.

penses of the county, said additional tax not to exceed ten cents on the one hundred dollars in valuation of property and thirty cents on the poll, and in levying and collecting such tax the constitutional equation between property and poll shall be observed.

Limit of rate.
Constitutional equation.

SEC. 2. The tax so levied and collected shall be levied and collected in the same manner as other taxes.

Levy and collection of tax.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 102

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 1917 and 1918, not to exceed fifteen cents on the one hundred dollars worth of property and forty-five cents on the poll, for the purpose of assisting in paying the indebtedness and current expenses of said county.

Special tax authorized.
Limit of rate.
Purpose of tax.

SEC. 2. That said special tax be levied, collected, and accounted for as other public taxes.

Levy and collection.

SEC. 3. That this act be enforced from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 103

AN ACT TO AMEND THE LAW REGULATING THE RECORDER'S COURT FOR MOUNT AIRY TOWNSHIP, SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That after the word "license" and before the word "selling" in line thirteen of section seven, sub-section (b) of chapter six hundred and ninety-two, Public-Local Laws of one thousand nine hundred and thirteen, insert the following: "having spirituous, vinous, or malt liquors in possession for the purpose of sale," and in line sixteen after the word "property" and before the word "all" insert the following: "All violations of chapter ninety-seven of the Public Laws of one thousand nine hundred and fifteen."

Jurisdiction.

- Sentences to road work. SEC. 2. Amend chapter six hundred and ninety-two, Public-Local Laws of one thousand nine hundred and thirteen, by striking out subsection (d) of section seven of said chapter.
- Jurisdiction. SEC. 3. Amend chapter two hundred and seventy-seven, Public-Local and Private Laws of extra session of one thousand nine hundred and thirteen, section two, as follows: Strike out the word "exclusive" in line five of said section, and insert in lieu thereof the word "concurrent," and in line nine of said section strike out the word "exclusive" and insert in lieu thereof the word "concurrent," and in line ten strike out all after word "of" and before the words "all violations."
- Fees of prosecuting attorney. SEC. 4. Amend chapter eight hundred and nine, Public-Local Laws of one thousand nine hundred and fifteen, by striking out all after the word "attorney" of section three, and insert in lieu thereof the following: "who shall receive two dollars and fifty cents (\$2.50) in every conviction or plea of guilty: *Provided*, the fees in all cases above a magistrate's jurisdiction shall be three dollars, to be taxed in the bill of cost, and in all cases of acquittal the officers and witnesses shall receive half fees to be taxed and paid by the county of Surry, but in cases of acquittal no fee shall be taxed for the prosecuting attorney; and in addition to the regular costs taxed there shall be taxed in every case and against each defendant a fee of fifty cents for the use of town hall, and to pay the sheriff or other officer attending the session of said court whose compensation shall be two (\$2.00) dollars per day, not to exceed one day in each week, and for other necessary expenses of the court.
- Half fees taxed on county.
- Fee for town hall and sheriff.
- Pay of sheriff.
- 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 9th day of January, A. D. 1917.

CHAPTER 104

AN ACT TO PREVENT KILLING OF TIMBER, THROWING OF CARCASSES OF ANIMALS AND RUBBISH IN ANY OF THE TRIBUTARIES OF FRENCH BROAD IN TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

Acts
forbidden.

SECTION 1. That it shall be unlawful to cut or fell timber, throw or put any carcasses of dead fowls or animals and tin cans, etc., in the French Broad River or any of its tributaries in Transylvania County.

SEC. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor and fined or imprisoned at the discretion of the court. Misdemeanor. Punishment.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 105

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF YADKIN COUNTY TO PERMIT THE REMOVAL OF THE BODY OF LOTTIE SMITH, DECEASED, FROM THE COUNTY HOME GRAVEYARD.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Yadkin County are authorized to permit John T. Benbow, Esq., to disinter and remove the body of Lottie Smith, deceased, from the county home graveyard, and to rebury said body at East Bend in said county. Permit by county commissioners authorized.

SEC. 2. That all laws in conflict with this act are repealed, so far as the same may be inconsistent with this act. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 106

AN ACT TO IMPROVE THE ROADS IN PAMLICO COUNTY AND FOR THE ISSUING OF BONDS BY THE COUNTY AND THE SEVERAL TOWNSHIPS THEREIN.

The General Assembly of North Carolina do enact:

SECTION 1. That the road commissioners hereinafter provided for shall be, when duly elected and qualified as hereinafter provided, together with their successors in office, bodies politic and corporate to be known as the "Road Commissioners of Township"; the blank herein to be filled out by the name of the township or townships voting for the bond issue hereinafter provided for. The several township road commissions herein authorized may in their corporate name sue and be sued, plead and be impleaded, and exercise all the privileges and be subject to all the liabilities necessary and consistent with their respective duties in carrying into effect the provisions of this act. The several township road commissioners, immediately upon their election and qualification as hereinafter provided for, Road commissioners incorporated. Corporate name. Corporate powers. Organization.

shall meet at the regular voting place in their respective townships and organize by electing one of their number chairman and another of their number secretary, and adopting for their respective organizations a common seal.

Common seal.

Petition for election.

SEC. 2. That upon there being filed with the commissioners of Pamlico County a petition signed by one-fifth of the qualified voters in any township in said county asking for an election upon the question of issuing bonds for said township, under the provisions of this act, and stating in said petition the amount of bonds which it is desired to issue (*Provided, however,* that the amount of the proposed bond issue shall not be greater than five per centum of the total assessed value of all property in said township subject to taxation, as shown by the last assessment next preceding the filing of said petition), said petition to be recorded in the minutes of the said board, it shall be the duty of the said board of county commissioners to call an election to be held within sixty days after the presentation of said petition at the polling place or places in the township or townships petitioning, and present to the qualified voters of said township or townships the question of issuing bonds for the purposes of road improvement as provided for in this act; said bonds to be issued upon the terms and conditions hereinafter set forth. The said board of county commissioners shall for at least thirty days preceding the election give public notice of the same, in said notice stating the purpose of the election and the amount of bonds proposed to be issued by such township in which the election is to be held, said notice to be published in some weekly newspaper published in said county for at least four weeks.

Proviso: Limit of bond issue.

County commissioners to call election.

Question to be presented.

Notice of election.

New registration.

SEC. 3. That the said board of county commissioners shall order a new registration of the voters in each township petitioning for an election; that the said registration, challenging of voters, and the election herein provided for shall be conducted under the same laws governing the election of members of the General Assembly in so far as the same is applicable thereto: *Provided, however,* that the county commissioners shall appoint the registrar and judges of election; that the registrars and judges of election shall upon the close of the polls count the votes and certify the results to the board of county commissioners on the second day after the election, sending the said certified returns by one of their number appointed for that purpose; and the said board of county commissioners shall meet on the said second day after the election and canvass the returns, the same to be entered upon the minutes of said board of county commissioners, and no other declaration of the result shall be necessary.

Law governing election.

Proviso: Election officers.

Count and return of votes.

Canvass of returns.

Ballot box.

SEC. 4. That at the election hereinbefore provided for in any such township and at each voting place therein there shall be

provided by the register one ballot box, and all qualified voters favoring the issue of said bonds shall vote a ballot having upon it the words "For Bond Issue," and all qualified voters opposing the issue of said bonds shall vote a ballot having upon it the words "Against Bond Issue."

Ballots.

SEC. 5. In the event that a majority of the qualified voters in any township petitioning for an election as hereinbefore provided shall vote for a bond issue, then the board of commissioners of Pamlico County shall at its next regular meeting thereafter elect three competent and discreet persons who shall be qualified voters of such township, who shall, after taking and subscribing to the oath of office hereinafter provided for, constitute the road commissioners of said township, and *ipso facto* be erected into a body politic and corporate as provided for in section one of this act. Any vacancy that may occur in the members of any of the township road commissioners from death, resignation, failure to qualify, or other cause, shall be filled by the board of county commissioners. The road commissioners elected as above provided shall hold office until the first Monday in January after the next general election for members of the General Assembly, or until their successors are elected or qualified.

Election of road commissioners.

Vacancies.

Term of office.

SEC. 6. That on the first Monday in December next after the regular election for the election of members of the General Assembly, after any township in said county has voted favorably upon the question of issuing bonds, and biennially thereafter, there shall be elected by the board of commissioners of Pamlico County from among the qualified voters of the township three persons who shall constitute the road commissioners of that township for a term of two years from and after the first day of January next thereafter, or until their successors are elected and qualified.

Election of successors to first commissioners.

SEC. 7. Before any person shall enter upon the discharge of his duties as road commissioner he shall take and subscribe to the following oath before some person authorized to administer oaths, and a copy of said oath shall be filed with the clerk of the board of county commissioners of Pamlico County, to wit:

Commissioners to qualify.

North Carolina—Pamlico County.

Form of oath.

I,, do solemnly swear (or affirm) that as road commissioner of.....Township, I will well and truly execute the duties of the office according to the best of my skill and ability, without partiality or favoritism, but according to what I consider to be the best interest of the whole people and according to law: so help me, God.

Sworn to and subscribed before me, this...day of.....

- Commissioners to issue bonds. SEC. 8. That the road commissioners of the several townships in said county where the question of issuing bonds has been decided favorably by a majority of the qualified voters shall as soon as practicable after their election and qualification issue bonds in their corporate name for the amount decided, in notices publishing the said election in their respective townships, said bonds to be in such denominations as the said road commissioners may determine, and to run for such period as they may determine, said period not to be less than twenty nor more than forty-one years; and the said bonds shall bear interest from the date of issue of not more than six per centum per annum, with interest coupons attached payable semi-annually, principal and interest to be payable at such time and place as the several road commissioners provided for in this act may respectively determine, not inconsistent with the provisions of this act.
- Denominations. Maturity. Interest. SEC. 9. The said bonds when issued and sold by the several road commissioners as provided for in this act shall constitute a valid debt against the respective townships for which they are issued, and shall be a valid lien upon all the property of whatever kind subject to taxation in such township.
- Obligation of bonds. SEC. 10. The county commissioners of Pamlico County shall, at the time they levy county taxes, levy upon the property and polls, observing the constitutional equation, in each township that shall vote favorably upon the road bonds herein provided for, a sufficient tax to pay the interest on the amount of bonds that may have been voted by said township, together with an amount which, invested annually in solvent interest bearing securities, will accumulate a sinking fund sufficient to retire said bonds at maturity; and in addition to said interest and sinking fund, the tax levy shall be sufficient to provide an annual maintenance fund not exceeding five per cent of the amount of the bond issue.
- Tax levy. SEC. 11. That the bonds herein authorized, when issued by the several township road commissions herein created, may be sold at either public or private sale after notice of the date and place of sale is published for three successive weeks in some newspaper published in Pamlico County, as the several road commissions shall determine respectively, and the funds derived from the sale of said bonds shall be turned over to the treasurer or depository of the commission hereinafter provided for, to be expended in the improvement of the roads of their respective townships in accordance with the provisions of this act; and none of said money shall be paid out except upon orders approved by the respective road commissions in a regular or duly called meeting; but the purchasers of said bonds shall not be chargeable with any duty to see that the funds are
- Constitutional equation. For interest and sinking fund. Maintenance fund. Sale of bonds. Disposal of funds. Specific appropriation. Liability of purchasers released.

so expended: *Provided*, that such bonds shall not be sold, hypothecated, or otherwise disposed of for less than their par value.

SEC. 12. Each of the township road commissions herein provided for shall, before the sale by it of any bonds, select one member of said commission or some other suitable person or some reliable and trustworthy banking corporation or trust company to act as treasurer of its funds. That said commission shall require such bonds of indemnity or pledge of security from the treasurer so selected as in its judgment will be sufficient to protect funds liable to be in the hands of said treasurer at any time; and the compensation of said treasurer shall be fixed by the respective township commissions, but in no case shall it exceed one per cent upon the amount paid out in addition to the cost of the indemnity bond required.

SEC. 13. That the taxes hereinbefore provided for shall be collected by the sheriff as other taxes are and paid over by him to the treasurer of the respective township road commissions. The several road commissions shall set apart from the taxes so collected a sufficient sum to pay the interest on the bonds issued by them respectively; and also they shall annually invest from the taxes so collected in some municipal, county, State bond, or other security an amount which, being thus annually invested, will accumulate a fund sufficient to retire the bonds issued under this act for the respective townships.

SEC. 14. That the township road commissions herein provided for shall have entire control over the roads in their respective townships, having authority to lay out new roads, to change or abandon old roads; and they are hereby expressly granted all necessary rights of eminent domain to carry into effect the purposes of this act: *Provided*, that any person whose property is taken hereunder shall have reasonable compensation for the property so taken. That in all cases where the road commission cannot agree with the owner of the land for the right of way of the road or material needed in its construction, the road commission shall choose one man and the owner of the land one man, and those two shall choose a third, and such three persons shall arbitrate the question of damages: *Provided, however*, that either party may appeal from a decision of the arbitrators to the Superior Court of Pamlico County.

SEC. 15. That the several township road commissions, before spending any of the proceeds of the bonds sold, shall employ a competent road engineer; but no such engineer shall be employed until he furnishes the road commission about to employ him a certificate from the State Geologist or some other competent authority that the said engineer is competent to do the work. That the road commissions shall cause the engineer to carefully inspect the roads of the township, the available road-building

Proviso: Sale below par forbidden.

Selection of treasurer.

Official bonds.

Compensation.

Collection and settlement of taxes.

Interest and sinking fund.

Entire control of roads.

Right of eminent domain.

Proviso: Reasonable compensation.

Arbitration of damages.

Proviso: Right of appeal.

Road engineer.

Certificate of competence.

Inspection of roads.

Plans and specifications. material and advise them as to general plans and specifications for the most efficient development of the roads of their township. The engineer or some other suitable and competent person may be employed by the commission to have general charge and oversight of the road improvements in the township.

General charge of roads.

Purchase of equipment.

SEC. 16. The several township road commissions shall arrange as speedily as possible after their election and qualification to improve the roads of their respective townships, and to this end may purchase such road building equipment as they

Work may be let to contract.

deem expedient; they may let out by contract the improvement of such parts of the township roads as they may deem wise upon such terms and subject to such specifications as they may establish; they may appoint such supervisors and employ such labor either free or convict, as they deem wise, to the end that the roads leading to all parts of their respective townships may be improved as speedily as possible.

Supervisors. Labor.

Rights, powers and duties devolved.

SEC. 17. The several township road commissions herein authorized shall, when established, succeed to and have all of the rights, powers, and duties not inconsistent with the provisions of this act now conferred by law upon the township board of supervisors, and through their agents and appointees they shall have all the rights, powers, and duties now conferred by law upon the road overseers; except said commissions are not authorized to require or compel any citizen to work upon the public roads of any township adopting the provisions of this act, except as provided herein.

Free labor.

Contracts for dragging roads.

SEC. 18. That the several township commissions, as soon as any section of road has been graded and surfaced, shall immediately contract with some person who is conveniently situated to said road to go over same at regular intervals and after rains or snows with a split log drag or other smoothing device, to the end that the surface of the road improved may be kept intact; and if the members of the road commission shall fail and refuse to make some provision for the keeping up of the roads improved they shall be deemed guilty of a misdemeanor, and upon conviction shall be fined or imprisoned at the discretion of the court. That if any person who shall enter into any contract with the township road commissions to keep up a section of the improved road shall neglect to carry out his agreement, he shall be guilty of a misdemeanor, and upon conviction he shall be fined or imprisoned at the discretion of the court.

Misdemeanor.

Punishment.

Failure to perform contract misdemeanor.

Punishment.

Coöperation by townships.

SEC. 19. It shall be lawful for any two or more township road commissions to jointly purchase and own any equipment for road building or to jointly contract with any person or corporation for the construction of any road that may pass through their several townships, or to jointly employ a road engineer to aid them in carrying out the purposes of this act, or otherwise coöperate when they deem it to their mutual advantage.

- SEC. 20. The justices of the peace, mayors, and recorders holding court in any township which may adopt this act are authorized to permit any person who shall have been convicted in their court to pay a fine or cost, and who has refused to do so, to work on the roads of such township under the direction of the road commission until at a fair and reasonable wage they shall have worked out the fine or cost, or both, and the amount of such fine or cost, or both shall then be paid out of the road fund of said township; and such justices of the peace, mayors, and recorders shall in cases in which they pass final sentence commit such offenders to the roads of the township adopting the provisions of this act: *Provided*, that all such persons as shall be convicted in any court in the township which has provided for a convict road force shall be sentenced to work on the roads of said township; in all other cases the court may in its discretion sentence such persons to work on the public roads of any township, but shall give preference to the township offering the highest compensation.
- Convicts sentenced to road work.
- Proviso: Assignment of convicts.
- SEC. 21. That all laws or clauses of laws in conflict with the provisions of this act are hereby repealed.
- Repealing clause.
- SEC. 22. That it is expressly intended that this act shall in no wise affect the road law now in effect in Pamlico County or in any of its several townships therein, so far as any of the foregoing provisions of this act are concerned, except and until an election shall be called under its provisions and a majority of the people voting in said elections shall vote for bond issue; then this act shall in all of its features become operative in such township or townships, but in no others: *Provided*, nothing herein shall be construed to prevent any township that may call an election and vote against said bond issue from later calling other elections as above provided, but elections under this act shall not be held in any township oftener than once in twelve months.
- Effect on present road law.
- Proviso: Call of further elections.
- SEC. 23. The expenses of the elections above provided for shall be paid out of the general road fund.
- Expense of elections.
- SEC. 24. The members of the township road commissions shall be entitled to a per diem of two dollars for each day's service: *Provided*, they shall not be allowed per diem for more than two days in each month. The salary and wages of all employees of the commission shall be fixed by them. The per diem of the members and wages of their employees, as well as all other expenses incurred by the commission in carrying out the requirements of this act, shall be paid by the treasurer of the respective commissions out of any funds coming into their hands under the provisions of this act upon a warrant drawn by the secretary and countersigned by the chairman of the road commission.
- Per diem of road commissioners.
- Proviso: Limitation. Salaries and wages. Warrants on road funds.

ARTICLE II.

<p>County bond issue.</p> <p>Amount.</p> <p>Denominations. Interest and term.</p> <p>Proviso: Limitation of interest and term.</p> <p>Official designation.</p> <p>Authentication.</p>	<p>SECTION 1. The county commissioners of the county of Pamlico are hereby authorized to issue bonds in the name of the county in an amount not to exceed two hundred and fifty thousand dollars, of such denominations, bearing such rate of interest, and running for such term of years as the said board of commissioners shall determine: <i>Provided</i>, that the rate of interest shall not be greater than five per centum and the term of years shall not be longer than forty-one years. The said bonds shall be designated "Pamlico County Road Improvement Bonds," and shall be signed by the chairman of the board of commissioners and countersigned by the clerk to said board and sealed with the common seal of the county, and shall have interest coupons attached, payable semiannually.</p>
<p>Exchange on sale of bonds.</p> <p>Proviso: Sale below par forbidden.</p> <p>Deposit of township bonds precedent and sale.</p>	<p>SEC. 2. That said bonds may be issued from time to time and exchanged at par for the township bonds provided for in article one of this act; or said bonds may be sold as the said board of county commissioners may determine: <i>Provided</i>, none of them shall be sold or pledged in any manner for less than par value in cash or the above referred to township bonds; and no bonds shall be sold for cash until there has been deposited with the said board of county commissioners a like amount of the township bonds above referred to, and when so sold the proceeds shall be turned over to the treasurer of the road commission of the township whose bonds have been thus deposited.</p>
<p>State aid.</p>	<p>SEC. 3. That if this General Assembly, or any succeeding General Assembly, shall provide an arrangement by which the State shall handle for the several counties their bonds for road improvement, the bonds provided for in this article shall be deemed and held a compliance on the part of Pamlico County, when issued as above directed, to entitle said county to the benefit of such provision on the part of the State.</p>
<p>Special tax for interest and sinking fund.</p>	<p>SEC. 4. That the county commissioners, as they may from time to time issue county bonds under the provisions of this act, shall levy a tax upon the taxable property and polls in said county for the payment of the interest on said bonds and create a sinking fund to mature the same; and before said bonds shall become due the county commissioners of said county shall levy a tax upon the taxable property and polls of said county to provide for the payment of said bonds. All township bonds which are taken by the county commissioners in exchange for county bonds, together with the interest from time to time collected therefrom, shall be a trust fund in the hands of said county commissioners for the payment of the county bonds issued in exchange therefor and the interest on the same.</p>
<p>Trust funds.</p>	

SEC. 5. That any county bonds which shall be issued in accordance with section one of this article shall be a valid debt against the county of Pamlico and a lien upon all of the property subject to taxation therein; and the purchasers of any of said bonds shall not be chargeable with liability as to the application of the purchase money.

Obligation of county bonds.

Liability of purchasers released.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this article of this act are hereby repealed.

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 107

AN ACT TO AMEND CHAPTER 762, PUBLIC-LOCAL LAWS, GENERAL ASSEMBLY, SESSION 1915, CREATING, A RECORDER'S COURT FOR WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and sixty-two of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, be amended as follows: In section eleven of said act, line six, strike out the words "for the use of the recorder," and add at the end of said section eleven the following: "Said recorder shall receive for his services a salary of six hundred dollars per year as judge of said court, to be paid by the county commissioners of said county of Warren out of the general fund of said county in equal monthly installments, and the fees coming into said court for the use of said recorder shall be collected as they now are and paid into the general fund of said county."

Salary of recorder.

Fees to general fund.

SEC. 2. That on the second Monday in April, one thousand nine hundred and seventeen, the judge of said recorder's court, chairman of the board of county commissioners, the superintendent of schools, chairman of the highway commission, and the register of deeds of said county shall meet at the courthouse and elect a solicitor to the recorder's court for said county, whose duties shall be to prosecute the criminal docket of said court, and his compensation shall be three dollars for each conviction, to be taxed in the bill of cost. His term of office shall end the first Monday in December, nineteen hundred and twenty, when his successor shall be elected as above stated. Said county solicitor shall act as attorney for the board of education and the highway commission of said county. His compensation for his services to said boards shall be fixed by said boards.

Election of solicitor.

Fees.

Term.

Election of successor.
Attorney for board of education and highway commission.
Compensation.

Recorder to be
furnished office.

SEC. 3. That the county commissioners of said Warren County shall provide an office for the use of the recorder, on the first floor of the courthouse of said county.

When act
effective.

SEC. 4. That this act shall be in force and effect from and after the first Monday of February, one thousand nine hundred and seventeen.

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 108

AN ACT TO AMEND CHAPTER FOUR HUNDRED AND THIRTY-NINE, PUBLIC-LOCAL LAWS, ONE THOUSAND NINE HUNDRED AND FIFTEEN, WHICH SAID LAWS RELATE TO THE IMPROVEMENT OF THE PUBLIC ROADS AND HIGHWAYS OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

Budget and
appropriation for
maintenance.

SECTION 1. That section four, chapter four hundred and thirty-nine, the Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by striking out after the period in line forty-three of said section and down to the period in line fifty, inclusive.

Corporal punish-
ment authorized.

SEC. 2. That section six, chapter four hundred and thirty-nine, the Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by inserting in line six between the word "regulations" and the word "for," the following; "and to authorize corporal punishment for incorrigible convicts or prisoners." Also amend by striking out all of said section after the word "commissioners" in line twelve.

Discipline.

Discipline.

SEC. 3. That section seven, chapter four hundred and thirty-nine, the Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by striking out after the period in line six down to the period in line ten.

Construction of
highways.

SEC. 4. That section nine, chapter four hundred and thirty-nine, the Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by striking out all of said section after the period in line three.

Removal of
camps.

SEC. 5. That section eleven, chapter four hundred and thirty-nine, the Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by striking out in line forty-six after the second comma, beginning with the words "said camps" down to and including the colon in line forty-nine. Also insert in line fifty-one between the word "camps" and

Work on town-
ship roads.

“and,” the following: “or he may work any of the convict forces in repairing or building township roads at his discretion.”

SEC. 6. That section eleven-B, chapter four hundred and thirty-nine, the Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by striking out in line one, the word “twenty-five” and insert in lieu thereof the word “seventy-five.” Insert in line two between the words “townships” and “shall” the words “and all dog tax.” Also strike out in line four the words “by the township supervisors.” Also strike out in line sixteen the last word in said line, being the word “township,” and the words in line seventeen, “supervisor,” “countersign,” “by the.”

Taxes to be spent in townships.

Orders for payment.

SEC. 7. That this section apply only to Wake County.

SEC. 8. That all laws and clauses of laws in conflict are hereby repealed. That this act shall be force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 109

AN ACT TO AUTORIZE THE COMMISSIONERS OF YADKIN COUNTY TO ISSUE BONDS FOR ROAD PURPOSES, AND TO CREATE AND ESTABLISH A ROAD COMMISSION.

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 and empowered, and directed to issue interest-bearing coupon bonds of the said county to an amount not exceeding one hundred and forty thousand (\$140,000.00) dollars in such denominations as they may determine, bearing interest from the date thereof and not exceeding six per cent per annum, payable semi-annually, at such time and place as may be deemed advisable by said board; said bonds to be of such form and tenor, and transferable in such way and the principal thereof payable at such place, and at such time or times as the said board may determine, not exceeding forty (40) years from the date thereof: *Provided*, that none of the said bonds shall be sold for less than par, and shall be sold to the highest bidder after advertising the sale of said bonds in some newspaper published in Yadkin County, and also in the *Raleigh News and Observer* once a week for four weeks before the sale of said bonds, but said board may reject any or all bids and may order a new advertisement for further bids.

Bond issue authorized.

Amount.

Denominations.

Interest.

Maturity.

Proviso: Sale below par forbidden.

Sale of bonds.

Rejection of bids.

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 for said county.

Authentication.

Tax for interest
and sinking fund.

SEC. 3. That in order to pay the interest on said bonds and create a sinking fund for the taking up of said bonds at maturity, the board of commissioners of said county shall, annually, at the time of levying other taxes, levy a special tax on all property and polls of said county, sufficient to pay the interest on said bonds and provide a sinking fund for paying them off at maturity.

Taxes kept
separate.
Specific appro-
priation.

SEC. 4. That said taxes, when collected, shall be kept separate and apart from all other taxes, and shall be used for the purposes for which collected.

Investment of
sinking fund.

SEC. 5. That it shall be the duty of the board of commissioners of Yadkin County to annually invest any and all moneys arising from said special tax for sinking fund in the purchase of said bonds, if the same can be bought at a price advantageous to the county, and if not, then to invest said funds upon approved security and upon terms advantageous to the county. Said funds to be invested in Yadkin County if satisfactory and safe investment can be had.

Road commis-
sioners named.

SEC. 6. That A. P. Woodruff, George Steelman, C. H. Todd, and E. C. Mayberry be and are hereby appointed a board of road commissioners for Yadkin County, each to serve for a term of four years from and after the ratification of this act. That the first named shall be chairman of said board; and that they shall further organize by electing one of their members secretary.

Term of office.

Chairman.

Secretary.

Monthly meetings.

That they shall hold their regular meetings at the courthouse in Yadkinville on Tuesday after the first Monday in each month, and shall receive for their services the same compensation as now allowed the board of county commissioners of said county.

Compensation.

Appointment of
successors.
Political affilia-
tions.

That their successors in office shall be appointed by the governor of North Carolina, who shall, in making such appointment, so select the appointees that at no time more than two members be of the same political party. That said board shall be officially denominated "Yadkin County Road Commission," and in such name may sue or be sued in any of the courts of this State. That all of the powers and jurisdiction of the board of county commissioners as now constituted with regard to laying out, or discontinuing, or in any other way appertaining to roads, bridges or ferries in said county, are hereby vested in the said Yadkin County Road Commission.

Official entitle-
ment.

Corporate powers.
Powers and juris-
diction.

Use of proceeds
of bonds.

SEC. 7. That the moneys derived from the sale of said bonds shall be used, by the said road commission, for surveying, laying out and building sand-clay or other improved roads and bridges in the following manner, viz: A road from the proposed new bridge at a point at or near Donnaha, via East Bend, Smithtown, Union Grove Church, Mount Nebo to Boonville, and thence on to some point on the sand-clay road leading from Yadkinville to Jonesville: *Provided*, that if said bridge at or near Donnaha is

Roads and bridges
designated.

not built, then the board of road commissioners shall select the termini of said road. A road from Crutchfield via Boonville Yadkinville to Courtney. A road from Brooks Cross-Roads to some point on the Wilkes County line, so as to connect with Wilkes County improved road to Wilkesboro, which is to be built in the near future, and in addition thereto at least eight miles of sand-clay road in Buck Shoals Township. A road from Yadkinville leading out in a southeast direction by way of Shacktown and crossing South Deep Creek on the new steel bridge known as Thompson's Bridge. Said road to be built a distance of not less than six miles. A road from either Brooks Cross Roads or some point on the Courtney Road to the Iredell County line, to connect with the Iredell County road by way of Houstonville. That of the remainder of said money enough may be used, if the said board of road commissioners shall so decide, to build a bridge across the Yadkin River at or near Dixon's Hill to connect Yadkin County with Little Yadkin Township in said county, said bridge not to cost exceeding twenty thousand (\$20,000.00) dollars.

Bridge at Dixon's Hill.

SEC. 8. That after building the roads provided for in section seven of this act, the remainder of said money derived from sale of said bonds shall be used in building other roads in said county, as may be necessary and as may be determined by the said board of road commissioners: *Provided*, that a road shall be built from the proposed bridge at Dixon's Hill to the Forsyth County line whenever Forsyth County shall have built a road to connect with same.

Application of surplus.

Proviso: Road from Dixon's Hill to Forsyth county line.

SEC. 9. That the building of the roads provided for in this act are necessary to serve the interest of the people of said county and the traveling public, and the expense of building same is hereby declared to be a necessary expense of said county.

Public necessity declared.

SEC. 10. That in the building of the said roads the same shall be surveyed and laid out by a competent road engineer, who shall locate the said road on the most direct route practical from one termini to the other, taking into consideration cost of building. The said board of road commissioners are authorized and directed to purchase a road engine of some type to be selected by them and the other necessary outfit to go with said engine, and to use the same in the building of said road: *Provided*, that they shall let to contract the building of such part of said road where the grading is too heavy to be done with engine and outfit. It shall further be the duty of said board of road commissioners to use said engine and outfit and have all the public roads of the county worked out and kept in a lawful condition, and all acts and laws providing for free labor on the public roads of Yadkin County are hereby repealed. That the said board shall employ a competent road superintendent who, with

Road engineer.

Purchase of road engine and outfit.

Proviso: Road let to contract.

Maintenance of roads.

Free labor abolished. Road superintendent.

Superintendent under control of commission. Removal for cause.	engine and outfit above described, shall keep all the improved roads of said county in repair, and shall devote the remainder of his time to the other roads of the county. Said road superintendent shall be under the control of said road commission and subject to be discharged by them at will for cause shown. He shall devote his entire time to the work and shall report to said board when requested to do so.
Entry on land for construction of roads or for material.	SEC. 11. That the said board of road commissioners are hereby authorized, themselves or through their agents, to go upon the land of any person, firm or corporation in Yadkin County and lay out and construct the said road or any other road deemed by them to be necessary to be built and to take material for the building or repair of same, after first giving the owner five (5) days notice, and if the said board and the owner of the land are unable to agree upon the amount of damages sustained by the owners of said land, if any, the said board of road commissioners shall, within ninety (90) days after completion of said road, cause three freeholders to be summoned who shall go upon the premises and ascertain and assess the amount of damages and make their report to the said board. The said freeholders in assessing damages shall take into consideration the benefits which the owner of the land has received by reason of the building of said road, and from their award either party may appeal to the Superior Court, where the matter shall be tried by a jury <i>de novo</i> : <i>Provided</i> , the said board of road commissioners shall not be required to pay any costs unless a greater amount is recovered on appeal than awarded by said freeholders.
Notice to land owner.	
Assessment of damages.	
Benefits considered.	
Right of appeal.	
Proviso: Costs on appeals.	
Money paid to treasurer.	SEC. 12. That the proceeds of the sale of bonds herein provided for and the moneys collected by the taxes herein authorized shall be paid to the county treasurer, whose bondsmen shall be liable for the faithful accounting therefor. He shall pay the same out upon the order of said road commission of Yadkin County and shall receive for his compensation one-fourth of one per cent upon all disbursements made by him. The taxes herein authorized shall be collected by the sheriff of Yadkin County and accounted for as all other taxes are collected and accounted for. The said county treasurer shall once every three months publish in some newspaper published in Yadkin County, a complete itemized statement covering receipts and disbursements of funds coming into his hands by virtue of this act.
Treasurer liable on bond. Orders on road funds.	
Pay of treasurer.	
Collection and settlement of tax.	
Publication of itemized statements.	
Road tax as recommended by commission.	SEC. 13. That on order to keep the roads and bridges of said county in repair, the said board of county commissioners shall annually, at the time of levying other taxes, levy such special tax as called for by the Yadkin Road Commission, not exceeding twenty-five (25) cents on the one hundred (\$100.00) dollars, both real and personal, and seventy-five (75) cents on each poll in said county. They shall also at the same time levy
Limit of rate.	
Tax on motor vehicles.	

a privilege tax upon all motor vehicles operated upon the roads of said county for hire, either for carrying passengers or freight, of one (\$1.00) dollar per year per horsepower, and any person operating any such motor vehicle upon any of the public roads of said county without having first paid tax and secured a license to so operate, shall be guilty of a misdemeanor, and upon conviction shall pay a fine of fifty (\$50.00).

Operating motor vehicle without license misdemeanor.

Punishment.

SEC. 14. That in addition to the above the board of county commissioners shall annually on the first day of January ascertain the amount of surplus funds in the hands of county treasurer belonging to Yadkin County and after reserving a sufficient working balance, shall transfer the remainder to the road fund of said county.

Appropriation from general county funds.

SEC. 15. That the provisions of this act shall not apply to, nor be binding upon, any part of Yadkin County that may be detached from Yadkin County by any changes in the boundary lines of said county during the regular session of the General Assembly in the year nineteen hundred and seventeen.

Territory not subject to act.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 110

AN ACT TO PROVIDE A POLL TAX FOR THE MAINTENANCE OF PUBLIC ROADS IN LIEU OF PERSONAL SERVICE.

The General Assembly of North Carolina do enact:

SECTION 1. That upon presentation of a petition in writing signed by not less than one-fourth of the qualified voters of any township in Pitt County, to the board of county commissioners of said county, requesting them to submit to the qualified voters of the township where such petitioners reside, a proposition asking that they be allowed to vote on the question of levying a poll tax in said township in lieu of personal road service or duties, as required by Revisal, section two thousand seven hundred and twenty-five, setting forth the maximum and minimum poll tax desired to be voted upon: *Provided*, the poll tax so voted shall not be less than three dollars nor more than six dollars on said poll, the board of commissioners shall within thirty days order an election to be held in such township and submit to the qualified voters therein the question of increasing poll tax to the amount specified, at which election all those qualified to vote who are in favor of the proposition, shall vote a

Petition for election.

Questions to be voted on.

Proviso: Limitation.

Order for election.

Ballots.

- ballot upon which shall be written or printed the words "For Poll Tax for Road Maintenance," and those opposed to the proposition shall vote a ballot upon which shall be written or printed "Against Poll Tax for Road Maintenance," and the election for this purpose shall be conducted in the same manner and subject to the same rules and regulations as are or may be provided for the election of township officers by the general election laws of this State, unless in any manner otherwise provided for in this act. That it shall be optional with the board of county commissioners of Pitt County whether a new registration shall be ordered for said election or not: *Provided*, that should a new registration be ordered, the board of county commissioners shall at the time of ordering said election appoint one registrar and two judges of election in said township to hold said election. The books shall be kept open for the registration of voters for twenty days preceding the day of election. And for the purpose of registration, the books used in the general election shall be delivered to and revised by the registrar; and in case of a new registration, thirty days notice thereof shall be given: *Provided*, that elections may be ordered and held upon petitions under the provisions of this act not oftener than every twelve months in any township until the poll tax limit specified in this act shall have been reached: *Provided further*, that all funds derived from said poll tax levy shall be applied solely to the maintenance and improvement of the roads within the township voting for said poll tax.
- Law governing elections.**
- New registration optional.**
- Election officers.**
- Registration.**
- Proviso: Successive elections.**
- Proviso: Application of tax.**
- Tax collector.**
- Compensation.**
- Selection of overseers.**
- Compensation.**
- Road duty abolished.**
- Repealing clause.**
- SEC. 2. That the said board of commissioners of Pitt County shall have authority to designate any person or persons being freeholders and residents within said township and properly qualified to collect the said poll road tax provided for in this bill and allow the proper compensation for the same. That the said board of county commissioners of Pitt County shall also have authority to designate any person or persons properly qualified either by appointment or on contract to take charge and maintain the roads of said township, for which they shall be compensated out of the funds derived from the tax levied by reason of this act.
- SEC. 3. That whenever any township in Pitt County shall vote upon itself an increased poll tax as provided in this act, the citizens of such township so voting shall thereafter be relieved of all liability to personal road services or duties as is now required by Revisal, section two thousand seven hundred and twenty-five.
- 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 9th day of January, A. D. 1917.

CHAPTER 111

AN ACT TO AMEND CHAPTER 307, PUBLIC-LOCAL LAWS, SESSION 1913, RELATIVE TO THE APPOINTMENT OF AN AUDITOR FOR THE COUNTY OF FORSYTH.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter three hundred and seven of the Public-Local Laws, session one thousand nine hundred and thirteen, be amended by striking out in line two of said section, the words, "elected by the General Assembly at its biennial sessions," and inserting in lieu thereof, the following: "appointed by the Governor of the State of North Carolina."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 112

AN ACT TO AMEND CHAPTER 433, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, RELATING TO THE REGISTER OF DEEDS' OFFICE OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and thirty-three, Public-Local Laws, session one thousand nine hundred and thirteen, section one, be amended as follows: In line ten of section one, after the words "twenty-five hundred dollars," add and an additional sum of five hundred dollars (\$500) for clerical hire.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 113

AN ACT TO REPEAL CERTAIN PORTIONS OF CHAPTER 603 OF THE PUBLIC-LOCAL LAWS OF 1913, IT BEING AN ACT ENTITLED "AN ACT TO PROVIDE FUNDS FOR THE PURPOSE OF BUILDING ROADS IN YANCEY COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter 603 of the Public-Local Laws of 1913, it being an act entitled "An Act to Provide Funds for the purpose of building roads in Yancey County," be and the same is

hereby repealed except that the following provisions of sections 3 and 4 of said act shall not be repealed, but are hereby ratified and confirmed.

Obligation of bonds.

Tax for payment.

Validity of bonds.

Amount.

Tax for interest and sinking fund.

Limit of rate.

Collection.

SEC. 2. 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 Yancey County. The bonds issued under and by virtue of this act by the board of road commissioners of Yancey County shall be as valid in law and the same liability for the payment thereof imposed upon Yancey County as if the same had been issued by the county commissioners of Yancey County under the same law. power and authority, the same being for the sum of \$150,000.00 as provided by said act.

SEC. 3. 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 Yancey 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 Yancey 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 taxes so levied shall be collected by the sheriff of the county under terms agreed upon by him and by the board.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 114

AN ACT TO AMEND CHAPTER 582 OF THE PUBLIC-LOCAL LAWS OF 1915 OF NORTH CAROLINA, RELATING TO ROADS IN RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

Time for payment of commutation.

SECTION 1. That section sixteen of chapter five hundred and eighty-two of the Public-Local Laws of one thousand nine hundred and fifteen of North Carolina be and the same is hereby amended by striking out the word "February" in line fourteen thereof and inserting the word "April" in lieu thereof.

SEC. 2. That section seventeen of said act be stricken out and the following inserted in lieu thereof, to wit: "Sec. seven-

teen. The board of county commissioners, 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 hundred dollars of assessed value of property for taxation, which, after payment of the costs of collection, shall be paid into the county treasury and used exclusively for public road purposes:

Provided, the payment of the interest on all indebtedness of whatsoever character which has already been incurred or shall hereafter be incurred in county public road work, including the thirty thousand dollars of refunding bonds issued and sold bearing date of March first, one thousand nine hundred and fifteen, the same having been in fact used to refund obligations incurred in public road work, as well as the fifty thousand dollars of road bonds issued and sold bearing date of October first, one thousand nine hundred and fifteen, and all other moneys which have or shall hereafter be borrowed for that purpose, together with adequate provisions for the payment of the principal of said indebtedness and any other just obligations, when and as the same shall become due, shall be a first charge upon the proceeds of said special tax, and the balance of the proceeds of said tax shall be used in building and repairing public roads in the county and in the payment of expenses and obligations which may be incurred under the provisions of this act."

SEC. 3. That a new section numbered twenty-one and one-half be inserted between sections twenty-one and twenty-two, as follows: "Sec. twenty-two and one half. Chapter eight hundred and thirty-eight of the Public Laws of one thousand nine hundred and nine of North Carolina is hereby repealed: *Provided*, the rights of the past, present and future holders of any of the bonds or other obligations heretofore issued under said act shall be in no wise prejudiced by the repeal thereof; and the proper officers are authorized, empowered and directed to levy and collect the taxes necessary to pay the interest on all such bonds and obligations and to provide for the payment of the principal thereof to the same extent and in the same manner as if the said act were not repealed; and the officers appointed under said act authorized and empowered to continue to act thereunder in doing all that may be necessary to finish up the work that has been started thereunder, in realizing on any outstanding obligations, in fulfilling outstanding contracts, and in using to the proper ends any funds now on hand or due."

SEC. 4. That section twenty-three of said act be amended by adding the word "local" immediately following the word "public" at the end of the first line of said section and preceding the word "laws" at the beginning of the second line of said section, said word having been omitted by obvious error from the original act.

County road tax.
Limit of rate.

Exclusive use.

Proviso: First
charge on tax.

Use of balance.

Law authorizing
township bonds
repealed.

Proviso: Right
of bondholders
not prejudiced.

Tax for payment
of debt.

Officers to finish
work.

Reference cor-
rected.

Law as amended
in force.

SEC. 5. Subject to the alterations herein provided, said chapter five hundred and eighty-two of the Public-Local Laws of one thousand nine hundred and fifteen of North Carolina, shall remain and continue in full force and effect.

SEC. 6. This act shall go into effect upon its ratification.
Ratified this the 9th day of January, A. D. 1917.

CHAPTER 115

AN ACT TO AMEND CHAPTER 695 OF THE PUBLIC LAWS OF 1907.

The General Assembly of North Carolina do enact:

Allowance to officers on acquittals.

SECTION 1. That section one of chapter six hundred and ninety-five (695) of the Public Laws of one thousand nine hundred and seven of North Carolina, be and the same is hereby amended by striking out all of subsection (b) after the word "jury" in line three of said subsection.

Allowance to sheriff.

SEC. 2. That chapter seven hundred and thirty-three of the Public-Local Laws of one thousand nine hundred and fifteen of North Carolina be and the same is hereby repealed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 116

AN ACT TO AUTHORIZE CERTAIN TOWNSHIPS IN NORTHAMPTON, HERTFORD, AND BERTIE COUNTIES TO ISSUE BONDS FOR THE PURPOSE OF INVESTING IN THE CONSTRUCTION OF CAROLINA AND NORTHEASTERN RAILROAD.

The General Assembly of North Carolina do enact:

Petition for election.

SECTION 1. That upon presentation of a written petition to the board of county commissioners of the counties of Northampton, Hertford, and Bertie, or either of them, signed by one-third of the resident taxpayers of Jackson Township, Roanoke Township, and Rich Square Township, or either of them, in Northampton County; St. John's Township, Ahoskie Township, Winton Township, Harrellsville Township, or either of them in Hertford County; Mitchell Township, Colerain Township, Windsor Township, Merry Hill Township, Indian Woods Township, and White's Township, or either of them, in Bertie County,

Townships affected.

requesting that an election be called for said townships, or either of one of said townships, said petition being presented to the board of county commissioners of the county in which said townships so petitioning, or either one of said townships is situated, requesting to vote upon the question of issuing bonds in an amount not exceeding fifty thousand (\$50,000.00) dollars for each township so petitioning, each, with interest-bearing coupons, to invest in the construction of the Carolina and Northeastern Railroad from, at, or near Jackson, North Carolina, in an easterly direction through the townships hereinbefore mentioned, or either of them; said petition being filed with the board of county commissioners of the county in which said township petitioning is located and the same recorded on the minutes of the said board of the county commissioners. it shall be the duty of the said board of county commissioners so petitioned to call an election to be held within sixty (60) days after the presentation of the said petition, at the polling place or places in the township or townships petitioning, and present to the qualified voters of said township or townships so petitioning the question of issuing bonds of said townships so petitioning, for the purpose of investing the same in the construction of the Carolina and Northeastern Railroad, the said bonds to be used upon the terms and conditions hereinafter set forth. The said board of county commissioners shall, at least thirty (30) days preceding the election, give public notice of the same, stating the purpose of the election. The notice of said election shall be published by posting a copy at the courthouse door of the county in which said township election is to be held and at three public places in each township, asking for an election, and also by publishing said notice in some newspaper published in the county or adjoining county, in which the township or townships asking for said election are situated.

Question to be voted on.

Call of election.

Notice of election.

Publication of notice.

SEC. 2. That the board of county commissioners of each and every county hereinbefore named shall, upon the filing of the petition provided for in section one of this act, order a new registration of the voters of each township herein authorized and empowered to hold an election; that the registration and challenge of the voters shall be conducted in the same manner and under the same law governing the election of members of the General Assembly now existing, or which may hereafter be enacted, except as hereinbefore provided: *Provided*, that the said board of county commissioners shall appoint the registrars and judges of election and all other election officers; that the registrars and judges of election shall at the close of the polls count the votes, certify the results, and, on or before the second day after the election, canvass and return the same, to be

New registration.

Law governing registration and challenges.

Proviso: Election officers.

Count and return of votes.

Canvass or returns.

entered on the minutes of the said board, and no other recording and declaration of the results of said election shall be necessary.

Ballots.

SEC. 3. That at the said election the ballots tendered and cast by the qualified voters shall have written or printed, or partly written and partly printed, on them the words "For Bond Issue" or "Against Bond Issue," and all qualified voters favoring the issuing of bonds upon the terms and conditions herein stated shall vote "For Bond Issue," and all qualified voters not favoring the issuing of the said bonds shall vote "Against Bond Issue."

Bonds to be issued.

SEC. 4. In the event that a majority of the qualified voters of the said townships, or any one of them, petitioning for election shall at the said election vote for the said bond issue, the said board of county commissioners in the county in which such township or townships are situated shall have prepared bonds, in such denominations as said board may direct, the total amount not to exceed fifty thousand (\$50,000.00) dollars for each township wherein the majority of the qualified voters shall have voted for the bond issue, said bonds to have interest-bearing coupons attached, at a rate to be determined by said board;

Denominations.

Amount.

Proviso: Rate of interest.

Provided, the same shall not be less than four nor more than six per centum per annum, payable annually during the time

Maturity.

the said bonds shall run, and the principal of said bonds shall be payable at the end of not to exceed fifty years from the date of the issue; said bonds and coupons shall be payable at the office of the treasurer of the county issuing the same, or at some other place designated by said board; both the bonds and the coupons shall be numbered consecutively, and shall be signed by the chairman of the board of county commissioners of the county issuing the same, and shall be countersigned by the clerk of the said board, and the said bonds shall have impressed upon them the official seal of the register of deeds of the county issuing said bonds. The said bonds shall be styled "Investment Bonds," and the said bonds and coupons shall express upon their face that they are issued for and on account of said township or townships wherein the issue is voted upon favorably, and that they are payable out of the taxable property and polls of said township or townships.

Authentication.

Official entitlement.

Exchange of bonds.

SEC. 5. That the board of county commissioners of the counties before named are authorized and empowered and shall issue and deliver to the Carolina and Northeastern Railroad Company, formerly known as Weldon and Roanoke Rapids Electric Railway Company, the bonds herein provided for, upon the receipt of a like amount of said railroad company's first-mortgage bonds, to run lateral with and mature at the same date as the said township bonds, and bear the same rate of interest as the said township bonds.

SEC. 6. That before the county commissioners of any of the counties herein mentioned shall issue any bonds herein provided for, after the same has been voted by any township herein mentioned, the Carolina and Northeastern Railroad Company shall begin the construction of its line of railroad from some point on the Northampton and Hertford Railway at or near Jackson, North Carolina, and the said company shall have built and completed at least two miles of its railroad in the manner hereinafter described as a continuous, connected portion of its main line entering into such township, and when the said Carolina and Northeastern Railroad Company has completed two miles as hereinafter described, in any township hereinbefore mentioned, then the county commissioners of the county in which any such township is situated, and the same having voted for the bonds as hereinbefore provided for, shall issue the bonds of said township as hereinbefore provided for, in the sum not exceeding five thousand dollars per mile of completed road, and deliver the same to the Carolina and Northeastern Railroad Company upon the said Carolina and Northeastern Railroad Company delivering to the county commissioners or their agents an equal amount of its first-mortgage bonds, bearing the same rate of interest and the same dates and the same date of maturity as the township bonds so issued, and thereafter the said county commissioners of any county herein mentioned shall issue and deliver the sum of five thousand dollars in bonds of any township, in like manner as hereinbefore provided, for every mile of railroad completed by the said Carolina and Northeastern Railroad Company in the township voting said bond issue, until the sum of bonds voted by said township have been taken up; and in the event that the said bond issue of any township is not taken up on the basis of five thousand dollars per mile of completed railroad before the road is completed through such township, then upon the completion of the railroad by said Carolina and Northeastern Railroad Company through any such township the county commissioners of the county in which such township is situated are hereby authorized and shall issue and deliver to the Carolina and Northeastern Railroad Company any surplus of the issue voted in such township that may not have been taken up after the completion of the road through said township: *Provided, however,* that no bond of any township in any county though which said railroad runs shall be issued and delivered to the Carolina and Northeastern Railroad Company, except upon the Carolina and Northeastern Railroad Company having completed its road for the miles for which the bonds are to be issued, upon the said railroad company issuing and delivering to the county commissioners of any such county an equal amount of first-mortgage bonds upon said completed railroad, bearing the

Work on railroad precedent to issue of bonds.

Issue per mile of roads.

Exchange on completion of road through township.

Proviso: Bonds not issued and delivered before completion of required mileage.

same rate of interest and the same date of maturity as the said township bonds.

Appointment of trustee. SEC. 7. The county commissioners of any county herein mentioned may enter into an agreement with the Carolina and Northeastern Railroad Company by which they and the said railroad company may appoint a mutual trustee, whose duty it shall be to hold in trust all the bonds issued by any such county for the townships, and shall hold an equal amount of the said Carolina and Northeastern Railroad Company first-mortgage bonds, to be delivered as provided for in this act, upon the request of the board of county commissioners of such county and the proper officers of said railroad company: *Provided*, that said trustee shall be a reputable trust company of not less than two hundred and fifty thousand dollars capital.

Duty of trustee.

Proviso: Qualification for trustee.

Specifications for construction.

SEC. 8. That before the Carolina and Northeastern Railroad Company can demand from the county commissioners or their trustee the delivery of the township bonds as provided for in this act, it must have built the number of miles of road hereinbefore provided, of substantial construction, using not less than sixty tons of good condition steel or iron rails per mile, applied with sufficient bolts, spikes, and splice bars, securely fastened and constructed, and using not less than twenty-five hundred cross-ties of good material of approximate standard dimensions per mile, with practical grades and curves, and substantial trestles and bridges, and equipped with one locomotive and one passenger car for every twenty miles of road constructed, with sufficient siding for conducting the business of the company.

Equipment.

Railroad bonds held in trust.

SEC. 9. That the railroad first-mortgage bonds hereinbefore referred to shall be held in trust by the board of county commissioners of any county herein authorized to issue the same for the benefit of the township or townships in such county that may have exchanged its township bonds with the Carolina and Northeastern Railroad Company, and all interest accruing from the said first-mortgage railroad bonds shall be applied in the same manner as the taxes hereafter provided for in the payment of the interest and principal of said township bonds so issued: *Provided, however*, that the first-mortgage bonds issued by the Carolina and Northeastern Railroad Company shall not exceed the sum of twenty-five thousand dollars per mile for all construction and equipment of said road.

Application of interest.

Proviso: Limit of bond issue by railroads.

Tax for interest and sinking fund.

SEC. 10. That it shall be the duty of the board of county commissioners of any county herein named to levy annually on all the taxable property and polls in each township of such county voting for bonds a separate tax sufficient in amount to pay the interest on said bonds and to establish a sinking fund to pay the principal of said bonds, the proceeds of which shall be applied, first, to the payment of interest on said township bonds, and secondly, to create a sinking fund for the redemption of said

bonds; said tax to be collected in the same manner as now provided by law for the collection of all other taxes. That such taxes shall be held in trust by the board of commissioners of any such county herein named for the benefit of the said townships, and none of said taxes shall be applied to any other purpose than that herein provided for, but said sinking fund may, in the discretion of said board of commissioners, be invested in municipal, county, or State bonds, or in notes secured by first-mortgage upon real estate situate in the township to which said funds belong, for an amount not greater than the taxable value of said real estate: *Provided*, that the bonds issued under the provisions of this chapter may, in the discretion of the board of commissioners, be refunded and retired by the commissioners of any such county, and such refunding bonds, if issued by them, shall be styled "County Refunding Bonds," and when issued shall be held and disposed of in the same manner and subject to the same provisions governing the "Investment Bonds" authorized herein; *Provided further*, that if the said Carolina and North-eastern Railway Company shall fail or refuse to build said road within five years from the date of the ratification of this act, then such townships through which it has failed to build, and the county commissioners of the counties through which it has failed to build, are hereby released from the force and effect of this act, so far as it applies to said townships or counties, and the same shall be null and void as to such.

Collection of tax.
Specific appropriation.

Investment of sinking fund.

Proviso: Power to refund bonds.

County refunding bonds.

Proviso: Release of townships.

SEC. 11. That for the purposes of this act the townships hereinbefore named are each hereby declared to be bodies politic and corporate and are vested with the necessary powers to carry out the provisions of this act, and shall have all of the rights and be subject to all the liabilities in respect to any right or cause of action growing out of the provisions of this act. The county commissioners of each county herein named are hereby declared to be corporate agents of their respective townships so incorporated.

Townships incorporated.

Corporate agents.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 117

AN ACT FOR THE RELIEF OF W. F. BROWN, TAX COLLECTOR OF HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That W. F. Brown, tax collector of Henderson County, who by virtue of his office had and now holds the tax lists for the purpose of collecting the taxes of Henderson County,

Collection of arrears.

- Years. State, county, schools, roads, general and special for the years one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen and one thousand nine hundred and fifteen, and, in case of death or default, his personal representatives, bondsmen, or any agent he or they may designate, are hereby authorized and empowered to collect arrears of taxes for each year aforesaid, under such rules and regulations with the power of enforcement as are now or may hereafter be provided for the collection of taxes.
- Persons not compelled to pay. SEC. 2. That no person shall be compelled to pay any tax under section one of this act who will make affidavit before a 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.
- Proviso: Sale of land. SEC. 3. That nothing herein contained shall be construed to relieve the said W. F. Brown, his representatives or bondsmen from the liability imposed by law to pay the county, State and other taxes at the time and place required by law.
- Liabilities not released. SEC. 4. That the authority herein given shall cease and determine on the first day of December, one thousand nine hundred and eighteen.
- Term of authority. SEC. 5. That this act shall be in force from and after its ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 118

AN ACT TO AUTHORIZE AND EMPOWER JACKSON'S TOWNSHIP ROAD DISTRICT OF NASH COUNTY TO BORROW MONEY FOR ROAD PURPOSES.

- Preamble: Creation of road commission. 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," and whereas, the said road commission desires to borrow money for the purpose of constructing, improving and maintaining the public roads of said district; now, therefore,
- Preamble: Desire to borrow money.

The General Assembly of North Carolina do enact:

- Road commission to borrow money. SECTION 1. That in order to provide a fund for the further construction, improvement and maintenance of the public roads

of Jackson's Township Road District the road commission for Jackson's Township Road District and its successors in office, is hereby authorized and empowered to borrow a sum of money, not to exceed fifteen (\$15,000.00) dollars, under the direction of the county commissioners of Nash County, as provided in section four of this act. Limit of amount.

SEC. 2. As evidence of and to secure said loan the said road commission for Jackson's Road District is authorized, empowered, directed and instructed, under the limitations provided for in section four of this act, to execute, issue and sell bonds, not to exceed (30) in number, each in the principal sum of five hundred (\$500.00) dollars to bear a rate of interest not to exceed six per cent per annum, and to be due and payable one each year for such time as said bonds are to run from and after the date to be fixed by said road commission for Jackson's Township Road District. 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 two years; and so on for the entire issue. Said bonds and each of them shall be signed by the chairman of the road commission for Jackson's Township Road District, 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 said chairman and of the secretary or clerk. Said bonds shall express upon their face that they are payable out of the taxes levied and to be levied upon the taxable property and polls of said Jackson's Township Road District. To the end that said bonds and each of them, with the coupons representing their annually accruing interest, shall be paid at maturity according to their several intents and purposes, the county commissioners of Nash County are authorized, directed, and instructed, at the regular times and meetings for levying other taxes, to levy annually a sufficient tax on the taxable polls and property of the said Jackson's Township Road District, the constitutional equation to be at all times observed. Said taxes shall be collected by the sheriff or tax collector of Nash County, as other taxes are collected and shall be set aside as a special fund to pay annually one bond of five hundred (\$500.00) dollars, and the interest coupons annually falling due on all of said bonds. The tax so levied and collected shall be kept separate from other funds and used for the payment of the annually maturing bonds and the Bond issue authorized.

Number and denomination.

Interest.

Sale below par forbidden.

Coupons.

Authentication.

Tax for payment of bonds.

Tax.

Constitutional equation.

Collection.

Specific appropriation.

Fund kept separate.

- Road tax not affected.
- Proceeds to treasurer of road commission.
- Use of funds.
- Orders on fund.
- Proviso: Expenses of bonds.
- Attorney's fees.
- Order for bond issue.
- Proviso: Petition for bond issue.
- coupons representing the annually accruing interest on the entire issue; and the taxes authorized to be levied hereunder shall in no way affect or interfere with the taxes heretofore authorized to be levied and collected for road and other purposes in Jackson's Township Road District.
- SEC. 3. That the proceeds of the sale 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 in building, repairing, improving, and constructing the public roads for said road district. No part of said fund shall be paid out by the treasurer of Nash County, who is *ex officio* treasurer of Jackson's Township Road District, except upon orders signed by the chairman and countersigned by the secretary or clerk of said road commission for Jackson's Township Road District. The said treasurer, upon said order or orders, shall 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 of said bonds the actual expenses of preparing, printing, and 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 said bond issue provided for in section two of this act shall be issued by the said road commission for Jackson's Township Road District without the special order of the board of county commissioners of Nash County: *Provided*, that the county commissioners of Nash County, upon the petition of more than one-half of the voters who voted at the last gubernatorial election in Jackson's Township preceding the said petition, shall order the issuance of said bonds, and not before.
- 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 9th day of January, A. D. 1917.

CHAPTER 119

AN ACT TO AMEND CHAPTER 782, OF PUBLIC LAWS OF 1907, RELATING TO IMPROVEMENT OF PUBLIC ROADS IN UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter seven hundred and eighty-two of the Public Laws of North Carolina, session of nineteen hundred and seven, entitled "An act to provide for the

improvement of the public roads in Union County and to authorize a special tax therefor, and to issue bonds for said purpose," be amended by adding at the end of said section four the following: "Provided, that the original levy shall not exceed the amount named in the petition for election under this act." Limit of levy.

SEC. 2. That section ten of said act be amended as follows: Majority.
 (a) by striking out the words "such qualified voters" in line four of said section, and substituting therefor the words "the votes cast"; (b) by adding after the word "Union" and before the word "the" in line seven of said section the following: "which petition shall also set forth the amount of tax levy desired by the petitioners"; (c) by striking out the words "qualified registered voters of any such township shall vote for the roads," in lines nineteen and twenty of said section and substituting therefor the words "votes cast in any such township shall be for roads"; (d) by striking out the words "qualified registered voters of any such township shall vote for bonds," in lines twenty-four and twenty-five of said section, and substituting therefor the words "votes cast in any such township shall be for bonds." Amount of levy.
Majority.
Majority.

SEC. 3. That section eleven of said act be amended by adding at the end of said section the following: "And at the next general election in one thousand nine hundred and eighteen, and every two years thereafter, there shall be elected three qualified voters of such township as road commissioners." Election of road
commissioners.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 120

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF ALLEGHANY COUNTY TO ISSUE BONDS FOR THE PURPOSE OF LAYING OUT, ESTABLISHING, BUILDING, CONSTRUCTING, AND REPAIRING PUBLIC ROADS AND 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 bridges in Alleghany County, the board of commissioners of said county, upon a petition of not less than three hundred (300) of the qualified voters and freeholders of said county, are hereby authorized and empowered to submit to a vote of the qualified voters of Election to be
ordered on peti-
tion.

Alleghany 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 and seventeen, the question, "Shall Alleghany County, North Carolina, issue one hundred thousand (\$100,000) dollars of its bonds, with interest coupons attached, and authorize the levy of a tax sufficient and available to pay the interest thereon and provide a sinking fund for their redemption, the proceeds of which bonds to be used in laying out, establishing, building, repairing, and maintaining the public roads and 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 a newspaper published in said county, and public notice posted at the courthouse door of said county.

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 the members of the General Assembly, except as herein otherwise stated. The said board of commissioners shall appoint the registrars and judges 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 election of members of the General Assembly except as herein set forth. The said board of county commissioners may or may not, in their discretion, order a new registration for any election held under this act. In case no new registration is ordered the registration books of each township shall be kept open for twenty days prior to the election for the purpose of allowing electors to register who have not heretofore registered in the township of their residence, and who are entitled to register for said election, and the registration books shall close on Saturday next preceding election, and the registrar shall transcribe the names of all persons who have registered for former elections in their townships and are otherwise qualified electors at said election upon a new registration book. The registrars are authorized and directed to register any person legally entitled to registration in their respective townships who apply for such purpose at the residence or office of the registrar during the time when the books are open for the purpose of registration except on the day when, by this act, the books are to be closed, and upon said day the registrars shall attend at the polling places of their respective townships for the purpose of registering voters, and the books shall be kept open at said time and place until sunset for such purpose.

SEC. 3. The vote shall be counted at the close of the polls by the election officers and returned to the clerk of the said board of county commissioners by one member of said election officers on Thursday following the election; and said commissioners, at

Notice of election.

Question to be voted on.

Notice of election.

Law governing election.

Election officers.

Registration and challenges.

New registration optional.

Count and return of votes.

Canvass of returns.

their next regular meeting, or at a call meeting, shall tabulate and declare the results 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. 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 the words "For Road Bonds," and all qualified voters who are opposed to the issue of said bonds shall vote a ballot upon which shall be written or printed the words: "Against Road Bonds."

SEC. 4. That in the event a majority of the votes cast at said election shall be voted "For Road Bonds" and the result declared and recorded as aforesaid, the board of commissioners of Alleghany County shall be and they are hereby authorized, empowered and directed, upon demand of the road commission herein-after referred to, to have prepared and issued at such time or times and in such amounts as they deem best, and as the work herein provided for shall require, bonds in denominations not exceeding one thousand dollars and not less than one hundred dollars, the total amount not to 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 annually or semiannually, as may be deemed best by said board of county commissioners, and during the time of their running the principal thereof shall be payable or redeemable at such time or times not exceeding forty years from the date of their issue as the board of commissioners may determine, and the said bonds and coupons shall be payable at such place or places as the said board of commissioners may direct.

SEC. 5. That the bonds issued under this act, or provided therein, shall be signed by the chairman of the said board of commissioners and countersigned by the clerk of the said board, and shall have upon them the corporate seal of said county and shall be styled "Alleghany County Road Improvement Bonds" and issued as such. The coupons shall bear either the real, engraved, or lithographed signature of the chairman of the said board.

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 funds. 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 shall show by what authority they are issued. Said board

Record.

Ballots.

Issuance of bonds.

Amount.

Interest.

Maturity.

Authentication.

Sale below par forbidden.

Specific appropriation of proceeds.

Proviso: Liability of purchasers relieved.

Record of bonds.

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 coupons attached, and the date of delivery to the road commission herein created must be recorded in the minutes of the board of commissioners. That the road commission shall act jointly with the State Highway Commission in making sale of bonds issued under this act, the State Highway Commission acting under advisory capacity. That not less than two per cent of the bonds issued under this act may be set aside for maintenance of roads built under this act.

Joint action with State Highway Commission.

Appropriation for maintenance.

Expense of election and of issuing bonds.

Repayment from road fund.

SEC. 7. That 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 county funds. But said board of county commissioners may require a return to them of all expenses herein referred to, except that of holding the election, to be made to them by the road commission herein provided for, out of any funds that may come into the control of the said road commission, and it shall be the duty of said road commission to repay the said expenses.

Pay of election officers.

SEC. 8. That the registrars shall receive for their services hereunder three cents for each name registered, and the judges and registrar shall receive one dollar per day each for holding said election and otherwise discharging the duties required of any of them, and the messenger to transmit the returns shall receive the same per day.

Road commissioners named.

SEC. 9. That if a majority of the votes cast in said county at the election herein provided for shall be "For Road Bonds" then W. H. Collins, J. J. Miller, Linville V. Richardson, J. T. Landreth, Dr. H. T. Smith, P. F. Fields and O. O. Smith shall constitute and are hereby appointed a board of road commissioners for Alleghany County; that the term of office of said members of the board of road commissioners of Alleghany County herein created shall begin immediately after the ratification of the provisions of this act by a majority of the votes cast at the election herein provided for and the declaration of the result by the board of commissioners of the county under the provisions of this act; and shall end on the first Monday in December one thousand nine hundred and nineteen and during and after that period all the powers and jurisdiction now vested in the board of county commissioners or road supervisors of Alleghany County with regard to the laying out, establishing, altering, building, repairing, and keeping up the public roads and bridges of said county are hereby conferred upon and vested in the said board of road commissioners; that in case a majority of votes in said

Term of office.

Powers and jurisdiction vested.

Effect of adverse vote.

county are cast and declared to be "Against Road Bonds," then and in that event this act and all sections thereof except sections twenty-one and twenty-two shall be void and of no effect, and the act shall be construed to be of no effect except said sections twenty-one and twenty-two unless a majority of the votes cast at said election herein provided for shall be "For Road Bonds."

If a majority of the votes cast be "Against Road Bonds" and so declared, then and in that event the road laws now in effect, and in operation with respect to the laying out, maintaining, and keeping up the roads of said county shall again be in operation and shall control the public roads of said county aided by the provisions of sections twenty-one and twenty-two of this act.

Present laws effective.

SEC. 10. That the board of road commissioners of Alleghany County, herein created, shall have entire charge of the expenditure of the proceeds of the sale of the bonds herein authorized to be issued if such issue is approved as herein set forth, and any other road fund that may be created or received under and by virtue of the provisions of this act and any road funds belonging to the said county. The board of commissioners of the county shall turn over to the chairman of the said road commission all bonds issued by virtue of the provisions of this act. Before entering upon the discharge of their duties under this act, each member of the said road commission shall take and subscribe an oath for the faithful performance of their duties under this act, and the board of commissioners may require such chairman to enter into bond in the sum of five thousand dollars for the faithful performance of his duties. It shall be the duty of the said board or road commissioners to meet and organize within thirty days after the result of said election has been declared (provided said election shall result in favor of the issuance of said road bonds), by the election of one of their number chairman and one 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 board of county commissioners shall fill such vacancy, by the appointment of a member or members who shall be a resident of the same township as the member whose death, resignation, or failure to qualify caused such vacancy, and of the same political affiliation. Such board of road commissioners shall meet for the transaction of business at the courthouse in Sparta on the first Mondays in January, April, July, and September, and shall receive as compensation for their services two dollars per day and the mileage allowed the board of commissioners of Alleghany County, and they may have other meetings upon five days notice, published at the courthouse door in Sparta, but for all special meetings, they shall receive only the sum of one dollar per day. They may elect an executive committee to consist of three members of their board to whom they may delegate

Expenditure of proceeds of bonds and other road funds.

Before entering upon the discharge of their duties under this act, each member of the said road commission shall take and subscribe an oath for the faithful performance of their duties under this act, and the board of commissioners may require such chairman to enter into bond in the sum of five thousand dollars for the faithful performance of his duties. It shall be the duty of the said board or road commissioners to meet and organize within thirty days after the result of said election has been declared (provided said election shall result in favor of the issuance of said road bonds), by the election of one of their number chairman and one 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 board of county commissioners shall fill such vacancy, by the appointment of a member or members who shall be a resident of the same township as the member whose death, resignation, or failure to qualify caused such vacancy, and of the same political affiliation. Such board of road commissioners shall meet for the transaction of business at the courthouse in Sparta on the first Mondays in January, April, July, and September, and shall receive as compensation for their services two dollars per day and the mileage allowed the board of commissioners of Alleghany County, and they may have other meetings upon five days notice, published at the courthouse door in Sparta, but for all special meetings, they shall receive only the sum of one dollar per day. They may elect an executive committee to consist of three members of their board to whom they may delegate

Road commissioners to qualify.

It shall be the duty of the said board or road commissioners to meet and organize within thirty days after the result of said election has been declared (provided said election shall result in favor of the issuance of said road bonds), by the election of one of their number chairman and one 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 board of county commissioners shall fill such vacancy, by the appointment of a member or members who shall be a resident of the same township as the member whose death, resignation, or failure to qualify caused such vacancy, and of the same political affiliation. Such board of road commissioners shall meet for the transaction of business at the courthouse in Sparta on the first Mondays in January, April, July, and September, and shall receive as compensation for their services two dollars per day and the mileage allowed the board of commissioners of Alleghany County, and they may have other meetings upon five days notice, published at the courthouse door in Sparta, but for all special meetings, they shall receive only the sum of one dollar per day. They may elect an executive committee to consist of three members of their board to whom they may delegate

Chairman to give bond.

Such board of road commissioners shall meet for the transaction of business at the courthouse in Sparta on the first Mondays in January, April, July, and September, and shall receive as compensation for their services two dollars per day and the mileage allowed the board of commissioners of Alleghany County, and they may have other meetings upon five days notice, published at the courthouse door in Sparta, but for all special meetings, they shall receive only the sum of one dollar per day. They may elect an executive committee to consist of three members of their board to whom they may delegate

Meeting for organization.

and they may have other meetings upon five days notice, published at the courthouse door in Sparta, but for all special meetings, they shall receive only the sum of one dollar per day. They may elect an executive committee to consist of three members of their board to whom they may delegate

Organization.

and they may have other meetings upon five days notice, published at the courthouse door in Sparta, but for all special meetings, they shall receive only the sum of one dollar per day. They may elect an executive committee to consist of three members of their board to whom they may delegate

Vacancies.

and they may have other meetings upon five days notice, published at the courthouse door in Sparta, but for all special meetings, they shall receive only the sum of one dollar per day. They may elect an executive committee to consist of three members of their board to whom they may delegate

Regular meetings

and they may have other meetings upon five days notice, published at the courthouse door in Sparta, but for all special meetings, they shall receive only the sum of one dollar per day. They may elect an executive committee to consist of three members of their board to whom they may delegate

Compensation.

and they may have other meetings upon five days notice, published at the courthouse door in Sparta, but for all special meetings, they shall receive only the sum of one dollar per day. They may elect an executive committee to consist of three members of their board to whom they may delegate

Special meetings.

and they may have other meetings upon five days notice, published at the courthouse door in Sparta, but for all special meetings, they shall receive only the sum of one dollar per day. They may elect an executive committee to consist of three members of their board to whom they may delegate

Pay for special meetings.

and they may have other meetings upon five days notice, published at the courthouse door in Sparta, but for all special meetings, they shall receive only the sum of one dollar per day. They may elect an executive committee to consist of three members of their board to whom they may delegate

Executive committee.

the discharge of such duties as such committee can properly discharge and legally perform, or as they may be allowed to perform by resolution or by-laws of the said board of road commission.

Upon the entry of the said road commission upon the duties of their office, the jurisdiction of the board of county commissioners, heretofore exercised by law with respect to the roads of the county, shall cease to exist, and they shall turn over all road tools and machinery to the board of road commissioners. And all orders made by said board of county commissioners during their term of office shall be fulfilled and carried out by the board of road commissioners, unless such order shall be rescinded or altered for good cause by said board of road commissioners:

Provided, however, that this shall not be construed to prevent the board of county commissioners from extending any financial aid they may be enabled to do, to aid in the blasting of rock or building of bridges for the public roads of said county: *Provided further,* that this act shall not be construed to interfere with the jurisdiction of the justices of peace as such justices or as road supervisors in the laying out or discontinuance of cartways. A majority of said board of road commissioners shall constitute a quorum to transact business.

SEC. 11. Said board of road commissioners are authorized to employ a road engineer, to lay out and supervise the construction of the roads of the county, and also to appoint such assistants, overseers, etc., as may in their judgment be needed to construct and keep in repair the public roads of the county, and such roads shall be so laid out as far as practicable, to give the county a general system of roads connecting its principal points of business and centers of population, said board of road commissioners are authorized and empowered to give the overseer or overseers constructing or repairing roads all such powers, not inconsistent with law, as will enable them fully to discharge their duties and carry out the orders of the board of road commissioners. Said board of road commissioners are authorized through themselves or their executive committee, or agents duly appointed by them, to go upon the lands of any person, firm, or corporation in Alleghany County and lay out and construct new roads, widen and improve the roads now already laid out, or take material for repairing the same by first giving the owner five days notice if they are unable to purchase the same on reasonable terms; and if the board of road commissioners or those representing them as overseer or otherwise, and the owner of the land are unable to agree upon the amount of damages sustained by the owner or the land, if any, then within sixty days after the completion of the road or the taking of such material, said board shall cause three freeholders of the county, qualified to act as jurors and deemed by said board to be impartial men, to be summoned. who

Jurisdiction of county commissioners divested.

Orders of county commissioners carried out.

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Proviso: Aid in blasting and bridge work.

Proviso: Cartways.

Quorum.

Road engineer.

Assistants and overseers.

General road system.

Powers of overseers.

Entrance on land for construction or material.

Procedure for assessment of damages.

shall go upon the lands and assess the damages sustained by the owner because of any injury done him in the construction or alteration of such road, taking into consideration the benefits which the owner received or will receive by reason of the road:

Provided that either party may appeal from the decision of the three freeholders within ten days after the same shall be filed with the board of road commissioners to the Superior Court, where the matter shall be heard *de novo* by a jury, and such jury must within a reasonable time file a report of their action with the board of road commissioners, and when the said damages are determined, they shall be paid by the said board of road commissioners, but no costs shall be paid by the said board upon appeal unless a greater amount of damage is received than that allowed by the freeholders. The freeholders shall each be entitled to one dollar per day for such time as they shall be in the actual discharge of their duties. The said engineer shall, if required by the board and acting under its directions, make maps and profiles of all the principal trunk lines of road undertaken to be built by virtue of this act, and make estimate of the quantity of dirt to be removed in the grading and construction of the same. And the said board of road commissioners is hereby authorized to let the grading or building of said road or any section or part of the same to any firm, person, or corporation to be built by contract, requiring of said contractor a good and sufficient bond for the faithful compliance with such contract, or the said board of road commissioners may have such road or portions thereof as they may think proper constructed under their own authority and supervision. They are authorized and directed, as far as practicable, in the construction and upkeep of roads to employ any citizen and taxpayer of Alleghany County who offers himself for hire at such wages as are paid to others for similar work until he shall have worked out his taxes levied by virtue of this act, except taxes levied to pay interest on road bonds which may be required to be paid in cash. The State Highway Commission shall approve the employment of engineers.

SEC. 12. That the proceeds arising from a sale of the bonds herein provided for, and all moneys collected by virtue of taxes herein authorized or other law shall be placed with or paid to the treasurer or *ex officio* treasurer of Alleghany County, who shall keep them separate from other funds, and the bond of said treasurer shall be liable for the faithful accounting for of the funds received by him, and he may be required to execute such additional bond or bonds as may be necessary to fully protect the funds in his hands arising under the provisions of this act and to secure the faithful performance of his duties in respect to the same, which bond shall be executed, taken, and approved by the board of county commissioners of said county as other like bonds

Benefits considered.

Proviso: Right of appeal.

Payment of damages.
Costs on appeal.

Pay of jury of view.

Maps and estimates.

Work may be let to contract.

Contractor to give bond.

Work in payment of taxes.

Approval of engineers.

Moneys paid to treasurer.

Funds kept separate.
Treasurer liable on bonds.

Additional bond.

Orders on funds.	are taken and approved. He shall disburse said funds upon the order of the board of road commissioners, which order shall be signed by the chairman thereof and countersigned by its secretary.
Compensation.	He shall receive as his compensation for paying out funds belonging to the road fund one-half of one per cent of his disbursements or such sum as he and the board of road commissioners may agree on. The taxes herein authorized shall be levied by the board of county commissioners as other taxes are levied and collected, and he shall receive for his compensation two and one-half per cent of all said taxes collected by him. The said board of road commissioners shall publish annually in some newspaper published in the county a full and itemized statement showing all receipts and disbursements of funds coming into the hands of the sheriff or treasurer by virtue of this act, and the sheriff shall aid in the making of said report for publication.
Levy of tax.	And the sheriff shall make his settlement of said road fund by or before March the first of each year with said commission and pay over and account to the treasurer of said fund for the same, and otherwise comply with his duties as prescribed in this act.
Pay for collection.	
Itemized statement.	
Settlement by sheriff.	
Incorporation.	SEC. 13. That said board of road commissioners herein created, and their successors are constituted a body politic, with power to sue or be sued in any of the courts of this State for the enforcement of, or for the violation of, any contract made under the provisions of this act, and make such contracts and exercise such rights and privileges as are incident to other municipal corporations, and may adopt a common seal and shall be styled "The Board of Road Commissioners of Alleghany County."
Corporate powers.	
Common seal.	
Corporate name.	
Road duty.	SEC. 14. That every able-bodied male person, between the ages of eighteen and fifty years, residing in said county, shall be liable annually to perform ten days labor upon the roads of said county, and in the township of his residence, under the supervision and direction of the said board of road commissioners, or any supervisor, overseer, or other officer appointed by said board of road commissioners, and not more than four days of such time shall be in constructing new roads, and said commission, overseer, supervisor, or other person authorized by said commission, shall assign each person liable to road duty to any road or portion of the road in the township of his residence: <i>Provided, however,</i> that such person shall be discharged from such labor for each day that he is liable to work, upon the payment, to the overseer, supervisor, or other person in charge of the work, the sum of one dollar, which money shall be paid on or prior to the day the performance of the work or labor is required, and the person receiving such money shall pay the same to the treasurer of the road funds and take his receipt for the same. A day's work, under the provisions of this act, shall not be less than eight hours. Notice, either personally or in writing, shall be given at
Work on construction.	
Assignment to duty.	
Proviso: Commutation.	
Day's work.	
Warning.	

least two days prior to the time when said work shall be required. Said notice shall specify the tool or implements to be used by the person liable to work, and the place where the work shall begin. It shall not be necessary to give the warning or notice required in this act by an officer, but it shall be sufficient if given by the overseer, supervisor, or other person authorized to work upon said road, under this act, and said notice may be either oral or in writing: *Provided*, that any one liable to road duty who shall furnish an able-bodied hand who shall perform satisfactory work as a substitute, shall be held to have complied with this section. Ministers of the gospel and members of the road commission shall not be required to perform labor on the public roads, and the road commission may release any person from such work because of both poverty and infirmity: *Provided* that in case of washouts or unexpected obstruction to travel the two days notice above required in this section shall not be necessary. Any person duly summoned who shall fail or neglect to perform the labor required of him in this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Proviso: Substitute.

Exemptions.

Proviso: Emergency work.

Misdemeanor.

Punishment.

SEC. 15. Said board of road commissioners shall have full power and discretion to adopt such methods, means and agencies and by-laws in the construction, improvement, and working of the roads of said county as they may determine to be wise and best. They may purchase gravel, lands, machinery, and teams as they may deem wise and important for the building, improvement, and maintenance of the roads of the county, and they may have any of such roads as they may think proper widened or altered so as to make them more useful to the public. They shall have power and authority to enter upon any land in said county to cut and carry away any timber, except trees or groves left for ornamental shade, to have such drains or ditches constructed as may be necessary to the benefit of the road, doing as little damage to the land or other property or the owner in this work as possible, with due regard to the proper performance of their duty. And any person willfully obstructing or resisting the said board of road commissioners, their agents, overseers, engineers or executive committee, or willfully obstructing any ditches, drains, or injuring any other work done in the performance of the duties of the officers, shall be guilty of a misdemeanor. Any overseer appointed by said board of road commissioners shall have full power to summon or warn all persons duly assigned to road work under their order, and such overseer or the board of road commissioners may prosecute any person for failure to work under the provisions of this act, and it shall be the duty of such officers to take action against any

Methods of work.

Purchase of material.

Alterations.

Entry on land for material.

Drains or ditches.

Acts declared misdemeanors.

Overseer to serve warning.

Prosecution for failure to work.

person willfully refusing or neglecting to work under the provisions of this act.

Width and grade of highways.

SEC. 16. That all main highways or trunk lines of road construction under the provisions of this act shall have a right of way of thirty feet wide and the grade shall not be more than six feet in one hundred feet, except for good cause the grade may be slightly increased for a short distance. All other public roads constructed under this act shall have a right of way of not less than twenty feet wide; that for all other 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 ten feet clear of trees, ditches and other obstructions:

Proviso: Decrease of widths.

Provided, that on account of rock or for other good cause the width may be decreased for short distances, and the roads not extensively used by the public may be of less width, if the road commissioners shall deem it proper after considering the interest of the public: *Provided*, that said board of road commissioners shall have the same authority to remove fences and obstructions as was vested in the board of county commissioners by section sixty-five of the Revisal of one thousand nine hundred and five, or the law in force prior to the ratification of this act.

Proviso: Removal of obstructions.

Schedule of road work.

SEC. 17. That the roads constructed, improved, or altered under the provisions of this act shall chiefly be the main thoroughfares or trunk lines of road, and it shall be the duty of the road commission created under this act, in discharging its duty, to take into consideration the needs of the whole county, and every part thereof, and cause to be constructed, altered, or improved those roads which, in its opinion, will be of benefit to the greatest number of people of the county, treating every section thereof with equity and equal benefits as near as may be practical, considering at all times the ends in view or needs of the county and the money or funds available to accomplish the work: *Provided*, said board of road commissioners are authorized to construct or have constructed or improved such roads as in their discretion should be done for the benefit of the public.

Proviso: Discretion of commissioners.

Special tax.

SEC. 18. That for the purpose of paying the interest upon the bonds provided for in this act and providing a redemption or sinking fund for same, and securing a fund to aid in repairing the public roads of the county, and to pay damages to the owners of land or personal property condemned or purchased for road use or benefits under this act, the board of county commissioners of Alleghany County shall, annually at the time of levying the other taxes of the county, levy a special tax on all property and polls subject to taxation within the limits or jurisdiction of the county, of not more than forty cents and not less than twenty-five cents on the hundred dollars valuation of real, personal and mixed property, and not more than one and

Limit of rate.

twenty one-hundredths dollars and not less than seventy-five cents on each poll, observing the constitutional equation between property and polls. The tax so levied shall be collected by the sheriff or other person authorized by law to collect the other taxes of the county. The funds so collected shall be paid by the sheriff or accounted for by him to the acting treasurer of the county, and the proceeds of such fund shall be held by such treasurer and shall be used by said board of road commissioners and drawn upon by them for the purposes designated in this act.

Constitutional equation.
Collection and settlements.

Use of proceeds.

SEC. 19. That the board of road commissioners of said county are hereby authorized and empowered to accept any appropriations, funds, or aid that may be extended under the provisions of law by either the State or National Government or both, and to cooperate with either in any manner allowed by law or that may be of benefit to the public roads of said county. They are authorized to accept from the State or National Government any benefits, moneys, or aid that such State or National Government, or officers acting under either, may be allowed to extend or give in aid of road construction in said county, and the said board of road commissioners are authorized to confer with the agents, officers, or representatives of said State and National Governments, or either, in the location and building of any roads that may be constructed or improved under this act. If the State furnishes to the county at any time engineering assistance and supervision of their road work, then the acceptance of the same from the State by the Board of Road Commissioners shall be considered as fulfilling the requirements by the said commissioners. They are 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 may be able to give and that may be required for proper supervision of any work undertaken under the provisions of this act.

State and national aid.

Coöperation.

State aid in engineering and superintendence.

Joint employment of engineer.

SEC. 20. That the expiration of the terms of office of each member of the road commission, their successors shall be appointed for two years by the board of commissioners of said county, and in making these appointments they shall be filled from the respective townships in which the vacancies occur, and at no time shall more than four members of said commission belong to the same political party. The term of office of each commissioner shall be for two years after the expiration of the terms of the members appointed under the provisions of this act.

Election to successors to road commissioners.

Political affiliations.

Term of office.

SEC. 21. That in case an election is not held and the issuance of the road bonds provided for is not carried by an affirmative vote of the electors of the county or in other words, if the proposition to issue road bonds shall not have been decided in

Special road tax, if bonds are not voted.

the affirmative prior to the first Monday in August one thousand nine hundred and seventeen, then the board of county commissioners of the county is authorized and directed to levy a special road tax for said county of not more than fifteen (15) cents on the one hundred dollars valuation of real and personal property in said county, and not exceeding forty-five (45) cents on the poll, observing the constitutional equation between property and polls, which tax shall be levied, computed and collected as other county taxes, and accounted for by the sheriff to the treasurer or *ex officio* treasurer, and he to the board of commissioners of the county, as a road tax fund, which accounting shall be on or before the first Monday in March of each year following the levy. The bond of the sheriff or treasurer or both shall be liable for the faithful accounting for all moneys collected under this section, and such officers may be required by said board of commissioners to execute additional bonds to secure the fund arising from said levy and collection and to further secure the faithful discharge of their duties in preserving, securing, and paying out the funds created by this section.

SEC. 22. That the funds arising from the levy of the tax or that may arise from the levy of such tax referred to in section twenty-one of this act shall be used by the board of commissioners of said county to aid in building, improving, and keeping up the public roads and bridges of the county and in paying any damages or charges incurred in the construction and maintenance of the public roads of the county. The taxes arising from such levy shall be kept separate from the other funds of the county and shall be subject to the order of the board of county commissioners for the purposes aforesaid, and an itemized statement of the receipts and disbursements of this fund shall be annually published in some newspaper of the county. Each township shall receive an equitable proportion of the fund arising from said taxes, considering the amount contributed by each township. The levy of this tax shall cease and not be made after the road bonds, etc., provided for in this act shall have received an affirmative vote—if at all—under the machinery of this act. The intent being that no road tax shall be levied by the board of county commissioners under section twenty-one of this act after road bonds shall have been voted under the provisions of this act. The board of county commissioners are authorized, when acting under sections twenty-one and twenty-two of this act, to employ a county road overseer or township road overseers for such time as they deem proper and for reasonable compensation, to be paid out of the road fund of the county, whose duty shall be to inspect the work done by the local overseers and to confer with such local overseers as to their duties and as to the best methods of keeping up

Limit of rate.

Constitutional equation. Collection and settlement.

Officers liable on bonds.

Additional bonds.

Use of proceeds of tax.

Funds kept separate.

Orders on funds.

Itemized statements.

Apportionment to townships.

Tax to cease on issue of bonds.

County road overseer.

Duties.

public roads under their jurisdiction, and to report such overseers as fail to do their duty in the upkeep of the public roads and otherwise, to the board of county commissioners, or to some supervisor having jurisdiction over the road, and to require the equipment and tools furnished to be safely kept and cared for. It shall be the duty of the chairman of the township supervisors, upon demand of the county or township overseer, to furnish such overseer, appointed by the board of commissioners, with the names of all local overseers of their townships, and the road hands under the local overseer and the hands such local overseer has jurisdiction over, or such road as they may be required to work. And the board of commissioners may empower the overseers appointed by them to do any other act or thing that may be necessary in keeping up or improving the roads of the county.

Information to be furnished.

SEC. 23. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 121

AN ACT TO PREVENT THE KILLING, SELLING AND SHIPPING, AND DEALING IN VEAL CATTLE IN CALDWELL AND PERSON COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons, firm, or corporation to buy or sell, or engage in the business of buying or selling or otherwise dealing in calves for veal under the age of six months old, either dead or alive. It shall further be unlawful for any person, firm, or corporation to ship or engage in shipping calves for veal under the age of six months old, either dead or alive. It shall be unlawful for any person, firm, or corporation to drive or transport or cause or procure to be driven or transported any calves for veal or calves under the age of six months old, out of Caldwell or Person counties, either dead or alive.

Dealing forbidden.

Shipping forbidden.

Driving or transporting forbidden.

SEC. 2. The buying, transporting, driving, shipping, or otherwise dealing in veal or veal cattle under the age of six months, either dead or alive, shall be *prima facie* evidence of the violation of the provisions of this act.

Prima facie evidence.

SEC. 3. That any person, firm, or corporation violating the provisions of this act shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court: *Provided*, this act shall not be construed to prohibit the killing or selling of bull calves for veal.

Misdemeanor.

Punishment.

Proviso: Bull calves excepted.

- 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 shall apply only to Caldwell and Person counties, and shall be in force from and after its ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 122

AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF THE COUNTY OF BUNCOMBE TO ERECT AND CONSTRUCT SUCH NECESSARY ABUTMENTS AND APPROACHES TO BRIDGES ACROSS FRENCH BROAD RIVER WHICH MAY BE LOCATED AND SITUATED INSIDE OF THE MUNICIPAL LIMITS OF THE CITY OF ASHEVILLE OR THE TOWN OF WEST ASHEVILLE.

The General Assembly of North Carolina do enact:

- Authority granted. SECTION 1. That the board of county commissioners for the county of Buncombe be, and they are hereby authorized and empowered to erect and construct at such point along the French Broad River within the limits of the city of Asheville or the town of West Asheville, such bridge abutments and approaches as may be necessary in the erection of any bridges that said board may hereafter elect to construct, and to pay therefor out of the general funds of said county.
- Fund for payment. SEC. 2. This act shall be in force and effect from and after its ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 123

AN ACT TO INCREASE THE SALARY OF THE DEPUTY CLERK OF THE SUPERIOR COURT OF BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

- Salary. SECTION 1. That the salary of the deputy clerk of the Superior Court of Buncombe County be and the same is hereby fixed at one hundred and twenty-five dollars per month.
- Repealing clause. SEC. 2. That all laws in conflict with this act be, and the same are, hereby repealed.
- When act effective. SEC. 3. That this act shall be in force from and after February first, one thousand nine hundred and seventeen.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 124

AN ACT TO ALLOW THE SHERIFF OF BURKE COUNTY
TO COLLECT BACK TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That F. C. Berry be, and he is hereby allowed to collect all unpaid taxes for the years nineteen hundred and seven, nineteen hundred and eight, nineteen hundred and nine, nineteen hundred and ten, nineteen hundred and eleven, nineteen hundred and twelve, nineteen hundred and thirteen, nineteen hundred and fourteen, nineteen hundred and fifteen, and he is hereby vested with the same power and authority to collect such unpaid taxes as the law gives him for the collection of current taxes. Collection authorized.
Years.

SEC. 2. That the said F. C. Berry is allowed the sum of five (5) per cent on all of said taxes collected by him and paid in to the county of Burke, after December 1, 1916, which said amount shall be retained by him in his settlement with the county treasurer or county commissioners of said county. Commission.

SEC. 3. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 125

AN ACT FOR THE PROTECTION OF GAME IN GRAHAM
COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to hunt deer with dog or dogs in Graham County at any time: *Provided*, that evidence that any person is in the mountains with a dog and that the dog was chasing deer, or running a deer's track, shall be *prima facie* evidence that said party was hunting deer with dogs. Any one convicted of this offense shall be fined not less than fifty dollars, or imprisoned in the discretion of the court. Hunting deer with dogs forbidden.
Proviso: Prima facie evidence.
Punishment.

SEC. 2. That it shall be unlawful for any person at any time to kill any doe or fawn deer: *Provided*, that if any person is found with any doe or fawn deer dead, it shall be *prima facie* evidence of guilt, and any person convicted of this offense shall be fined not less than fifty dollars or imprisoned in the discretion of the court. Killing does or fawns forbidden.
Proviso: Prima facie evidence.
Punishment.

- Open season. SEC. 3. That it shall be unlawful for any person to kill any buck deer except between the first of October and first day of December of each year, and if any one is found with a buck deer dead it shall be *prima facie* evidence of guilt, and upon conviction he shall be fined not less than fifty dollars or imprisoned in the discretion of the court.
- Prima facie evidence. Punishment.
- Non-residents to have license. SEC. 4. That it shall be unlawful for any nonresident of Graham County to hunt or fish in Graham County, except on his own land or on lands the owner of which shall have given him permission in writing to hunt or fish, without license from the clerk of the court as hereinafter provided. Any person found guilty of such offense shall be fined not less than fifty dollars or imprisoned in discretion of the court.
- Punishment.
- Limit on catch of trout. SEC. 5. That it shall be unlawful for any person to catch and keep more than twenty-five trout fish in Graham County in any one day, and a possession of more than twenty-five trout fish shall be *prima facie* evidence of guilt; and any person found guilty of this offense shall be fined not less than ten dollars or imprisoned in the discretion of the court.
- Prima facie evidence. Punishment.
- Limit on size of trout. SEC. 6. That it shall be unlawful for any person to catch a trout fish from any stream in Graham County less than six inches long and fail to immediately wet his hands, take the same off of the hook, and return it to the creek with as little injury as possible, and any one found guilty of this offense shall be fined not less than ten dollars or imprisoned in the discretion of the court.
- Punishment.
- Open season for feathered game. SEC. 7. That it shall be unlawful to kill any wild turkey, pheasant, or quail, except between the first day of November and the first day of March, and that possession of any wild turkey, quail, or pheasant dead, between said days shall be *prima facie* evidence of guilt under this act, and any person convicted of this offense shall be fined not less than ten dollars or imprisoned in the discretion of the court.
- Prima facie evidence. Punishment.
- Licenses. SEC. 8. That the clerk of the Superior Court of Graham County shall, upon application by any person, a nonresident of Graham County, issue license to hunt or fish, or both, in Graham County, which license shall give the name of the party, the purpose of the permit, whether for hunting or fishing, or both, and the time of duration, giving the dates, and for each day said clerk shall charge the sum of ten dollars for hunting, five dollars for fishing, or fifteen dollars for both: *Provided*, that nothing in this section shall be construed to give any person the right to hunt or fish upon lands of another person without permission from such person.
- License tax.
- Proviso: Limit of license.
- Game wardens. SEC. 9. That the clerk of the Superior Court of Graham County shall appoint a game warden or wardens, whose duty it shall be to see that the laws herein enacted are enforced, and

who shall have power and authority to arrest any person caught unlawfully hunting or fishing, or any person whom he or they shall have good grounds to believe have been unlawfully hunting or fishing in Graham County, without a warrant, and shall carry them before the nearest justice of the peace, when and where he shall secure a warrant: *Provided*, that any and all money coming into the hands of the clerk of the court under and by virtue of this act may be applied by the clerk to payment of the per diem of the said game warden, which amount shall be established and fixed by the clerk: *Provided further*, that no charge shall be made by the game warden, or agreed to by said clerk, to be paid from any funds other than as above set out.

Power and authority.

Proviso: Payment of warden.

Proviso: Fund for payment.

SEC. 10. *Provided*, this act shall only apply to Graham County. This act shall be in force from and after its ratification.

Application of act.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 126

AN ACT TO AMEND CHAPTERS 172 AND 174 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE CONSTRUCTION AND MAINTENANCE OF THE PUBLIC ROADS IN AVERY AND MITCHELL COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That so much of chapters one hundred and seventy-two and one hundred and seventy-four of the Public-Local Laws of nineteen hundred and fifteen as create and establish boards of road commissioners in Avery and Mitchell counties be and the same is hereby amended so as to constitute the present board of road commissioners of Mitchell County, viz: T. A. English, Geo. M. Young, D. W. Tipton, together with the present board of county commissioners of Mitchell County, viz: J. B. Masters, G. R. Dale, and W. C. Street, all of whom are to constitute hereafter the board of road commissioners for Mitchell County.

Board of road commissioners.

SEC. 2. And the same are hereby vested with all the power and authority that the present board of road commissioners under chapter one hundred and seventy-two of the Public Laws of nineteen hundred and fifteen, and it is the intention of this act for the above parties to work in harmony in building and constructing roads in said county.

Power and authority vested.

SEC. 3. That chapter one hundred and seventy-two of the Public-Local Laws of nineteen hundred and fifteen is hereby amended by requiring all able-bodied men living in Mitchell

Road duty.

County to work on the public roads of said county four days or pay in lieu thereof six (\$6.00) dollars to said board of road commissioners or to the superintendent.

SEC. 4. That chapter one hundred and seventy-two of the Public-Local Laws of nineteen hundred and fifteen are also amended by requiring the said board of road commissioners to meet on the first Monday in each month.

SEC. 5. That chapter one hundred and seventy-four of the Public-Local Laws of nineteen hundred and fifteen be amended by adding the present board of county commissioners, as now constituted or as it may hereafter be constituted, as members of the road commission of Avery County, and they are hereby vested with all the powers and authority contained in chapter one hundred and seventy-four of the Public-Local Laws of nineteen hundred and fifteen.

SEC. 6. That the board of road commissioners of Avery County, viz: D. T. Vance, P. McClay Brown, and Millard Teaster, are hereby authorized to fix the time and place of meeting at their regular meeting on the first Monday in February, nineteen hundred and seventeen.

SEC. 7. That chapter one hundred and seventy-two of the Public-Local Laws of nineteen hundred and fifteen be amended as follows: By requiring the said board of road commissioners of Mitchell County to expend all the money collected from the various townships on the roads in the township from which said fund is collected, and also the public labor and the money paid in lieu of labor shall be put upon the public roads in the township where the laborers live and from which the money is collected.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 127

AN ACT TO AUTHORIZE THE COMMISSIONERS OF JACKSON COUNTY TO ERECT A BRIDGE ACROSS TUCKASEE RIVER.

The General Assembly of North Carolina do enact:

Construction of
bridge.

Location.

SECTION 1. That the commissioners of Jackson County be, and they are hereby authorized to build, erect and construct a bridge of iron, steel, concrete, or other material across Tuckasee River at or near the mouth of Savannah Creek, and at a point at or near the Harris Tram Bridge, to be determined by the commissioners of Jackson County.

SEC. 2. That the commissioners of Jackson County may at their regular meeting on the first Monday of August, one thousand nine hundred and seventeen and one thousand nine hundred and eighteen, levy a special tax of five cents on the one hundred dollars taxable property and fifteen cents on each poll, observing the constitutional equation, for the purpose of erecting said bridge.

Special tax.

Tax rate.

Constitutional equation.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 128

AN ACT TO AMEND SECTION 2 OF CHAPTER 172 OF PUBLIC LAWS 1907, RELATING TO CONDEMNING LAND FOR THE CEMETERIES IN ALAMANCE AND ORANGE COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and seventy-two of Public Laws of one thousand nine hundred be stricken out, and the following be inserted in lieu thereof: "This act shall apply only to the counties of Alamance and Orange."

Application of act.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 129

AN ACT TO SUPPLEMENT PROVISIONS TO HOUSE BILL NUMBER 411, INCORPORATED INTO LAW BY THE GENERAL ASSEMBLY OF 1917, UNDER THE TITLE OF "AN ACT TO REVISE AND AMEND CHAPTER 334 OF THE PUBLIC-LOCAL LAWS OF THE GENERAL ASSEMBLY OF 1915, KNOWN AS THE DAVIDSON COUNTY ROAD LAW."

The General Assembly of North Carolina do enact:

SECTION 1. That in case a primary is provided by law for the nomination of county officers in Davidson County, then the selection of the candidates for road commissioners provided in the law is to be made at the primary and not at the county convention.

Selection of commissioners by primary.

SEC. 2. That the board of county commissioners shall levy the amount of taxes that the board of road commissioners may find necessary, not to exceed the amount of the levy provided by law.

Levy of tax.

Limit of road debt.

SEC. 3. The total amount allowed to be borrowed by the board of road commissioners under section thirteen of the said act shall not any one time exceed the sum of twenty-five thousand dollars, except that the present indebtedness of the road board, which has been validated by said act, may be renewed from time to time.

Work in towns.

SEC. 4. That the board of road commissioners may work any necessary road through any incorporated towns of the county necessary to connect the main highways in the county, *Provided*, that no such work shall be done prior to the first Monday in December, one thousand nine hundred and eighteen.

Proviso: Time.

Donation to road fund by county.

SEC. 5. That the board of county commissioners of Davidson County, in their discretion, are empowered to donate a sum not in excess of ten thousand dollars to assist in the prosecution of road work in the county.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 130

AN ACT TO AUTHORIZE THE TOWNSHIPS IN RUTHERFORD COUNTY TO ISSUE BONDS AND TO IMPROVE THE HIGHWAYS THEREIN.

The General Assembly of North Carolina do enact:

Purpose of bond issues.

SECTION 1. For the purpose of building, grading, macadamizing, or otherwise improving the roads in Rutherford County of any and all townships, the board of commissioners of said county is hereby authorized, empowered and directed to issue bonds of any township to an amount not exceeding fifty thousand (\$50,000) dollars, in denominations not exceeding one thousand (\$1,000) dollars, bearing interest from date thereof at not exceeding the rate of six per cent per annum, with interest coupons attached, payable semi-annually, at such time and place as may be directed by said board of county 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 fifty years from date thereof, and at such place or places as the 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 said 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 amount than is necessary for the

Bond issues authorized.

Amount.

Denominations.

Interest.

Maturity.

Issue by series.

Proviso: Sale below par forbidden.

Interest on proceeds.

ordinary operating expenses, then all of the excess of the money received from the 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.

SEC. 2. Such bonds shall be numbered and shall be signed by the chairman of 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 coupon, and shall be executed by the signing of the chairman of the board of commissioners and the treasurer of said county, or by their lithographic signatures engraved or printed thereon.

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 in behalf of any township and to whom, 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 of 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 any and all townships in Rutherford County in good condition, the board of commissioners of the county of Rutherford, 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 any or all townships which said commissioners or other authorities 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*, there shall not at any time be levied in any township in the county of Rutherford, 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 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 time 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 have been paid.

Tax for interest and sinking fund.

Constitutional equation.
 Proviso: Limit of tax rate.

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.
 Use of proceeds.

- Investment of sinking fund. SEC. 6. That it shall be the duty of the board of commissioners for Rutherford County to annually invest any and all moneys received from the special tax herein provided for for sinking fund in the purchase of any of said bonds at a price deemed advantageous to said county by the said board of commissioners and to be agreed upon by them and the owners thereof. But in case said 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 owned 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.
- Interest. 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, macadamize, improve, and maintain the public roads in said county, either by contract or employing laborers, and for the purpose of carrying out the general provisions of this act.
- Investment of interest. SEC. 8. For the purpose of ascertaining the wishes of the voters in Rutherford County, upon the question of issuing said bonds and improving the roads of any township as provided for in this act, an election shall be held in each of said townships, on the twelfth day of June, one thousand nine hundred and seventeen, that shall present a petition to the county commissioners signed by at least thirty per cent of the qualified voters in said township, not later than the first Monday in March, one thousand nine hundred and seventeen. At said election all voters in said townships 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 Road Bonds" written or printed thereon, and those who oppose the purpose of this act shall vote a ticket with the words "Against Road Bonds" written or printed thereon; and if a majority of the voters of any township who vote at said election shall vote "For Road Bonds," 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 the election of members of the
- Use of road funds. SEC. 8. For the purpose of ascertaining the wishes of the voters in Rutherford County, upon the question of issuing said bonds and improving the roads of any township as provided for in this act, an election shall be held in each of said townships, on the twelfth day of June, one thousand nine hundred and seventeen, that shall present a petition to the county commissioners signed by at least thirty per cent of the qualified voters in said township, not later than the first Monday in March, one thousand nine hundred and seventeen. At said election all voters in said townships 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 Road Bonds" written or printed thereon, and those who oppose the purpose of this act shall vote a ticket with the words "Against Road Bonds" written or printed thereon; and if a majority of the voters of any township who vote at said election shall vote "For Road Bonds," 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 the election of members of the
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- Petition for election. SEC. 8. For the purpose of ascertaining the wishes of the voters in Rutherford County, upon the question of issuing said bonds and improving the roads of any township as provided for in this act, an election shall be held in each of said townships, on the twelfth day of June, one thousand nine hundred and seventeen, that shall present a petition to the county commissioners signed by at least thirty per cent of the qualified voters in said township, not later than the first Monday in March, one thousand nine hundred and seventeen. At said election all voters in said townships 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 Road Bonds" written or printed thereon, and those who oppose the purpose of this act shall vote a ticket with the words "Against Road Bonds" written or printed thereon; and if a majority of the voters of any township who vote at said election shall vote "For Road Bonds," 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 the election of members of the
- Tickets. SEC. 8. For the purpose of ascertaining the wishes of the voters in Rutherford County, upon the question of issuing said bonds and improving the roads of any township as provided for in this act, an election shall be held in each of said townships, on the twelfth day of June, one thousand nine hundred and seventeen, that shall present a petition to the county commissioners signed by at least thirty per cent of the qualified voters in said township, not later than the first Monday in March, one thousand nine hundred and seventeen. At said election all voters in said townships 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 Road Bonds" written or printed thereon, and those who oppose the purpose of this act shall vote a ticket with the words "Against Road Bonds" written or printed thereon; and if a majority of the voters of any township who vote at said election shall vote "For Road Bonds," 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 the election of members of the
- Law governing elections. SEC. 8. For the purpose of ascertaining the wishes of the voters in Rutherford County, upon the question of issuing said bonds and improving the roads of any township as provided for in this act, an election shall be held in each of said townships, on the twelfth day of June, one thousand nine hundred and seventeen, that shall present a petition to the county commissioners signed by at least thirty per cent of the qualified voters in said township, not later than the first Monday in March, one thousand nine hundred and seventeen. At said election all voters in said townships 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 Road Bonds" written or printed thereon, and those who oppose the purpose of this act shall vote a ticket with the words "Against Road Bonds" written or printed thereon; and if a majority of the voters of any township who vote at said election shall vote "For Road Bonds," 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 the 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 a majority of the voters voting at said election fail to vote "For Road Bonds," then the provisions of this act shall be inoperative, and if a majority of votes cast in any township are against road bonds, or if any township does not call an election to be held June twelfth, one thousand nine hundred and seventeen, then the county commissioners shall, upon a petition signed by at least thirty per cent of voters in township, appoint a citizen taxpayer as supervisor to serve at the pleasure of the county commissioners for the roads of said township, and he shall give bond in the sum of five hundred (\$500) dollars for the faithful discharge of his duties, and shall receive pay for only what time he is actually engaged on the roads of said township, said per diem to be determined by the county commissioners. Said supervisor shall hire hands and work and construct roads and make an itemized report of the expenditure of moneys to the county commissioners, who shall order the same paid if found correct. It shall be the duty of the county commissioners of Rutherford County, or such other officers who shall have the power to so act, to levy a tax of not more than fifteen cents on the one hundred dollars worth of property and forty-five cents on the poll, the constitutional equation always being observed, for the building and maintaining of roads in all townships that do not vote road bonds and petitions the county commissioners to appoint a township supervisor. Any township that does not vote road bonds and that does not petition the county commissioners of Rutherford County to appoint a township supervisor, shall be under the county road law now existing, and the same shall be in full force and effect in said township and shall not be repealed in regard to such township.

SEC. 9. At the same time the foregoing election is held the electors shall vote for three citizens and taxpayers of each township for members of the highway commission for such township, and the three citizens and taxpayers who receive a majority of the votes cast at said election shall be declared elected as members of the highway commission for their respective townships by the board of county commissioners of Rutherford County, and the election officers appointed for the purpose of holding the election in the respective precincts in each township shall certify the vote for members of the highway commission and deliver the same to the board of county commis-

Returns.

Canvass of returns.

Act inoperative.

Appointment of supervisor.

Bond of supervisor.

Pay of supervisor.

Duty of supervisor.

Road tax.

Tax rate.

Townships under existing laws.

Election of highway commissioners.

Returns.

sioners of Rutherford 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 Rutherford 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 Rutherford 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 constables. Upon being declared elected highway commissioners, as above provided, the said members so elected shall file with the board of commissioners of Rutherford County a bond with sufficient sureties, in the sum of three thousand (\$3,000) dollars for the faithful performance of their duties as prescribed by this act, and the 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 for the faithful performance of their duties, and when thus qualified the said three citizens and taxpayers so elected shall be known, designated and styled "The highway commission of their respective townships of Rutherford 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, attorney's fees, and for such other additional expenses 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 commissioners the name of the said chairman and secretary of the highway commission so elected. In the event that a majority of the electors voting at said election shall vote "Against Road Bonds," then the election of the highway commissioners as herein provided shall be null and void and become inoperative.

Term of office.

Bond of highway commissioners.

Commissioners to qualify.

Official entitlements.

Pay of commissioners.

Office expenses.

Organization of commission.

Election void.

Highway commissions incorporated.

Corporate powers.

Complete control of roads and highways.

Sec. 10. The highway commission of each township of Rutherford County herein created shall be a body corporate with the power to sue and 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 proceeds of the bonds herein authorized to be issued, and the expenditures of the sums 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 Rutherford County

shall turn over to the highway commission of each township full and complete control of roads and highways of such township, and the said commissioners shall loan the highway commission of any township the road machinery and 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 now or hereafter work their roads by taxation or by bond issue, taking a receipt therefor; and it shall be the duty of each 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 road, and constructing and building same; and each commission shall have the roads of their township surveyed, graded, laid out, built, and constructed in such manner and in such way as to accomplish the best results with the money provided for, and for the purposes herein provided. Wherever there shall be a change made in the location of any public road, or new highway opened or old roads widened or straightened, 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, 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: *Provided further*, 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 any highway commission on such appeal when the damages awarded by the jury are not greater than that given by the three referees, and in no case shall the highway commission be hindered from entering the land 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 road, or repairing or maintaining them by contract for any part of said road which they may deem advisable and for the best interests of the townships.

Loan of machinery and implements.

Road superintendent.

Entry on lands for roads.

Process for assessment of damages.

Proviso: Notice to landowners.

Proviso: Right of appeal.

Costs on appeal.

Work may be let to contract.

SEC. 11. That the said board of commissioners of Rutherford County, upon demand made by any highway commission estab-

Sale of bonds.

lished hereby, shall offer said bonds for sale in accordance with the terms of this act and the request of any 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 any 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 bonds and the disbursement and the date thereof made by him of the sale, 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 and disbursing the funds under this act, and the sheriff or tax collector of Rutherford County shall receive no commission for collecting said taxes herein authorized to be levied, and the bonds 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.

Disbursement of proceeds.

Separate account.

Treasurer liable on bonds.

No compensation to officers.

Officers' liability.

Collection of tax.

Sale of bonds.

Maturity.

Powers under general law.

Power and authority vested.

Entry on land for material.

Timber shading roads.

Proviso: Limitation.

Assessment of damages.

SEC. 12. The board of commissioners of Rutherford County, upon the demand of any highway commission 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 fifty years from the date of issue.

SEC. 13. The highway commission of any township shall have all the powers, rights, authorities, 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 power and authority which hitherto has belonged to the board of commissioners or road supervisor in the management, conduct, and opening of roads in their township, 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 land in said township and take therefrom sand, clay, gravel, rock, or any other substance needed in the making of said road; and where roads have been created or constructed, they shall have the right to enter upon the land on either side of said road and cut the timber therefrom for a sufficient distance on either side of said road 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 for a greater distance than one hundred feet on either side of said road; and for any damages which may be sustained by the landowner, either from taking the sand, clay, gravel, 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 its township. The highway commission of any township in Rutherford County is authorized, where the public roads cross a branch, creek, or river, to erect and construct and erect thereover, or have constructed and erected thereover, such bridge 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.

Proviso:
Ownership of
timber.
Width and grade
of roads.
Bridges.
Proviso: Pay-
ment for bridges.

SEC. 14. That the general law shall obtain as to the granting of cartways in any township operating under the provisions of this act, 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.

Cartways.

SEC. 15. That the board of commissioners of Rutherford County, at the first meeting following the receipt of petition asking for election, shall appoint the registrar and judges of election for the election precincts in all townships, and cause notice to be published in a newspaper published in Rutherford County once a week for four successive weeks, giving the names of the registrars and judges of election for the precincts in each township, and giving the date of election and the purpose for which said election is to be held.

Election officers.
Notice of election.

SEC. 16. In the event that this act be adopted and the bonds voted for any township at the election herein provided for, then the purpose of this act is to give the exclusive management and control of the public roads of that township to the highway commission of said township and to invest it with full power to do all the things necessary to be done in the furtherance of this act.

Purpose of act.

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 Road Bonds," then this act shall become inoperative in regard to the highway commission: *Provided, however*, that the board of commissioners of Rutherford County may order another election under the provisions of this act for any township at such time or times as they may deem wise, upon the petitions of at least thirty per cent of the voters of any township; and, *provided further*, that no election shall be held oftener than once in any calendar year.

Effect of adverse
election.
Proviso: Subse-
quent elections.

Proviso: Limit
of elections.

SEC. 18. It shall be the duty of the county commissioners to levy a special road tax not exceeding two dollars per capita for the entire county, to be used in the township from which it is

Special road poll
tax.

collected under the law existing in the respective townships, for building and maintaining roads in the respective townships.

Repealing clause. SEC. 19. All acts conflicting with this act are hereby repealed.

When act effective. SEC. 20. That this act shall be in full force and effect from and after June twentieth, one thousand nine hundred and seventeen.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 131

AN ACT TO PROVIDE FOR THE CONSTRUCTION AND THE MAINTENANCE OF THE PUBLIC ROADS IN THE SEVERAL TOWNSHIPS OF CASWELL COUNTY, AND TO LEVY A SPECIAL TAX THEREFOR.

The General Assembly of North Carolina do enact:

Question to be voted on. SECTION 1. That in order to ascertain the will of the voters of the several townships in Caswell County upon the question of levying and collecting a special tax upon the polls and property in any township in said county for the purpose of building and maintaining the public roads in such township, the board of commissioners of Caswell County, upon receipt of a petition signed by one-fourth of the registered voters at the preceding

Petition for election. general election in any township in said county shall order an

Order for election. election to be held in such township from which such petition is filed within ninety days after such filing. That said petition to said board of county commissioners shall contain a statement setting forth the amount of the poll and property tax to be levied and collected, as hereinafter provided.

Statement of amount. SEC. 2. That the election held under the provisions of this act shall be held and conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for

Law governing election. members of the General Assembly: *Provided, however,* that said board of county commissioners shall appoint the registrars and judges of election and any other election officers; that the registration and challenge of voters shall be conducted in the same manner as is now provided or may hereafter be provided

Proviso: Election officers. for the election of members of the General Assembly, and said county commissioners may or may not order a new registration

Registration and challenges. tion for said election. That votes shall be counted at the close of the polls and returned to the said board of county commissioners on the second day after said election, and said board of county commissioners shall 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

New registration optional. declaration of the result of said election shall be necessary.

Count and return of votes.

Canvass of returns.

That at said election the ballots tendered and cast by the qualified voters shall have written or printed thereon the words, "For Special Tax," or the words "Against Special Tax," and all qualified electors who favor the special tax shall cast ballots having written or printed thereon the words "For Special Tax," and all qualified electors who are opposed to the special tax shall cast ballots having written or printed thereon the words "Against Special Tax."

SEC. 3. In the event that a majority of the qualified voters of said township vote "For Special Tax," then it shall be the duty of the board of commissioners of said county to levy the special tax asked to be levied in the petition filed asking for the election above referred to, on all the polls and property in said township, the constitutional equation to be observed at all times. Said tax to be levied hereunder shall not be less than twenty cents on the one hundred dollars valuation of property and sixty cents on each poll, and shall not exceed forty cents on the one hundred dollars valuation of property and one dollar and twenty cents on each poll: *Provided, however,* if the said petition does not prescribe the maximum levy hereunder, then, upon a petition of the majority of the qualified voters of said township to the board of commissioners of said county, the said board of commissioners may levy for such township an amount not exceeding forty cents on the one hundred dollars valuation of property and one dollar and twenty cents on each poll, the constitutional equation to be observed at all times.

SEC. 4. That at said election there shall be elected three competent electors of said township, who shall compose the board of road trustees of said township, for a term of two years and until their successors are elected and qualified.

SEC. 5. That said board of road trustees shall, within thirty days after their election, meet at some place in said township and elect one of its members as chairman and another secretary, and shall meet at some convenient place in said township at least once in each and every sixty days. Said secretary shall keep a written record of the proceedings of said board, and such record shall be open at all times for the inspection of the citizens of the township. The money raised by the special tax herein provided for shall be collected by the sheriff of Caswell County, in the same manner and under the same penalties as are now or may hereafter be prescribed by law for the collection of State and county taxes. And said sheriff shall pay over said taxes to the treasurer of said county, who shall keep funds separate and apart from all other taxes, and shall pay out the same, upon the warrant of the chairman of the township board of road trustees, countersigned by the secretary thereof. No warrant

Ballots.

Special tax.

Constitutional equation.

Limit of tax rate.

Proviso: Tax rate on petition of majority of voters.

Election of road trustees.

Meeting and organization.

Regular meetings.

Record of proceedings.

Record open for inspection.

Collection of tax.

Settlement.

Warrants on road funds.

Warrants not issued but at regular meetings.

shall be valid unless issued at a regular meeting of such board. And it shall be the duty of the secretary of such board to notify the treasurer of Caswell County of the day or days on which such regular meetings are held, and the treasurer shall not be authorized to pay any warrant issued by any such board until he has been so notified by the secretary of such board of the date of said regular meetings.

Quarterly statements.

SEC. 6. That said board of road trustees of such township shall publish quarterly a statement showing the amount collected from the special tax levied herein provided for, together with an itemized statement showing all disbursements, to whom paid, and for what purpose. Said statement to be signed by the secretary of said board, a copy of which shall be recorded in the minutes of said board, and copies posted for thirty days at three public places in said township.

Vacancies.

SEC. 7. That in the event of the death, resignation, removal, or other vacancy in the board of road trustees in any such township, then the board of commissioners of said county shall appoint some competent elector of such township to fill the unexpired term of said trustee.

Pay of trustees.

SEC. 8. That the said board of road trustees shall receive the sum of one dollar and fifty cents per day for their services as such trustees, and in no case shall the salary of each trustee exceed the sum of fifteen dollars per year.

Duty of trustees.

SEC. 9. That it shall be the duty of the board of road trustees to establish, maintain, and keep in repair the public roads of their townships and to expend the fund arising from the tax hereunder in the way it is best for the people of the township, and the way it will be to the most advantage to the traveling public.

Establishment and alteration of roads.

SEC. 10. That said board of road trustees shall have the right, upon petition of the citizens of their township, or without such petition if they shall deem it to the best interest of the traveling public, to lay out, alter, or discontinue public roads that are wholly within their township, or when such proposed new road, alteration or discontinuance is wholly within their township, with as little injury to the land through which the same passes as may be consistent with the best interests of the traveling public; and the said board of road trustees, taking into consideration the advantages and disadvantages to the owner or owners of the land through which the road thus altered or laid out passes, shall assess the damages, if any, caused thereby, but such road trustees may, in their discretion, not assess the damages until the completion of the road, and such damages thus assessed shall be deemed a charge against the road fund of said township; and the said board of road trustees shall make a certificate of such damages showing for what allowed, the amount,

Assessment of damages.

Damages a charge on road fund.

and to whom payable. The said certificate shall likewise show a description of the land taken for said public road, which certificate shall be forthwith filed with the board of commissioners of said county. That any person or person aggrieved by the action of the board of road trustees in laying out, altering or discontinuing any public road, as aforesaid, as to the amount of damages allowed for laying out any new road or altering an old road, as aforesaid, may, upon giving a bond of sufficient justified surety, to be approved by the board of road trustees, in not less than the sum of one hundred dollars, and conditioned for the payment of all costs which may be adjudged against him or them by reason of such appeal to the board of commissioners of said county: *Provided*, notice of appeal be given to the said board of road trustees by the party or parties aggrieved within ten days after the act complained of. That the said commissioners shall hear and determine such appeal, and if the same be against the appellant, it shall be their duty to enter judgment against the appellant and his surety for the cost of the appeal, with all the force and effect of a judgment of the Superior Court, and that such judgment for costs may be enforced in the same manner as a judgment of the Superior Court: *Provided*, that any party or parties aggrieved by the action of the commissioners in such matter may appeal to the Superior Court of said county, in the manner set forth in the next succeeding section: *Provided further*, that the board of road trustees of said township desiring to change or lay out a new road across the lands of any person or persons in said township shall give such person or persons or their agents at least ten days written notice of the proposed change or proposed new road to be laid out, and in said notice shall state the time and place that said board of road trustees are to meet to change or lay out said proposed new road.

Appeal to county commissioners.

Proviso: Notice of appeal.

Hearing on appeal.

Costs on appeal.

Proviso: Appeal to Superior Court.

Proviso: Notice to landowners.

SEC. 11. That when it is desired to lay out a new road or alter or discontinue any public road or roads extending into two or more townships, the right to do the same shall be in the county commissioners, and shall be done subject to and as is provided in section two thousand six hundred and eighty-four, two thousand six hundred and ninety, and two thousand six hundred and eighty of chapter sixty-five, and section one thousand two hundred and sixty-eight, chapter twenty-two of volume one, of the Revisal of one thousand nine hundred and five. *Provided*, that posting notice of the petition at the courthouse door for thirty days and at some public place in each township through any part of which said road passes for twenty days prior to the hearing of the petition, shall be sufficient for the notices required in said section two thousand six hundred and eighty-four: *Provided further*, that any person or persons de-

Roads in two or more townships.

Proviso: Sufficient notice.

Proviso: Bond on appeals.

siring to appeal to the Superior Court from the order of the board of commissioners shall give bond with justified and approved surety, in not less than the sum of one hundred dollars, conditioned to pay all such costs as may be adjudged against him or them by reason of such appeal.

Division of roads. SEC. 12. That all roads when laid for construction under the provisions of the preceding section, shall by reason of this act be deemed divided, so that the board of road trustees of each township shall have control of so much thereof as lies wholly within their township, and all public roads laid out or amended under sections ten and eleven of this act provided for the construction and maintenance of public roads.

Opening and maintenance of roads. SEC. 13. That it shall be the duty of the board of road trustees in the manner in which they may deem proper, to open or cause to be opened all public roads which shall have been made or which may hereafter be laid out and established in said township; 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 purposes the board of road trustees are hereby authorized to enter upon any lands not encumbered by crops, near to or adjoining such roads, to cut and 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, marl, 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 they may deem necessary for the benefit of the road, doing as little injury to said land and 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, ditch or drain, and shall be kept open by the board of road trustees, and shall not be obstructed by the owner or occupants of said land, or any person or persons having the same in charge, under the penalties provided for in this act.

Entry on land for material. Drains and ditches. Tax to be levied. SEC. 14. That said commissioners of said county are hereby authorized to and shall levy at the time of levying State and county taxes annually for public road purposes for said township or townships which have voted "For Special Tax" as above provided, the amount of tax asked for in the petition on all the polls and property of such township, the constitutional equation to be observed at all times; and in the event the amount of tax to be levied has been increased by petition as herein provided, then the commissioners be and they are hereby empowered, and they shall levy for such township the amount of tax asked to be levied on each poll and property in said petition, the constitutional equation to be observed at all times in making

Constitutional equation.

the levy provided for herein, and the board of commissioners shall cause the same to be placed on the tax lists for the current year, to be included in and collected in the annual taxes; that the road taxes, when thus assessed, shall be collected by the sheriff or tax collector of said county, under the penalty and regulations laid down for the collection of other taxes for said county and paid out as herein provided; that said sheriff shall receive the same commission for the collection and disbursement of these funds that he does for the collection and disbursement of the regular State and county taxes.

Collection.

Commission of sheriff.

SEC. 15. That the road tax levied under this act shall be made out and kept in a separate item on the tax lists and appear in a separate item on the tax receipt, and the treasurer of the county shall keep the fund due each township in a separate account, and the same to be disbursed as herein provided: *Provided*, that in no event shall the funds due one township be paid out for the benefit of any other township.

Road tax itemized.

Separate accounts.

Proviso: Township funds.

SEC. 16. That the board of road trustees of said township shall erect and maintain at the expense of the township, at the forks or cross of public roads, a post or guide board containing an inscription in legible letters directing the way and distance to the town or towns or other public places situated on each road respectively.

Guide boards.

SEC. 17. That the said board of road trustees of said township are hereby authorized and directed to construct foot bridges over streams of water in their township, where the convenience of travel on foot are required.

Foot bridges.

SEC. 18. That the right of way of the public roads in said township shall be twenty feet, and the board of road trustees as aforesaid shall determine how much of the right of way shall be used for road purposes.

Width of roads.

SEC. 19. That the board of road trustees who shall cut and take away any timber, stone, clay, marl, sod or gravel for the purpose of making, improving or repairing any road, in said township, as provided in section thirteen of this act, or otherwise, shall, on demand of the owners of the land, their agent or agents, or the guardian of any ward, or executor or administrator having the land in charge, for which timber, stone, gravel, or other material was taken as aforesaid, give a certificate showing the quantity of such timber, stone, gravel, or other material with the value thereof respectively, and the time and purposes for which the same was taken, and upon presentation, the board of road trustees shall allow said certificate, and any such sum shall be paid out of the road funds of said township.

Payment for material.

SEC. 20. That the county board of commissioners may purchase road machinery, tools, etc., and turn same over to the board of road trustees, that the said machinery, tools, etc., so

Road machinery.

purchased shall be and remain the property of the county of Caswell, and the said commissioners may at any time direct the board of road trustees to return any of such machinery, or deliver upon their order to other parties.

Acts declared
misdemeanor.

SEC. 21. That if the board of road trustees shall willfully, through themselves or their agents, injure any crops or cultivated or improved lands, in the exercise of the duties devolving upon them in this act, or shall fail to conduct the drains and ditches mentioned in this act to the nearest waterway, ditch or drain, and keep said ditch or drain in repair, he shall be guilty of a misdemeanor, and fined not exceeding twenty dollars.

Punishment.

Snaking logs mis-
demeanor.

SEC. 22. That any person engaged in hauling or transporting saw logs or other timber on any public road, who shall transport or cause to be transported by means of chain or grab hook, or other means, to be made to slide on the roadbed by a method known among lumber men as "dragging or snaking logs," shall be guilty of a misdemeanor and on conviction shall be fined not exceeding fifty dollars, or imprisoned not exceeding thirty days: *Provided*, the board of road trustees may, under certain conditions satisfactory to them, permit such hauling or dragging of logs.

Punishment.

Proviso: Trust-
tees may punish
snaking.

Removal of ob-
structions.

SEC. 23. That at any time during the year when any public road shall be obstructed, it shall be the duty of the board of road trustees of the township, to forthwith cause such obstructions to be removed.

Cartways.

SEC. 24. That section two thousand six hundred and ninety-six, two thousand six hundred and ninety-four, one thousand two hundred and sixty-eight of the Revisal of one thousand nine hundred and five, shall govern the establishing and laying out of cartways, except as to duties therein imposed upon the board of road supervisors of the township, which shall devolve upon and be performed by the board of road trustees for the township: *Provided*, that such trustees in case of appeal, shall require of appellant a bond sufficient to cover the cost of the appeal.

Proviso: Bond
on appeals.

Obstructions by
railroad com-
panies.

SEC. 25. That as to unlawful obstructions of public roads and other injury thereto by railroad companies, sections seventy-two, seventy-three, seventy-four, and seventy-five of chapter fifty of the Public Laws of one thousand nine hundred and one shall be, and the same are hereby made, a part of this act.

Failure to dis-
charge duty mis-
demeanor.

SEC. 26. That any road trustee secretary, or board of road trustees or other officer of said county, of whom any act or duty is required in this act to be done or performed, and who shall refuse or neglect to do any such matter or thing as herein required, 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. 27. That the commissioners of said county shall have the supervision and control of the bridges and abutments in said county, the location, construction, maintenance, and repair of the same, and may let such contracts and do all such things in connection with the construction, maintenance, and repair of said bridges and abutments as are consistent with the best interest of said county of Caswell and best subserve the interest of the traveling public; that for building and repairing bridges and abutments the county commissioners are authorized to use any special funds on hand in the county treasury except school funds, and when this is exhausted, they are authorized to use the general county funds.

Bridges.

Funds for bridges.

SEC. 28. That with the view of getting a proper grade, etc., in laying out or mending any public road, as provided in this act, the authorities herein authorized to lay out and locate the same may employ a competent surveyor, who shall be paid by the county for his services.

Employment of surveyor.

SEC. 29. That where any road forms the boundary between any two townships or any township in another county, said board of road trustees are authorized and empowered to make arrangements with the proper authorities of such other township or other county in regard to working and maintaining the same: *Provided*, any township in Caswell County shall not bear exceeding one-half the expense of working and maintaining any county line road.

Boundaries of townships.

Proviso: Apportionment of expense.

SEC. 30. That the board of road trustees of any township shall not have the right to lay out or cause to be laid out any public road through any cemetery, dwelling house and yard.

Lands exempted.

SEC. 31. That in the event the election is held as is provided in this act, and so declared in favor of "For Special Tax," then and in that event all free labor as is now provided by law for the working of the roads of the various townships of Caswell County shall be repealed in said township or townships voting "For Special Tax," and no free labor whatever shall be required of the citizens of the townships in which an election is held under this act and carried in favor of "For Special Tax," from and after the declaration by the board of commissioners that a majority of the qualified electors of said township have voted "For Special Tax."

Free labor abolished.

SEC. 32. That in the event an election is held in any township in said county and fails to carry in favor of "For Special Tax," then upon the petition of one-fourth of the qualified voters of such township as hereinbefore mentioned asking for another election under the provisions of this act, such election shall be held as provided in this act, and if a majority of the votes cast at said election are "For Special Tax," then this act shall apply to said township: *Provided*, that no election shall be held with-

Further elections.

Proviso: Limitation.

in one year from the date of the preceding election held under the provisions of this act.

Violation of act
misdemeanor.
Punishment.

SEC. 33. That any person 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.

Trustees to
qualify.

SEC. 34. That said trustees, before entering upon the discharge of their duties, shall take and subscribe an oath for the faithful and honest discharge of the duties imposed upon them by this act.

Audit of accounts.

SEC. 35. That the county auditor shall be required to examine the warrants of said trustees and all other books and accounts kept by them and report his findings in writing to the board of county commissioners at least once in each year. The county treasurer shall file all warrants after the auditor has made the report herein required in the office of the register of deeds.

Warrants filed.

Subscriptions to
road under State
commission.

SEC. 36. That any or all of said boards of road trustees are hereby authorized and empowered to subscribe any amount not exceeding fifty per cent of the total road fund for any one year to the construction or maintenance of a public road built under the supervision of the State highway commission, from moneys derived from the Federal appropriation for public roads and supplemented by county appropriation or private subscription.

Road districts.

SEC. 37. Each and every of the several townships of Caswell County, is hereby declared to be a road district within the meaning of this act.

Repealing clause.

SEC. 38. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 39. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 132

AN ACT TO PROHIBIT THE PURCHASE AND SALE OF PARTRIDGE AND QUAIL IN YADKIN COUNTY.

The General Assembly of North Carolina do enact:

Purchase or sale
forbidden.

SECTION 1. That it shall be unlawful to buy, sell or offer for sale any partridge or quail within the county of Yadkin.

Misdemeanor.

SEC. 2. That any person, firm or corporation who shall violate the provisions of section one of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding fifty dollars, or imprisoned not exceeding thirty days for each offense.

Punishment.

SEC. 3. That this act shall apply only to Yadkin County. Application of act.

SEC. 4. That this act shall be in full force and effect on and after February first, one thousand nine hundred and seventeen. When act effective.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 133

AN ACT TO AUTHORIZE THE RECORDER OF MOUNT AIRY TOWNSHIP, SURRY COUNTY, TO TAKE ACKNOWLEDGMENTS OF DEEDS AND OTHER INSTRUMENTS, AND TO VALIDATE SIMILAR PREVIOUS ACTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the recorder of Mount Airy Township, Surry County be and he is hereby authorized and empowered to take acknowledgments and proofs of deeds and other instruments, which are authorized to be taken by a notary public, and said acts shall be in all respects valid and of the same effect as the acts of other courts of record in this State. Powers as of notary public.

SEC. 2. That proofs of deeds and other instruments taken previous to the ratification of this act are hereby declared valid in all respects. Probates heretofore taken validated.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 134

AN ACT TO AUTHORIZE THE COMMISSIONERS OF SURRY AND YADKIN COUNTIES TO ERECT BRIDGES OVER THE YADKIN RIVER.

The General Assembly of North Carolina do enact:

SECTION 1. That the boards of county commissioners of the counties of Surry and Yadkin be, and they are hereby, authorized to build a bridge across the Yadkin River at or near the town of Siloam, and a bridge across the said river at or near the town of Rockford, the cost of the same to be paid by both counties on the pro rata basis of the taxable value of the property of each county. Construction authorized. Location. Apportionment of cost.

SEC. 2. That if either or both of the said bridges be built the board of county commissioners of each county be, and they are hereby, authorized to levy a special tax not to exceed ten (10) cents on the one hundred dollars valuation of property and Special tax authorized. Limit of rate.

thirty (30) cents on the poll, until the cost of the county's part of the expense of construction of such bridge or bridges has been paid.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 135

AN ACT TO AMEND SECTION 7, CHAPTER 260, PUBLIC-LOCAL LAWS OF 1915, RELATING TO ROAD TAX IN CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

Exemption from road tax.

SECTION 1. That the two (\$2.00) dollars to be collected from all able-bodied male persons between the ages of eighteen (18) and forty-five (45) years, shall not be applied to the people living on the beach and those living in Atlantic Township of said county. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 136

AN ACT SUPPLEMENTAL TO CHAPTER 200 OF THE PUBLIC LAWS OF 1907, TO PROVIDE FOR THE FURTHER ISSUANCE OF ROAD BONDS FOR SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Additional bond issue.

SECTION 1. That the board of commissioners of Sampson County, in order to continue the building, improving, and maintaining the public roads and bridges of said county, are hereby authorized, empowered and directed to continue to issue and sell, under the provisions of chapter 200 of the public laws of 1907, additional road bonds not to exceed in amount the sum of two hundred thousand dollars, said bonds to be issue and sold only as needed for the purposes expressed in said act: *Provided*, that the bonds issued and sold under this act shall be for a period of twenty years.

Amount.

Issue and sale.

Proviso: Maturity.

Repealing clause.

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 9th day of January, A. D. 1917.

CHAPTER 137

AN ACT TO AMEND PUBLIC-LOCAL LAWS OF 1913, CHAPTER 443, AND ALSO TO AMEND CHAPTER 417 OF THE PUBLIC-LOCAL LAWS OF 1915, AND TO AUTHORIZE A 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 seventeen, Public-Local Laws of one thousand nine hundred and fifteen, be stricken out and the following substituted as Section 1, as follows: "That A. G. Click, E. E. Harris, W. W. Whitaker, J. A. Park, J. M. Eldridge and H. D. Woodruff, 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."

Highway commission.

Incorporation.

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 appointed by county commissioners of Surry County as their terms expire, except as those hereinafter provided, and of 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 J. A. Park, J. M. Eldridge and H. D. Woodruff shall hold office for a term of two years from the ratification of this act."

Political affiliations.

Appointment of commissioners.

Terms.

SEC. 3. That the board of commissioners of Surry County be, and it is hereby, authorized, empowered and directed to issue in the name of the highway commission of Elkin Township bonds in a sum not exceeding five thousand dollars (\$5,000.00), with interest coupons attached, the proceeds of which to be used for the improvement of the public roads of Elkin Township and the streets of the town of Elkin as set forth in section three of chapter four hundred and forty-three of the public-local acts of one thousand nine hundred and thirteen.

Bond issue authorized.

Use of proceeds.

That said bonds shall be in denominations of one thousand dollars (\$1,000.00), five hundred dollars (\$500.00) or one hundred dollars (\$100.00), as the said highway commission of Elkin Township may deem best, the total amount not to exceed five thousand dollars (\$5,000.00). The said bonds shall bear a rate of interest not exceeding six per centum per annum, with interest coupons attached, payable semiannually during the time

Denominations:

Amount.

Interest.

- Maturity. the bonds shall run, the principal payable thirty years from their issue. Said bonds shall be payable in standard currency of the United States at the office of the treasurer of the said commission of Elkin Township, Surry County, provided for in this act, or at any bank or banks which the said highway commission may designate to the said board of county commissioners of Surry County. Both bonds and coupons shall be numbered consecutively, beginning with number one, and shall be signed by the chairman of the said board of county commissioners and the bonds countersigned by the clerk of said board of commissioners, and each bond shall be authenticated by the seal of the county, and they shall be styled "Elkin Township Highway Improvement Bonds."
- Authentication. SEC. 4. Immediately upon the preparation and signing of the said bonds the said board of county commissioners shall turn over to the chairman of the said commission of Elkin Township all of said bonds without the seal of the county being affixed to any of them. The chairman of the said commission of Elkin Township shall have the power to advertise and sell any or all of the said bonds at such time and places as the said commission may direct, and as the same may be needed for the improvement of the said roads, for the purpose of raising funds with which to construct and improve the public roads of the said Elkin Township, the expenses of such advertising and selling said bonds and other expenses necessary in regard thereto to be paid out of the funds arising from the sale of said bonds. Before delivering any of the said bonds sold by the provisions of this section and under this act, the chairman of the said commission of Elkin Township shall apply to the custodian of the seal of Surry County, whose duty 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 par value, nor shall they or their proceeds be used for any other purposes than those declared by this act: *Provided, however,* that the purchaser of said bonds shall not be required to see to the application of the funds. 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 bonds and their denominations, to whom sold, and the number of coupons attached.
- Bonds delivered without seal to highway commission. Advertisement and sale of bonds. Expense of advertisement and sale. Seal on bonds. Sale below par forbidden. Specific appropriation. Proviso: Obligation of purchase released. Record of bonds. Special tax. SEC. 5. To provide for the payment of the interest on said bonds, for the creating of an adequate sinking fund, for the redemption of said bonds, and for the maintenance of the public roads of said township improved and built by the funds arising

from the sale of the bonds authorized by this act, there shall be used a part of the special road tax provided for in section nineteen of chapter four hundred and forty-three of the Public-Local Acts of one thousand nine hundred and thirteen.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 138

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 that is subject to taxation in said county for the years one thousand nine hundred and seventeen and one thousand nine hundred and eighteen, 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.
Limit of rate.
Years.
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 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 of tax.
Collection.
Disbursement.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 139

AN ACT TO AMEND CHAPTER 695, PUBLIC-LOCAL LAWS 1915, RELATING TO FARM-LIFE SCHOOLS.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of Public-Local Act, chapter six hundred and ninety-five, one thousand nine hundred and fifteen, be stricken out and the following inserted in lieu thereof:

Departments to be maintained and established.

That in order to prepare the boys and girls in Surry County for farm-life and home-making, the board of education of Surry County are hereby authorized and they are directed to establish and maintain one or more high schools of Surry County a department of agricultural instruction and a department of training in domestic science and home economics.

Use of courthouse rooms.

SEC. 2. That section four of Public-Local Act, one thousand nine hundred and fifteen, chapter six hundred and ninety-five, be amended by adding the following after the word "school, last lines in said section:" That the board of education of Surry County are empowered to obtain the use of the new courthouse library rooms or parts thereof to be and for a laboratory, recitation rooms and apparatus necessary for the efficient instruction in the prescribed subjects of study: *Provided*, that the superintendent of instruction of this State shall approve the use of said courthouse building as is provided in said act as stated.

Proviso: Approval of location.

Repealing clause.

SEC. 3. That all laws and clauses of laws in conflict with this act are repealed, but no part not in conflict with this act is repealed, but the same is approved and confirmed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 140

AN ACT TO PROVIDE GOOD ROADS IN DUNN'S TOWNSHIP, FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Trustees named.

SECTION 1. That Benjamin Sykes, E. O. Pearce, H. H. Beadingfield, Johnny Stallings, J. N. Harris, and C. H. Mullen are hereby constituted a board of trustees for the public roads of Dunn's Township, in Franklin County. The first two shall hold the said position of trustees for six years, the next two for four years, and the last two for two years. At the expiration of the term of any, their successors shall be elected for two years at a ballot vote in general election, by the voters of said township. 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: *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.

Terms of office.

Election of successors.

Vacancies.

Proviso: Trustees not officers.

Incorporation.

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 Dunn's Township," and by that name may sue and be sued, make contracts, acquire, 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 said Dunn's 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 Franklin County: *Provided*

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 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 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.

SEC. 5. The said board of trustees shall annually elect a superintendent of roads for Dunn's 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 Dunn's Township, and he shall submit to said executive committee a monthly report concerning the work in progress and the moneys expended, and such 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.

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

Corporate name.
Corporate powers.

Control and management of roads.
Rights and powers vested.

Organization.
Treasurer.

Executive committee.

Meetings and organization.
Vouchers.

Delegation of powers.

Election of superintendent.
Compensation.

Term of office.
Proviso: Removal for cause.

Duty of superintendent.

Monthly reports.

Bond of superintendent.

Purchase of machinery.

Employment of engineer.

- Proviso: Road duty abolished. provisions of this act: *Provided*, that no person shall be subject to road duty.
- Entry on land for material. SEC. 7. That the superintendent of roads of Dunn's Township is hereby authorized to enter upon any uncultivated land near to or adjoining any public road of said township, to cut out 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 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 persons, 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 lands 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 the 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.
- Drains or ditches. 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 the 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 days nor more than sixty days after the completion of said road, order a jury of three disinterested freeholders of Dunn's Township to be selected and summoned by the sheriff of Franklin County, as provided by law, who shall give said landholder forty-eight hours notice of time and place, when and where the said jury shall 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 Franklin County from the decision of said trustee.
- Obstructing drains and ditches misdemeanor. Presentation and payment of accounts. Assessment by arbitration. Location and change of roads. Assessment of damages. Benefits considered. Proviso: Right of appeal.

SEC. 9. That the said board of road trustees shall be and are hereby authorized and empowered to issue bonds of said Dunn's Township, to be styled "Dunn's Township Bonds," to an amount not to exceed forty 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 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 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 Franklin County known as Dunn's Township, as constituted at the time of the ratification of this act.

Bond issue authorized.

Official entitlement.
Amount.
Denomination.
Interest.

Authentication.

Maturity.

Sale below par forbidden.

Obligation of bonds.

SEC. 10. 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 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 Dunn's 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.

Special tax.

Limits of rate.

Collection.

SEC. 11. 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 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. 12. That in the working and construction of roads either convict 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 Franklin

Labor.

Convict labor.

County or any township therein shall exist and apply to the use of convicts on the roads of Dunn's Township.

Sections in force from ratification.

Election on bond issue.

Election officers.

New registration. Count and canvass of vote.

Report and record.

Ballots.

Effect of election.

Repealing clause.

SEC. 13. That all the provisions of this act except sections nine and ten hereof shall be in force from and after the ratification of this act; and that said sections nine and ten hereof and the powers granted and provisions made herein shall be in force from and after the same shall have been submitted to the vote of the qualified voters at an election to be held on a day designated by the board of county commissioners of Franklin County, to be called without a petition. For the holding of said election the said board of county commissioners shall appoint a registrar and two pollholders and any other officers necessary to said election, and shall order a new registration. At the close of said election said registrar and pollholders 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 the 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 said sections nine and ten hereof, shall cast ballots on which shall be printed or written "For Road Bonds," and those opposed to such shall cast ballots on which shall be written or printed "Against Road Bonds." 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," the said bonds shall be issued, not to exceed forty thousand dollars, and said tax levied, and the other powers and duties exercised under said sections nine and ten hereof shall be applied and used under the other provisions of this act.

SEC. 14. That all laws and clauses of laws in conflict with the provisions of this act, so far as they relate to said Dunn's Township, are hereby repealed.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 141

AN ACT TO PROVIDE GOOD ROADS IN GOLD MINE TOWNSHIP, FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Trustees.

SECTION 1. That A. S. J. Hamlett, R. L. Hayes, Dr. H. G. Perry, R. H. Griffin, W. D. Upchurch, J. J. Lancaster are hereby con-

- stituted a board of trustees for the public roads of Gold Mine Township, in Franklin County. The first two shall hold the said position of trustees for two years, the second two for four years, and the last two for six years. At the expiration of the terms of any, their successors shall be elected for two years at a ballot vote in general election by the votes of said township. 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: *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 A. S. J. Hamlett is hereby appointed treasurer of the board of trustees for a term of two years.
- 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 Gold Mine Township," and by that name may sue and be sued, make contracts, acquire, exchange, and sell the same, and exercise other such 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 said Gold Mine Township, and said trustees are hereby vested with all the rights and privileges for such control and management as are now vested in and exercised by the board of county commissioners for Franklin County.
- SEC. 4. The board of trustees shall annually elect a chairman, a treasurer, and a secretary. 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. S. J. Hamlett is hereby appointed treasurer of said township for a term of four years. 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.
- SEC. 5. The said board of trustees shall annually elect a superintendent of roads of Gold Mine 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
- Terms of office.
Election of successors.
Vacancies.
Proviso: Trustees not officers.
Treasurer.
Incorporation.
Corporate name.
Corporate powers.
Control and management of roads.
Rights vested.
Organization.
Treasurer.
Executive committee.
Meetings and organization of committee.
Vouchers.
Delegation of powers.
Election of superintendent.
Compensation.
Term of office.
Proviso: Removal for cause.

- said board after having 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 Gold Mine Township, and he shall submit to said executive committee a monthly report concerning the work in progress and the moneys expended, and such 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.
- Duties of superintendent.**
- Reports.**
- Bond.**
- Machinery and implements.**
- Engineer and surveyor.**
- Proviso: Road duty abolished.**
- Entry on land for material.**
- Obstructing drains or ditches a misdemeanor.**
- Punishment.**
- Presentation and payment of claims.**
- Assessment by arbitration.**
- Location and changes of roads.**
- Procedure for assessment of damages.**
- 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 Gold Mine 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 carry away any gravel, sand, clay, or stone which may be necessary to construct, improve or repair such road, and enter upon any lands adjoining or lying near 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 persons, or 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 the same at a fair price; and in case of any disagreement as to the value the superintendent of roads shall appoint one freeholder, or 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 said superintendent of roads, with the approval of 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 land 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 Gold Mine Township to be selected and summoned by the sheriff of Franklin County as provided by law, who shall give said landholders 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 Franklin County from the decision of said trustees.

SEC. 9. That the said board of road trustees shall be and are hereby authorized and empowered to issue bonds of said Gold Mine Township, to be styled "Gold Mine Township 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 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 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 Franklin County known as Gold Mine Township, as constituted at the time of the ratification of this act.

SEC. 10. 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 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 Gold Mine Township, of not less than fifteen cents and not more than twenty-five cents on the one hundred dollars assessed

Benefits considered.

Proviso: Right of appeal.

Bond issue authorized.

Official entitlement. Amount. Denominations.

Interest.

Authentication.

Maturity.

Sale below par forbidden.

Obligation of bonds.

Special tax.

Limit of rate

Collection and settlement.	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.
Use of proceeds of bonds.	SEC. 11. 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 the employment of such officers and labor as may be found necessary in the carrying out of this work.
Convict or hired labor.	SEC. 12. 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 Franklin County or any township therein shall exist and apply to the use of convicts on the roads of Gold Mine Township.
Use of convicts.	
When act effective.	SEC. 13. That all the provisions of this act except sections nine and ten hereof shall be in force from and after the ratification of this act, and that said sections nine and ten hereof and the powers granted and provisions made herein shall be in force from and after the same shall have been submitted to the vote of the qualified voters at an election to be held on a day to be designated by the board of county commissioners of Franklin County, to be called without a petition. For the holding of said election the said board of county commissioners shall appoint a registrar and two pollholders and any other officers necessary to said election and shall order a new registration. At the close of said election said registrar and pollholders 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 the 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 special tax and the other provisions of said sections nine and ten hereof, shall cast ballots on which shall be printed or written "For Road Bonds," and those opposed to such shall cast ballots on which shall be written or printed "Against Road Bonds." 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," the said bonds shall be issued, not to exceed twenty-five thousand dollars, and said tax levied, and the other powers and duties exercised under said sections nine and ten hereof, and shall be applied and used under the provisions of this act.
Election on bond issue and tax.	
Election officers.	
New registration. Count and canvass of votes.	
Report and record.	
Ballots.	
Effect of election.	

SEC. 14. That all laws and clauses of laws in conflict with ^{Repealing clause.} the provisions of this act, as far as they relate to said Gold Mine Township, are hereby repealed.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 142

AN ACT TO VALIDATE ALL PROBATES OF DEEDS AND DEEDS IN TRUST MADE AND TAKEN PRIOR TO JANUARY 1, 1917, BY T. C. ALSTON, A JUSTICE OF THE PEACE OF WARREN COUNTY, WHERE SAID DEEDS AND DEEDS IN TRUST CONVEY LAND LYING IN HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all probates of deeds and deeds of trust made ^{Probates confirmed and validated.} and taken prior to January first, nineteen hundred and seventeen, by T. C. Alston, a justice of the peace of Warren County, where said deeds and deeds in trust attempt to convey land lying in Halifax County, the probates thereof shall be in all respects confirmed, and are hereby validated.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 143

AN ACT TO AMEND CHAPTER 152, PUBLIC-LOCAL LAWS OF 1915, RELATIVE TO SALARIES OF COUNTY OFFICERS AND ESTABLISHING THE OFFICE OF COUNTY AUDITOR FOR WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of said act shall be amended as follows: Add after the word county in line three in said section and before the period the following: "The office of deputy not to ^{Salary of office deputy.} receive less than seventy-five nor more than one hundred dollars per month."

SEC. 2. That section twelve of said act shall be amended as follows: Strike out all after the word "county" in line one of said section and before the first word "and" in line four, and insert in lieu thereof the following: "It shall be the duty of the ^{Auditor to make tax lists.}

auditor of Warren County to do and perform all duties required by law of the register of deeds of said county of Warren relative to making out tax lists, computing taxes, copying tax lists, making abstracts and returns, and he shall supervise and direct the listing of all taxes levied in said county and shall perform all the duties required by law 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 Warren.

County assessor. Repealing clause. SEC. 3. That 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 9th day of January, A. D. 1917.

CHAPTER 144

AN ACT TO PROVIDE FOR THE CONSTRUCTION AND REPAIR OF THE PUBLIC ROADS AND BRIDGES OF ROBESON COUNTY AND TO LEVY A SPECIAL TAX THEREFOR.

The General Assembly of North Carolina do enact:

Road districts. SECTION 1. That for the purpose of the construction and repair of the public roads of Robeson County under the provisions of this act, the county of Robeson shall be, and is hereby divided into five districts, to contain the territory, and be known and designated, as follows, to wit: District number one shall be composed of Lumberton, Orrum, Wishart's, Howellsville and Britt's townships. District number two shall be composed of Rowland, Gaddys, Fairmont, White House and Sterling's township. District number three shall be composed of Maxton, Alfordsville, Pembroke, Back Swamp and Thompson's townships. District number four shall be composed of Red Springs, Smith's, Raft Swamp, Saddletree and Burnt Swamp townships. District number five shall be composed of Lumber Bridge, Shannon, Parktōn, Rennert and St. Paul's townships.

Road commission of Robeson county. SEC. 2. That in order to perform all the duties heretofore performed and to exercise all the powers heretofore exercised by the road trustees of the several townships and by the board of commissioners of Robeson County in relation to the public roads and bridges of said county, and certain other duties as provided in this act, there shall be, and is hereby, created a body to be known and designated as the "Road Commission of Robeson County," hereinafter called the road commission, or the commission. Said road commission shall be a body politic and corporate, may sue and be sued, plead and be impleaded, adopt a common seal, and do any and all things which may be necessary

Official entitlement.

Incorporation.

Corporate powers.

for, the proper accomplishment of the purposes specified in this act, and may purchase and hold all property which may be necessary for the exercise of the powers herein conferred upon it.

SEC. 3. That said road commission shall be composed of five members, one to be elected from each of the five road districts created hereby, and the members of said road commission shall hold office for a term of four years and until their successors are elected and qualified. And until the general election to be held in one thousand nine hundred and eighteen, and until their successors are elected and qualified, the following persons shall compose the said road commission, to wit: The member of said road commission from district number one shall be A. E. White. The member of the said road commission from district number two shall be A. L. Bullock. The member of said road commission from district number three shall be J. A. McCormick. The member of said road commission from district number four shall be J. B. Humphrey. The member of said road commission from district number five shall be J. M. Butler.

SEC. 4. At the general election to be held for the year one thousand nine hundred and eighteen, and at each general election to be held thereafter for the election of county officers, there shall be elected by the qualified voters of Robeson County five members of said road commission, and said election shall be held under the same rules and regulations and at the time now or hereafter provided by law for the election of other county officers. At all general elections a separate ballot box shall be provided which shall be labeled "For members of the road commission of Robeson County," 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 road commissioners shall reside in a different road district of Robeson County at the time of his election as provided by this act, so that at all times each road district shall have one representative upon said board of road commissioners, and no person shall be eligible to election unless he shall have resided in the road district for which he is elected for at least twelve months next preceding the election.

SEC. 5. If for any cause there should be a vacancy in said road commission the remaining members thereof shall appoint some suitable and competent citizen, resident of the district in which the vacancy exists, to fill such vacancy, and the person so chosen shall be one who would be eligible to election as hereinbefore set forth, and the person so chosen shall serve the unexpired term and until his successor shall be elected and qualified as provided by law.

SEC. 6. The members of said road commission, before entering upon the discharge of their duties, in addition to the oath to

Number and election of commissioners.

Term of office.

Commissioners.

Election of successors.

Ballot box.

Residence of commissioners.

Eligibility.

Vacancies.

Commissioners to qualify.

support the Constitution and laws of the United States and of the State of North Carolina, shall take before the clerk of the Superior Court of Robeson County the following oath of office, which oath shall be signed by each member and shall be attested by said clerk and recorded in the book of official oaths, to wit:

Form of oath.

"I..... do solemnly swear (or affirm) that I will honestly, diligently, and faithfully perform the duties of the office of member of the road commission of Robeson County to the best of my knowledge, skill and ability so help me God."

Meeting and organization.

SEC. 7. The said road commission shall meet at the courthouse in Lumberton within twenty days after the ratification of this act and shall proceed to organize by the election of one of its members as chairman, and some competent citizen of Robeson County as secretary. Said road commission shall hold a regular meeting at the courthouse in Lumberton on the first

Regular meetings.

Special meetings.

Monday in each month, and special meetings may be held at any time upon the call of the chairman or any two members of the board upon two days notice to the members who do not join in the call. It shall be the duty of the board of commissioners of Robeson County to provide a suitable room in the courthouse at Lumberton for the use of said road commission and the secretary thereof. The members of said road commission shall receive as compensation while actually engaged in the performance of their duties, the following amounts: the chairman of said road commission shall receive the sum of seven dollars and fifty cents per diem and actual expenses; and the other members five dollars per diem and their actual expenses; but no per diem shall be paid for more than one day in any one month. The secretary shall receive such salary or per diem as the commission may provide and shall give such bond as the commission may determine.

Room to be provided.

Pay of commissioners.

Salary of secretary.

Minutes of road commission.

SEC. 8. The secretary of said road commission shall keep a record and minutes of all its proceedings in a book to be provided for that purpose, to be known as the "Minutes of the road commission of Robeson County," and the same, together with all other records, papers, and vouchers, shall be at all times kept open to the inspection of the public.

Records open for inspection.

Election of superintendent of roads.

SEC. 9. There shall be elected by said road commission on or before the first Monday in April, one thousand nine hundred and seventeen, and annually thereafter, a competent, skillful, and experienced person, having practical experience in modern methods of road building, who shall be known and designated as the "superintendent of roads;" and there shall also be elected (if the road commission deem necessary) a skilled and experienced civil engineer, also experienced in modern methods of road building, who shall assist the superintendent of roads in the discharge of his duties as fixed by this act, and who shall be

County engineer.

known and designated as "county engineer." The said superintendent of roads and county engineer (if one be elected) shall be paid a just and reasonable compensation to be fixed by said road commission, and the salaries shall be paid out of the taxes to be levied and collected under this act. The said superintendent of roads and county engineer shall be elected by the road commission upon the nomination and recommendation of the State Highway Commission. If the person so nominated and recommended be not satisfactory to the road commission, then the said commission shall have power to reject the nomination, and in such event the State Highway Commission shall nominate some other competent and suitable person; and this method shall be pursued until a suitable, competent and efficient person be elected.

Pay of superintendent and of engineer.

Nomination and recommendation of State Highway Commission.

Rejection of nomination.

SEC. 10. Before entering upon the discharge of his duties the said superintendent shall give bond in the penal sum of five thousand dollars, with surety to be approved by said commission, conditioned upon the faithful performance of his duties and the proper accounting for all funds which may come into his hands belonging to his trust, which said bond shall be first approved by said commission and filed with the secretary and recorded. The said commission in like manner may cause the county engineer (if one be elected) to give such bond as the commission may, in its discretion, determine. In case such bonds be given in surety companies then the premiums thereon shall be paid by the commission from the road taxes to be collected under the provisions of this act.

Bond of superintendent.

Bond of engineer.

Payment of premiums.

SEC. 11. The said road commission, or the superintendent of roads under its direction, and as its agent, shall have power and authority to employ and fix the rate of compensation of such overseers, foremen, laborers, and other employees as may be necessary to be employed to carry out the provisions of this act, and the persons so employed shall be at all times under the supervision and subject to the full authority of said commission and its agents, and said commission shall have full authority to at all times suspend, remove or discharge any of its employees, including the superintendent of roads and county engineer.

Overseers and other employees.

Supervision of employees.

Power of discharge.

SEC. 12. The said road commission shall perform all the duties which have heretofore been performed, and exercise all the powers heretofore exercised by the boards of road trustees of the several townships within the county of Robeson, or by the board of commissioners thereof, or by any other body or person now or heretofore acting under authority of existing law in relation to the public roads and bridges of said county, whether under general law or by special statute, and the management and control of all the public roads and bridges within said county shall be vested absolutely and entirely in said road com-

Duties and powers of commission.

Control of public roads and bridges.

Convict force.

Details of authority.

Cartways.

Public bridges.

Township system abolished.

Expenditures without regard to townships.

Proviso: Equalization of road conditions.

Convicts subject to road work.

Keeping and maintenance of convicts.

Proviso: Discretion of court.

mission. The said commission, or its duly authorized agent, shall have power and authority to supervise, direct and have full charge and control of the building, maintenance and repair of all public roads and bridges in said county, including the control of the county convict force, it shall have full and complete authority to determine what roads or parts of roads shall be worked and improved and how, when and in what manner the work shall be done; it shall have full charge and control of the laying out of new roads, the widening or relocating of any public road now in use, and discontinuing old roads, the establishment of cartways; it shall have full charge and control over all public bridges, and shall have full and complete power and authority to do any and all things necessary to be done in the proper furtherance and for the prompt discharge of said duties and all other duties imposed upon it by this act.

SEC. 13. The system of working the public roads of Robeson County by townships, expending within each township the road taxes collected within that township is hereby abolished; and hereafter all public roads of said county shall be worked, improved, maintained and repaired, and all public bridges, built, cared for and kept up from the taxes to be levied and collected under the provisions of this act, and the taxes so collected may be expended for road or bridge purposes in accordance with this act as the same may be necessary in any part of the county without respect to the township or section from which the taxes were derived: *Provided, however,* that in expending the receipts from road taxes to be levied and collected under the provisions of this act the said road commission shall disburse the same so that the public roads and bridges in each of the districts hereby created shall be kept in as good condition, so far as possible, as the public roads and bridges are in the other districts.

SEC. 14. All person confined in the county jail of Robeson County under final sentence of a court of competent jurisdiction for crime or imprisoned for nonpayment of any fine or costs, or under final judgment in cases of bastardy, or as vagrants, and all persons who would otherwise be sent to the common jail or to the State prison for a term of not more than ten years, and in all other cases permitted by law, shall be worked upon the public roads of Robeson County under the direction and control of said road commission; and all such convicts shall be guarded, fed and clothed, and otherwise cared for and maintained out of the taxes to be collected under the provisions of this act: *Provided,* that in any case where a person has been convicted of a crime for which he might be sentenced to a term in the State prison, the presiding judge may, notwithstanding the provisions of this act, sentence such person to serve his term in the State prison if he be satisfied that the best interests of the public require that

such person be so confined instead of being worked upon the public roads as above provided.

SEC. 15. The said road commission shall not be required to pay to the county of Robeson any amount for insolvent costs which may be due in cases in which the prisoners are sentenced to be worked upon the public roads, but said costs shall be paid by the county of Robeson as now provided by law.

Insolvent costs.

SEC. 16. The said road commission is hereby authorized and empowered to use the common jail of said county for the safe keeping of said convicts, or to build and keep a convict camp or camps for said purpose. In the event of serious physical disability, certified to by the county physician, persons convicted in any court and sentenced to work upon the roads may be sent to the State prison or to the county jail whenever they cannot be kept at work upon the roads without danger to their health or life.

Safe keeping of convicts.

Convicts under physical disability.

SEC. 17. The said road commission is hereby authorized to accept convicts from other counties of the State, sentenced by any court of competent jurisdiction, whenever in its judgment it is deemed advisable to do so, and the expense of transporting and maintaining such convicts shall be paid from the taxes to be collected under this act.

Convicts from other counties.

SEC. 18. The said road commission shall have power to employ all guards, attendants, cooks and other persons as may be necessary to properly guard and care for such convicts, and shall fix the compensation to be paid which shall be borne and paid from the taxes to be levied and collected for road purposes under the provisions of this act.

Guards, attendants and cooks.

SEC. 19. The convicts sentenced to work upon the roads of said county prior to the passage of this act shall, from the time of the organization of said commission, be under the control and management of said commission, and all persons who may have charge or control of such convicts shall, upon demand of the chairman of said commission, deliver said convicts to said commission or its duly authorized agent, and also any and all equipment heretofore used in connection with the convict force, including camps, cages, stoves, bedding, equipment, plows, scrapers, machinery, and all other material or equipment of whatever character shall be delivered by the board of commissioners of Robeson County, or other person in charge thereof, to the said road commission, and the same shall thenceforth be and become the property of said commission to be used for the purpose of carrying the provisions of this act into effect.

Convicts heretofore sentenced.

Equipment.

SEC. 20. That said chain-gang shall be entirely under the direction and control of the said road commission, and the said commission shall determine where said force shall be worked and what work it shall do: *Provided, however,* that except in

Direction and control of chain-gang.

Proviso: Worked as one body.

cases of emergency, such convicts shall be worked as one body to save expenses instead of being worked in small gangs as heretofore: *Provided further*, that said convicts shall be so worked as to give each road district within the county, so far as practicable, its fair and proper share of the benefits to be derived from the working of said force upon the roads.

Proviso: Apportionment to districts.

Employment of labor.

Pay of hands.

Days work.

Teams and tools.

SEC. 21. That in addition to the convict force, said road commission shall have power and authority to employ such free labor as may be necessary for the proper construction, maintenance, and repair of the public roads and bridges in accordance with the provisions of this act, and it shall determine what number of persons and what persons shall be employed and the compensation to be paid; it shall also specify how many hours work shall constitute a days labor; and said road commission shall also have full power and authority to engage, purchase, or hire such teams, tools, machinery and equipment as may be necessary for use upon the public roads and bridges, and to pay therefor reasonable compensation; and all such expense, whether for labor, equipment, or material, shall be paid for from the taxes to be levied and collected under this act.

Sections of road.

Record of sections.

Contracts for dragging and repairs.

Commission to furnish drags.

SEC. 22. As soon as practicable after its organization said road commission, or the superintendent of roads under its direction, shall lay off and divide each public road in Robeson County into convenient sections such as will enable each section to be ordinarily kept up and maintained by one person with the assistance of a team; and upon the laying off of such sections a record thereof shall be kept in the minute book of the commission. Thereupon it shall be the duty of the commission to make such arrangements as may be necessary, by contract or otherwise, to cause each section of each public road within the county to be dragged with a drag of such kind as may be determined by the commission, and as often as may be necessary for the proper upkeep of the section, and to cause any and all repairs to be made to each section as may be necessary to keep such section in good condition for public travel. The said commission may cause the necessary drags to be provided by the person who may contract for the upkeep of the particular section, or else it may purchase a number of drags to be used upon the different sections, or may use both methods in different sections as it may in its discretion determine.

Plans and specifications.

SEC. 23. As soon as practicable after the division of the roads in sections as above provided, it shall be the duty of the road commission to prepare or cause to be prepared plans and specifications for the dragging, upkeep and repair of each section of road within the county, which plans and specifications shall specify when, how, and in what way and manner each section is to be dragged; when, how, and in what manner each section is

to be gone over for the purpose of filling holes, leveling, etc.; what distance on either side of the center is to be kept free from growth; what ditches are to be dug or cleaned out, and when and how often the work is to be done; what bridges are to be repaired, and in what way and manner; and in general such specification shall contain such complete information as will enable any person contemplating to bid for the contract to keep that section in repair to intelligently understand the specifications and be prepared to submit an intelligent bid for doing the work therein required to be done.

SEC. 24. As soon as practicable after the preparation of said plan and specifications, it shall be the duty of said commission to advertise once a week for two weeks in some newspaper published in Robeson County to the effect that at a time and place to be therein specified said commission will meet for the purpose of receiving bids for the dragging, upkeep, and repair of those sections of public roads as are specified in such advertisement; and said commission shall have full power and authority to make any and all necessary rules and regulations for the submission of bids and all necessary machinery in connection therewith, which, when adopted, shall be in the form of a resolution duly entered upon its minute book. It shall not be necessary to wait until the work of laying off all roads in the county in sections has been done before advertising for bids, but such bids may be advertised for and received as soon as the sections have been laid off in any one district or part of a district, and then from time to time as the work of laying off into sections is completed until the entire county has been covered.

SEC. 25. Upon the day or days specified in such advertisement the said commission shall meet to receive bids for the contract for the dragging, upkeep, and repair of the sections as advertised; and shall, at such meeting, open and canvass all bids submitted; and shall, other things being equal, award the contract for any section to the lowest responsible bidder for that section who will furnish such bond as the commission may prescribe, conditioned for the faithful performance of the contract: *Provided, however,* that the awarding of any contract to the lowest bidder shall not be obligatory upon the commission if, in its judgment, the said award would not be to the public interest: *Provided further,* that the commission shall have power to reject any and all bids and to call for new bids if not satisfied with those submitted.

SEC. 26. It shall be the duty of said commission to make and keep a record of all contracts made by it with any person, firm, or corporation for the upkeep and repair of any section or sections of the public roads or bridges of Robeson County, and before entering into any such contract said commission shall cause

Advertisement
for bids.

Submission of
bids.

Time for adver-
tising.

Opening of bids.

Award of con-
tracts.

Proviso: Judg-
ment of commis-
sion.

Proviso: Right
to reject all bids.

Record of con-
tracts.

Contractors to
give bonds.

the person to whom the same has been or is to be awarded, to execute and deliver to the commission a good and sufficient bond in such sum as the commission may prescribe, with surety to be approved by it, conditioned for the faithful discharge and performance on the part of the contractor with the provisions of his contract, and all such bonds shall be filed with the secretary of the commission. It shall be the duty of the commission to cause to be printed a form of the bond for use by all contractors, and to furnish all prospective contractors with a copy thereof.

Printed forms.

Inspections.

SEC. 27. Upon the execution of any contract or contracts with any person, firm, or corporation for the upkeep and repair of any section or sections of the public roads or bridges, it shall be the duty of the superintendent of roads, or other authorized agent of the commission, to cause such frequent inspections to be made as may be necessary to ascertain and determine whether or not the contractor is carrying out and performing his part of the contract; and before any money shall be paid to any such contractor for services in dragging, upkeep or repair of any public road or bridge, his bill therefor must be presented to and, after inspecting the work, approved by the superintendent of roads, or other authorized agent of the commission, and unless so approved the commission shall have no power or authority to cause any such bill to be paid. Notwithstanding the approval of such bill by its superintendent of roads or other agent, the commission may still refuse payment in case it is satisfied, after inspection or investigation, that such bill is not a proper one or that the contractor has not properly performed his duty under the contract. In case it should become necessary to bring any suit or action upon any bond given by any contractor, then the said commission shall cause all the facts to be laid before the solicitor of the ninth judicial district, and it shall be his duty to represent the commission in the prosecution of such suit.

Presentation and approval of bills.

Refusal of payment.

Suit on bonds.

Notice to contractors.

SEC. 28. If at any time said commission or superintendent under its direction shall, after inspection or investigation, be of opinion that any contractor has failed or is failing to comply with the terms of his contract, or is not keeping his section in proper condition or in the condition contemplated by his contract, or has not done or is not doing the things to be done and performed by him under and in accordance with his contract, then it shall be the duty of the commission to notify such contractor to put his section in proper condition and to comply with the contract within five days or within such time as the commission may prescribe with a view to the exigencies of the situation, and if, within the time specified, the contractor shall fail to put his section in condition as specified by the notice, then the commission shall have power to declare such contract forfeited and to proceed to award another contract for the upkeep and re-

Forfeiture of contract.

pair of that section; and in case of such default no moneys shall be paid to any contractor for any services theretofore performed by him under the contract. The said road commission shall be the final judge as to whether any contractor has complied with the terms of his contract, and no appeal shall lie by any person from its decision. In case the commission shall sustain damages through failure upon the part of any contractor to comply with the provisions of his contract, then the commission shall cause the facts to be laid before the solicitor of the ninth judicial district, who shall bring suit on behalf of the commission upon the bond of any such contractor and prosecute such action to final judgment.

Decision of commission final.

Suits for damages.

SEC. 29. In the same way and manner as above provided for the upkeep and repair of the public roads of Robeson County, it shall be the duty of the commission to take the necessary steps to cause the public roads to be properly ditched and drained, and may cause this to be done either by contract after the method above provided, or by other means and methods as it, in its discretion, may determine; and this section shall also apply to all public bridges in the county.

Ditching and draining roads.

Public bridges.

SEC. 30. All expenses of building, maintaining, and repairing the public roads and bridges of Robeson County as provided by this act, or otherwise provided by law, shall be borne and paid out of the road taxes to be levied and collected under the provisions of this act.

Payment of expenses.

SEC. 31. The method for building, repairing and maintaining the public roads and bridges of Robeson County as above provided shall not be exclusive, but in addition thereto the said road commission shall have full power and authority to adopt such other means, ways, and methods as it in its discretion may deem best and proper as necessary for the proper accomplishment of the purposes of this act, and as may best serve the interest of the roads and bridges of the county. It shall, however, be the duty of the commission to give the plan for the upkeep and repair of the public roads and bridges above provided, a fair, thorough, and adequate trial before abandoning such method in favor of other methods.

Discretionary powers.

Trial of system.

SEC. 32. All public roads within Robeson County shall be twenty feet wide unless the road commission shall, by resolution, prescribe a different width; and in case the commission shall prescribe a different width then the width prescribed shall be deemed the legal width of the road or roads to which any such resolution applies.

Width of roads.

SEC. 33. In relocating or widening any road now in use or in opening new roads, the road commission shall cause a survey of the proposed change of an old road, or the route of a new road to be made, and shall give notice to the landowner that said

Surveys of road work.

Notice to land-owners.

road is to be opened or widened and that the land is condemned and needed for the use of the public for road purposes. It shall thereupon be the duty of the commission, or its authorized agent, to ascertain the damage done to the land thus taken and appropriated for the use of the road, if any, and to agree upon and to pay the owner a reasonable compensation therefor; and if said amount so agreed upon is approved by said commission, an order shall be drawn therefor and the amount paid out of the taxes to be collected under this act. In case the commission or its agent cannot agree with the owner as to the damages, then it shall be the duty of the landowner to apply to the clerk of the Superior Court of Robeson County, whose duty it shall be to at once appoint three disinterested freeholders of the district in which the land lies as commissioners to assess the damages. The clerk shall issue an order to the commissioners to meet upon the premises at the time designated by him, which time shall be not less than five days nor more than ten days after the service of the notice upon the commissioners by the sheriff or other lawful officer, and the clerk shall likewise cause notice to be given by some authorized officer to the landowner and to the road commission. Upon the day specified in the order the commissioners shall meet upon the premises, and after being duly sworn by some person authorized to administer oaths to act fairly and impartially in the matter, shall proceed to ascertain the damages; and the commissioners shall take into consideration the benefits which will accrue to the remainder of the property of the landowner by the building or widening of the road, whether such benefits be common to all persons through whose land said road shall pass or be confined to the particular landowner, and whether such benefits be general or special, and also any damages which the landowner may sustain by the construction or widening of said road, subtract one from the other and report the difference if any, as their verdict. The landowner and the road commission shall have the right to appear before the commissioners in person or through attorney and argue the matter. Said commissioners shall make their report in writing, and the same shall be filed in the office of the clerk of the Superior Court and shall be recorded upon the judgment docket. That except as herein otherwise provided, the rules of practice and procedure governing other special proceedings shall apply to the proceedings for condemnation under this act.

Payment of damages.

Procedure for assessment of damages.

Benefits considered.

Hearing.

Right of appeal.

Notice of appeal.

If either the landowner or the commission shall feel aggrieved by the verdict of the commissioners, they shall have the right to appeal to the Superior Court in term time as in cases of special proceedings, and the party who appeals shall, within ten days after the filing of the report of the commissioners, serve notice of appeal upon the other party, stating the grounds of the

appeal, and thereupon the clerk shall transfer the cause to the trial docket of the Superior Court of Robeson County. The taking of an appeal by either party shall not have the effect of vacating or suspending the verdict of the commissioners, but notwithstanding such appeal the road commission, upon payment of the amount fixed by the commissioners, shall have the right to enter upon the said lands at once and cause the same to be taken and used for a public road, and any and all damages which may be finally assessed shall be paid out of the taxes to be collected under this act.

SEC. 34. That for the purpose of carrying out the provisions of this act the road commission or its authorized agents, after consulting with the landowner, are hereby authorized to enter upon any lands near or adjacent to any public road and to cut and carry away any timber, except shade trees, and to dig and remove any sand, clay, or stone which may be necessary to construct, improve or repair any public road, and to enter upon any land adjoining or lying near the road in order to make such changes as may be necessary; and any person who shall interfere with the superintendent of roads, county engineer, foreman, overseers, or other authorized agents of the commission, shall be guilty of a misdemeanor and shall, upon conviction, be fined or imprisoned in the discretion of the court. The landowner of any land from which any material shall be taken as aforesaid shall present an itemized account of the same to the road commission, and it shall be the duty of the commission to pay a just and reasonable compensation therefor. If the owner be dissatisfied with the amount offered by the commission he may bring suit against the commission in any court of competent jurisdiction to recover such just and reasonable compensation.

SEC. 35. It shall be the duty of the road commission, or its authorized agents, to cause all public roads within the county to be thoroughly ditched and drained, and to that end they are authorized to enter upon the lands of any person or persons and to cut such ditches or drains through any lands as may be necessary to properly drain any public road, doing as little damage to the improved or cultivated land as possible. The owner shall be paid a reasonable compensation for any damage done after the amount is fixed and approved by the commission; or if the landowner be dissatisfied with the amount fixed by the commission he may sue the commission in any court of competent jurisdiction, and it shall be the duty of the commission to pay the amount of any final judgment that may be rendered against it out of any road funds under its control.

SEC. 36. It shall be the duty of every person who, for the purpose of draining land, or for any other purpose, shall desire to construct any ditch or drain across any public road in the county

Work pending appeal.

Entry on land for material.

Interference with officers misdemeanor.

Punishment.

Presentation and payment of accounts.

Suit.

Ditches and drains.

Payment of damages.

Suit for compensation.

Ditches across roads.

- Specifications. of Robeson, to give written notice of such desire to the road commission, and it shall be the duty of the superintendent of roads, within two days after the receipt of such notice, to inspect the premises and to prescribe the material which shall be used in the construction of a bridge or culvert to be placed over or under such road, and shall likewise prescribe the dimensions of any drain and how the same shall be constructed, and of what material, and shall put such specifications in writing if requested so to do by the landowner. It shall be the duty of the landowner to cause such bridge or culvert to be constructed in the way and manner and of the material prescribed by the said superintendent, and after the same is finished it shall be the duty of the landowner to notify the superintendent, who shall proceed to inspect the same, and if it is properly constructed he shall accept the same; and if not properly constructed shall notify the landowner, who shall make such changes as may be necessary to cause the bridge or culvert to conform to the specifications of the superintendent. Upon the acceptance of any such bridge or culvert the same shall become and thereafter remain a public charge, and shall be kept up and maintained at the expense of the public road funds, but the original cost of construction shall be paid by the landowner or person desiring the construction thereof. If any person shall dig any ditch or drain upon, along or across any public road without first complying with the provisions of this section, he shall be guilty of a misdemeanor and shall, upon conviction, be fined or imprisoned in the discretion of the court.
- Construction and approval of bridges and culverts. SEC. 37. It shall be the duty of the road commission to provide suitable watering places for animals upon the public roads by the side thereof, whenever in their judgment it can be done at moderate cost and will prove a benefit to the public. It shall also be the duty of the commission to cause to be prepared and created and maintained, neat and substantial sign posts at the intersection of all public roads, giving the name of the most important points to which such road leads in each direction, with the distance therefrom to such points; and to cause mile posts to be placed on all public roads leading to market towns in the county, giving the distance thereto. Any person destroying, damaging or defacing any sign post or mile post erected under the authority of this act or of law shall be guilty of a misdemeanor and shall, upon conviction, be fined or imprisoned in the discretion of the court. If the road commission fail to erect the mile and sign posts specified in this section within a reasonable time to afford opportunity to comply with this section after their induction into office, then each member so failing in his duty under this section shall be deemed guilty of a misdemeanor and fined in the discretion of the court or imprisoned.
- Public charge.
- Misdemeanor.
- Punishment.
- Watering places.
- Sign posts.
- Mile posts.
- Misdemeanor.
- Punishment.
- Failure to erect posts, misdemeanor.
- Punishment.

SEC. 38. It shall be the duty of said road commission to provide suitable foot logs across all swamps and streams not bridged upon any public road, and such foot logs shall extend across the entire width of such swamp or stream to highwater mark on either side, and kept in good repair. Foot logs.

SEC. 39. It shall be the duty of said road commission to cause all railroad companies operating within Robeson County to construct and keep in good order and condition the bed of all public roads across the said railroads and cause proper approaches to be built thereto; and if any railroad company after being duly warned by the said commission or its authorized agent by written notice of fifteen days, shall neglect or refuse to construct and repair said road bed or approaches, within fifteen days after receipt of such notice, then said railroad company shall forfeit and pay the sum of twenty-five dollars to be recovered in an action instituted by said road commission before a justice of the peace; and each week's neglect or refusal shall constitute a separate offense. Railroad crossings.
Penalty on railroads.
Separate offense.

SEC. 40. It shall be unlawful for any railroad company to obstruct the drainage of any public road or highway by its roadbed or otherwise, or empty water from its ditches into any public road or highway, and if any railroad company, being warned by the commission or its authorized agent by leaving written notice with any station agent, shall refuse or neglect to remedy the condition within ten days after receipt of such notice, it shall forfeit and pay the sum of twenty-five dollars for each offense, to be recovered in an action brought by the commission before a justice of the peace; and each week's failure or refusal shall constitute a separate offense. Drainage by railroad companies.
Penalty.
Separate offense.

SEC. 41. If any person or persons or any railroad company or other corporation, or any servant or employee thereof, shall cause any public road within Robeson County to be blocked or obstructed for more than ten consecutive minutes by permitting any locomotive, cars or other obstruction to remain upon or across any public road, or shall permit any timber, wood or other obstruction to remain upon or along any public road to the hindrance or inconvenience of travelers, then any such person or corporation so offending shall forfeit and pay the sum of twenty-five dollars for each offense, to be recovered in an action brought by the commission before a justice of the peace; and shall also be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days, or both. Forfeit for obstructing roads.
Misdemeanor.
Punishment.

SEC. 42. If any person shall meet any other person on any public bridge, road or highway, traveling with carriage, wagon or other vehicle, each person shall reasonably drive his vehicle to the right of the middle of the traveled part of such road or Rule of the road.

- bridge, so that the respective vehicles may pass each other without interference. Any person who shall violate 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.
- Misdemeanor. Punishment.
- Injuries to roads SEC. 43. Any person who shall obstruct, disfigure, or render
misdemeanor. unfit for travel any public road, or who shall cut up the same or
make deep ruts or holes therein by means of log carts, plows or
by the process known as "snaking logs," shall be guilty of a
misdemeanor and shall be fined or imprisoned in the discretion
of the court. And it shall be unlawful for any person to use the
public roads of Robeson County for the purpose of transporting
logs by the method known as "snaking logs" or by causing one
end of such log to rest upon the ground and to be dragged along
the public road. Any person violating the provisions of this sec-
tion shall be deemed guilty of a misdemeanor, and upon convic-
tion shall be fined or imprisoned in the discretion of the court.
It shall be the duty of the superintendent of roads to report to
the solicitor of the ninth judicial district all violations of this
section, and it shall be the duty of said solicitor to conduct the
prosecution of all offenders against this section.
- Punishment.
- Snaking of logs Punishment.
- misdemeanor.
- Solicitor to prose- It shall be the duty of the superintendent of roads to report to
cute. the solicitor of the ninth judicial district all violations of this
section, and it shall be the duty of said solicitor to conduct the
prosecution of all offenders against this section.
- *Injuries by plow- SEC. 44. Any person who shall obstruct, disfigure, or render
ing misdemeanor. unfit for public travel any public road by plowing up such road or
any part thereof, or by plowing within the limits of such road as
fixed and determined by law or the road commission, shall be
guilty of a misdemeanor, and upon conviction shall be fined not
more than fifty thousand dollars or imprisoned not more than
thirty days, or both. It shall be the duty of the superintendent
of roads to report to the solicitor of the ninth judicial district all
violations of this section, and it shall be the duty of said solici-
tor to conduct the prosecution of all offenders against this sec-
tion.
- Solicitor to Obstructing off- SEC. 45. Any person who shall obstruct the superintendent of
prosecute. cers misdemeanor. roads, county engineer, or other agent or employee of the road
commission, or any member of the road commission, or its secre-
tary, in the discharge of their duties under this act, or who shall
obstruct any persons engaged in making any survey under the
provisions of this act, or who shall in any way obstruct or inter-
fere with the superintendent of roads, county engineer, sur-
veyor, overseer, or other employee of the road commission in
opening any new road, relocating or widening any existing road,
closing a discontinued road, or in any other manner shall be
guilty of a misdemeanor, and upon conviction shall be fined or
imprisoned or both in the discretion of the court.
- Punishment.
- Interference with SEC. 46. If any person shall interfere with the superintendent
drains a misde- of roads, county engineer, surveyor, or other employee of the
meanor. road commission in opening any ditch or drain or if any person

shall obstruct any ditch, drain, or canal, which may be cut or opened under the authority of the road commission, or in any way or manner interfere with any public ditch, drain, or canal used to drain any public road, then the person so offending shall be deemed guilty of a misdemeanor and shall, upon conviction, be fined or imprisoned in the discretion of the court. Punishment.

SEC. 47. All petitions for the establishment of new roads, or for a change of location or widening, or the discontinuance of any existing road, shall be addressed to the road commission and shall be filed with the secretary thereof. At the next meeting of the commission it shall be the duty of the commission to post a notice of the filing of such petition at the courthouse door, setting forth in a brief way the contents of the petition and notifying all persons interested that the petition will be acted upon by the commission at its next meeting, which shall be specified in the said notice; and it shall also be the duty of the secretary of the commission to cause to be posted a similar notice in some public place in the locality or section to be affected, and said notices shall remain posted for at least fifteen days before action shall be taken by the commission upon the petition. Upon the filing of the petition it shall be the duty of the superintendent of roads, or other duly authorized agent of the commission, to inspect the locality and the proposed road, or change of an existing road, and he shall make and submit to the commission a report in writing with his recommendations in respect thereto. At the next meeting of the commission to be held thereafter, all persons in interest shall be heard, and thereupon the commission shall make such order in the matter as it may deem best for the public interest; and in case the petition be granted, then a minute thereof shall be made upon the minute book of the commission specifying the changes to be made. Petitions as to roads.
Notice of hearing.
Inspection and report by superintendent.
Hearing and order.
Minutes.

SEC. 48. All public bridges within Robeson County shall be under the direction, control and authority of the road commission, and it shall have power and authority to repair, maintain and keep in good order and condition all public bridges and to construct new bridges wherever the public interests so require. The expense thereof shall be paid out of the road taxes to be levied and collected under the provisions of this act. Public bridges.

SEC. 49. It shall be the duty of said road commission to cause to be kept in good condition and repair and suitable for public travel, all existing public roads within the county of Robeson, unless any such roads or parts thereof shall be hereafter discontinued by order of said commission, and no funds from current taxes should be expended in the construction of new roads until all existing roads within the county of Robeson have been placed in good order and condition and fit and suitable for public travel. And if the said road commission of Robeson County Existing roads kept up.
Limitation as to new roads.
Failure of road commission non-feasance and misdemeanor.

shall fail or neglect to keep the existing public roads of Robeson County properly maintained, and in a state of good repair and fit and suitable for public travel, or if said commission shall fail or neglect to expend such of the public taxes to be levied and collected under the provisions of this act as may be necessary to be expended for that purpose, then the said road commission and each member thereof so failing shall be deemed and held guilty of nonfeasance in office and shall be guilty of a misdemeanor and shall, upon conviction, be fined or imprisoned in the discretion of the court. And in addition thereto any member of said road commission failing to discharge his duties as specified in this section, and to do and perform the things herein required to be done and performed by him, shall forfeit and pay the sum of two hundred dollars, to be recovered by and for the use and benefit of any citizen of Robeson County who will sue for the same.

Punishment.
Forfeit.

Inquiry by grand jury.

It shall also be the duty of the grand juries to be drawn at the July and January terms of the Superior Court of Robeson County to be held each and every year for the trial of criminal cases, to appoint a committee whose duty it shall be to ascertain and report the condition of the public roads and bridges of the county, and whether the road commission of Robeson County is discharging its duties under this act, and the said grand juries, or any committee appointed by it, shall have full access to all books, papers and records of the road commission, and shall have full power and authority to swear witnesses, take testimony, send for persons and papers, and shall have such other and further authority as may be necessary to enable it to intelligently ascertain and report the then existing situation with respect to the public roads and bridges of Robeson County, and it shall be the duty of the said grand juries, or committee appointed by it, to submit to the then presiding judge of the Superior Court of Robeson County, in writing, its finding as to the condition of the said public roads and bridges, and whether the road commission is discharging its duties under and in accordance with the provisions of this act; and a copy of such report shall be by the clerk of the Superior Court of Robeson County furnished to the solicitor of the ninth judicial district, and in case such report shall charge any failure or neglect upon the part of the said road commission, or any member thereof, to comply with and discharge the duties imposed upon him under this act, then it shall be the duty of the said solicitor to investigate the facts and secure all available evidence and to cause the indictment and prosecution of the parties, so offending, and to prosecute such action to final conviction or final judgment.

Access to papers and records.

Report of grand jury.

Copy furnished solicitor.

Duty of solicitor.

Road commission to determine taxes.

SEC. 50. That to carry into effect the provisions of this act said road commission shall, on or before the first day of May, one thousand nine hundred and seventeen, and annually there-

after, determine what amount of taxes are necessary to be levied for the purpose of providing funds for working the public roads and performing the duties required by this act, and shall, at said times, make a written report of same to the board of commissioners of Robeson County and shall therein request said board of commissioners to levy the tax therein specified for road purposes, which said report shall be filed with said board of commissioners. Upon the filing of said written requests the said board of commissioners, shall, on or before the first Monday in May, one thousand nine hundred and seventeen, or at the time provided by law for the levy of other county taxes for one thousand nine hundred and seventeen, and annually thereafter, levy the special tax requested by said road commission, upon all property in said county subject to taxation, and upon all taxable polls in said county, which taxes shall be collected in the same manner as other taxes are collected for State and county purposes and shall be kept separate and apart on the tax books of said county, and shall be known and designated as the "road taxes," and shall be used only for the construction, improvement, maintenance, and repair of the public roads and bridges of said county under the provisions of this act: *Provided*, that the taxes to be levied and collected under the provisions of this act shall not exceed the sum of fifteen cents on the one hundred dollars assessed valuation of property in said county, subject to taxation, and not exceeding forty-five cents on each taxable poll: *Provided further*, that in the event said road commission shall fail or neglect to file the request hereinbefore specified with the board of commissioners of said county, then said board of commissioners shall annually levy the sum of fifteen cents upon each one hundred dollars assessed valuation of property and forty-five cents on each taxable poll, for road and bridge purposes, and the provisions of this section are hereby declared to be mandatory on the board of commissioners of said county and not directory; and if said board shall fail or refuse to perform the duties required of them by this act, or to levy the road taxes as herein provided, then the members of said board of commissioners shall each forfeit and pay the sum of five hundred dollars, to be recovered by any citizen who will sue therefor, and shall also be guilty of a misdemeanor and shall, upon conviction, be fined or imprisoned, or both, in the discretion of the court.

SEC. 51. That for the purpose of taxation for road purposes, as provided in this act, the property of railroads, telegraph, telephone, and express companies and all other corporations, shall be valued and assessed as is now or may hereafter be provided by law for the assessment of such property for general county purposes.

Report to county commissioners.

County commissioners to levy tax.

Collection.

Tax kept separate.

Specific appropriation.

Proviso: Limit of rate.

Proviso: Tax rate on failure of request.

Provisions mandatory.

Forfeit for failure.

Misdemeanor. Punishment.

Assessment of corporations.

Collection and settlement of taxes.

SEC. 52. All road taxes levied under the provisions of this act shall be collected by the sheriff of Robeson County in the same manner as is now or may hereafter be provided by law for the collection of other county taxes, and it shall be the duty of said sheriff to turn over all moneys so collected by him on account of road taxes to the official depository of the funds of Robeson County as provided by law, and to take duplicate receipts for all sums so deposited, one of which receipts he shall retain and the other he shall deliver to the secretary of said road commission. Before the tax books containing the road tax levy for any year are placed in the hands of the sheriff for collection he shall annually give bond with surety to be approved by the road commission in such sum as may be designated by said commission, not exceeding twenty-five thousand dollars, conditioned upon the faithful discharge of his duties and the proper accounting for all road taxes collected or which should be collected, and for the proper paying over to the proper official depository all moneys which may come into his hands by virtue of his office under the provisions of this act, and said bond shall be renewed annually, and after being first approved by the road commission and filed with the secretary, shall be recorded upon the minutes. The premium upon said bond, if executed in a surety company, shall be paid out of the funds of the road commission.

Sheriff's bond for road taxes.

Premium on bonds.

Settlement with road commissioners.

SEC. 53. It shall be the duty of the sheriff of Robeson County to submit to said road commission annually, and at the time provided by law for the settlement of other county taxes, a statement showing the amount of road taxes collected by him for the current year, the said statement to be made up first according to townships, and then according to road districts, as provided by this act; and it shall be the duty of the said road commission to effect the settlement with said sheriff for the road taxes for the current year in the same way and manner, and with the same effect, as the board of commissioners of Robeson County make settlement with said sheriff for other county taxes. Also, at the same time and place, it shall be the duty of the official depository of the taxes of Robeson County, selected as provided by law, to render to said road commission a statement of all receipts and disbursements of road funds for the same period as is covered by the statement submitted by the sheriff, and such statement shall show each item of receipts and disbursements, together with the balance, if any, remaining to the credit of the road commission, and the statement so submitted shall be filed with the secretary of the commission.

Statement of official depository.

Audit of settlements.

SEC. 54. It shall be the duty of the auditor of Robeson County to assist the road commission in making its annual settlement with the sheriff of Robeson County and it shall be his duty to carefully examine the account and statement submitted by said

sheriff and to check same against the tax books and original sources of entry, and to advise the road commission whether the statement as so submitted is correct or incorrect, and if incorrect in what respects; and it shall also be his duty to render the said road commission such other and further services as said commission may require of him.

SEC. 55. The said road commission shall have full and complete control over all road taxes to be levied and collected under the provisions of this act and of all fines, penalties or forfeitures that may be collected hereunder. All disbursements of road funds shall be upon itemized accounts first duly made, sworn to and filed with the secretary of the commission, and no moneys belonging to the road fund shall be disbursed by the official depository except upon warrant duly issued by authority of the road commission at a regular meeting, signed by the chairman, attested by the secretary, with the seal of the road commission affixed thereto, which warrant shall specify the name of the person to whom payable, the amount to be paid, the purpose for which it is to be paid, and in its settlement to be made as provided by law, the said depository shall be credited with all warrants so issued and which have been paid by it. All warrants after having been paid by the official depository and canceled, shall be returned to the secretary of the road commission and kept on file in his office, and shall be subject to inspection by any citizen: *Provided, however,* that in the payment of payrolls for daily or weekly work done by any force of laborers under authority of the superintendent or other agent of the commission, a warrant may be drawn for the sum necessary to discharge such payroll, payable to the superintendent or other agent of the commission immediately in charge of the work being done, but within five days thereafter it shall be the duty of the person to whom such warrant shall be made payable, and who shall cash the same, to exhibit to and file with the secretary of the commission the said payroll signed by the persons to whom money has been paid for work done and included in said warrant, and if the amount so receipted for does not amount to so much as such agent has drawn for the purpose of meeting such payrolls, then he shall immediately repay the amount of such difference to the secretary of the commission, who shall forthwith deposit such amount in the official depository to the credit of the commission. All payrolls shall be itemized with the names of the several laborers, the amounts due to each, the rate of wages paid, the number of days or hours worked, and the total amount paid to each, and such rolls shall be signed by each laborer, or if signed by mark, it shall be witnessed by some disinterested person. All payrolls, after being paid and receipted, shall be filed with the secretary of the commission and kept for inspection by the public.

Control of road funds.

Accounts against road fund.

Warrants.

Warrants kept on file.

Subject to inspection.
 Proviso: Payrolls.

Payrolls itemized.

Payrolls filed for inspection.

Itemized statements published monthly.

SEC. 56. On the first day of each and every month, or within five days thereafter, it shall be the duty of the secretary of the road commission to publish in one issue of some newspaper published in Robeson County a detailed statement setting forth in itemized form all receipts and disbursements made by the road commission for the preceding month, and a copy thereof shall be posted at the courthouse door of Robeson County and also spread upon the minutes of the commission. The cost of the monthly publication as herein provided shall be paid out of the road funds. If the secretary shall neglect to discharge the duties imposed upon him by this section he shall be deemed guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

Misdemeanor.

Punishment.

Examination and report by auditor.

SEC. 57. It shall be the duty of the auditor of Robeson County, monthly and from time to time as required by the commission, to examine the statements published by the secretary of the commission and to check each item from original sources of entry, and to ascertain and report to the commission whether its secretary is properly keeping the accounts of his office as is required by this act. It shall also be the duty of said auditor on or before the first Monday in May in each year to prepare and post for thirty days at the courthouse door of Robeson County a summary of the receipts and disbursements made by the road commission for the preceding fiscal year, the same to be made up of receipts from each road district within the county, and also the disbursements made for the benefit of that district; and said statement shall show all amounts paid on account of salaries or per diem to members of the commission, its secretary, the superintendent of roads, county engineer, or other official connected with the commission, the amount paid for equipment or material, the amount paid for labor, and in general such summarized information as may enable the general public to see how the road funds collected under the provisions of this act are being accounted for.

Publication of annual statements.

Funds to be turned over to road commission.

SEC. 58. All moneys now in the hands of the sheriff of Robeson County, the treasurer of said county, the township boards of road trustees, or any other person or official, belonging to the road fund of Robeson County or to the road funds of the several townships, which have been collected under laws existing next prior to the passage of this act, shall be turned over by the person in whose hands it may be, or the person who may collect or receive the same, to the secretary of said road commission, and all such moneys shall be forthwith deposited in the official depository provided by law; and all such sums shall be available for working and repairing the public roads and bridges as though the same had been collected under the provisions of this act.

Inventory of road property.

SEC. 59. It shall be the duty of the boards of road trustees of the several townships within said county, existing under the

road law of Robeson County in force next prior to the passage of this act, and of the board of commissioners of Robeson County, on or before the first Monday in March, one thousand nine hundred and seventeen, to submit to said road commission under their hands and seals, a full and complete statement of any and all property in their hands belonging to the respective townships or to the public roads of Robeson County, and it shall also be the duty of all such persons, and of any other person or official who may have in their possession or under their control any property which belongs to the roads of any township or which has been heretofore used under the direction of the board of commissioners for road purposes, to forthwith turn over all such property to the superintendent of roads, to be selected as provided by this act, or to such other agent as the commission may indicate, and such property shall be held by him subject to the orders of the said road commission and shall be used for the benefit of the public roads to the same extent as though purchased under the provisions of this act.

Property delivered to superintendent.

SEC. 60. It shall be the duty of the board of road trustees of the several townships of Robeson County as existing next prior to the passage of this act to submit to said road commission, on or before the first Monday in March, one thousand nine hundred and seventeen, under their hands and seals, a full and complete statement of any and all debts due by the road funds of their respective townships, or due by any road districts in which such township was included under the provisions of chapter five hundred and seventy-six, Public-Local Acts of one thousand nine hundred and eleven, or acts amendatory thereof or supplementary thereto, or legally contracted and due under any other act of the General Assembly of North Carolina relating to the public roads of Robeson County, and such statement shall give the amount of the debt, the person to whom due, when due, the purpose for which such debt was contracted, and whether evidenced by note, and if so, the present holder thereof. Such statements shall be filed with the secretary of said commission and spread upon the minutes, and thereupon it shall be the duty of said road commission to ascertain whether the statements so filed are correct, and if found correct it shall be the duty of said road commission to cause all just debts of the road funds of the several townships or of any former road district or division of Robeson County which have been legally contracted under authority of law prior to the passage of this act, to be paid out of the road taxes to be levied and collected under the provisions of this act or from funds which may otherwise come into the hands of the said road commission according to law: *Provided, however,* that in building, repairing and improving the roads and bridges of

Statement of outstanding debts.

Audit and payment.

Proviso: Debts of townships.

Equalization between townships.

the county, said road commission shall take into consideration that certain townships or former road districts have debts which must be paid out of taxes to be collected under the provisions of this act, whereas, other townships or districts have no debt, and therefore the townships or districts not in debt shall have the preference in having roads built or improved therein, so as to put them upon an equality with those townships or districts which contracted debts and have already had the benefits of the roads constructed or improved in consequence thereof; the purpose and intention of this section being to place all the road districts created by this act upon the same basis as nearly as the same may be. In like manner the value of any equipment or machinery turned over to said road commission by any township or former district shall be taken into consideration.

Acts declared misdemeanors.

SEC. 61. Any member of the road commission, superintendent of roads, county engineer, overseer, foreman, or other employee of the road commission who shall withhold any moneys collected or received by him for the road fund, or who shall withhold any property or equipment coming into his hands under and by virtue of his employment, or who shall render any false account, voucher, or receipt to said road commission, or who shall pay or cause to be paid any false, fraudulent, or fictitious claim out of the road funds, shall be guilty of a misdemeanor and shall, upon conviction, be fined and imprisoned in the discretion of the court. If any superintendent of roads, county engineer, foreman or other employee of the commission shall willfully file any false statement, or false account with said commission, or willfully approve any such false account, or make any false statement in reference thereto, or procure or aid in the procuring of any money upon a false, fraudulent or fictitious claim in relation to the road work, he shall be guilty of a misdemeanor and shall, upon conviction, be fined or imprisoned, or both, in the discretion of the court.

Punishment.

False accounts and statements a misdemeanor.

Punishment.

Personal interest in road contracts by officers and employees.

SEC. 62. It shall be unlawful for any member of the road commission, its secretary, superintendent of roads, county engineer, overseer, foreman or other agent of the road commission, or any other person who shall hold any fiduciary or official relation in connection with the duties imposed by this act, to be interested, either directly or indirectly, in any contract, undertaking, or matter in which the public roads are concerned as provided by this act, and it shall be unlawful for any member of the road commission, its secretary, superintendent of roads, county engineer, overseer, foreman, or other agent or employee of the road commission, or for any firm or corporation in which any person is interested as stockholder or otherwise, to sell or participate in the sale to said road commission, or to any one acting under its authority or on its behalf, any

goods, wares, merchandise, stock, tools, machinery, or other article whatever to be used by the road forces under this act. Any person violating the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction, be fined or imprisoned or both, in the discretion of the court; and shall also forfeit and pay to any person who may sue therefor the sum of two hundred dollars, to be recovered by suit brought in any court of competent jurisdiction.

Misdemeanor.

Punishment.

Forfeit.

SEC. 63. Each and every person who shall fail or neglect to perform the several duties enjoined by this act shall be guilty of a misdemeanor and shall, upon conviction, be fined or imprisoned in the discretion of the court except as herein otherwise provided.

Neglect of duty
misdemeanor.

Punishment.

SEC. 64. The said road commission shall have the power and authority to make such other and additional rules and regulations for the proper working of the public roads of Robeson County, not inconsistent with the provisions of this act, as it may deem necessary or expedient, and any such rules and regulations as may be adopted by it shall be posted at the courthouse door of Robeson County for thirty days, and shall not take effect until it has been so posted.

Rules and regu-
lations prescribed
by commission.

SEC. 65. The said road commission shall have power and authority, in case of public emergency, and whenever in the judgment of the road commission such emergency exists, to borrow money to be used in the construction, improvement or repair of the public roads or bridges of Robeson County to an amount not to exceed ten thousand dollars in any one year, and to execute the negotiable note or notes of said road commission for the amount so borrowed, and such note or notes shall be signed in the name of the said commission by its chairman, attested by its secretary, with the official seal affixed thereto; and said road commission shall have power to pledge any road taxes to be levied or collected under the provisions of this act as security for the payment of the amounts so borrowed and to repay the amount of such note or notes upon the collection of such taxes.

Power to borrow
money.

Limit of amount.

Notes.

Pledge of taxes.

SEC. 66. That any and all acts of the General Assembly of North Carolina heretofore enacted, relative to the public roads and bridges of Robeson County, be and the same are hereby repealed, and any and all offices created by such acts are hereby abolished: *Provided, however,* that this section shall not render invalid the levy, or prevent the enforcement and collection of any taxes which have been heretofore levied under any of said acts and which remain uncollected, but the same shall be collected and paid over in the same way and manner as is herein specified for road taxes to be levied and collected under the provisions of this act: *Provided further,* that the provisions

Acts repealed.

Offices abolished.

Proviso: Taxes
heretofore levied.Proviso: Pend-
ing actions.

of this section are not to be construed to interfere with the prosecution of any action now pending in the Superior or other court of Robeson County, which have been brought by or against any body or official under road laws of Robeson County heretofore enacted, but all such actions shall remain unaffected by the provisions of this act, and the road commission of Robeson County, created by this act, shall be made a party to any and all such actions, and if judgment shall be had in favor of the plaintiff, then the amount thereof shall be paid out of the road taxes to be levied and collected under this act or out of funds coming into the hands of the road commission by authority of law: *Provided further*, that this section shall not render invalid any just debt heretofore contracted or any just claim heretofore incurred or accrued against any person or body heretofore charged with the administration of the public roads of Robeson County or of any township or other division thereof, but all such just debts and claims shall be paid by said road commission out of the taxes to be levied and collected under the provisions of this act, or from funds which may come into their hands according to law.

Proviso: Debts heretofore contracted.

Proviso: Effect of election on bond issue.

SEC. 66½. *Provided*, that if the act providing a good roads bond issue enacted by the General Assembly of one thousand nine hundred and seventeen fails to carry at an election to be held the first Monday in May, one thousand nine hundred and seventeen, then and in that event this act shall be null and void.

Repealing clause.

SEC. 67. That all laws and clauses of laws in conflict with the provisions of this act be and the same are hereby repealed.

SEC. 68. That this act shall take effect from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 145

AN ACT TO AMEND CHAPTER 56 OF THE PUBLIC LAWS OF 1915, RELATING TO LOCAL IMPROVEMENTS.

The General Assembly of North Carolina do enact:

Petition for improvements.

SECTION 1. That chapter fifty-six, section five of the Public Laws of North Carolina, session of nineteen hundred and fifteen, be and the same is hereby amended by striking out the words "a majority" in line two of said section between the words "least" and "in" in said line; by striking out the words "a majority" in line three of said section between the words "least" and "of" in said line, and by striking out the words

“a majority” in line four of said section after the mark of parenthesis, and inserting the words “twenty-five per centum” in each instance in lieu of the words thus stricken out.

SEC. 2. That the amendment to this act shall apply only to Application of act. Union County.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 146

AN ACT TO AMEND CHAPTER 601 OF THE PUBLIC-LOCAL LAWS OF REGULAR SESSION OF THE GENERAL ASSEMBLY OF 1913, ENTITLED “AN ACT TO PROVIDE FOR THE BETTER WORKING OF THE PUBLIC ROADS OF PERQUIMANS COUNTY,” AND TO REPEAL CHAPTER 62, PUBLIC-LOCAL LAWS OF THE GENERAL ASSEMBLY OF 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter sixty-two, Public-Local Laws of the Specific repeal. General Assembly of nineteen hundred and fifteen, be and the same is hereby repealed.

SEC. 2. That chapter six hundred and one, Public-Local Laws of the General Assembly of nineteen hundred and thirteen, be amended by striking out section ten thereof and all of section nine thereof after the word “commissioners” in line twenty-two, and in lieu thereof substitute the following: “The superintendent of roads, under the direction of and with the approval of the commissioners, shall, at the expense and cost of the county, design, construct, and maintain all the bridges across the public roads of the county and be wholly responsible for the proper care and prompt repair of same: *Provided*, that when any drain or ditch across the public roads has been cut or shall be cut, either by the superintendent or adjoining or interested landowners, for the purpose of draining lands for cultivation or otherwise, the bridge over same shall be so designed, constructed and maintained as to afford an ample and sufficient passage and an unobstructed flow of water. In the construction and maintenance of such bridge the person or persons whose lands are drained or benefited by such ditch across the road shall each be chargeable in proportion to the benefits he received by such drainage, and such person or all such persons together shall be liable to the county for a sum not exceeding fifty per cent of the actual cost “f. o. b.” at the place of manufacture of all lime, cement, brick and terra cotta piping that shall be

Design, construction and maintenance of bridges.

Provide: Bridges over private drains.

Apportionment of cost.

Collected as taxes. necessary and used in the construction of such bridge, and such sum so apportioned shall be charged against such person or persons and shall be due, payable, and collected by the sheriff of said county as he collects other taxes; except, however, the sheriff's receipt of such tax shall show an itemized cost of the material used in the construction of every such bridge. The county commissioners are herein empowered and required to establish and maintain, so far as practicable, an uniformity in the design, construction and maintenance of bridges across the public roads of similar size and dimension throughout the county.

Uniformity of design.

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 January, A. D. 1917.

CHAPTER 147

AN ACT TO REGULATE FEES OF THE CLERK OF THE RECORDER'S COURT IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

Salary of clerk.

SECTION 1. That section five of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen be, and the same is hereby, amended by striking out the words "sixteen hundred" in line two thereof, and inserting in lieu thereof the words "eighteen hundred."

When act effective.

SEC. 2. That section seventeen of the said Public-Local Laws be, and the same is hereby, amended by striking out all of said section after the word "sixteen" in line three.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 148

AN ACT TO PROVIDE GOOD ROADS IN HARRIS TOWNSHIP, FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Board of trustees.

SECTION 1. That Dr. R. P. Floyd, F. W. Justice, J. T. Mann, J. E. Harris, M. L. Fowler, and N. B. Young, are hereby constituted a board of trustees for the public roads of Harris Town-

ship, in Franklin County. The first two shall hold the said position of trustees for six years, the next two for four years, and the last two for two years. At the expiration of the terms of any, their successors shall be elected for two years at a ballot vote in general election by the voters of said township. 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: *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.

Terms of office.

Election of successors.

Vacancies.

Proviso: Position not office.

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 Harris Township," and by that name may sue and be sued, make contracts, acquire, exchange, and sell the same, and exercise other rights and privileges as are incident to other municipal corporations.

Incorporation.

Corporate powers.

SEC. 3. That it shall be the duty of the said board of trustees to take control and management of the roads of said Harris 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 for Franklin County: *Provided*,

Control and management of roads.

Rights and powers vested.

SEC. 4. The board of trustees shall annually elect a chairman, a secretary and 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. 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, and 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.

Organization.

Treasurer.

Executive committee.

Meetings and organization.

Vouchers.

Delegation of powers.

SEC. 5. The said board of trustees shall annually elect a superintendent of roads for Harris 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

Election and compensation of superintendent.

Term of office.

Proviso: Removal for cause.

- Duty of superintendent. 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 Harris Township, and he shall submit to said executive committee a monthly report concerning the work in progress and the moneys expended, and such 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.
- Reports.
- Bond.
- Machinery and implements. 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: *Provided*, that no person shall be subject to road duty.
- Engineer.
- Proviso: Road duty abolished.
- Entry on land for material. Sec. 7. That the superintendent of roads of Harris Township is hereby authorized to enter upon any uncultivated land near to or adjoining any public road of said township, to cut out 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 road, and enter upon any such 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 ditch shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not more than thirty days.
- Drains and ditches.
- Obstructing drains and ditches misdemeanor.
- Punishment.
- Presentation and payment of claims. 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 the same at a fair price; and in case of any disagreement as to the value the superintendent of road shall appoint one freeholder, the person claiming the damage 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.
- Arbitration of damages.
- Location and change of roads. Sec. 8. That the said superintendent of roads, with the approval of trustees or executive committee, is here 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 land the new road or part of the road is to be located
- Procedure for assessment of damages.

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 Harris Township to be selected and summoned by the sheriff of Franklin County, as provided by law, who shall give said landowner forty-eight hours notice of the time and place when and where the 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 Franklin County from the decision of said trustees.

Benefits considered.

Proviso: Right of appeal.

SEC. 9. That the said board of road trustees shall be, and are hereby authorized and empowered to issue bonds of said Harris Township to be styled "Harris Township 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 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 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 in Franklin County, known as Harris Township, as constituted at the time of the ratification of this act.

Bond issue.

Amount.

Denomination.

Interest.

Authentication.

Maturity.

Sale below par forbidden.

Obligation of bonds.

SEC. 10. 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 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 Harris 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

Special tax.

Limit of rate.

SEC. 14. That all laws and clauses of laws in conflict with the Repealing clause. provisions of this act, so far as they relate to said Harris Township, are hereby repealed.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 149

AN ACT TO AMEND CHAPTER 764 OF THE PUBLIC-LOCAL LAWS OF 1911, RELATING TO PRIMARY ELECTIONS IN DARE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and sixty-four of the Dare stricken out. Public-Local Laws of nineteen hundred and eleven be amended by striking out the word "Dare" in line two of section one of said chapter.

SEC. 2. That all laws and clauses of laws in conflict with the Repealing clause. 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 9th day of January, A. D. 1917.

CHAPTER 150

AN ACT TO AMEND CHAPTER 412 OF THE PUBLIC LAWS OF 1907, RELATING TO STONE HORSES RUNNING AT LARGE IN CERTAIN PARTS OF DARE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and twelve of the Township ex- Public Laws of nineteen hundred and seven be amended by Public Laws of nineteen hundred and seven be amended by striking out all after the word "Hatteras" in line six of section one of said chapter, and substitute therefor the words "and Kennekeet townships in Dare County."

SEC. 2. That all laws and clauses of laws in conflict with the Repealing clause. provisions of 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 January, A. D. 1917.

CHAPTER 151

AN ACT TO AMEND CHAPTER 551 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1913, RELATING TO THE ISSUE OF TOWNSHIP BONDS FOR THE IMPROVEMENT OF ROADS IN HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

Tax rate.

SECTION 1. That in line five of section nine of chapter five hundred and fifty-one of the Public-Local Laws of North Carolina, session of one thousand nine hundred and thirteen, the word "thirty" be stricken out and the word "fifty" inserted in lieu thereof.

Tax rate

SEC. 2. That in line six of section nine of chapter five hundred and fifty-one of the Public-Local Laws of North Carolina, session of one thousand nine hundred and thirteen, the words "ninety cents" be stricken out, and the words "one dollar and fifty cents" inserted in lieu thereof.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 152

AN ACT TO AMEND CHAPTER 286 OF THE PUBLIC LAWS OF 1915, IN RELATION TO THE ASSESSMENT OF PROPERTY AND THE COLLECTION OF TAXES IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

ARTICLE I.

Provisions of machinery act not applicable to Franklin County.

SECTION 1. That sections fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty of chapter two hundred and eighty-six of the Public Laws of one thousand nine hundred and fifteen, be amended by adding at the end of each section the following proviso: *Provided*, this act shall not apply to Franklin County.

Commissioners to Appoint Board of List Takers and Assessors.

List takers and assessors for real and personal property.

SEC. 2. That for the assessment of property and collection of taxes in Franklin County the board of commissioners of Franklin County shall at their session held in the month of April, one thousand nine hundred and seventeen, and every fourth year thereafter, appoint three discreet freeholders in each township,

each of whom shall have been a resident and a freeholder in said township for not less than twelve months, who shall be known as the board of list takers and assessors, and who shall list and assess the real and personal property in said township for taxation. And each year, other than the fourth year, the board of commissioners of said county shall, on the same day appoint one discreet freeholder, or two or more freeholders if deemed by said board advisable, in each township as list taker or list takers, who shall list all the property in said townships, listing real estate as valued in assessing years and assessing personal property each year. The board of list takers shall ascertain the true value in money of all personal property and every tract or parcel of land or other real estate, with the improvements thereon, and assess the same in accordance with said valuation. Said board of list takers and assessors shall meet at some place in their respective townships, on or before the first Monday in May, and elect one of their members chairman and one of their members secretary. The person elected secretary of the board shall be list taker and shall receive the lists of all persons subject to taxation. He shall perform all the clerical work required of the board of list takers and assessors. The board is hereby authorized and empowered to administer oaths in all cases necessary to obtain full and correct information concerning any taxable real and personal property in their respective townships, so as to secure a proper assessment of said property. The assessment of real property, when made, shall be in force for four years, or until altered, as provided by this act, by reason of structures improved, erected or destroyed.

List takers.

Assessments.

Organization.

List taker.

Power to administer oaths.

Real property for four years.

Real Property to be Valued at Its True Value.

SEC. 3. Real property shall be valued by the assessors, either from actual view or from the best information that the assessors can practically obtain, according to their true value in money. In determining the value the assessors shall consider as to each piece its advantage of location, quality of soil, quantity of standing timber, water privileges, mines, minerals, quarries, or other valuable deposits known to be available therein and their value.

Valuation of real property.

Board of Assessors Shall Advertise in Five Places.

SEC. 4. Each township board of list takers and assessors shall advertise in five or more public places in the township, immediately after their appointment, notifying all taxpayers to return the list takers all the real and personal property which each taxpayer shall own on the first day of May, requiring said returns to be made to the list takers during the month of May, under the pains and penalties imposed by law, and naming the places

Advertisements.

and times at which they will be present to receive the tax lists: *Provided*, that in the several towns in said county the said board of list takers and assessors shall proceed, from and after the first Monday in May, to assess real estate and personal property, and said list takers and assessors shall receive for their services such compensation as may be allowed them by the board of county commissioners.

List Takers Shall Make Complete Returns and Make Oath Upon Same.

Return of assessments. SEC. 5. The board of list takers and assessors shall make a complete return of their assessments, embracing an abstract of the taxable property of their respective townships, to the board of county commissioners, on or before the second Monday in July, and annex the following affidavit, subscribed and sworn to before a justice of the peace who shall certify the same:

Oath to returns. "We, the list takers and assessors of _____ township, of Franklin County, make oath that the foregoing list contains, to the best of our knowledge and belief, all the real and personal property required by law to be assessed in said township, and that we have assessed every tract or parcel of land or other real and personal property at its true value in money, and have endeavored to do equal justice to the public and to the taxpayers concerned."

Before entering upon the discharge of the duties of their office they shall also take and subscribe the following oath before the chairman of the board of county commissioners for said county, or some other officer qualified to administer oaths:

Oath to list takers and assessors. "I, list taker (or assessor) of township, of Franklin County, do solemnly swear (or affirm) that I will discharge the duties devolving upon me as list taker (or assessor) according to the laws in force governing said office; so help me, God."

Board of Equalization.

Board of equalization. SEC. 6. The board of county commissioners and the chairman of the board of list takers and assessors of the several townships and towns shall constitute a board of equalization for the county and shall meet on the second Monday in July. The chairman of the board of commissioners of the county shall be chairman of the board of equalization and shall lay before the board of equalization the returns of the list takers and the assessors. Said board shall equalize the valuation so that each tract or lot or article of personal property shall be entered on the tax list at its true value in money, and for this purpose they shall observe the following rules: (1) They shall raise the valuation of such tracts or lots of property or articles of personal property, including stocks,

Equalization.

Rules.

bonds, and shares in all incorporated companies, except such as are specifically exempt by law, as in their opinion have been returned below their true value, to such price or sum as they may believe to be the true value thereof. (2) They shall reduce the valuation of such tracts and lots or articles of personal property as in their opinion have been returned above their true value, as compared with the average valuation of real and personal property, including stocks, bonds, shares of all incorporated companies of such county. In regard to real property, they shall have due regard to the relative situation, quality of soil, improvements, natural or artificial advantages possessed by each tract or lot.

Compensation of List Takers and Assessors.

SEC. 7. The board of county commissioners shall allow each list taker and assessor such compensation as said board shall deem just and proper. Said board of county commissioners shall also allow each member of the board of equalization such per diem for the number of days actually engaged in the performance of his duties as the said board of commissioners shall deem just and proper, and, in addition thereto, mileage at the rate of five cents for each mile necessarily traveled in attending the meetings of the board of equalization. The per diem and mileage as provided in this section shall be paid by the county.

Pay of list takers and assessors.

Pay of board of equalization.

List Takers and Assessors to Make Their Accounts: When Entitled to Compensation.

SEC. 8. List takers and assessors shall make out their accounts in detail, giving the date of each day when they shall have been employed, which account they shall verify under oath. They shall not be entitled to compensation until they shall have filed lists, schedules, statements and books appertaining to assessment of property for such year in the office of the clerk of the commissioners, the books to be accurately made up. The list takers and assessors shall not be entitled to pay unless they have performed the labor and made the return in strict compliance with the law. The county commissioners shall be the judges of the number of days actually necessary for taking the list, and may regulate the same when a greater number of lays are charged for than they deem necessary.

Accounts verified.

SEC. 9. The said board of county commissioners shall annually, at their session in the month of April, except in the years when there shall be an assessment of property, appoint one or more competent persons, not exceeding three, in each township to list the lands therein at the valuation previously assessed on the same and all personal property in said township, who shall sit together at the places advertised for listing taxes on each Satur-

Township list takers.

Meetings.

day in May of each year and advise with each other as to the values of the property so assessed both real and personal: *Provided*, in the several towns in the county the board of county commissioners may appoint one or more list takers in addition to the list takers appointed for the township at large. Said board of county commissioners shall allow the list takers such compensation as the board may deem proper for their services: *Provided*, compensation shall be paid to the board of three sitting on each Saturday in May only for such days as they shall so sit together for assessment, and such compensation shall be paid by the county. Such list takers shall correct any parcel of real property on which any structure of over one hundred dollars value may have been erected, or on which any structure of the like value shall have been destroyed, agreeably to the return made in accordance with the provisions of this act.

Proviso: List takers for towns.

Pay of list takers.

Proviso: Pay for meetings.

Correction of values.

Township List Takers.

Advertisement for listing.

SEC. 10. Each township list taker appointed under authority of this act shall advertise in five or more public places within the township, immediately after his appointment, notifying all taxpayers to return to him all real and personal property which each taxpayer shall own on the first Monday of May, and said returns shall be made to the list taker during the month of May under the pains and penalties imposed by law, and naming the times and places at which he will be present to receive tax lists.

Listing Taxes in Off Years: Correcting Assessment.

Lists in off years.

Correction of values.

SEC. 11. Except in the year when there shall be an assessment of property, the list taker shall list the lands in the township at the valuation previously assessed on the same and all personal property in his said township. Such list taker shall correct any parcel of real property on which any structure of over one hundred dollars in value may have been erected, or on which any structure of the like value may have been destroyed, agreeably to the returns made in accordance with the provisions of this act.

Discovering Property Not Listed.

Discovery of unlisted property.

Returns.

SEC. 12. It shall be the duty of the county commissioners and the several list takers to be constantly looking out for property which has not been listed for taxation, and when discovered such property shall be duly placed upon the assessment list and properly assessed for taxation. At any time before or after the tax list has been turned over to the sheriff as provided for by law, such property as may be so discovered shall be returned by the list taker to the clerk of the board of county commissioners, who

shall enter such property upon the tax books, make out a tax account, and place the same in the hands of the sheriff or tax collector and charge him with the same, and issue such orders to the sheriff as provided by law, and such orders shall have the force and effect of a judgment and execution against the real and personal property of the person charged in said list, as is provided for in the regular tax list.

SEC. 13. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed: *Provided*, all other provisions for the assessment of property and collection of taxes made by the General Assembly for the collection of taxes throughout the State shall apply to Franklin County, where not inconsistent with the provisions of this act.

Repealing clause.
Proviso: General laws.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 153

AN ACT TO PROHIBIT THE SALE OF WINE, CIDER, OR OTHER INTOXICATING BEVERAGE WITHIN THREE MILES OF JOYNER SCHOOLHOUSE, OAK LEVEL TOWNSHIP, WHITE, No. 2, NASH COUNTY.

SECTION 1. That it shall be unlawful for any person, persons, firm or corporation to give away, to sell or otherwise dispose of for gain or profit any intoxicating liquors, beer, beerine, cider or bitters within three miles of Joyner School, Oak Level Township, White, Number Two, Nash County, under a penalty of not exceeding a fine of fifty dollars or imprisonment for thirty days.

Prohibition.

Penalty.

SEC. 2. That all laws or 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 9th day of January, A. D. 1917.

CHAPTER 154

AN ACT TO ABOLISH THE ONSLOW COUNTY COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and forty, Public-Local Laws, special session one thousand nine hundred and thirteen, and chapter three hundred and eighty-eight, Public-Local Laws,

Laws repealed.

one thousand nine hundred and fifteen, be and the same are, hereby repealed and that the Onslow County Court be and the same is hereby abolished.

Court abolished.
Transfer of pending causes.

SEC. 2. That all causes, processes, judgments and all other proceedings of every kind which shall be pending in said Onslow County Court on the first day of March, one thousand nine hundred and seventeen, shall be removed and transferred by the clerk of said court to the Superior Court of Onslow County for trial, final disposition and judgment, which transfer and removal shall be effected by the delivery of all papers, indictments, dockets and records of said court to the clerk of the Superior Court of Onslow County, and by placing all such causes and proceedings upon the proper docket of the Superior Court of Onslow County.

When act effective.

SEC. 3. That this act shall be in force from and after the first day of March, one thousand nine hundred and seventeen.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 155

AN ACT TO PROHIBIT THE KILLING 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 twentieth to March the first of each succeeding year.

Sale or shipment forbidden.

SEC. 2. That it shall be unlawful to sell or ship any quail killed in Pitt County.

Repealing clause.

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 9th day of January, A. D. 1917.

CHAPTER 156

AN ACT TO AMEND SECTION 3, CHAPTER 608 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915, RELATING TO THE CLOSE SEASON FOR THE PROTECTION OF GAME IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Close season for feathered game.

SECTION 1. That section three of chapter six hundred and eight of the Public-Local Laws of North Carolina, session one

thousand nine hundred and fifteen, be and the same is hereby amended, by striking out the word "fifteen" in line four of said section and inserting in lieu thereof the word "first," and by striking out the words, "first day of December," in line five of said section and inserting in lieu thereof the words, "fifteenth day of November."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 157

AN ACT TO AMEND CHAPTER 77 OF PUBLIC-LOCAL LAWS OF 1913 RELATIVE TO KILLING OF GAME IN WILKES COUNTY.

SECTION 1. That section one of chapter seventy-seven of Public-Local Laws of nineteen hundred and thirteen be amended by striking out the words "the tenth day of January" in line four of and inserting in lieu thereof the following: "the tenth day of February." Open season extended.

SEC. 2. That section two of said chapter seventy-seven, Public-Local Laws of nineteen hundred and thirteen, be amended by striking out the words "the tenth day of January" in line four of said section and adding in lieu thereof the following: "the tenth day of February." Open season extended.

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 ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 158

AN ACT TO AMEND CHAPTER 340 OF THE PUBLIC-LOCAL LAWS OF 1911 AND AFFIX THE SALARIES OF CERTAIN OFFICERS IN 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, passed at the session of the General Assembly of one thousand nine hundred and eleven, be and the same is hereby amended as follows: Strike out sections

seven, eight, eight and one-half, nine, ten, and eleven and insert in lieu thereof the following:

Salary and allowance of sheriff.

(A) The sheriff of Robeson County shall receive for his salary the sum of three thousand eight hundred dollars per annum and shall also receive the amount of his actual expenses for conveying prisoners from the place of trial to jail, from jail to the place of trial; for taking prisoners to the State Prison and to the chain-gang; for taking insane persons to the State Hospital for the insane; and it shall be the duty of the sheriff to render to the board of county commissioners a monthly itemized statement of all expenses, showing the date incurred, the purposes for which incurred and the amount thereof, and when it is ascertained that the same is correct and lawfully incurred, the said expenses shall be paid by proper warrant in the same manner that other bills are paid on behalf of the said county of Robeson. All the incidental expenses of maintaining the sheriff's office shall be paid by the sheriff individually, the salary herein provided for to be in lieu of all other compensation or fees.

Appointment and salary of jailer.

(B) The sheriff of said county shall also appoint a jailer whose salary shall be fixed by the board of commissioners of said county, but said salary shall not exceed fifty dollars per month; and the actual expenses of maintaining the common jail of said county, as heretofore, shall also be paid by the board of county commissioners of said county from the funds of the county, as now provided by law.

Pay of county commissioners.

SEC. 2. The members of the board of county commissioners of Robeson County shall receive as compensation for their services the sum of one hundred and twenty-five dollars per annum:

Proviso: Pay of chairman.

Provided, the chairman of said board shall receive the sum of one hundred and fifty dollars per annum.

Clerk of Superior Court for salary and deputies.

(A) The clerk of the Superior Court of Robeson County shall receive for his salary and for deputies and other clerical assistance the sum of three thousand seven hundred dollars per annum; and out of the allowance made to the said clerk in this section he shall employ and pay the compensation of sufficient office help and such other and further clerical assistance as the public business may require.

Register of deeds for salary and deputies.

(B) The register of deeds of Robeson County shall receive for his salary and for deputies and other clerical assistance the sum of three thousand eight 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 said register of deeds to at all times 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.

SEC. 3. All salaries herein mentioned shall be paid monthly in Monthly payments. equal installments.

SEC. 4. That all laws and clauses of laws in conflict with this Repealing clause. 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 January A. D. 1917.

CHAPTER 159

AN ACT TO INCREASE THE PAY OF THE COUNTY COMMISSIONERS OF HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after the first Monday in April, one Per diem and thousand nine hundred and seventeen, the members of the board mileage. of commissioners of Hyde County shall each receive the sum of four dollars per day and mileage in going to and returning from each meeting of said board of commissioners. Allow clerk of Pay of clerk. board same per diem as commissioners.

SEC. 2. That all laws and clauses of laws in conflict with the Repealing clause. provisions of 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 January, A. D. 1917.

CHAPTER 160

AN ACT TO AMEND CHAPTER 90 PUBLIC-LOCAL LAWS OF 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter ninety, Public-Local Laws of one thousand nine hundred and fifteen, be amended as follows: That Dog tax for Warren county. the word "two" between the words "of" and "dollars" in line four of section one of this act be stricken out and the word "one" be inserted in lieu thereof, and the words "three dollars" between the words "and" and "for" in lines four and five of section one be stricken out and the words "two dollars" be inserted in lieu thereof, and the word "May" in line six of section one be Time for listing. stricken out and the word "October" be inserted in lieu thereof, and the word "June" in section two of said act be stricken out and the word "October" be inserted in lieu thereof.

- Appropriation of tax. SEC. 2. That all moneys collected under the provisions of this act after paying all expenses necessary to carry into effect the act, shall be equally divided between the public roads and schools of the townships of Warren County, said moneys shall be applied in the township from which it is collected.
- Townships exempt. SEC. 3. That the following townships in Warren County, North Carolina, shall be and are hereby exempt from this act, and that chapter ninety, Public-Local Laws of nineteen and fifteen, shall not apply to the following named townships in Warren County, North Carolina, and that these townships are exempt from this act and also chapter ninety, Public-Local Laws, nineteen and fifteen: Roanoke Township, Riser Township, Judkins Township.
- Repealing clause. 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 January, A. D. 1917.

CHAPTER 161

AN ACT TO AMEND CHAPTER 503 OF THE PUBLIC LAWS OF 1909, ENTITLED "AN ACT TO FIX SALARIES FOR PUBLIC OFFICERS AND CREATE AND ESTABLISH AN AUDITOR'S OFFICE IN DURHAM COUNTY."

The General Assembly of North Carolina do enact:

- Allowance to clerk Superior Court. SECTION 1. That section seven of chapter five hundred and three of the Public Laws of one thousand nine hundred and nine be and the same is hereby amended by striking out the words "six hundred dollars" in line four of said section and inserting in lieu thereof the words "nine hundred dollars," and by striking out the words "nine hundred dollars" in lines five and six of said section and inserting in lieu thereof the words "twelve hundred dollars," and by inserting after the word "necessary" in line seven of said section the following: "*Provided further*, that the premiums on the bond of said clerk of the Supreme Court shall be paid out of the fund hereafter created."
- Proviso: Premium on clerk's bond.
- Allowance to register of deeds. SEC. 2. That section eight of chapter five hundred and three of the Public Laws of one thousand nine hundred and nine, be and the same is hereby amended by striking out the words "six hundred dollars" in line four of said section and inserting in lieu thereof the words "twelve hundred dollars," and by inserting after the word "law" in the last line of said section the following: "*Provided further*, that the premiums on the bond of said register of deeds shall be paid out of the fund hereinafter created."
- Proviso: Premium on register's bond.

SEC. 3. All laws and parts of laws in conflict with this act are hereby repealed. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 162

AN ACT TO AMEND SECTION 5, CHAPTER 608 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915, RELATING TO PUTTING DYNAMITE AND EXPLOSIVES IN THE STREAMS OF CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

That section five, chapter 608 of the Public-Local Laws of North Carolina, session 1915, be and the same is hereby amended by adding to the said section: Or shall put dynamite or any other explosive in any stream in Cherokee County for the purpose of killing fish shall be guilty of a misdemeanor. Fishing with explosives misdemeanor.

That all laws and statutes in conflict with this act are repealed. Repealing clause.
That this act shall be in force and effect from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 163

AN ACT TO PROVIDE FOR THE REGISTRATION OF DEEDS IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all deeds properly probated and registered in Caldwell, Watauga, and Mitchell counties of lands lying and being in Avery County, North Carolina, shall be probated and ordered to registration on the original probate certificate of either of the Superior Court clerks of said Caldwell, Watauga and Mitchell counties, and the same shall be registered for the sum of seventy-five cents, fifteen cents of which shall go to the clerk of the Superior Court and sixty cents to the register of deeds, for their respective fees: *Provided*, said deeds shall be filed in the office of the register of deeds of Avery County for registration after the passage of this act and prior to January first, nineteen hundred and nineteen. Probate and registration. Fees. Provide: Time for filing.

SEC. 2. That all persons, firms, and corporations who fail to comply with the requirements of this act on or before the first Fees.

day of January, nineteen hundred and nineteen shall pay the regular fees for probating and recording of such deeds.

Repealing clause.

SEC. 3. That all laws and parts 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 9th day of January, A. D. 1917.

CHAPTER 164

AN ACT TO CHANGE THE NAME OF WHITE HOUSE TOWNSHIP IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

New name.

SECTION 1. That the name of White House Township in Robeson County be and the same is hereby changed to Marietta Township.

SEC. 2. That this act be in force from and after its ratification. Ratified this the 9th day of January, A. D. 1917.

CHAPTER 165

AN ACT TO AMEND CHAPTER 439, PUBLIC-LOCAL LAWS OF 1915, WHICH SAID LAWS RELATE TO THE IMPROVEMENT OF THE PUBLIC ROADS AND HIGHWAYS OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

Budget.

SECTION 1. That section four, chapter four hundred and thirty-nine, Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by striking out after the period in line forty-three of said section and down to the period in line fifty, inclusive.

Corporal punishment.

SEC. 2. That section six, chapter four hundred and thirty-nine, Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by inserting in line six between the word "regulations" and the word "for," the following: "and to authorize corporal punishment for incorrigible convicts or prisoners." Also amend by striking out all of said section after the word "commissioners" in line twelve.

Discipline.

Discipline.

SEC. 3. That section seven, chapter four hundred and thirty-nine, Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by striking out after the period in line six down to the period in line ten.

SEC. 4. That section nine, chapter four hundred and thirty-nine, Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by striking out all of said section after the period in line three. Limit on construction of highways.

SEC. 5. That section eleven, chapter four hundred and thirty-nine, Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by striking out in line forty-six after the second comma, beginning with the words "said camps" down to and including the colon in line forty-nine. Also insert in line forty-one between the words "camps" and "and" the following: "or he may work any of the convict forces in repairing or rebuilding township roads at his discretion." Work on township roads.

SEC. 6. That section 11b, chapter four hundred and thirty-nine, Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by striking out in line one the word "twenty-five" and insert in lieu thereof the word "seventy-five." Insert in line two between the words "townships" and "shall" the words "and all dog tax." Also strike out in line four the words "by the township supervisors." Also strike out in line sixteen the last word in said line, being the word "township," and the words in line seventeen, "supervisor," "countersign," "by the." Apportionment of funds.

SEC. 7. That this act shall apply only to Wake County. Application of act.

SEC. 8. That all laws and clauses of laws in conflict are hereby repealed. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 166

AN ACT TAXING DOGS IN NORTHAMPTON 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 four dollars for each female dog. The taxes shall be listed during the months of November and December in each year and at such time and places as may 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. Tax on dogs.
Time for listing.
Proviso: No town tax allowed.

- Reports after lists taken. SEC. 2. That any person or persons coming into possession of a dog after the first day of January of each year shall report to said list-taker and collector that since list-taking he, or she, has come into possession of such dog or dogs and the same shall be listed and tagged.
- Payment of tax. SEC. 3. That at the time of listing the owner of the dog or dogs shall pay said taxes to the lister of dog taxes and collector 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.
- License tag.
- Collection by distress.
- Collection of tax. 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 by the board of county commissioners 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 the deduction of all expenses said fund shall be disbursed as follows: one half of the amount to the school fund and one half to the road fund; said fund shall be distributed among the different townships of the county in proportion to the license taxes paid in each.
- Bond of collector.
- Apportionment of tax.
- List taker and tax collector. SEC. 5. That the list-taker and tax collector appointed by the board of county commissioners for Northampton 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 it 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.
- Tax book.
- License tag. 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.
- Double tax for failure to list. SEC. 7. That any person failing to list any dog as required by this act shall be required to pay for said dog which he has so failed to list for taxation double the amount of the tax as imposed by this act.
- Dogs without license tag. 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: *Provided*, that any person so claiming said dog so found and taken by said list-taker shall upon the payment to said list-taker of the proper amount of tax and a fee of one dollar for having taken said dog and a further amount
- Proviso: Charges for release.

not to exceed fifteen cents a day for each day that said list-taker has kept said dog, shall be allowed the privilege of taking said dog and said dog shall be exempt from any further taxation for that fiscal year.

SEC. 9. That the list-taker and tax collector shall be appointed by the board of county commissioners at its November meeting, and his term of office shall run for a period of two years, and his successor shall be appointed every two years thereafter. The compensation for the list-taker and tax collector shall be fixed by the board of county commissioners. This act shall apply to Northampton County only.

Appointment and term.

Appointment of successor.
Compensation.

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

Repealing clause.

SEC. 11. That this act shall be in force from and after the first day of November one thousand nine hundred and seventeen.

When act effective.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 167

AN ACT TO AMEND CHAPTER 17, PUBLIC-LOCAL LAWS OF 1915, RELATING TO STANDARD KEEPER FOR BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seventeen, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out the word "two" in line six, and inserting in lieu thereof the word "one."

Number of inspections.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 168

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF MITCHELL COUNTY TO MAKE CHANGES AND IMPROVEMENTS IN CERTAIN ROADS IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Mitchell County are hereby required to change, and make change the location, and improve the public roads in Bakersville, Cane Creek, and Grassy Creek townships by removing said roads from the creek beds of Cane Creek and of Grassy Creek in Mitchell County, by

Changes ordered.

Grade.

making said changes and improvements on a grade, not to exceed four feet in one hundred feet, and in each case said changes and improvements shall place said roads above the high water marks.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 169

AN ACT TO AMEND CHAPTER 8 OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION 1911, RELATIVE TO LAKE WACCAMAW, IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Proviso: Lease of privileges.

SECTION 1. That chapter eight of the Public Laws of one thousand nine hundred and eleven, section one, be amended by adding to said section one the following: "Provided, that the board of county commissioners of Columbus County be and they are hereby authorized and empowered to lease or rent the right and privilege of erecting piers, boat-houses or pavilions in Lake Waccamaw, in said county of Columbus, within two thousand feet from high water mark of said lake, for such compensation as the said board of county commissioners of Columbus County deem just. The revenue derived from said leases or rentals shall be paid into the county treasury of Columbus County to be expended in the improvement of the public roads of Columbus County: *Provided*, no lease for the privilege herein mentioned shall be extended for a longer period than fifteen years.

Use of rent money.

Proviso: Limit of lease.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 170

AN ACT TO AUTHORIZE AND EMPOWER C. B. HILL, EX-SHERIFF AND TAX COLLECTOR OF CHEROKEE COUNTY, TO COLLECT THE UNPAID TAXES FOR 1913 AND 1914.

The General Assembly of North Carolina do enact:

Collection authorized.

SECTION 1. That C. B. Hill, ex-sheriff and tax collector of Cherokee County, North Carolina, be and is hereby authorized and empowered to collect the unpaid State and county tax of said

county for the years of one thousand nine hundred and thirteen and one thousand nine hundred and fourteen.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 171

AN ACT TO PROHIBIT THE SALE OF WINE OR CIDER WITHIN THREE MILES OF STONY RUN CHURCH IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to sell any wine or cider within three miles of Stony Run Church in Sampson County, and any person or persons guilty of the same shall be guilty of a misdemeanor. Prohibition.
Misdemeanor.

SEC. 2. All 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 9th day of January, A. D. 1917.

CHAPTER 172

AN ACT TO CREATE THE OFFICE OF TAX COLLECTOR FOR McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of tax collector be and the same is hereby created and established for McDowell County. Office created.

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 McDowell under and by virtue of the law prescribed for the collection and settlement of taxes by the sheriff of said county. Duty of collector.

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. Bond of collector.
Oath of office.

SEC. 4. That said tax collector shall receive as full compensation for his services in the collection and settlement of taxes, Compensation.

three per centum of the amount actually collected and paid over by him.

Term of office.

SEC. 5. That said tax collector shall hold his office for a term of two years from and after the first Monday in December, one thousand nine hundred and eighteen, and until his successor is elected and qualified; that at the general election to be held in one thousand nine hundred and twenty, and biennially thereafter, a tax collector shall be elected by the qualified voters of said county in the same manner as their county officers are elected.

Election of successor.

Collector named.

SEC. 6. That J. R. Ledbetter be and he is hereby appointed tax collector of said county for a period of two years from and after the first day of December, one thousand nine hundred and eighteen, and it shall be his duty, upon filing the bonds and taking the oath of office as prescribed by this act, to collect, account for, pay over and settle the taxes for the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty.

Vacancies.

SEC. 7. That the county commissioners shall have the power to fill all vacancies caused by death, resignation, or otherwise.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 173

AN ACT TO REGULATE THE SPEED OF AUTOMOBILES UPON THE CAMPUS OF TRINITY COLLEGE, A CORPORATION, IN THE COUNTY OF DURHAM.

The General Assembly of North Carolina do enact:

Reckless driving
forbidden.

SECTION 1. That no person or persons shall operate an automobile or other motor-driven vehicle upon the streets, drives, or walkways on the Trinity College campus, the property of Trinity College, a corporation in the county of Durham, recklessly, or at a greater rate of speed than is reasonable and proper, having regard to the width, traffic and use of said streets, drives, or walkways, or so as to endanger the property or the life or limb of any person: *Provided*, that a rate of speed in excess of ten miles per hour on said property shall be deemed a violation of this act.

Proviso: Limit
of speed.

Misdemeanor.
Punishment.

SEC. 2. That any person violating any provision 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. 3. That all laws and clauses of laws in conflict with this Repealing clause. 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 January, A. D. 1917.

CHAPTER 174

AN ACT TO REGULATE FISHING IN CERTAIN MILL PONDS IN HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to fish in Fishing regulated. White's Mill pond in Palmyra Township, Halifax County, North Carolina, or in Hills' Mill pond, Conoconara Township, in said county and State, with any device other than hook and line.

SEC. 2. Any person violating the provisions of this act shall be Misdemeanor. gully of a misdemeanor and may be imprisoned not exceeding Punishment. thirty days, or fined not exceeding fifty dollars, 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 9th day of January, A. D. 1917.

CHAPTER 175

AN ACT TO AMEND CHAPTER 782 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE ELECTION OF COM- MISSIONERS FOR ROWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter seven hundred and eighty-two of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out the word "seven" in line three thereof and substituting in lieu thereof the word "five," so that the said section shall read:

"That at the next election for commissioners held for the county of Rowan, and every two years thereafter, there shall be elected in said county of Rowan, five commissioners, with the powers and duties which now are, or may be hereafter prescribed by law for county commissioners." Election of com-
missioners.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 176

AN ACT FOR THE RELIEF OF SHERIFFS, EX-SHERIFFS
AND TAX COLLECTORS OF WILKES COUNTY.

The General Assembly of North Carolina do enact:

Collection of
arrears.

SECTION 1. That all sheriffs, ex-sheriffs and tax collectors, who by virtue of their office have had the tax lists for the purpose of collecting the taxes of Wilkes County and the town taxes of the towns of Wilkesboro and North Wilkesboro, in their hands for the years one thousand nine hundred and eleven, one thousand nine hundred and twelve, one thousand nine hundred and thirteen, and one thousand nine hundred and fourteen, 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 the collectorship of taxes.

Persons not com-
pelled to pay.

SEC. 2. That no person shall be compelled to pay any tax under provision 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 non-payment of the taxes.

Proviso: Lands
not subject to
sale.

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, town, and other taxes at the time and place required by law.

Liabilities not
relieved.

Term of authority.

SEC. 4. That the authority herein given shall cease and determine on the first day of January, one thousand nine hundred and eighteen.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 177

AN ACT TO INCREASE THE SALARY OF THE DEPUTY
CLERK OF THE SUPERIOR COURT OF UNION COUNTY.

The General Assembly of North Carolina do enact:

Salary.

SECTION 1. That chapter 660 of the Public Laws of 1909 be, and the same is hereby amended by striking out in section 3 of said chapter and in line 10, after the word "of" "not more" and

in line eleven before the word "dollars" the words "than forty-five" and insert in lieu thereof the word "sixty."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 178

AN ACT FOR THE RELIEF OF W. A. HALL, EX-SHERIFF OF YANCEY COUNTY, AUTHORIZING THE COLLECTION OF BACK TAXES DUE SAID SHERIFF.

The General Assembly of North Carolina do enact:

SECTION 1. That W. A. Hall, ex-sheriff of Yancey County, is hereby authorized and empowered to collect all taxes due for the years one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, and one thousand nine hundred and fifteen that are unpaid. Collection authorized.

SEC. 2. *Provided, however,* if any tax payer of Yancey County shall make affidavit that he or she has paid their taxes for any of the years mentioned in section one of this act, then and in that case the said W. A. Hall cannot enforce collection of the same. Proviso: Exemption

SEC. 3. That said W. A. Hall shall have until June thirtieth, one thousand nine hundred and eighteen, to collect said taxes. Term of authority.

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

Ratified this the 9th day of January, 1917.

CHAPTER 179

AN ACT TO RE-ESTABLISH THE OFFICE OF COUNTY TREASURER OF CHOWAN.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of county treasurer of Chowan County is hereby reestablished, to be governed and controlled in the same manner as provided prior to nineteen hundred and thirteen, except as hereinafter provided. Office reestablished.

SEC. 2. That at the first regular meeting of the county commissioners of Chowan County after the ratification of this act they shall elect a county treasurer to serve until the first Monday in December next, at which time they shall again elect Election.

a county treasurer who shall serve until his successor is elected and qualifies as provided by law.

Bond and salary. SEC. 3. That the county commissioners of Chowan County shall provide for the payment of the bond of the county treasurer, and shall further provide for the said treasurer the sum of one hundred and fifty dollars salary on the first day of June, nineteen hundred and seventeen, and one hundred and fifty dollars on the first day of December, nineteen hundred and seventeen, and each succeeding year thereafter.

Repealing clause. 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 9th day of January, A. D. 1917.

CHAPTER 180

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:

Proviso: Bull calves excepted.

“*Provided, however,* that this act shall not be construed as prohibiting the buying or selling or killing of bull calves for veal in Alexander County, or the shipping of bull calves out of the county for veal.”

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 181

AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF PERSON COUNTY TO SELL CERTAIN LAND IN THE TOWN OF ROXBORO.

The General Assembly of North Carolina do enact:

Sale after advertisement.

SECTION 1. That the board of commissioners of Person County is authorized and empowered in its discretion to sell at public auction after due advertisement, any part or parts or

Land subject to sale.

the whole of the following lots of land in said county in the town of Roxboro, known as the jail lot and the public spring lots not needed for county purposes, and a sale by said board after the notice hereinafter mentioned shall be conclusive that the lands so sold are not needed for county purposes.

SEC. 2. A resolution or order specifying what parts of said lots shall be sold shall be entered upon the minutes of said board at least thirty days prior to offering for sale any of said lands, and notice of such resolution or order shall be forthwith published for two weeks in some newspaper published in said county.

SEC. 3. The deed or order conveying any lands so sold shall be executed by the chairman of the board of commissioners of Person County and attested by the clerk of said board, who shall affix his official seal thereto, and shall be admitted to probate upon the acknowledgment of said chairman.

SEC. 4. That the proceeds of such sale or sales be paid into the county treasury to be used in building the new jail and adding to and repairing the courthouse of Person 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 from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 182

AN ACT TO AMEND SECTIONS 2773 AND 2776 OF THE REVISAL OF 1905, RELATIVE TO FEES FOR RECORDING CROP LIENS IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand seven hundred and seventy-three of the Revisal of nineteen hundred and five be, and the same is hereby amended by adding the word "Warren" after the word "Wilson" on the twenty-third line of page one thousand six hundred and forty-seven.

SEC. 2. That section two thousand seven hundred and seventy-six of the Revisal of nineteen hundred and five, be amended by adding the word "Warren" after the word "Vance" in line fourteen on page one thousand four hundred and seventy.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 183

AN ACT TO PROHIBIT THE SALE OF WINE OR CIDER AND ALL ALCOHOLIC BEVERAGES WITHIN A RADIUS OF THREE MILES OF THE SECOND BAPTIST CHURCH OF DUNN.

The General Assembly of North Carolina do enact:

Prohibition. SECTION 1. That it shall be unlawful for any person or persons to sell any wine or cider or alcoholic beverages within a radius of three miles of the Second Baptist Church of Dunn in Harnett County, and any person so offending shall be guilty of a misdemeanor.

Misdemeanor. Repealing clause. 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 9th day of January, A. D. 1917.

CHAPTER 184

AN ACT TO REPEAL CHAPTER 118, PUBLIC-LOCAL LAWS. SESSION 1915, ABOLISHING THE OFFICE OF COUNTY TREASURER OF HOKE COUNTY, AND TO PROVIDE FOR A COUNTY TREASURER OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Law repealed. SECTION 1. That chapter one hundred and eighteen, Public-Local Laws, session one thousand nine hundred and fifteen, abolishing the office of county treasurer of Hoke County, be and the same is hereby repealed.

Office reestablished. SEC. 2. That the office of county treasurer shall henceforth obtain in the said county of Hoke just as though the aforementioned chapter one hundred and eighteen had never been enacted.

Appointment. Term of office. SEC. 3. That W. J. McCraney be, and he is hereby appointed treasurer of Hoke County for a term ending when he shall be succeeded by one chosen for that purpose at a regular election held in said county for the election of county officers.

Compensation. SEC. 4. That the Hoke County board of commissioners and the county board of education shall fix the compensation of the aforesaid appointee at the rates of payment provided by the general law.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 185

AN ACT TO APPOINT TWO ADDITIONAL ROAD COMMISSIONERS FOR LOVELADY TOWNSHIP, BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Francis Garrou and John P. Johnson be, and they are hereby appointed for a term of two years members of the road commission of Lovelady Township, Burke County. The two members of said commission herein appointed shall serve on said board for the period herein named and shall be entitled to the rights, powers and privileges of the other members of said board. Appointment and term.

SEC. 2. That all 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 9th day of January, A. D. 1917.

CHAPTER 186

AN ACT AUTHORIZING THE COUNTY TREASURER OF CHEROKEE COUNTY TO REMIT CERTAIN MONEYS TO THE ROAD SUPERVISORS OF SHOAL CREEK TOWNSHIP, CHEROKEE COUNTY, NORTH CAROLINA.

Whereas, the General Assembly of North Carolina, session one thousand nine hundred and thirteen, chapter twenty-four, Public-Local Laws, passed an act creating a highway commission of Shoal Creek Township, Cherokee County, North Carolina, with authority to issue bonds not exceeding ten per cent of tax valuation to work and build roads, and in consequence of the said act handled road money from time to time. Preamble: Action under former law.

The General Assembly of North Carolina, chapter three hundred and twenty-nine of the Public-Local Laws of one thousand nine hundred and fifteen repealed chapter two hundred and four of acts of the Public-Local Laws of one thousand nine hundred and thirteen, at which time there were certain moneys in the hands of certain persons who have since turned over the same to the county treasurer of Cherokee County, which is desired for road aid in Shoal Creek Township. Money turned over to county.

The General Assembly of North Carolina do enact:

SECTION 1. That the county treasurer of Cherokee County, North Carolina, do and is hereby authorized to turn over to the Money to be returned to township.

board of supervisors of Shoal Creek Township, Cherokee County, all moneys that may be in his hands belonging to said township that he received or his predecessor received from the said board or of any member of the same, and same to be used on public roads, Shoal Creek Township.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 187

AN ACT TO DIVIDE MARION TOWNSHIP, McDOWELL COUNTY, INTO TWO VOTING PRECINCTS.

The General Assembly of North Carolina do enact:

- Decision. SECTION 1. That Marion Township, McDowell County, be, and the
Precinct Number same is hereby divided into two voting precincts. All of that
one. portion of said township lying to the north of the track of the
Southern Railway leading from Asheville to Salisbury, shall be
Precinct Number known as Voting Precinct Number One; and all that portion
two. of said township lying to the south of said Southern Railway
track shall be known as Voting Precinct Number Two; that the
Voting places. voting place for Number One Precinct shall be at the court-
house. The county board of elections is authorized to estab-
lish a voting place in Precinct Number Two.
- Repealing clause. SEC. 2. That all laws and clauses of laws in conflict with
this act shall be, and the same are hereby repealed.
- SEC. 3. That this act shall be in force from and after its
ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 188

AN ACT TO AMEND CHAPTER 587 OF THE PUBLIC- LOCAL LAWS OF 1911.

The General Assembly of North Carolina do enact:

- Register of deeds relieved. SECTION 1. That section two of chapter five hundred eighty-
seven of the Public-Local Laws of one thousand nine hundred
and eleven be amended by striking out the words in line four
"the making up of the tax list," and inserting in line seven after
the word "office" the words "except the making up of the tax
list."

SEC. 2. That section two of said chapter five hundred eighty-seven of the Public-Local Laws of one thousand nine hundred and eleven be further amended by adding at the end of said section the following: "That the county commissioners of Wilkes County shall have the authority to fix the compensation to be allowed the register of deeds for making out the tax books, said amount not to exceed the sum of four hundred dollars per annum. Allowance for making tax books.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 189

AN ACT TO REPEAL CHAPTER 38, PUBLIC-LOCAL LAWS OF 1915, RELATING TO ADDITIONAL AUTHORITY TO COUNTY COMMISSIONERS OF CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter thirty-eight of the Public-Local Laws of one thousand nine hundred and fifteen, entitled "An act to authorize the commissioners of Cumberland County to employ one of their members to devote all of his time to county business," 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 9th day of January, A. D. 1917.

CHAPTER 190

AN ACT TO FIX THE PAY FOR MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the passage of this act the pay for the members of the board of commissioners of Scotland County shall be four dollars per day for each days service rendered, and five cents per mile for each mile traveled in going to and returning from the county seat. Per diem. Mileage.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 191

AN ACT RELATING TO THE KILLING OF CATTLE RUNNING AT LARGE IN TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

- Cattle running at large. SECTION 1. That no person shall be allowed to kill any cattle running at large in the woods of Tyrrell County unless such animal is roped or under fence.
- Report of killing. SEC. 2. That every person killing cattle in said county shall report to a justice of the peace upon sworn affidavit the description and ear marks of the same. Any person or persons violating the provisions of this act shall be guilty of a misdemeanor and be fined not less than one dollar nor more than ten dollars for each and every offense.
- Misdemeanor.
- Punishment.
- Record of reports. SEC. 3. That the justice of the peace shall keep a record of all reports filed with him and present them to any one upon application.
- SEC. 4. That this act shall be in full force and effect from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 192

AN ACT TO AMEND CHAPTER 336 OF THE PUBLIC-LOCAL LAWS OF THE REGULAR SESSION OF THE GENERAL ASSEMBLY OF 1913, ENTITLED "AN ACT TO PROVIDE FOR GOOD ROADS IN PENDER COUNTY."

The General Assembly of North Carolina do enact:

- SECTION 1. That section five of chapter three hundred and thirty six of the Public-Local Laws of the regular session of one thousand nine hundred and thirteen be amended by striking out said section and inserting the following in lieu thereof:
- Money expended in township. "Sec. 5. That the moneys raised under the provisions of this act shall be expended in each township under the supervision and control and upon order of the board of road commissioners of the respective township, for the building and maintenance of the public roads in such township, the said road commissioners to consist of three members in each township except where otherwise specified, and, where necessary, the board of county commissioners shall appoint the said road commissioners or fill vacancies, which appointment or appointments shall hold until their successors are appointed by the county commissioners at the time provided in this act."
- Township road commissioners.
- Appointments.

SEC. 2. That section six of said act be amended by striking out the words "county commissioners" wherever they occur in said section, and insert in lieu thereof the words "township road commissioners."

Township commissioners.

SEC. 3. That section seven of said act be amended by striking out the said section and inserting in lieu thereof the following:

"Sec. 7. That the commissioners of Pender County are hereby authorized and empowered to make all necessary arrangements and provisions for hiring out, supporting, guarding and otherwise caring for convicts and persons sentenced to work on the public roads in any of the courts of the said county, and to call for and have returned to the said county any convicts that may be at work under such sentencing in other counties, and to hire such convicts to the road commissioners of any township, or townships, for work on the public roads in such township or townships as shall adopt the provisions of this act by a majority vote in the election provided for in section one of this act, and the road commissioners in each township shall pay the expenses incident to such equipment and maintenance out of the road funds of said township."

Regulations for convict work.

Hire of convicts to townships.

SEC. 4. That section ten of said act be amended by striking out in line one the words "county commissioners" and insert in lieu thereof the words "township road commissioners"; that said section be further amended by striking out all the words after the word "cases" in line twenty-five of said section, and inserting the following: "and the road commissioners in each township shall pay the damages assessed in the final judgment, together with expenses connected therewith, out of the road fund of the respective township."

Township road commissioners.

Payment of damages.

SEC. 5. That the following persons be and they are hereby appointed road commissioners for the various townships of Pender County designated, which have adopted the provisions of the said chapter three hundred and thirty-six, who shall hold office until the first Monday of December, one thousand nine hundred and eighteen, or until their successors are appointed and qualified:

Township commissioners named.

Burgaw Township: A. H. Paddison, B. C. Boney, J. K. Ban-
nerman, R. Sanderson, J. R. Murray.

Burgaw.

Topsail Township: W. R. Atkinson, Dally Futch, J. W. San-
ders, J. W. Sidbury, Robert Atkinson.

Topsail.

Long Creek Township: J. E. Henry, D. J. Lewis, E. W. Long
Creek George.

Long Creek

Columbia Township: H. M. Page, Alfred Herring, George De
Vane.

Columbia.

Grady Township: E. A. Moore, W. M. Nunnallee, N. W. Rich-
ards.

Grady.

Appointment of successors.

SEC. 6. That on the first Monday in December, one thousand nine hundred and eighteen, and biennially thereafter, the board of county commissioners of Pender County shall appoint a board of township road commissioners for the several townships of said county, who shall hold their offices for the term of two years or until their successors are appointed and qualified.

Term of office.

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 9th day of January, A. D. 1917.

CHAPTER 193

AN ACT TO AMEND SECTION 3374 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

Law extended.

SECTION 1. That section three thousand three hundred and seventy-four of the Revisal of one thousand nine hundred and five be amended by adding at the end of said section the words "and Mecklenburg."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 194

AN ACT TO AUTHORIZE THE TOWNSHIP TREASURER OF ELKIN TOWNSHIP TO MAKE CERTAIN PAYMENTS OF MONEY.

Preamble: Money held by township.

Whereas, there is in the hands of the township treasurer of Elkin Township, Surry County, North Carolina, certain moneys collected by the sheriff of Surry County, by virtue of chapter one hundred and ninety five, Public Laws of one thousand nine hundred and seven; and whereas, it is deemed to the benefit of the citizens and taxpayers of Elkin Township that said money used in the improvement of the public roads of Elkin Township:

Preamble: Use of money for roads desired.

The General Assembly of North Carolina do enact:

Payment to road fund authorized.

SECTION 1. That J. F. Hendren, township treasurer for Elkin Township, is hereby authorized, empowered and directed to pay over to the highway commission of Elkin Township, the sum

of one thousand and one hundred dollars (\$1,100) and certain other funds which have come into his hands from the taxes collected by the sheriffs of Surry County, by virtue of chapter one hundred and ninety-five, Public Laws of one thousand nine hundred and seven.

SEC. 2. That the highway commission of Elkin Township is hereby authorized, empowered, and directed to use whatever moneys that may be turned over to the treasurer of said highway commission for the purpose of improving, maintaining, and sand-claying the public roads of Elkin Township and the streets of the town of Elkin, in such a manner as said highway commission may decide to be to the best interests of the taxpayers of said township.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 195

AN ACT TO PROVIDE FOR RURAL POLICEMEN FOR LEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on the first Monday in April, one thousand nine hundred and seventeen, and annually thereafter on the first Monday of January of each and every year, the board of commissioners of Lee County may appoint not more than six able-bodied men of good moral character, and commission them as rural policemen of Lee County. The said commissioners are hereby empowered to remove any policemen provided for in this act, at any time, for good cause shown, and appoint others in their places.

SEC. 2. That it shall be the duty of said policemen, under the general control of the board of county commissioners and the sheriff of the county, specially in rural districts, to police the county, prevent and 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 have generally in the county the powers given to policemen in the town of Sanford, and to report all their acts and all known violations of the criminal law to the sheriff and board of county commissioners at once each month.

SEC. 3. That the said policemen shall receive for said services the fees set out in the fee bill applicable for the sheriff in criminal cases.

Bond of policemen.

SEC. 4. That each of said policemen shall, before entering upon the discharge of his duty and before being commissioned by the county commissioners, enter into a bond in the sum of five hundred dollars (\$500), with sufficient sureties, to be approved by the county 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 said policemen shall take the usual oath for performance of the duties of his office.

Oath of office.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 196

AN ACT TO RELIEVE J. B. WHITE, EX-SHERIFF AND TAX COLLECTOR OF CLAY COUNTY, ALLOWING AND EMPOWERING HIM TO COLLECT STATE AND COUNTY TAXES FOR YEARS OF 1911 AND 1912.

The General Assembly of North Carolina do enact:

Collection of arrears authorized.

SECTION 1. That J. B. White, ex-sheriff and tax collector of Clay County, be empowered and is hereby authorized to collect the State and county tax of Clay County, North Carolina, for the years nineteen hundred and eleven and nineteen hundred and twelve.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 197

AN ACT TO CHANGE THE COMPENSATION OF COTTON WEIGHER OF SPRING HOPE, IN NASH COUNTY.

The General Assembly of North Carolina do enact:

Fee.

SECTION 1. That section two of chapter six hundred and eighteen of the Public-Local Laws of one thousand nine hundred and eleven be amended after the word "services" in line seven, so as to read "the sum of thirteen cents per bale for each bale weighed. Eight cents to be borne by the purchaser and five cents by the seller, the whole amount of thirteen cents

Payment.

to be paid the weigher by the purchaser and five cents deducted from the proceeds of sale when the cotton is paid for."

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

SEC. 3. That this act shall be in force from and after August first, nineteen hundred and seventeen.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 198

AN ACT TO AMEND SECTION 2802, REVISAL 1905, RELATIVE TO COMPENSATION OF COUNTY SURVEYOR OF LEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section two thousand eight hundred and two of the Revisal of one thousand nine hundred and five by adding at the end thereof the following: "and the fees of the county surveyor of Lee County shall be five dollars per day for all services done by him in his official capacity." Per diem.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 199

AN ACT TO AUTHORIZE THE COMMISSIONERS OF GASTON COUNTY TO ISSUE BONDS TO BUILD, ERECT AND CONSTRUCT BRIDGES AND TO FUND AND LIQUIDATE FLOATING INDEBTEDNESS INCURRED FOR THE PURPOSE OF ERECTING, BUILDING, AND CONSTRUCTING BRIDGES.

The General Assembly of North Carolina do enact:

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 thousand dollars (\$100,000), to be used in building, erecting, and constructing bridges over and spanning the streams of Gaston County, which are or will be a portion of its public highways, and for liquidating, paying, and funding floating indebtedness already incurred by the said commissioners of Gaston County for said purpose. Bond issue authorized.
Amount.
Purposes of issue.

- Authentication. 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.
- Record. 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.
- Special tax. 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.
- 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.
- Tax kept separate. 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.
- Specific appropriation. 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.
- Investment of sinking fund. 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.
- Interest on loans. 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 order of the said board of commissioners, the proceeds of which shall be applied to the purposes as herein provided for.
- Appropriation of proceeds of bonds. SEC. 10. All laws and clauses of laws in conflict with this act are hereby repealed.
- Deposit of bonds. SEC. 11. This act shall be in force from and after its ratification.
- Repealing clause.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 200

AN ACT TO PROVIDE FOR COMPULSORY SCHOOL ATTENDANCE IN GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

- SECTION 1. That every person residing in Graham County and having under his or her control a child or children between the ages of eight and sixteen years, shall cause such child or children to attend some public school, and such attendance shall continue for at least four months during each year. For every neglect of such duty the person offending shall be guilty of a misdemeanor and shall be punished as hereinafter provided: *Provided*, that an occasional absence from such attendance by such child or children amounting to not more than two unexcused absences in four consecutive weeks shall not be unlawful: *Provided, however*, that the superintendent, principal, or teacher in charge of such school may excuse any child for a temporary absence because of an unusual storm or bad weather, sickness or death in the child's family, unforeseen or unavoidable accident, and such excuse or reason therefor shall be recorded by said superintendent, principal, or teacher in charge of said school and reported to the attendance officer as hereinafter provided: *Provided, however*, that in case of protracted illness of any child whose attendance is required under this act, or in case of quarantine of the home in which the child resides, upon satisfactory evidence to this effect the attendance officer shall excuse from attendance such child until he is fully restored to health, or until such time as he shall be by law required to stay out of school after quarantine has been raised.
- SEC. 2. That it shall be the duty of every parent, guardian, or other person in said county, having under his or her care a child between the ages of eight and sixteen years, to report to the teacher in charge, in writing, within three days, the cause of such absence, and for every neglect of such duty the person so offending shall be guilty of a misdemeanor and punished as hereinafter provided.
- SEC. 3. That it shall be the duty of every teacher in each township to report weekly to the attendance officer the names of all children between the ages of eight and sixteen years who have been absent more than two days during the preceding four consecutive weeks together with the names of parents, guardian or other person in charge of such children.
- SEC. 4. That when any complaint is made to the attendance officer by any superintendent, principal, or other person in control of any school, as above described, of the failure of any per-

Enforcement of attendance.

Term.

Misdemeanor.

Proviso: Occasional absence.

Proviso: Excuse.

Proviso: Protracted illness or quarantine.

Reports by parents or guardians.

Reports by teachers.

Investigation by attendance officer.

son to comply with the foregoing provisions of this act, the attendance officer shall immediately investigate the cause of such absence and if in his opinion there does not exist a reasonable excuse therefor, he shall make complaint against the person having such child or children under his control before some justice of the peace residing in the township in which such school is located who shall summon such person or persons before him to answer such complaint.

Complaint by attendance officer.

SEC. 5. That any teacher or attendance officer who shall fail to perform the duties prescribed by this act shall be guilty of a misdemeanor as hereinafter provided.

Punishment.

Proviso: Children exempted.

SEC. 6. That any person violating the provisions of this act shall, upon conviction, be fined five dollars and costs for each offense: *Provided*, that if any child has attended for a like time a private day school, or has already acquired the branches required by law to be taught in the seventh grade of the schools of this State, or if his physical or mental condition is such as to render his attendance impracticable or inexpedient, or if such child resides two and one-half miles or more from the school-house by the nearest traveled route, or in cases in which because of extreme poverty the services of such child or children are necessary for his or their own support, or the support of his or their parents, then in any such case such penalty shall not be incurred.

Appointment of attendance officer.

SEC. 7. That the county school board of said county is hereby authorized to appoint an attendance officer for each of the several townships in Graham County, to fix their compensation, and to prescribe their duties. They may appoint as such officers constables, town marshals, or other discreet persons.

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 be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 201

AN ACT APPOINTING AN AUDITOR FOR MADISON COUNTY, AND DEFINING THE DUTIES OF THE POSITION.

The General Assembly of North Carolina do enact:

Office created.

SECTION 1. That permanent office of "Auditor of Madison County, North Carolina," be and the same is hereby created and established.

SEC. 2. That W. E. Finley be and he is hereby appointed to fill said office for a term to begin upon the ratification of this act and his qualifying by taking before the county commissioners of Madison County the oath of office prescribed for public officials, and to expire on the first Monday of December, nineteen hundred and eighteen, A. D. Appointment and term.

SEC. 3. That the successor in office of the auditor appointed in section two of this act shall be chosen by the qualified voters of said county at the next general election for North Carolina, and every two years thereafter at the general election of North Carolina said voters shall elect some duly qualified elector of said county to fill said office. Election of successor.

SEC. 4. That in the event of a vacancy in said office by reason of death, resignation or otherwise, or the failure of the auditor named hereunder to qualify, the said vacancy shall be filled by the county commissioners of Madison County, who shall appoint some person of good moral character and sufficient business qualification to fill said office. Vacancy.

SEC. 5. That it shall be the duty of the auditor appointed hereunder to immediately procure such expert assistance as may be necessary and have such audit made of the public records and financial condition generally of Madison County as will show the taxpayers in plain and concise terms the exact financial condition of every office, board, commission, department, or branch of government of said county, and upon completion of said audit the auditor shall post a summary thereof showing the exact condition of every office, board, or department of county government at the courthouse door, and shall publish the same in some newspaper published in Madison County. Audit.
Publication of audit.

SEC. 6. That the county commissioners of Madison County be, and they are hereby authorized and directed, upon presentation to them by said auditor of an itemized sworn statement of the cost of the services of an expert for the purpose of said audit, to pay said accountant of any funds available for general county purposes. Pay of expert accountant.

SEC. 7. Said audit shall cover the entire field of the county's financial condition for such period of time as in the judgment of the auditor will best conserve the interests of the county. Time covered by audit.

SEC. 8. That upon completion of said audit the auditor shall prepare and file with the county commissioners of said county a detailed report of the result thereof, which report shall be recorded in, and made of permanent record in the minutes of the board. Detailed report.
Record of report.

SEC. 9. That the county commissioners be, and they are hereby required, to have appropriate actions instituted on behalf of the county should any irregularity be revealed by said audit. Actions to be instituted.

- System of book-keeping. SEC. 10. That upon completion of said audit, and if found to be necessary, the county commissioners of said county are authorized and directed to procure proper books and adopt such a system of bookkeeping for said county as will in the future facilitate the auditing of its records.
- Annual audit. SEC. 11. That the auditor of Madison County shall make complete audit of the financial condition of every office, board, or branch of government of said county twice during each calendar year, and shall make condensed reports thereof, post and publish the same as above required for the first audit.
- Publication. SEC. 12. That the auditor of Madison County shall O. K. all vouchers issued by any of the boards or commissions thereof, and in the discharge of this duty may administer oaths to any person presenting any voucher.
- Vouchers to be passed on. SEC. 13. That the auditor of Madison County shall occupy the office room heretofore occupied by the treasurer of Madison County, shall attend all meetings of the board of county commissioners, and shall assist in the clerical work of said board.
- Office room. SEC. 14. That the auditor of Madison County shall receive as full compensation for his services the sum of three dollars per day and mileage for the days actually engaged in the performance of his duties, said mileage to be the same as that received by the members of the board of county commissioners of Madison County.
- Meetings of county commissioners. SEC. 15. That this act shall be in effect from and after its ratification.
- Clerical work. SEC. 16. That immediately upon the ratification of this act the Secretary of State shall transmit a duly certified copy of the same to the register of deeds of Madison County.
- Compensation. SEC. 17. That the finance committee of Madison County is hereby abolished and the law creating the same is hereby repealed, and all laws and clauses of laws in conflict with this act are hereby repealed.
- When law effective. Ratified this the 9th day of January, A. D. 1917.
- Certified copy.
- Finance committee abolished. Repealing clause.

CHAPTER 202

AN ACT TO APPOINT A COTTON WEIGHER FOR THE TOWN OF ROSEBORO, SAMPSON COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

- Apportionment. SECTION 1. That there shall be appointed for the town of Roseboro, in Sampson County, one public cotton weigher, sworn to perform his duties faithfully; whose duty shall be to weigh
- Duty.

all cotton sold in bales in said town, and make just and proper deductions for water or any other damages.

SEC. 2. That all cotton sold in bales in the town of Roseboro shall be weighed by a sworn cotton weigher, who shall give bond in the sum of two hundred and fifty dollars, to be approved by the board of commissioners of the county, for the faithful performance of his duties, and said weigher shall receive as full compensation for his services the sum of ten cents per bale for each bale weighed, the seller and purchaser to pay five cents each, and that the purchaser shall retain five cents of the purchase price and shall be responsible to said weigher for his fees, and to whom said weigher shall look for such fees.

Bond of weigher.

Compensation.

SEC. 3. That the term of said officer shall be two years, beginning on the first day of May, one thousand nine hundred and seventeen, and that his successor shall be elected biennially thereafter by the board of commissioners of Sampson County on the first Monday in March, and his bond approved by said board of commissioners of Sampson County on the first Monday in April of each year when such election shall occur as by this act provided.

Term of office.

Election of successor.

SEC. 4. That it shall be the duty of said cotton weigher to keep separated the cotton belonging to different purchasers weighed by him, so that cotton belonging to different buyers shall not become mixed on the yard or platform where the weighing is done, such as may be established for public convenience, and furthermore, it shall be his duty to keep a record of all cotton weighed, showing the names of seller and buyer, the grade of the cotton and the price paid, if known to such weigher.

Cotton kept separate.

Records.

SEC. 5. That the records of said officer shall be evidence in any court, when duly and properly authenticated, and his books and records shall be open to inspection by any person who shall make request to be allowed such privilege.

Records evidence.

Open for inspection.

SEC. 6. That said cotton weigher may, if he shall see fit and proper, appoint one or more assistants or deputies in the discharge of his duties in his said position; but that the said cotton weigher shall be responsible on his said bond for each and all of the acts of any person or persons so appointed by him.

Deputies.

SEC. 7. That S. J. Gavin shall be and he is hereby appointed to fill the first term of office under this act, that is to say, from the first Monday in April, one thousand nine hundred and seventeen, to the first Monday in April, one thousand nine hundred and nineteen, or until his successor shall be elected and qualified.

Weigher named.

SEC. 8. That all laws and clauses of laws now existing in the town of Roseboro relative to cotton weigher are hereby repealed.

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 203

AN ACT TO AMEND CHAPTER 368 OF THE PUBLIC-LOCAL LAWS OF 1911, THE SAME BEING AN ACT TO CREATE A POLICE COURT FOR THE TOWN OF CANTON, IN THE COUNTY OF HAYWOOD.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter three hundred and sixty-eight of the Public-Local Laws of nineteen hundred and eleven be, and the same is hereby amended to read as follows:

Court of record.
Seal of court.

"Said police court shall be a court of record, and shall have a seal bearing the following inscription: 'Police Court, Canton, North Carolina, (Seal),' which said seal shall be affixed to all writs, processes, and precepts of said court, issued to run anywhere in North Carolina outside of Haywood County, and when so attested by said seal it shall be the duty of any officer in North Carolina to whom such precept, writs, or processes are directed to serve the same as required by law. Said court shall be presided over by a police justice, who shall be a qualified voter of the town of Canton and a person of good moral character and standing in said town, who shall hold his office for a term of two years, and shall be eligible to reelection."

Police justice.

Term of office.

SEC. 2. That section four of said chapter be and the same is hereby amended to read as follows: By striking out all of said section after the comma following the words "North Carolina" in line three, and adding in lieu thereof the following: "except that he shall receive the sum of one dollar for trial and judgment, and in addition thereto, the police justice shall tax in the bill of cost the sum of one dollar against each person convicted, or bound to the Superior Court as jail fees, provided such defendant has been locked up in a city jail."

Fees.

Jail fee.

SEC. 3. That section eight of the said chapter be and the same is hereby amended as follows: By inserting between the word "jurisdiction" and the word "and" in line three of said section the following: "and when attested by the seal of said court shall be served anywhere in the State of North Carolina by the officer to whom same is directed, and it shall be lawful for and the duty of the officer to whom such warrant or other precept or process of said court is directed, outside of Haywood County, to serve the same when the seal of said police court is affixed thereto in like manner as precepts, processes and writs of the Superior Courts of North Carolina."

Process of court.

SEC. 4. That section eleven of said chapter be and the same is hereby amended by adding after the word "with" at the end of said section, the following: "or sentence to imprisonment in

Sentences.

the county jail of Haywood County to be worked upon the public roads of said county at the discretion of the board of county commissioners of Haywood County."

SEC. 5. That section twelve of said chapter be and the same is hereby amended by striking out after the word "same" in line four all of said section down to and including the word "same" in line seven of said section, and inserting in lieu thereof the words: "in which event the said case shall be tried by the substitute police justice hereinafter provided for; and the said substitute police justice shall have all the powers, authority and jurisdiction to try any case in the absence, disability, incompetency, or disqualification of said police justice as is conferred upon said police justice by the terms of this act." Substitute justice.

SEC. 6. That section fourteen of said chapter be and the same is hereby amended by striking out after the word "action" in line fourteen all the remainder of that sentence down to the period following the word "applicable" in line eighteen, and by inserting in lieu thereof the following: "The same shall be heard by the substitute police justice, who shall have all the powers, authority and jurisdiction given to the police justice under the terms and provisions of this act." Substitute justice.

SEC. 7. That section sixteen of said chapter be struck out, and the following enacted in lieu thereof: "The police justice of said town may issue his precept to the sheriff, or other lawful officer of Haywood County, or to any constable of Beavertown Township, or to any police officer of the town of Canton; and the police officers of the town of Canton are hereby given authority and the legal right to serve any warrant, precept or process issued by said police judge, or the substitute police judge of said court anywhere in Haywood County, and for any process of the court which is issued to run in Haywood County only, the seal of the police court need not be affixed thereto. The officers to whom said precepts or other papers are directed and who serve the same, shall be allowed the same fees as are now allowed by law in such proceedings before a justice of the peace. The police justice shall cause to be kept a faithful minute of the precepts issued by him, and shall cause to be kept a faithful record of all his judicial proceedings." Precepts.
Fees of officers.
Minutes and records.

SEC. 8. That section seventeen of said chapter be struck out and the following inserted in lieu thereof: "That it shall be the duty of the board of commissioners of the town of Canton, at their first regular meeting in the month of May in the year one thousand nine hundred and seventeen, and biennially thereafter, to elect a substitute police justice to serve for a period of two years in the absence, disqualification, incompetency, or disability of the police justice, and said substitute police justice shall possess all qualifications set out in section two of this act" Election of substitute.

Duties, rights and powers. for the police justice, and said substitute police justice is hereby clothed and invested with all the duties, rights and powers, when serving as police justice, as are conferred upon the police justice by the terms of this act."

Vacancies. SEC. 9. That section eighteen of said chapter be struck out and the following inserted in lieu thereof: "In case of a vacancy occurring in the office of police justice of said town, for any cause, the substitute police justice shall thereupon become the police justice of the said police court for the remainder of the term to which said police justice was elected, and the board of commissioners of the town of Canton shall elect a substitute police justice who shall, upon his election, be clothed with all powers, authority and jurisdiction invested in the substitute police justice by virtue of this act."

Substitute justice. SEC. 10. That section nineteen of said chapter be amended by striking out all of said section following the word "the" in line four thereof and inserting in lieu thereof the following "substitute police justice of said town."

Repealing clause. 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 9th day of January, A. D. 1917.

CHAPTER 204

AN ACT TO REGULATE HOLDING ELECTIONS IN CRAVEN COUNTY.

The General Assembly of North Carolina do enact:

Space around
polls kept open.

SECTION 1. That in holding all primary elections or elections of any and all other kinds in Craven County, for the naming as nominees, or at the election of township, county, district, State, and United States officers, or in selecting, naming or electing officers for any and all township, county, State, and United States officers, whenever it is done by ballot, whether under a legalized primary, or not, or in the general election, or any other election for said officers or any of them, a space of twenty-five feet in every direction from the polls or rooms in which the election is held shall be kept open and clear of all persons except the judges, registrar, and election bailiffs which may be provided for under the general election law for the State, which space must be roped off with a narrow passage leading to and from the polls, and each elector shall approach the polls from one direction through such passage, and after his ballot is de-

Persons allowed
in arena.

Space roped off.
Passage.

Approach to and
departure from
polls.

posited in the ballot box with as little delay as possible, he shall depart by the passage from the polls. Only one elector shall enter the passage at a time, and after the elector has entered, no one except the registrar or judges of election shall be permitted to speak to him or make any signs to him, nor shall he be permitted to speak or to make any signs to any one except the registrar or judges of election, until his ballot has been deposited in the box and he has passed out of the enclosure. The said roped space shall at all times during the hours for balloting be kept open and clear of all persons except the election officers as aforesaid, and it shall be the duty of the said election officers to keep such spaces so clear and open: *Pro-* Communication forbidden.
vided, that whenever any person is challenged one challenger for each political party shall be entitled to enter the space roped off during the hearing of such challenge, but shall retire therefrom upon the said challenge being decided. Space kept open and clear.
Proviso: Challenge.

SEC. 2. That the foregoing section shall apply only to Craven County. Application of law.

SEC. 3. Any person or persons violating section one of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined for each and every offense not to exceed fifty dollars, or to be confined to the common jail not to exceed thirty days. Misdemeanor. Punishment.

SEC. 4. All laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 5. This act shall be in force and effect from and after the date of ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 205

AN ACT TO AMEND CHAPTER 127, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915, RELATING TO HUNTING DEER IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and twenty-seven of the Public-Local Laws, session of nineteen hundred and fifteen, be amended in lines three and four by striking out the words "first day of December," and insert in lieu thereof the words "fifteenth day of November nineteen hundred and seventeen." Open season.

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 be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 206

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

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and thirty-four of the Public-Local Laws of the extra session of one thousand nine hundred and thirteen be and the same is hereby amended by adding a new section, known as "Section sixteen A" (sec. 16a), as follows:

Recorder pro tem. "Section Sixteen A (Sec. 16a). That the county commissioners of Chowan County shall appoint a recorder *pro tem.*, who shall preside in the absence of the recorder, and shall exercise the same powers and receive the same compensation as the recorder, which amount shall be deducted from the salary of the recorder. C. S. Vann is hereby appointed recorder *pro tem.*, and shall sit as recorder *pro tem.* until his successor is appointed and qualifies."

Appointment.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 207

AN ACT LEVYING A ROAD TAX ON PERSONS, PARTNERSHIPS OR CORPORATIONS HAULING LUMBER IN TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

Tax rate. SECTION 1. All persons, partnerships, or corporations hauling lumber or other heavy material over the roads of Tyrrell County shall pay a tax of two cents per mile for each thousand feet of lumber so hauled.

Sworn reports. SEC. 2. Such lumber hauled shall be reported to the chairman of the board of county commissioners each month upon oath. For failure to make such reports, the person, partnership, or corporation so failing shall be fined fifty dollars (\$50).

Penalty for failure.

Exemption. SEC. 3. This shall not apply to persons hauling lumber for their own plantation use.

Use of tax. SEC. 4. Such taxes shall be applied to the roads of the township in which the lumber is hauled.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 208

AN ACT TO AMEND CHAPTER 246, SECTION 17, OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE SALARY OF THE PUBLIC OFFICERS OF JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and forty-six of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out all of section seventeen after the word "board" in line fifteen of said section. Limit of increase removed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 209

AN ACT TO REGULATE THE HUNTING OF QUAIL IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the open season for hunting quail shall be from the first day of December to the fifteenth day of January following each succeeding year, and that it shall be unlawful to kill quail with any gun or guns that shoot over two times before reloading, and any person violating any of the provisions of this act shall be guilty of a misdemeanor. Open season.
Pump guns forbidden.
Misdemeanor.

SEC. 2. That all laws in conflict with any of the provisions of this act are hereby repealed. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 210

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

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Swain County shall receive for their services as such commissioners the sum of three dollars (\$3.00) per day instead of two dollars (\$2.00) Per diem.

Mileage.

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.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 211

AN ACT TO AMEND SECTION 2, CHAPTER 69 OF THE PUBLIC LAWS OF 1913, EXTRA SESSION, RELATING TO COURT STENOGRAPHERS AND ADDING CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter sixty-nine of the Public Laws of North Carolina (extra session of nineteen hundred and thirteen) be and the same is hereby amended by adding after the word "fee" at the end of the first line of said section, and before the word "against" in the second line of said section; the words "not to exceed four dollars in all cases, except in cases where it takes more than two days to try same, then it shall be four dollars per day: *Provided*, that the word "day" in this act shall mean from nine o'clock a. m. to five o'clock p. m.," and adding after the word "pauperis" in the last line of said section "divorce cases and cases where there has been no jury impealed."

Fee for stenographers.

Proviso: "Day" defined.

Excepted cases.

Application of act.

SEC. 2. That this act shall apply only to Cherokee County.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 212

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CHAPEL HILL AS AMENDED BY CHAPTER 467 OF PRIVATE LAWS OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That the charter of the town of Chapel Hill as amended by chapter four hundred and sixty-seven of Private Laws of one thousand nine hundred and thirteen be and the same is hereby amended by substituting for the words "a tax

License tax.

not exceeding ten dollars a year," found in line eleven of section one of chapter four hundred and sixty-seven of Private Laws of one thousand nine hundred and thirteen, the following words: "a tax not exceeding one hundred dollars a year."

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 213

AN ACT TO AMEND THE REVISAL OF 1905, SECTION 2788

The General Assembly of North Carolina do enact:

SECTION 1. That the words "forty cents" after the word "judgment" in line 8 of section two thousand seven hundred and eighty-eight of the Revisal of one thousand nine hundred and five be and the same are hereby stricken from said section and the words "eighty cents" are hereby substituted therefor. That "forty cents" after the word "verdict" in the line eleven of said section two thousand seven hundred and eighty-eight be and the same are hereby stricken from said section, and the words "eighty cents" are hereby substituted therefor. Fee for trial and judgment.

SEC. 2. That this act shall apply only to New Hanover Trial fee in jury cases. County. Application of act.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 214

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ROBESON COUNTY TO APPOINT RURAL POLICEMEN.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Robeson County are hereby authorized and empowered, if they shall see fit, to appoint not more than six rural policemen, who shall have the authority provided by chapter four hundred and eleven of the Public-Local Laws of nineteen hundred and fifteen. Appointment authorized.

SEC. 2. That House Bill ninety-one, Senate Bill one hundred and twenty-six, entitled "An act to repeal chapter four hundred and eleven of the Public-Local Laws of nineteen hundred Number. Authority. Act repealed.

and fifteen, relating to rural policemen for Robeson County," ratified January eighth, nineteen hundred and seventeen be and the same is hereby repealed.

Act reënacted.

SEC. 3. That said chapter four hundred and eleven of the Public-Local Laws of nineteen hundred and fifteen be and the same is hereby reënacted.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 215

AN ACT TO AUTHORIZE THE COMMISSIONERS OF UNION COUNTY TO MAKE CERTAIN IMPROVEMENTS.

The General Assembly of North Carolina do enact:

Contribution to street improvement.

SECTION 1. That the board of county commissioners of Union County may in their discretion appropriate a sum sufficient to pay two-fifths of the cost of improving the streets adjoining the four sides of the courthouse square in such manner as said improvements may be made by the city of Monroe.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 216

AN ACT FOR THE RELIEF OF W. R. ATKINSON EX-SHERIFF OF PENDER COUNTY.

The General Assembly of North Carolina do enact:

Collection of arrears authorized.

SECTION 1. That W. R. Atkinson ex-sheriff and tax collector of Pender County, North Carolina, be and he is hereby authorized and empowered to collect all arrears of taxes for the said county for the years one thousand nine hundred and eleven, one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, and one thousand nine hundred and fifteen.

Rules for collection.

SEC. 2. That the said taxes shall be collected under the same rules and regulations as are now or hereafter may be provided for collecting taxes, and the said ex-sheriff shall have the same rights and powers to enforce said collections as sheriffs and tax collectors.

SEC. 3. That the time for making said collections is extended Term of authority.
until March first, one thousand nine hundred and eighteen.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 217

AN ACT TO AUTHORIZE GEORGE E. DAVIS, EX-SHERIFF AND TAX COLLECTOR OF HYDE COUNTY, TO COLLECT ARREARS OF TAXES FOR THE YEARS 1911, 1912, 1913, 1914, 1915 AND 1916.

The General Assembly of North Carolina do enact:

SECTION 1. That George E. Davis, ex-sheriff and tax collector of Hyde County, be authorized and empowered to collect arrearCollection of ar-rears authorized.s of taxes for the years one thousand nine hundred and eleven, one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, and one thousand nine hundred and sixteen.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 218

AN ACT TO APPOINT TWO ADDITIONAL MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS FOR AVERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That M. B. Hughes and J. G. Lusk be and they are Appointment. hereby appointed additional members of the board of county commissioners for Avery County, their term of office to begin Term. on the first Monday of February, one thousand nine hundred and seventeen, at which term they shall qualify, and to expire on the first Monday in December, one thousand nine hundred and nineteen.

SEC. 2. That immediately upon the ratification of this act Certified copy. the Secretary of State shall transmit a certified copy of the same to the register of deeds of Avery County.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 219

AN ACT FOR THE RELIEF OF EX-SHERIFF
T. B. HENDERSON, OF ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

Collection of ar-
rears authorized.

SECTION 1. That T. B. Henderson, former sheriff of Onslow 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 fourteen, one thousand nine hundred and fifteen, under the same rules and regulations that are now provided by law for the collection of taxes in Onslow County.

Persons not com-
pelled to pay.

SEC. 2. 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 lands, be compelled to pay any arrears of taxes under this act.

Term of au-
thority.

SEC. 3. That the power and authority herein conferred shall cease and determine on the thirty-first day of December, one thousand nine hundred and eighteen.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 220

AN ACT TO AMEND CHAPTER 681 OF THE PUBLIC-LOCAL
LAWS OF SESSION OF 1915, RELATIVE TO THE INFER-
RIOR COURT OF PITT COUNTY.

The General Assembly of North Carolina do enact:

Tax fees.

SECTION 1. That section nineteen of chapter six hundred and eighty-one of the Public-Local Laws of nineteen hundred and fifteen be amended by striking out the word "five" in line one and inserting in lieu thereof the word "three," and striking out the word "five" in line eight and inserting in lieu thereof the word "three."

Pay of witnesses.

SEC. 2. That section twenty of chapter six hundred and eighty-one of the Public-Local Laws of nineteen hundred and fifteen be amended by striking out the words "fifty cents" in line four and inserting in lieu thereof the words "one dollar."

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 9th day of January, A. D. 1917.

CHAPTER 221

AN ACT TO AMEND CHAPTER 345 OF PUBLIC-LOCAL LAWS OF 1915, RELATIVE TO THE TERMS OF OFFICE OF THE GOOD ROADS COMMISSIONERS OF WILKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That sections nine and ten of chapter three hundred and forty-five of the Public-Local Laws of nineteen hundred and fifteen be construed to mean that the good roads commissioners of Wilkes County shall hold office for the respective terms mentioned in said section from the dates of their qualifications and until their successors are duly qualified. Construction of law.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 222

AN ACT TO AMEND CHAPTER 594 OF THE PUBLIC-LOCAL LAWS, SESSION 1915, SECTION 6 THEREOF, RELATIVE TO THE DUTIES AND COMPENSATION OF THE SHERIFF OF NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter five hundred and ninety-four of the Public-Local Laws of one thousand nine hundred and fifteen be amended by adding at the end of said section six the following: *Provided further*, that said sheriff of said county shall be required in addition to the duties imposed on him already by law, to collect the taxes of all kinds paid in said county by corporations, and shall in addition to the salary mentioned in section three hereof, receive as compensation for the collection of said corporation taxes, a commission of two and one-half per cent on all such taxes so collected by him; and *provided further*, that the school taxes of said county not paid by corporations shall be collected by the regular appointed tax collector of the various townships, for such fees as the board Proviso: Sheriff to collect corporation tax.
Commission.
Proviso: Collection of school taxes.

Proviso: Limit of commission. of county commissioners shall deem just and proper: *Provided*, said fees shall not exceed five per cent on such collections.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 223

AN ACT TO AMEND SECTION 2916, CHAPTER 73 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

New Hanover stricken from law. SECTION 1. That section two thousand nine hundred and sixteen chapter seventy-three, of the Revisal of nineteen hundred and five be and the same is hereby amended by striking out the words "New Hanover and," in line ten in subsection six thereof, and by striking out the word "counties" and substituting therefor the word "county," in said line ten.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 224

AN ACT FOR THE PROTECTION OF FISH IN SWAIN AND GRAHAM COUNTIES, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Use of explosives forbidden. Prima facie evidence. SECTION 1. It shall be unlawful for any person to throw dynamite or other explosive in any of the waters of Swain and Graham counties for the purpose of killing fish, and the throwing or putting of dynamite or other explosive in any of the waters of said counties shall be evidence of the *prima facie* guilt of such person, and the possession of fish killed by explosive agencies shall be *prima facie* evidence that explosives were used for the purpose of killing fish.

Prosecution. Misdemeanor. Punishment. SEC. 2. That where the Tennessee River forms the dividing line between Swain and Graham counties any person there caught violating the provisions of this act may be prosecuted in the courts of either county, and any person violating the provisions of this act shall be guilty of a misdemeanor and shall be fined not more than one hundred dollars (\$100) and imprisoned not more than six months or both in the discretion of the court.

SEC. 3. That all laws and clauses of laws in conflict with this ^{Repealing clause.} act are hereby repealed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 225

AN ACT TO PROVIDE FOR THE PAYMENT OF A SALARY TO THE COUNTY TREASURER OF CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after the first Monday in December, ^{Salary.} nineteen hundred and eighteen, the county treasurer of Caldwell County shall be paid a salary of fifty dollars per month in lieu of fees and commissions now received by him. One-half of said ^{Appointment.} sum shall be paid out of the general county fund and the remaining one-half out of the educational fund of said county.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 226

AN ACT TO AMEND CHAPTER 346 OF THE PUBLIC-LOCAL LAWS OF 1911, ENTITLED "AN ACT TO CREATE AND ESTABLISH AN AUDITOR'S OFFICE FOR THE COUNTY OF ROBESON."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and forty-six of the Public-Local Laws of one thousand nine hundred and eleven, entitled "An act to create and establish an auditor's office for the county of Robeson," be and the same is hereby amended as follows: In section eight, lines two and three, strike out the words "two thousand and six hundred" and insert "two thousand two hundred and fifty"; strike out section thirty-two and insert in lieu thereof the following:

"Sec. 32. That J. M. McCallum be and he is hereby appointed ^{Appointment.} and elected auditor of Robeson County, under the provisions of this act, and he shall hold his office for a term of two years and ^{Term of office.} until his successor shall be elected and qualified as provided by this act."

SEC. 2. That on the first Monday in January, one thousand nine hundred and nineteen, and biennially thereafter, the board ^{Appointment of successor.}

of commissioners of Robeson County are hereby authorized and directed to elect an auditor for the county of Robeson.

Law repealed.

SEC. 3. That chapter five hundred and seventy-one of the Public-Local Laws of one thousand nine hundred and fifteen, relating to the salaries of the officers of Robeson County, be and the same is hereby repealed; and all other 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 January, A. D. 1917.

CHAPTER 227

AN ACT TO AMEND THE CHARTER OF THE TOWN OF LINCOLNTON, AS CONTAINED IN CHAPTER 369 OF THE PRIVATE LAWS OF 1899.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and sixty-nine of the Private Laws of 1899 be and the same is hereby amended by striking out section five thereof and inserting the following section in lieu thereof:

Board of aldermen.

“Sec. 5. The board of aldermen of said town shall consist of four members, one from each ward, to be elected by the qualified voters of said town. Each alderman shall be a resident of the ward from which elected, and a resident of the State twelve months, and of the town ninety days, and of his ward fifteen days.”

Repealing clause.

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 January, A. D. 1917.

CHAPTER 228

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

The General Assembly of North Carolina do enact:

Office abolished.

Proviso: Arrangement with bank.

SECTION 1. That the office of county treasurer of Yadkin County be and the same is hereby abolished: *Provided*, that before the going into effect of this act the board of county com-

missioners shall be able to make a satisfactory arrangement with some bank or banks in Yadkin County to handle the funds of said county and act as fiscal agent for said county. That the said board of county commissioners shall require said bank or banks to execute bonds in such amount as will protect the funds of the county, the premiums on such bonds to be paid by the county, and the county may further pay to said bank or banks such amount for their services as may be agreed upon, not to exceed two hundred dollars (\$200) per year. That the said bank or banks holding funds belonging to said county shall render accounts and make such statements and settlements as are now required of the treasurer of Yadkin County.

Bank to give bonds.

Payment of bank.

Accounts and settlements.

SEC. 2. That the provisions of this act shall not take effect until the first day of December, one thousand nine hundred and eighteen.

When act effective.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 229

AN ACT TO AMEND CHAPTER 598 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 ninety-eight of the Public-Local Laws of one thousand nine hundred and thirteen be stricken out and the following substituted as section one as follows:

"That Albert Chrisman, J. M. Whitaker, J. B. Eads, J. J. Stone, G. L. Matthews, and J. D. S. Ashburn and their successors in office, are hereby incorporated under the name of the highway commission of Siloam Township, and by name may sue and be sued, make contracts, and do all things necessary to carry out the provisions of this act."

Highway commission incorporated.

Corporate name.

Corporate powers.

SEC. 2. That section two of chapter five hundred and ninety-eight of the Public-Local Laws of one thousand nine hundred and thirteen be amended as follows, to wit:

"That the said commission shall always consist of an equal number of members of opposite political beliefs, to be appointed by the county commission of Surry County as their terms expire, except as to those hereinafter provided, and of those named Albert Chrisman, J. M. Whitaker, and R. S. D. Ashburn, shall hold office for two years and J. B. Eads, J. J. Stone, and G. L. Matthews shall, hold office for the term of four years: *Provided*, that the position of member of said highway commission shall not constitute an office within the meaning of article fourteen, section seven, of the Constitution of North Carolina. Should

Political affiliations.

Election of commissioners.

Terms of office.

proviso: Commissioners not officers.

Vacancies.

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 belief as was the member whose place became vacant, and said successor so chosen shall hold office until his successor shall be chosen by county commission of Surry County and shall qualify."

Repealing clause.

SEC. 3. That all laws and clauses of laws in so far as they 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 January, A. D. 1917.

CHAPTER 230

AN ACT TO AMEND CHAPTER 603 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, 1915, RELATIVE TO THE COMPENSATION OF REGISTER OF DEEDS, CLERK OF THE SUPERIOR COURT AND SHERIFF OF RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and three of the Public-Local Laws of North Carolina of one thousand nine hundred and fifteen be amended as follows:

Proviso: Tax lists excepted.

(a) By adding to section six of said chapter the following: *Provided*, that this shall not apply to commission on the tax lists in the hands of said sheriff on the first Monday in December, one thousand nine hundred and sixteen, which shall be retained by said sheriff as part of his compensation for the year one thousand nine hundred and sixteen.

Proviso: Allowance to clerk for dockets and minutes.

(b) By adding to section eight of said act the following: *Provided*, that on and after the first Monday in December, one thousand nine hundred and eighteen, the said clerk of the Superior Court shall be paid the sum of seventy-five dollars (\$75) for each term of the Superior Court held in said county for preparing and making the docket and keeping the minutes of said court, said sum to be expended by him to pay for clerical assistance.

Proviso: Allowance to register.

(c) By adding to section nine of the said act the following: *Provided*, said register of deeds shall receive the further sum of fifty dollars (\$50) per month for clerical assistance in his said office.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 231

AN ACT TO AMEND SECTIONS 1 AND 2 OF CHAPTER 53, AND SECTION 1 OF CHAPTER 370 OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTEEN.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter fifty-three of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out the words "nine hundred" in line six thereof and inserting in lieu thereof the words "one thousand and twenty." Salary of jailer.

SEC. 2. That section two of chapter fifty-three of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out the word "sixty" in line nine thereof and inserting in lieu thereof the word "seventy." Deputy sheriff.

SEC. 3. That section one of chapter three hundred and seventy of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out the words "sixty-five dollars" in line five thereof and inserting in lieu thereof the words "seventy-five dollars." Deputy sheriff.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 232

AN ACT TO APPOINT BURDER GREEN CONSTABLE FOR CRABTREE TOWNSHIP AND WILLIAM KIRKPATRICK CONSTABLE FOR FINES CREEK TOWNSHIP, HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Burder Green, of Crabtree Township, and William Kirkpatrick, of Fines Creek Township, Haywood County, be and they are hereby appointed constables for their respective townships, with all the duties and powers pertaining to the office, and that the terms of the office shall continue until their successors are elected and qualified. Appointment. Terms.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 233

AN ACT TO AMEND CHAPTER 723 OF THE PUBLIC-LOCAL LAWS OF 1915.

The General Assembly of North Carolina do enact:

Salary of road superintendent.

SECTION 1. That section one of chapter seven hundred and twenty-three of the Public-Local Laws of nineteen hundred and fifteen be amended by striking out the word "eight" in line eleven and substituting therefor the word "two," and adding at the end of said section the following: "Provided, that the county commissioners in their discretion may increase the said salary to an amount not exceeding eighteen hundred dollars per annum."

Proviso: Power of increase.

When act effective.

SEC. 2. That this act shall be in force from and after the first Monday in December, nineteen hundred and eighteen.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 234

AN ACT TO AMEND CHAPTER 600 PUBLIC-LOCAL LAWS OF 1911, RELATING TO THE ISSUE OF BONDS TO MAKE AND IMPROVE THE ROADS OF ORANGE COUNTY.

The General Assembly of North Carolina do enact:

Good roads commission dissolved.

SECTION 1. That the good roads commission of Orange County, created by chapter six hundred of the Public-Local Laws of nineteen hundred and eleven, having discharged the duties and accomplished the purposes for which it was created, and is hereby dissolved and discontinued; that all powers vested in said good roads commission are hereby transferred to and vested in the board of county commissioners.

Powers transferred.

Sinking fund commissioner.

SEC. 2. That A. H. Graham be hereby appointed "sinking fund commissioner" and shall hold said office subject to removal by the board of county commissioners for causes which affect his capacity to serve. In the event that said commissioner shall become incapable or incompetent it shall become the duty of said board of county commissioners to fill said office at their next regular meeting. That said commissioner shall have authority to receive all money due said sinking fund, and to handle, manage, and invest said fund, as is by law authorized for guardians, in place of the board of county commissioners as provided in line seventeen of section ten of said act. That before entering upon the discharge of his duties said commissioner shall enter into good and sufficient bond for the performance thereof, which bond shall be given in a bonding company, and be approved by the

Authority of commissioner.

Commissioner to give bond.

board of county commissioners, and shall be increased from time to time, as it may be necessary, in the discretion of said board of commissioners, so that the same shall always be equal to at least the amount in the hands of the sinking fund commissioner. The cost of said bond shall be paid out of said sinking fund. The accounts of said sinking fund commissioner shall be audited annually by the board of county commissioners at their regular meeting in January. That said commissioner shall receive as compensation one per cent of the amount in his hands until said fund shall reach the sum of fifty thousand dollars, when said compensation shall be one per cent on fifty thousand dollars and one-half of one per cent on the amount in excess of fifty thousand dollars, this to apply until said fund shall reach one hundred thousand dollars, when the compensation shall be one per cent on fifty thousand dollars with one-half of one per cent on fifty thousand dollars, with one-fourth of one per cent on amount in excess of one hundred thousand dollars. Said compensation to be paid annually.

Cost of bond.

Audit of accounts.

Pay of commissioner.

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

Repealing clause.

SEC. 4. This act shall take effect from and after its ratification. Ratified this the 9th day of January, A. D. 1917.

CHAPTER 235

AN ACT FOR THE RELIEF OF A. L. HILL, EX-SHERIFF OF POLK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That A. L. Hill, ex-sheriff of Polk County, who by virtue of his office had the tax lists for the purpose of collecting the taxes of Polk County, State, county, schools, roads, general and special, 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, one thousand nine hundred and fourteen, and one thousand nine hundred and fifteen, and in case of death or default his personal representatives, bondsmen, or any agent he or they may designate, are hereby authorized and empowered to collect arrears of taxes for each of the years aforesaid, under such rules and regulations and with the power of enforcement as are now or may hereafter be provided for the collectorship of taxes.

Collection of arrears authorized.

SEC. 2. That no person shall be compelled to pay any tax under section one of this act, who will make affidavit before any person

Persons not compelled to pay.

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 non-payment of the taxes.

Liabilities not released.

SEC. 3. That nothing herein contained shall be construed to relieve the said A. L. Hill, his representatives or bondsmen, from the liability imposed by law to pay the county, State 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 first day of January, one thousand nine hundred and eighteen.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 236

AN ACT TO AMEND CHAPTER 684 OF THE PUBLIC-LOCAL LAWS OF 1911, RELATING TO DOG TAX FOR PITT COUNTY.

The General Assembly of North Carolina do enact:

Proviso: Packs of fox hounds exempt.

SECTION 1. That section two of chapter six hundred and eighty-four of the Public-Local Laws of nineteen hundred and eleven be and the same is hereby amended by adding at the end of said section the following: "*Provided*, that if any one person in Pitt County shall maintain a pack of as many as eight full-blooded fox hounds for the purpose of chasing and destroying foxes, and the owner of said pack of fox hounds shall produce sufficient proof to a list-taker that he maintains such pack for the purpose of chasing and destroying foxes only, that the same are full-blooded fox hounds, and that they are maintained in one pack, the same shall be exempt from the dog tax provided for in this section, and shall be listed as any other personal property."

Listed as property.

Proviso: Investigation and enforcement of listing.

SEC. 2. That section three of chapter six hundred and eighty-four of the Public Local-Laws of nineteen hundred and eleven be and the same is hereby amended by adding at the end of said section the following: "*Provided*, that the county commissioners in the exercise of their discretion may appoint any qualified citizen of Pitt County to investigate and see that the dogs of Pitt County are properly given in and listed for taxes; and in case of violation of this act, bring and prosecute actions against the violators, and for said services the county commissioners, in their discretion, may allow such compensation as they shall deem fit

and proper, and deduct the same from the funds derived from the dog tax provided for in this 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 from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 237

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF McDOWELL COUNTY TO APPOINT AN AUDITOR FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of McDowell County be and they are hereby authorized to appoint an auditor for said county for a term of two years from March first, one thousand nine hundred and seventeen. The salary of said auditor shall not exceed sixty dollars per month.

Appointment authorized.
Term.
Salary.

SEC. 2. 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 he shall report the same to the county commissioners of said county at their first meeting in the months of May and December.

Semi-annual audit and report.

SEC. 3. That the said auditor shall enter into a bond to be approved by the county commissioners in the sum of five hundred dollars, payable to the State of North Carolina, conditioned that he shall diligently, truly and faithfully perform the duties of said office.

Bond of auditor.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 238

AN ACT TO PROHIBIT THE SALE OF WINE OR CIDER WITHIN THREE MILES OF SHADY GROVE CHURCH IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to sell any wine or cider within three miles of Shady Grove Church in Sampson County, and any person or persons guilty of the same shall be guilty of a misdemeanor.

Prohibition.
Misdemeanor.

Repealing clause. 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 January, A. D. 1917.

CHAPTER 239

AN ACT TO PROHIBIT THE SALE OF WINE AND CIDER, OR OTHER INTOXICATING BEVERAGE, WITHIN THREE MILES OF ODOM SCHOOL, NASHVILLE TOWNSHIP, WHITE NUMBER THREE, NASH COUNTY, NORTH CAROLINA, OR BETHLEHEM CHAPEL, STONY CREEK TOWNSHIP, NASH COUNTY.

The General Assembly of North Carolina do enact:

Prohibition. SECTION 1. That it shall be unlawful for any person, persons, firm, or corporation, to give away, to sell, or otherwise dispose of for gain or profit any intoxicating liquors, beer, beerine, cider, or bitters within three miles of Odom School, Nashville Township, White, Number Three, Nash County, and Bethlehem Chapel, Stony Creek Township, Nash County, under a penalty of not exceeding a fine of fifty dollars for each offense or imprisonment for thirty days.

Penalty.

Repealing clause. 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 9th day of January, A. D. 1917.

CHAPTER 240

AN ACT TO REGULATE THE COMPENSATION OF JURORS IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

Regular jurors. SECTION 1. That regular jurors in Hyde County shall receive three dollars per day, including their regular mileage of five cents per mile, and talesmen jurors shall receive two dollars per day.

Talesmen.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 241

AN ACT TO PROVIDE BETTER ROADS FOR ANSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Anson County be and they are hereby authorized and empowered from time to time to borrow such sum or sums of money, not exceeding in the total one hundred thousand dollars, as they may find necessary, issuing therefor certificates of indebtedness which shall be known and styled "Anson County Good Roads Certificates," and the same will be of such dimensions and proportions as said board may deem advisable, bearing interest from date of issuance not to exceed a rate of five 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 determine. The said certificates shall be approved by a majority of the board, and signed by the chairman and countersigned by its clerk and shall be of such form and tenor and transferable in such way as said board may determine. The number thereof shall be payable serially, no one of the same at a greater time than thirty years from the date of its issuance, and such amount thereof payable annually as said board may find the taxes herein provided for will annually redeem, making due provision for the payment of the interest accruing. None of said certificates shall be disposed of at a less price than par. Said certificates may be issued at such time or times and in such amounts as may be deemed best, in the opinion of said board to meet the needs and requirements of the provisions of this act. Said certificates shall be sealed with the seal of the clerk of the board.

Power to borrow money.

Amount.

"Anson county good roads certificates."

Denominations.

Interest

Authentication.

Maturity.

Sale below par forbidden.

SEC. 2. The proceeds of the sale of said certificates shall be used—

Use of proceeds.

(1) To repay the moneys borrowed under the provisions of chapter five and chapter seven hundred and sixty-five, Public-Local Acts one thousand nine hundred and fifteen.

For payment of debt.

(2) For the construction, maintenance and repairing of the most important public roads of Anson County not heretofore constructed or rebuilt by contract or the chain-gang, as the same have been or may hereafter be laid out or provided. The relative importance of such roads shall rest in the sound discretion of said board.

For construction and maintenance of roads.

Selection of roads.

SEC. 3. The treasurer of Anson County shall receive and have charge of all moneys received under any provision of this act and shall pay out the same on the order of the board of commissioners of Anson County. He shall give bond for the faithful performance

Treasurer of county to receive and pay out money.

Bond of treasurer.

- of his duties and to account for all moneys which shall come into his hands, in such sum as may be fixed by said board; said bond to be payable to the county of Anson. He shall make such accounting for the same and such settlements as may be required by said board.
- Accounts and settlements.
- Special tax. SEC. 4. To provide for the payment of the interest upon said certificates of indebtedness and retiring the same as the same may become due, the board of commissioners of Anson County are authorized and empowered annually at the time of levying all county taxes to levy upon all taxable property in Anson County, except as hereinafter provided, a tax at a rate not to exceed ten cents on each one hundred dollars valuation of taxable property in addition to the other taxes authorized by law. Said tax shall be collected and settled for by the sheriff of Anson County in the same manner as county taxes and shall constitute a separate fund to be applied wholly and solely to the payment of the interest upon the certificates above referred to and the payment of said certificates as the same shall become due.
- Limit of rate.
- Collection and settlement.
- Separate fund.
- Specific appropriation.
- Road commissioner and purchasing agent. SEC. 5. The board of commissioners of the county of Anson are hereby authorized and empowered upon the first Monday in February one thousand nine hundred and seventeen, to elect some well-qualified person as "road commissioner and purchasing agent." His term of office shall extend to the first Monday in December, one thousand nine hundred and eighteen, and until his successor in office is elected. On the first Monday in December, one thousand nine hundred and eighteen, and biennially thereafter said board of commissioners shall elect some well-qualified person as "road commissioner and purchasing agent," who shall hold office for the term of two years and until his successor is elected and qualified.
- Term of office.
- Election of successor.
- Term.
- Commission to qualify and give bond. SEC. 6. The "road commissioner and purchasing agent" shall take an oath for the faithful performance of the duties of his office and give bond in such sum as may be fixed by the board of commissioners for the faithful performance of the duties of his office, and shall receive as full compensation for all of the services performed by him as "road commissioner and purchasing agent," such sum as may be fixed by said board of commissioners of the county of Anson, not to exceed the sum of one hundred and twenty-five dollars per month, said sum to be paid by the treasurer of Anson County from the general county fund and the Anson County road fund in proportion to the amounts of each fund which may be expended under the supervision or by the direction of said "road commissioner and purchasing agent." Said "road commissioner and purchasing agent" shall have charge of the purchasing of everything during his continuance in office to be purchased by the county of Anson for the jail, courthouse, county home, chain-gang, Anson County roads, or by any
- Compensation.
- Apportionment.
- Duties as purchasing agent.

fund for the improvement of the Anson County roads and bridges and for county purposes, and shall have charge of the allotting of all contracts for the construction, maintenance or repairing of any roads, bridges, public grounds or buildings, or property in Anson County except school property and of the expenditure of all moneys which may be expended for county or road purposes. No moneys shall be paid out except by the approval of the board of commissioners of the county of Anson; nor shall any contract of agreement made by the "road commissioner and purchasing agent" be valid or binding unless the same be approved by the board of commissioners of Anson County.

Approval of payments and contracts.

SEC. 7. Said "road commissioner and purchasing agent" may, for neglect of duty, incompetency, inefficiency, or any other sufficient cause, be at any time removed from office by the board of commissioners of the county of Anson, and may without cause be removed by said board upon thirty days notice. He shall in all matters be subject to the orders of said board.

Removal of cause.

Discharge.

SEC. 8. Said "road commissioner and purchasing agent" shall be the head of the public road system of Anson County and shall have charge of the laying out, construction, and maintenance of public roads and bridges and shall direct the work of all patrolmen. He shall have charge and supervision of all road contractors, patrolmen and the county chain-gang. An office shall be provided for him in the county courthouse.

Duties as road commissioner.

SEC. 9. The "road commissioner and purchasing agent" shall, as soon as practicable after he has entered upon the discharge of the duties of his office and during each succeeding February, divide the public roads of Anson County, which have been or hereafter may be constructed into sections of such length as he may see fit and shall employ and appoint some suitable and qualified person as patrolman of each section. With the consent of the patrolman a section or allotment of hands to the section under his control may at any time be made by the "road commissioner and purchasing agent." Said patrolman shall be employed for such time not to extend beyond the term of office of the "road commissioner and purchasing agent" as may be agreed. His appointment and contract of employment shall be in writing and he shall be paid for his services such sum as may be agreed upon between him and the "road commissioner and purchasing agent" to be approved by the Anson County board of commissioners. Said patrolman shall be held to strict accountability for the performance of the duties of his office and the provisions of his contract, and any failure or neglect upon his part to perform any of the duties of his office shall be a misdemeanor and punishable as such.

Division of roads.

Patrolmen.

Allotment of hands.

Term of employment.

Appointment in writing.

Pay.

Misdemeanor.

SEC. 10. All able-bodied men between the ages of eighteen and forty-five years shall be required, under the provisions of this act to work on the public roads of Anson County six days in each

Road duty.

- Days work. year, and ten hours of good and faithful service shall constitute a days work, and the patrolman to whom any hand is assigned shall require that each such hand perform this amount of work in each year.
- Road year. SEC. 11. The road year in Anson County in the year one thousand nine hundred and seventeen shall extend from the ratification of this act to the thirty-first day in December, one thousand nine hundred and seventeen, inclusive, and thereafter shall extend from the first day in January to the thirty-first day in December in each year, inclusive.
- Commutation. SEC. 12. Any person required to work on the public roads of Anson County who shall, on or before the first day in April in each year, pay to the patrolman of the section of road to which he has been assigned to work the sum of three dollars, shall not be required to work said roads.
- Monthly reports and settlements. SEC. 13. Each patrolman shall monthly report all moneys collected by him under the preceding section to the "road commissioner and purchasing agent" and shall monthly pay all moneys collected by him to the treasurer of Anson County. Said report shall state the name of the persons making such payments. The patrolman shall also monthly report to the "road commissioner and purchasing agent" the amount and nature of the work done by him; the names of the parties performing said work; the days upon which the same was performed, and the number of hours worked. The reports provided for in this section shall be filed during the first ten days of the month following that in which the money had been collected or work done, and all moneys collected under the provisions of the preceding section shall be paid to the county treasurer during the first ten days following the month the money has been collected.
- Reports of work. SEC. 14. All moneys collected in lieu of labor shall be expended upon the section of road upon which the person paying said moneys shall be liable for road duty.
- Expenditure of commutation money. SEC. 15. The "road commissioner and purchasing agent" shall annually allot the hands to the patrolmen and said hands shall work entirely under their orders and subject to their control. A copy of such allotment shall within ten days be furnished the patrolman. Said hands shall be warned of the time and place for the performance of their work by the patrolman in the same manner as is now provided by law for warning hands by overseers. The allotment of hands may be made by allotting to a section all who live or shall live in certain boundaries to be fixed by the "road commissioner and purchasing agent," in which event a list of the hands by name need not be given.
- Allotment of hands. SEC. 16. It shall be the duty of the patrolmen to report any failure or neglect of duty on the part of any hand to the "road commissioner and purchasing agent," and any hand guilty of such
- Copy for patrolmen. Warning to hands.
- Allotment by boundaries.
- Patrolmen to report on hands.
- Misdemeanor.

failure or neglect shall be guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five (\$25.00) dollars nor more than fifty (\$50.00) dollars, or imprisoned not less than fifteen days nor more than thirty days; and it shall be the duty of the "road commissioner and purchasing agent" to have warrants issued for such hands. Punishment. Warrant.

SEC. 17. For the purpose of laying out, opening, constructing, working, maintaining or repairing any public road, the "road commissioner and purchasing agent," or any one acting by his authority, shall have the right to enter upon the lands of any person and proceed to open the road, and use stone, earth, and timber and any other material, doing as little injury as possible to the premises, having due regard to the interest of the public. Entry on lands.

He shall have the authority, subject to the approval of said board of commissioners, to agree with the owner thereof as to the amount of damages thereto, and the sum so agreed upon and approved by the board of commissioners shall be directed to be paid from the road fund of Anson County. In case there should be a failure to agree as to such damages said "road commissioner and purchasing agent" and the owner shall each in writing select an arbitrator, who shall in writing select a third arbitrator, and the three or a majority of them shall assess such damages as shall be paid as hereinbefore provided. In assessing said damages, the said arbitrators shall take into consideration the amount of special benefits to be derived by the landowner from the construction of said road and deduct the same from the amount of damages they may find to be due. Said arbitrators shall make their award in writing and from his award either party may appeal to the Superior Court of Anson County. The party appealing shall, within ten days after the award, give notice in writing to the opposing party of his appeal, and the last chosen arbitrator shall certify the papers in the matter in dispute to said court; the clerk of said court shall docket the case on the civil issue docket and the case shall be tried as other civil actions: *Provided, however,* that except in cases of emergency no entry shall be made under the provision of this section, upon the lands of any person until ten days notice of the intention to make such entry and of the material to be taken shall have been given such landowner. Such notice shall be given to resident landowners who are *sui juris* by delivering a copy of the same to them; if such landowner be a minor or *non compos mentis* and have a resident guardian, by delivering a copy of such notice to said guardian; if a minor or insane without guardian, to the person with whom such minor or insane person resides. If the landowner be a nonresident, by mailing a copy of such notice to the last known address of such landowner. Settlement of damage. Arbitration for assessment of damages. Benefits considered. Right of appeal. Notice of appeal. Case on appeal. Proviso: Notice before entry.

Coöperative work. SEC. 18. The board of commissioners of Anson County are expressly authorized and empowered to coöperate with neighborhood subscriptions in the construction of roads and to purchase all necessary machinery and tools for the construction, maintenance and repairing of any public roads.

Patrolmen removable for cause. SEC. 19. Any patrolman may be removed from his office and employment by the "road commissioner and purchasing agent" for neglect of duty or failure to perform a duty, inefficiency or any other just cause.

Power to make contracts. SEC. 20. The board of commissioners of Anson County shall have power and authority to enter into any and all necessary contracts for the purpose of carrying out the provisions of this act and to expend moneys from the Anson County road fund for said purpose. Nothing in this act shall be construed to restrict their power to enter into any contracts.

Laws repealed. SEC. 21. Chapter five, Public-Local Acts of one thousand nine hundred and fifteen, and chapter seven hundred and sixty-five, Public-Local Acts of one thousand nine hundred and fifteen, authorizing the borrowing of money by the board of commissioners of Anson County for road purposes are hereby repealed.

Warrants to be sworn out. SEC. 22. It shall be the duty of the "road commissioner and purchasing agent" to have warrants issued for any person who shall fail or neglect to perform any duty required of him by the provisions of this act.

Discretion, power and authority. SEC. 23. In the expenditure of the moneys provided for in section one of this act, the board of commissioners of Anson County and the "road commissioner and purchasing agent" shall have all discretion, power and authority that are granted to the board of commissioners of the county of Anson under the general road law of North Carolina and to the board of commissioners of Anson County and "road commissioner" under chapter five hundred and seventy-one, Public Laws of one thousand nine hundred and seven, entitled "An act to improve the roads of Anson County," except as may be otherwise provided in this act.

Laws not repealed. SEC. 24. The general road law of the State of North Carolina and chapter five hundred and seventy-one, Public Laws of one thousand nine hundred and seven, entitled "An act to improve the roads of Anson County," are not hereby repealed, except in so far as they may conflict herewith or as there may be other provisions herein made.

Localities exempted. SEC. 25. This act shall not apply to Morven Township, or Lanesboro Township, Precinct No. 2 road district, established by chapter four hundred and eleven, Public-Local Acts of one thousand nine hundred and eleven, or to the property, hands, or roads in said township or precinct.

Authority of patrolmen. SEC. 26. Except as herein otherwise provided, the patrolmen shall have all the power and authority granted by the general road law of the State to road overseers.

SEC. 27. The patrolmen shall work as directed by the "road commissioner and purchasing agent." Direction of work.

SEC. 28. This act shall be in force and effect from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 242

AN ACT TO FIX THE PAY OF THE COUNTY COMMISSIONERS OF McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the pay of the members of the board of commissioners of McDowell County is hereby affixed at three dollars per day, and mileage at the rate of five cents per mile, both for going to and returning from the county seat. Per diem. 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 9th day of January, A. D. 1917.

CHAPTER 243

AN ACT TO PROVIDE FOR THE CONSTRUCTION AND MAINTENANCE OF THE PUBLIC ROADS AND HIGHWAYS OF YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Yancey County shall, in order to provide for the proper construction, improvement, and maintenance of the public roads and highways of Yancey County, at their regular meeting in June, one thousand nine hundred and seventeen, and at each annual meeting thereafter, and it is hereby made their duty to levy a special tax upon all property subject to taxation under the State in said county of not less than ten cents and not more than thirty cents on the one hundred dollars worth of property, and not less than thirty cents, nor more than ninety cents on each taxable poll in said county, always observing the constitutional equation of property and poll tax; said tax shall be collected by the sheriff or tax collector as all other taxes, and the said taxes shall be kept separate and apart in the tax books of the county, and to be set apart as a special road fund to be used for the construction, improvement and maintenance of the Levy of special tax ordered. Limits of rate. Constitutional equation. Collection. Special road fund.

- Material and equipment. public roads and highways of the township in which the same is collected. And further, it shall be the duty of the commissioners of Yancéy County to furnish each superintendent of roads in the various townships with material and instruments, such as shovels, picks, mattocks, road scrapers, plows, and such other tools and material as may be deemed necessary for the proper construction and maintenance of roads in their respective sections under their control: *Provided, however,* that the money raised under this section shall, as far as possible, be used for permanent improvements of the roads in the township where the same is collected.
- Proviso: Permanent improvements. SEC. 2. That there shall hereafter be elected by the board of commissioners of said county at their regular meeting in May, one thousand nine hundred and seventeen, and at their regular meeting in May of each year thereafter, two superintendents of roads of each township in the county, who shall be allowed a compensation of not exceeding one dollar and fifty cents per day for each day's work while actually and positively engaged in the work of superintending the working, constructing, or repairing the roads of their respective districts, and to be paid out of the township road fund for the township for which they are appointed, and who, after May, one thousand nine hundred and seventeen, shall hold office for one year, or until his successor is elected and qualified, as provided for in this act: *Provided, further,* that the said superintendent of roads may be removed at any time by the board of commissioners after having been given ten days notice and a hearing, where in the opinion of such board there exists a good and sufficient cause for such action. Among such causes shall be inability to perform duties required by reason of carelessness, indifference or other cause, and for malfeasance or misconduct in office he may be removed by them without further notice than is necessary to give him a hearing.
- Election of township road superintendents. SEC. 3. That it shall be the duties of the board of county commissioners, at their regular meeting in May, one thousand nine hundred and seventeen, and before appointing the superintendents of roads herein provided for, to divide each township in said county into two districts, by proper boundaries, and record such boundary in the minutes of their proceedings, and appoint a superintendent of roads for each district, and allotting the hands in each district to the superintendent appointed for such districts; and the hands thus allotted shall not be required to work in any other district of said county; and all taxes collected under this act, for the purpose of constructing or maintaining the roads and highways of the county, shall be expended in the district and by the superintendent of the district whence collected.
- Compensation. Road districts.
- Term of office. SEC. 4. That said superintendents of roads, as herein provided, shall receive a fee of five cents for each hand summoned to work
- Proviso: Removal for cause. Allotment of hands. Expenditure of taxes. Fee for warning hands.

upon the roads of their district, but the same shall not be cumulative with the compensation provided for in section two of this act, nor shall said superintendent be allowed the compensation provided for in section two while making such summons.

SEC. 5. That it shall be the duty of the superintendent of roads for the several districts herein provided for, subject to the supervision of the board of county commissioners, to supervise, direct and have charge of the improvement, maintenance and building of all public roads in their district, and each superintendent shall give a good and sufficient bond in the sum of not less than five hundred dollars as a guarantee for their faithful and honest discharge of the duties of their office, which bond shall be registered in the office of register of deeds at the expense of such superintendent and filed with the clerk of the Superior Court; and it shall be the further duty of each superintendent of roads to submit a quarterly itemized and sworn report to the board of county commissioners showing therein all sums collected by virtue of their office, from whom collected, how disposed of and to whom. And in each and every report it shall be the duty of the superintendent making the same that he has at no time worked a less number of hands than is allowed by this act and in such quarterly reports he shall report the condition of the roads in his districts and plans for their improvement, and shall include in his report an inventory of tools, implements, material and other equipment on hand. A failure to submit the report, as provided for in this section shall be a sufficient cause for removal from office.

SEC. 6. All able-bodied male persons, between the ages of twenty-one and forty-five, shall work on the public roads of said county six days of eight hours each, and two additional days in case of obstruction, or washout, of eight hours each, anywhere in the district to which they belong where the superintendents of roads may direct in each and every year, at such time and place and in such manner as such superintendent may designate: *Provided*, that the superintendent of roads of each district shall give to such persons, 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 where such work is to be performed, and also designating in such notice or warning the tool or implement which such person shall be required to furnish and use in doing such work: *Provided further*, that in case of washout, or other unexpected obstruction to travel or damage to any road in his district, the superintendent shall not be required to give the notice required in this section, and any person liable to road duty in his district in which the washout or unexpected obstruction occurs shall, upon being summoned by the superintendent of his district, re-

Direction and supervision of road work.

Bonds of superintendents.

Quarterly reports.

Condition of roads and plans for improvement.
Inventory.

Failure cause for removal.

Road duty.

Emergency work.

Proviso: Warning.

Proviso: Warning for emergency work.

Proviso: Commu- tation.	spond to such summons with reasonable promptness: <i>Provided</i>
Record of pay- ment.	<i>further</i> , that any person may pay to the superintendent in his district the sum of six dollars when summoned to work on the road, and the payment of the said six dollars shall be received by the superintendent of the district, who shall give to the person paying the same a receipt in full for work which he is entitled to do upon the roads of his district for the year in which said pay-
Embezzlement.	ment is made. All moneys paid the superintendent of roads as provided for by this act shall be kept on record by the superin-
Prima facie evi- dence.	tendent and shall be expended on the roads of his district, and report it to the board of county commissioners as provided by
Proviso: Locality of work.	section five of this act; and any embezzlement of such funds by any superintendent shall, upon conviction thereof, be punished
Failure to per- form road duty misdemeanor.	as is now prescribed by law, and any superintendent who fails or refuses to make a quarterly report to the board of commissioners
Punishment.	of all moneys collected by him during the quarter, showing how much collected, how expended, and to whom paid, such failure shall be <i>prima facie</i> evidence of intention to embezzle the moneys
Complaint to magistrate.	so collected by him: <i>Provided</i> , that no person subject to road duty shall be liable to work upon any road outside of his own road district as fixed by the board of county commissioners, as provided by section three of this act.
Failure of super- intendent a mis- demeanor.	SEC. 7. That any person who shall, after being summoned as provided by section six of this act, fail to appear upon said roads, as required to do by summons, after having failed to pay the sum
Punishment.	of six dollars as provided in section six of this act, or failing to have present as substitute an able-bodied man of road age, or any person who shall appear as summoned and fail to perform good
Failure of super- intendent a mis- demeanor.	and reasonable labor as required by the superintendent of his district, shall be guilty of a misdemeanor, and upon conviction there-
Punishment.	of shall be fined not less than five nor more than seven dollars and costs for each day he fails to perform or have performed the
Proviso: Prosecu- tion by citizen	work required of him to be performed upon the roads of his district, and in case of the failure of any person required by section
	six of this act to work upon the public roads of his district upon failure to pay the six dollars provided for in said section at the
	time of being summoned, or to perform the work required of him in said summons, then in that case the superintendent of the dis-
	trict shall within five days appear before some justice of the peace of the township in which said district is located and make com-
	plaint to such justice of the peace, whose duty it shall be to immediately issue a warrant for the person so reported, and any
	superintendent failing or refusing to make such complaint shall be guilty of a misdemeanor, and upon conviction shall be fined
	not less than ten dollars, nor more than twenty dollars for each and every failure to make the complaint as provided for in the
	section: <i>Provided, however</i> , that any road hand, or superintend-

ent defaulting herein stated, may, at any time after default, be prosecuted by any citizen of the county.

SEC. 8. That proper implements and tools for the use of working the public roads of the county, as provided for in section one of this act, shall be supplied by the county commissioners, and shall be paid for out of the road fund of the district in which said tools and implements are used: *Provided*, that until the county commissioners shall be able to furnish and supply the necessary implements and tools they may, and are hereby empowered and required to, compel any and all persons who are by this act required to work upon the public roads of said county to provide themselves with such tools and implements as are commonly used while working upon said roads of said county under the general laws of the State; the superintendent of roads for the district to designate the tool or implement that he desires such person to use, in his notice or summons, to such person to work said road.

Implements and tools.

Proviso: Tools supplied by road hands.

SEC. 9. The superintendent of roads herein provided for shall within twenty days after the appointment make a full and complete list of all male persons subject to road duty in the district for which they are appointed, and enter the same upon a book to be kept by them for that purpose, and shall, at the end of every three months, check off names of such persons as have been summoned to work upon the roads of their district and fail to do so after such summons, and have failed to pay the sum of six dollars, as provided in section seven of this act, or furnish a substitute as therein provided, or fail to perform the work as therein required, and submit such list to the board of commissioners, the said report to give the names of each person who has been prosecuted for default, and the amount fined.

Lists of road hands.

Report of delinquents.

SEC. 10. As soon as the superintendents of roads shall have qualified (taking an oath before some justice of the peace for their faithful performance of their duties) for their respective districts, it shall be their duty to take immediate steps to put all roads in their districts in good condition, and keep them in good condition by making all needed repairs, so far as can be done with the road hands of such district liable to work upon said roads, working the road by sections, and not less than ten hands in any one section for more than two days, until the entire list of hands have been worked on said road; then all hands who have worked two days on said road shall not be required, under ordinary condition of roads, until fifteen days have intervened. Said superintendent shall be charged with six dollars for each and every road hand subject to work upon the roads of his district, and shall not be exempt himself from road duty by virtue of being appointed superintendent of roads nor shall any person be exempt from the provisions of this act from working on said public roads, except

Details of work prescribed.

Charges on road hands.

Superintendent not exempt.

Power of exemption.	such as be exempted by the board of county commissioners; their discretion to exempt from such service shall only extend to persons who are both physically infirm and unable to employ a substitute. Nor shall any road superintendent use, employ or work his own team upon any of the public roads of the county, and the compensation for teams shall be fixed and allowed by the board of county commissioners.
Employment of teams.	
Failure to perform duty misdemeanor.	SEC. 11. That if the board of county commissioners, or superintendent of roads, shall willfully neglect, fail, or refuse to perform any of the duties imposed upon him or them by this act, he or they shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, at the discretion of the court.
Punishment.	
Entry on land for material.	SEC. 12. That for the purpose of carrying out the provisions of this act the superintendent of roads of the several districts of Yancey County are hereby authorized to enter upon any lands unincumbered by crops, near to or adjoining such roads, to cut and carry away timber, except groves or trees upon improved land, or left for shade or ornamental purposes, to dig or cause to be dug and carried away any gravel, sand, or stones which may be necessary to construct, improve or repair said road, and to enter on any land near to or adjoining such roads, in order to make such ditches and drains as he or they may deem necessary for the betterment of the roads, doing as little injury to the said land and timber improvements thereon as the nature of the case and the public good will permit; and the drains or ditches so made shall be connected to the nearest ditch, watercourse or waste ground, and shall be kept open by said superintendent of the roads wherein located, and shall not be obstructed by the owner or occupant of the lands, or any other person or persons, under penalty of forfeiting sums not exceeding ten dollars as a fine, or imprisonment not exceeding twenty days for each and every offense; said penalty to be collected by the justice trying the case, and be paid to the superintendent for the use of the public roads of the district from which the penalty was collected. If the owner of any lands, or the agent or agents of such owner having in charge lands from which timber, gravel or stone was taken as aforesaid, shall present an account of the same through the superintendent of roads from the district wherein the account accrued, at any regular meeting of the board of commissioners within ninety days after the taking and carrying away of such timber, stones or gravel, and it shall be the duty of such commissioners to pay for same such sums as may be agreed upon by them, or assessed by an impartial jury of three freeholders, one to be selected by the superintendent of roads, one by the party claiming the damages, and the third to be selected by the two, with the right of either party to appeal, as provided by section fourteen of this act.
Ditches and drains.	
Penalty for obstructions.	
Presentation and payment of accounts.	
Arbitration for assessment.	

SEC. 13. The superintendent of roads for the various districts of said county are hereby given authority and power, in their discretion, to locate new roads or relocate, widen or otherwise change any part of the public road in their district, when in their opinion such change or relocation will prove advantageous to the public travel: *Provided*, that such discretion and power to change, or alter or relocate roads shall not exceed fifty feet from the present location. That when any person or persons on whose land a new road or part of road located, claims damages therefor, and within thirty days after the completion of said alteration or amendments to said roads, petition the board of county commissioners for a jury to assess the damage done by reason of such alteration or change of said road, then said commissioners shall order a jury of three freeholders, residents of the district where such changes have been made, not related to the person claiming such damages, to be summoned by the sheriff, or township constable, to meet and assess the damages, if any, sustained by the owner of the land, which said jury, after being duly sworn to impartially assess the damages, shall forthwith proceed to assess the same and make a report of their proceedings to the next regular meeting of said board of commissioners of said county. But when such relocation or change shall be located more than fifty feet distant from the present location of any road in any section of said county, it shall be and is hereby made the duty of superintendent of the district where such change may be necessary to report said proposed change to the board of county commissioners at any regular meeting of the board, who shall thereupon cause a citation to issue to the owner of the land upon which change is proposed to be made, to appear before said board at such regular meeting thereof as said board may designate, not exceeding sixty days from the date of the filing of the report of such proposed change by said superintendent, to appear before said board and show any cause which he may be able against the granting of such proposed change. After the hearing of the proof of the landowner, if no sufficient reason is shown for not granting the order laying out or changing the road as proposed by said superintendent, the said commissioners shall order a jury of three appraisers to be summoned by the sheriff of the county to lay out the location proposed by the superintendent, said appraisers shall meet and, after being sworn, lay out the said change, and report their proceedings within ten days to the board of county commissioners, who shall make an order confirming said report after same has been on file for a period of no longer than ten days, in which time the landowner may file such exception to same as he desires. Upon the confirming of such report the commissioners shall issue an order upon the county treasurer of Yancey County, to pay such damages as may have been assessed to the landowner, and upon

Location and changes of roads.

Proviso: Limit of change.

Procedure for assessment of damages.

Proposed change reported.

Action by county commissioners.

Location laid out.

Order for payment of damages.

Benefits consid- ered.	the tender of the same to the landowner said superintendent is authorized and empowered to enter upon said land and lay out and make the road according to the proposed change, notwithstanding the appeal of the landowner from the order confirming the report of the appraisers. In the assessment of the damages the appraisers shall take into consideration the benefits to the public travel and benefits accruing to the landowner, and if said benefits accruing to landowner are considered equal to the damage done by the road being so built, the jury shall find and count the benefits against the owner of the land as against the damages done by the road being so built, against the damages claimed by the landowner. The sheriff or officer serving the summons upon the appraisers shall be allowed the sum of twenty-five cents for each person summoned as a juror, and any juror making claim for his service shall be paid the sum of fifty cents a day for such service, to be paid out of the district road fund. A copy of summons shall be served on each freeholder summoned on the jury of appraisal: <i>Provided, however,</i> that such service shall not be necessary if the parties accept service of said summons. The damages, if any awarded, shall be paid out of the road fund of the township in which the land concerned is located.
Fees.	
Payment of dam- ages.	
Right of appeal.	SEC. 14. That in case either party interested shall be dissatisfied with the finding of the jury as provided for in sections twelve and thirteen of this act, such dissatisfied party may appeal to the board of county commissioners, and if dissatisfied with their decision may in turn appeal to the Superior Court of the county: <i>Provided,</i> that an appeal may be taken from the judgment of the county commissioners with bond, and the same shall be heard in the Superior Court <i>de novo: Provided,</i> that the party to whom the damages awarded shall recover no more cost than the sum equal to the amount of damages awarded.
Proviso: Bond on appeal.	
Proviso: Costs on appeal.	
Time for road work.	SEC. 15. That all work on roads be done between the fifteenth day of May and the first day of December in each year except to repair roads on account of washout or other damages. That the county treasurer or any one holding the county funds as an individual or corporation is hereby appointed treasurer or trustee of the road fund for the several districts of the county, and for the faithful keeping and disbursement of said fund the bond of such treasurer or trustee shall be liable, and for his service in receiving and disbursing such fund he shall receive such commissions as the board of county commissioners may agree upon, not to exceed two per centum on all moneys disbursed hereunder. He shall pay the accounts against the road fund of the several districts, upon itemized statements of the same when approved and ordered paid by the board of commissioners.
Treasurer of road fund.	
Liability of treas- urer. Commission.	
Payment of ac- counts.	
Separate accounts.	SEC. 16. The county treasurer shall keep a separate account of the road fund of the several districts therein, and of his disburse-

ments of the same, and he shall make a written report thereof to the board of county commissioners at their regular meeting on the first Monday in each month, and on the first Monday in July and January in each and every year present the said board of county commissioners a written report, giving a statement of receipts and disbursements of the several road funds during the preceding six months, which report, or the substance thereof, shall be published by said commissioners at the courthouse door.

SEC. 17. That any person or persons who shall obstruct any public road of the county, or interfere with any officer working the same, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned within the discretion of the court.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 244

AN ACT TO LOCATE, ALTER, AND IMPROVE THE COUNTY LINE ROAD BETWEEN THE COUNTIES OF ASHE AND ALLEGHANY.

The General Assembly of North Carolina do enact:

SEC. 1. That S. M. Transou, of the county of Ashe, and W. T. Upchurch, of the county of Alleghany, are hereby appointed commissioners to lay out and designate such changes and alterations as may be necessary and proper to improve and make a good road in the county line road between the said counties between the following points in said road, to wit: The ford of Meadow Fork Creek near Lewis Wyatt's and the ford or near the ford of the creek near J. N. Tulbert's residence.

SEC. 2. That said commissioners, after performing their duties shall make two reports, one to the board of commissioners of Ashe County and the other to the board of commissioners of the county of Alleghany, which reports shall designate such changes and alterations, as near as practicable as they are made, and the said commissioners shall designate such changes by stakes and blazes.

SEC. 3. That after said road changes have been laid out under the provisions of this act it shall be the duty of the board of commissioners of said counties to have said road built by appointing overseers of said road, and making all orders necessary to con-

Monthly reports.

Semi-annual reports.

Publication.

Obstructing roads or officers misdemeanor. Punishment.

Repealing clause.

Commissioners appointed.

Duty.

Terminals.

Reports.

Designation of changes.

Building of road.

- Road duty. struct the same. They shall require all men of road age living within two and one-half miles of said road, or any part thereof, to perform work on said road for such time (not exceeding eight days in one year) as may be necessary to complete said road.
- Charge and main- SEC. 4. That when said road changes or alterations are com-
tenance of road. pleted and report of same is made to the board of commissioners of the respective counties, then the road authorities of said counties are authorized and directed to take charge of the same and keep it up under the present road laws or those hereafter enacted.
- Pay of commis- SEC. 5. That each county shall pay its road commissioner two
sioners. dollars per day for such time as he may be engaged in performing his duties under this act, and said road commissioners shall in their report designate such damages as they find any individual may have sustained, and it shall be the duty of the board of commissioners of the county where such damages are sustained to pay the same. Any person may appeal from any order of the board of commissioners in respect to damage sustained, but no appeal shall be allowed to stop work on the road.
- Damages. Appeals.
- Repealing clause. SEC. 6. That all laws and clauses of laws in conflict with this act or any of its provisions are hereby repealed.
- SEC. 7. That this act shall be in force from and after its ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 245

AN ACT TO RESTORE THE OFFICE OF COUNTY TREASURER OF CLEVELAND COUNTY, APPOINTING A TREASURER, AND PROVIDING FOR INTEREST ON DEPOSITS.

The General Assembly of North Carolina do enact:

- Law repealed. SECTION 1. That chapter 143, Public-Local Laws of session 1915,
Office restored be and the same is hereby repealed, and the office of county treasurer for Cleveland County is hereby restored.
- Appointment. SEC. 2. That Rush Stroup be and he is hereby appointed treasurer of the county of Cleveland, his term of office to begin as of December 4th, 1916, and to expire on the first Monday of December, 1918, and upon his filing the bonds required by law with the commissioners of Cleveland County, said bonds bearing date of December 4th, 1916, and being effective of said date, and taking the oath of office, he shall become treasurer of Cleveland County for the term above specified.
- Term. Bond and qualifi-
 cation.
- Interest on de- SEC. 3. That the bank, or banks, in which any money is depos-
posits. ited by the treasurer of Cleveland County shall be required to pay interest on said money at the rate of not less than three per

cent per annum, except on money needed for current expenses on checking account, but this shall not prevent the treasurer of Cleveland County from charging and receiving more than three per cent per annum on money deposited with any bank. No depository bank shall make any charge for exchange, or for the collection of the treasurer's checks, or for the transmission of any funds which may come into his hands as county treasurer. The interest collected on the bank balances and deposits, aforesaid, shall be collected every three months and credited to the respective fund bearing said interest.

Charges not allowed.

Collection of interest.

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

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 246

AN ACT TO PROVIDE FOR GOOD ROADS AND TO ISSUE BONDS IN BRYAN TOWNSHIP THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That J. A. J. Royall, T. G. Snow, I. O. Wallace, J. H. Thompson, J. F. Fields, and F. W. Norman and their successors in office are hereby incorporated under the name of the highway commission of Bryan 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.

Incorporation.

Corporate name.

Corporate powers.

SEC. 2. That the said commission shall always consist of an equal number of opposite political belief, to be elected by the board of county commissioners of Surry County as their terms expire, except as hereinafter provided, and of those names J. H. Thompson, I. O. Wallace and J. F. Fields shall hold office for four years, and T. G. Snow, F. W. Norman and J. A. J. Royall shall hold office for two years: *Provided*, that the position of member of said highway commission shall not constitute an office within the meaning of article fourteen, section seven, of the Constitution of North Carolina. Should a vacancy occur by death, resignation, or otherwise, the same shall be filled by the said commission by choosing some one of the same political belief as was the member whose place became vacant, and such successor so chosen shall hold office until his successor shall be elected by the board of county commissioners of Surry County and shall qualify.

Political affiliation.

Election.

Terms of office.

Proviso: Commission, not officers.

Vacancies.

SEC. 3. That said commission shall have the same supervision, power and right in respect to all the public roads in Bryan Town-

Powers and rights vested.

ship as has heretofore been vested in either the board of supervisors of public roads or the board of county commissioners of Surry County.

Location and changes in roads.

SEC. 4. The said highway 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 modified herein: *Provided*, that no road shall be less than eighteen nor more than thirty feet in width.

Cartways.

Proviso: Width of road.

Meeting and organization.

SEC. 5. That said commission shall meet in Bryan Township within ten days after the adoption of this bill, at an election herein provided for, and shall organize by electing one of their number chairman, and shall also elect one of their number secretary, who shall keep a record of the proceedings of said commission.

Treasurer.

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 such sum as said commission may decide, which bond, upon approval by the said commission, shall be recorded by the register of deeds of Surry County

Bond of treasurer.

in the book of official bonds, and filed in his office. That the treasurer of said commission shall make payments out of the road funds belonging to the said township only upon the written order of the said commission, signed by the chairman and the secretary of said commission, and a strict record of each order drawn shall be kept, showing the object for which issued.

Orders on road funds.

Collection of taxes.

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

Fees.

Liability of sheriff.

for collecting taxes. The sheriff or tax collector shall be liable for all moneys so collected, and the sheriff's 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 additional bond.

Settlement of road funds.

SEC. 7. That all road taxes for Bryan Township which hereafter may be collected by the sheriff of Surry County or tax collector of said county shall be paid over to the treasurer of the said commission, who shall give a receipt therefor, and all moneys derived from the sale of bonds hereinafter provided for shall also be turned over to the 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

Prompt settlements.

Road tax kept separate.

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 the Bryan 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 the said commission may, at its first meeting, or as soon thereafter as practicable, elect some competent, experienced, and discreet person to be superintendent of all the public roads in the 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 such employment shall be during the pleasure of said commission. That the said commission shall also have the power to employ such other persons as may be necessary to carry on the work provided for in this act, and to purchase such machinery and implements as may be necessary for the proper working and construction of said roads.

SEC. 9. That the said commission or any of its employees or agents are hereby authorized and empowered to enter upon any land in the 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, topsoil, gravel, or improve the said roads, together with the free ingress and egress for the 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 or fruit trees shall be destroyed.

SEC. 10. That if the owner of any lands upon which said road or roads or any part thereof shall be constructed, altered, or changed, or the owner of any land from which any timber, stone, clay, gravel, or sand were taken, as aforesaid, shall claim damages 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 the 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 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 damages;

Time for settlement.

Superintendent of roads.

Term.

Compensation.

Road engineer.

Other employees.

Machinery and implements.

Entry on lands.

Drains or ditches.

Proviso: Ornamental or fruit trees.

Arbitration for assessment of damages.

- Benefits consid- and in making out the damages for the land taken and for the
ered. timber and materials so taken as aforesaid the said abitrators
shall take into consideration the special benefits that the road
when built will confer upon the land, as well as any actual dam-
ages done the said land by reason of the construction or the
change in the said road. The said damage, both for the land
taken, and for timber and materials as aforesaid, shall be paid
out of the general fund of the township, and any of the parties
shall have the right of appeal to the Superior Court, after giving
a good and sufficient security, from the award of the arbitrators:
Provided, that 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 said commission from entering and taking
possession of the land and using it for road purposes and the
taking of 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 amount of the damages is the only question con-
templated in this section.
- Payment of dam- Obstructing offi- SEC. 11. That any person who shall obstruct the said commis-
ages. cers misdemeanor. sion, its agents or employees, in making a survey, or changing any
road or the opening of a new public road or highway, or the tak-
ing of 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.
- Right of appeal. Punishment.
- Proviso: Time for appeal. Turning water on roads forbidden. SEC. 12. That it shall be unlawful for any person to use, cut,
or make any drain, or to so cultivate his land as to turn water in
the public roads of Bryan Township, except where 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 upon convic-
tion fined not exceeding fifty dollars or imprisoned not exceed-
ing thirty days.
- Obstructing offi- cers misdemeanor. Punishment.
- Misdemeanor. Pay of employees. SEC. 13. That the said commission shall have power and
authority to fix the rate of compensation to be paid to all em-
ployees, and all expenses to be paid out of the road fund. For
their services as commissioners each member shall receive such
salary per diem as may be fixed by the board of county commis-
sioners of Surry County, and may be paid out of the road fund.
The necessary expenses of the said commission on account for
stationery, attorney fees, clerk hire, etc., shall be paid by the
order of said commission out of funds provided by this act.
- Punishment. Pay of commis- sioners. Office expenses. Election to be ordered. SEC. 14. That the board of commissioners of Surry County,
when a petition of one-fourth of the voters in said township re-
quested, be and it is hereby empowered and instructed to submit
to the voters of Bryan Township, Surry County, on a day to be
designated by the board of commissioners of Surry County, the
- Question to be submitted.

question whether the said township, Bryan, shall issue bonds in the sum not exceeding twenty-five thousand dollars (\$25,000.00) with interest coupons attached, the proceeds of which to be used for the improvement of the public roads of Bryan Township, as hereinbefore provided in this act. The said board of county commissioners shall for at least thirty days before election give public notice of said election, together with the publication thereof in one or more newspapers published in Surry County: *Provided*, that if a majority of voters of said township shall not vote to issue the 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 time of first election under the regulations hereinafter set out; and *provided, further*, that if a majority of the voters of the said township shall not vote to issue bonds at the election so held and 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-fourth of the voters of said township shall by petition request it.

Notice of election.

Proviso: Further election.

Proviso: Further election

SEC. 15. 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 Surry 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 Surry 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.

Law governing elections.

Proviso: Election officers.

Registration.

Count and return of vote.

Canvass and record of returns.

SEC. 16. That at said election or elections the ballots tendered and cast by 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."

Ballots.

SEC. 17. 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

County commissioners to issue bonds.

Denominations.

of commissioners of Surry County shall have bonds prepared of the denominations of one thousand dollars, five hundred dollars, or one hundred dollars, as they deem best, the total amount not to exceed twenty-five thousand dollars (\$25,000). The said bonds shall bear a rate of interest of not less than five nor more than six per centum per annum, with interest coupons attached, payable semiannually during the time the bonds shall run, the principal payable thirty years from their issue. Said bonds shall be payable in standard currency of the United States at the office of the treasurer of the said commission of Bryan Township, Surry County, provided for in this act, or at any bank or banks which the said highway commission may designate to the said board of county commissioners of Surry County. Both bonds and coupons shall be numbered consecutively beginning with number one, and shall be signed by the chairman of the said board of county commissioners and the bonds countersigned by the clerk of said board of commissioners, and each bond shall be authenticated by the seal of the county, and they shall be styled "Bryan Township Highway Improvement Bonds."

SEC. 18. Immediately upon the preparation and signing of said bonds the said board of county commissioners shall turn over to the chairman of the said commission of Bryan Township all of said bonds without the seal of the county being affixed to any of them. The chairman of the said commission of Bryan Township shall have the power to advertise and sell any or all of the said bonds at such times and places as the said commission may direct, and as the same may be needed for the improvement of the said roads, for the purpose of raising funds with which to construct and improve the public roads of the said Bryan Township; the expenses for such advertising and selling said bonds, and other expenses necessary in regard thereto to be paid out of the fund arising from the sale of said bonds. Before delivering any of the said bonds sold by the provisions of this section and under this act, the chairman of the said commission for Bryan 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 purchaser of said bonds shall not be required to see to the application of the funds. 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 and the minutes of their meetings and,

Amount.

Interest.

Maturity.

Authentication.

Entitlement.

Bonds delivered to highway commission.

Sale of bonds.

Payment of expenses.

Bonds sealed before delivery.

Sale below par forbidden.

Proviso: Obligation of purchaser discharged.

Record of bonds.

whenever the same are sold, the number of bonds and their denominations, to whom sold and the number of coupons attached.

SEC. 19. In case the election herein provided for shall be in favor of issuing bonds as aforesaid, the board of county commissioners shall levy annually, the first Monday in June, a special road tax for the township of Bryan on the hundred dollars worth of property of not less than five cents and not more than forty cents, on polls not less than fifteen cents and not more than one dollar and twenty cents, observing the constitutional equation, as recommended by the said commission of Bryan Township, the subjects of taxation and the levying of 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 for the township of Bryan. 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 creating of an adequate sinking fund for the redemption of the said bonds; third for the maintenance of the public roads of the said township. The sinking fund shall be held by the said commission of Bryan Township in special trust for the payment of the bonds issued under the provision of this act and neither the principal thereof nor the interest thereon shall be used for any other purpose. The said commission of Bryan Township shall manage and invest the funds at the direction of said commission, until paid out for the redemption of the said bonds sold under authority of this act at their maturity.

Special tax.

Limit of rate.

Constitutional equation.

Collection and application.

Sinking fund a special trust.

Division forbidden. Investment of sinking fund.

SEC. 20. If the majority of the votes cast in Bryan Township be for the good roads bond issue, then in that event all laws or clauses of laws allowing compulsory labor upon the public roads of the said township except after conviction for crime are hereby repealed.

Free labor abolished.

SEC. 21. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 247

AN ACT TO AMEND CHAPTER 11 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE ELECTION OF TAX COLLECTORS OF HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eleven of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by adding after the word "resides" in section one of

Commission.

said chapter the following: "and each tax collector shall retain three per cent of the amount of taxes collected by him as his only compensation."

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 October first, one thousand nine hundred and eighteen.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 248

AN ACT RELATING TO ROAD FUNDS AND BUILDING OF BRIDGES IN WILKES COUNTY.

The General Assembly of North Carolina do enact:

Taxes to be collected by sheriff.

SECTION 1. That it shall be the duty of the sheriff of Wilkes County to collect the special taxes levied under chapter two hundred and thirty-six, Public-Local Laws of nineteen hundred and eleven, and entitled "An act to provide for the working of the public roads of Wilkes County," and any amendments thereto, now on the tax books in his hands, and turn the same over to the treasurer of Wilkes County as soon as collected.

Payment to county treasurer.

Vouchers to be paid by county treasurer.

SEC. 2. That it shall be the duty of the treasurer of Wilkes County, after paying all outstanding valid vouchers issued by the special committees in North Wilkesboro and Wilkesboro Township and the various township supervisors on or before January first, nineteen hundred and seventeen, to turn over the balance of such tax so collected and now in his hands, or which may hereafter be turned over to him by the sheriff to the treasurer of the good roads commission of Wilkes County, taking his receipt therefor.

Balance to road fund.

Proviso: County commissioners may rebuild bridges.

SEC. 3. That section twenty-one, chapter three hundred and forty-five of the Public-Local Laws of nineteen hundred and fifteen be amended by adding after the word "necessary" in line eight of said section the following: "Provided, that nothing contained in this section, or any clause of said chapter three hundred and forty-five, shall be construed to prevent the county commissioners of Wilkes County from locating and rebuilding the bridges in Wilkes County washed away in July, nineteen hundred and sixteen: *Provided further*, that upon a petition signed by freeholders of Wilkes County, representing fifty-one per cent of the assessed valuation of the taxable property in the county, excluding railroad property, asking the county commissioners to issue bonds to pay for construction of bridges in Wilkes County, costing four hundred dollars, it shall be the

Proviso: Bonds issued on petition.

duty of, and the county commissioners are hereby directed, to issue sufficient bonds to build such bridges; and nothing contained in this section or any clause of this chapter shall be construed to prevent the same."

SEC. 4. That the good roads commissioners shall apply said funds pro rata in the various townships in the manner prescribed under the laws in existence on September eighteenth, one thousand nine hundred and sixteen, and also pay for work done under order of the supervisors on the roads or bridges; and special committees appointed by the General Assembly to supervise the expenditure of the funds set aside to be used within the corporate limits of the towns of Wilkesboro and North Wilkesboro, are hereby abolished.

Funds pro rated to townships.

SEC. 5. That it shall be lawful for the good roads commissioners of Wilkes County to use the premium for which the good roads bonds were sold and such interest as may accrue on the proceeds of the sale of said bonds during the year one thousand nine hundred and seventeen to the payment of the coupons of said bonds falling due during the year one thousand nine hundred and seventeen.

Use of premium on bonds and interest.

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

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 249

AN ACT TO EMPOWER THE ROAD COMMISSIONERS OF HALL TOWNSHIP IN GATES COUNTY TO BORROW MONEY FOR THE PURPOSE OF BUILDING ROADS IN HALL TOWNSHIP, GATES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The road commission of Hall Township in Gates County is hereby authorized and empowered to borrow money in whatever manner and from whatever person or persons or institution it shall deem most expedient, for the purpose of building and maintaining roads and bridges in the said township as provided in chapter two hundred fifty-two of Public-Local Laws, nineteen hundred and fifteen.

Power to borrow money.

Purpose of Loan.

SEC. 2. That all the taxable property, real, personal, and mixed, and all polls in said township shall be liable for the payment of any evidences of indebtedness issued hereunder and by virtue of this act, together with all interest that may be due thereon

Obligation of debt.

and the liability hereunder, shall be inserted in the body of such evidences of indebtedness as may be issued as above.

Ratifying clause.

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

Repealing clause.

SEC. 4. All acts and clauses of acts inconsistent with his act are hereby repealed.

. Ratified this the 9th day of January, A. D. 1917.

CHAPTER 250

AN ACT TO PROTECT QUAIL OR PARTRIDGE AND OPOSSUM IN ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

Sale forbidden

SECTION 1. That it shall be unlawful for any person firm or corporation to sell or offer for sale any partridge or quail in Alexander County during any season of the year or to ship or carry out of said county for the purpose of selling or otherwise disposing of for gain any such quail or partridge: *Provided* this act shall not be construed as prohibiting the selling of quail or partridge to citizens or residents of the county for their own use; and *provided further*, that nonresidents of the State who shall have obtained their license as hereinafter provided may be allowed to carry away from said county not more than fifty quail or partridges at any one time.

Shipment forbidden.

Proviso: Exemptions.

Close season for quail and partridge.

SEC. 2. That it shall be unlawful for any person or persons to kill any quail or partridge in Alexander County between the first day of January and the twentieth day of November of each and every year or to hunt or kill any opossum in said county between the first day of March and the first day of November of each and every year.

Close season for opossum.

License for hunting.

SEC. 3. Any person or persons hunting quail or partridge in said county on any land other than their own shall first obtain a license from the clerk of the Superior Court of said county by paying to said clerk the sum of one dollar and all nonresidents of the State hunting quail or partridge in said county except such nonresidents as own land in the said county shall first pay a license of ten dollars for each year: *Provided*, nonresidents of the State who own land in the county shall only be required to pay a license of one dollar for each year; twenty-five cents of each license to be kept by the clerk for his fee and twenty-five cents of each license to be paid to the game warden as his fee, and the balance to be applied to the general school fund of said county.

License for non-residents.

Disposal of license fees.

SEC. 4. That it shall be unlawful for any person or persons to hunt quail or partridge on the lands of another without written permission from said landowner. Hunting without permission.

SEC. 5. That Rome Moose, of said county, be and he is hereby appointed game warden for a term of two years, and upon his death or resignation the county commissioners of said county shall have power to fill said vacancy. Said warden may, at his discretion, appoint a deputy game warden in each township of said county. Game warden.
Term.
Vacancies.
Deputies

SEC. 6. The game warden or his duly appointed deputy shall have the power to summon any person to appear before any justice of the peace of said county, give evidence against any person charged with the violation of any section of this act. Powers of warden and deputies.

SEC. 7. 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: *Provided further*, that any person convicted under the provisions of this act shall pay to said warden or his deputy the sum of two dollars and fifty cents to be taxed as part of the cost in this action. Misdemeanor.
Punishment.
Tax fee for warden.

SEC. 8. That all laws and clauses of law in conflict with this act are hereby repealed. Repealing clause.

SEC. 9. That this act shall be in force from and after its ratification and shall apply only to Alexander County. Application.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 251

AN ACT FOR THE RELIEF OF JAMES T. SMITH, CLERK OF THE SUPERIOR COURT OF ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the State Auditor be authorized and directed to issue his warrant to James T. Smith, clerk of the Superior Court of Rockingham County, for the sum of thirty two dollars (\$32.00), to reimburse him the amount paid on pension check number six thousand seven hundred and eighteen (6718) in favor of Wm. Moricle, dated December first, one thousand nine hundred and thirteen. Issue of warrant.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 252

AN ACT TO PROTECT CERTAIN BIRDS IN MACON COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That it shall be unlawful to kill, hunt, or trap any partridges, quail, or pheasants in Macon County from the first of December to the first of February in each year.

Misdemeanor.
Punishment.

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 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 9th day of January, A. D. 1917.

CHAPTER 253

AN ACT TO AMEND SECTION 3672 OF THE REVISAL OF 1905, RELATING TO GRAVEYARDS IN MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

Notice of intention
to remove.

SECTION 1. That section three thousand six hundred and seventy-two of the Revisal of nineteen hundred and five be and the same is hereby amended by adding at the end thereof and after the word "court" the following words, to wit: "unless the person, firm, or corporation owning or in possession of the land upon which such grave is situated shall first insert in some newspaper published in the county in which such grave is situated, or if no newspaper be published in such county, then in the nearest county in which one is published, once a week for four successive weeks preceding such opening of the grave and removal of the contents thereof and the stones or monuments connected therewith, a notice of intention to open such grave, or the graves situated in any particularly described cemetery or graveyard, and remove the contents thereof and the stones or monuments connected therewith describing and designating the place to which

Petition of protest.

such removal will be made; and, if the next of kin of such deceased shall desire to protest such removal, he or she shall appear before the clerk of Superior Court of the county in which such grave is situated within ten days after the publication of the last notice required by the provisions of this act, and file a petition with such clerk showing petitioner's degree of kinship, that petitioner is the next kin of deceased, and setting forth particu-

larly the objections to such removal; and upon the filing of such petition the said clerk shall issue a summons to the publisher of the notice herein provided for, requiring that the defendant shall appear at his office in the courthouse of such county on a day at least ten days after the service of such summons, and answer or otherwise plead to such petition. Summons to publisher.

SEC. 2. That upon joinder of issue upon the pleadings in such proceeding the said clerk shall set a day and time, not more than twenty days after the joinder of such issue, for hearing of evidence in said cause, and, upon hearing of evidence, if he shall find that such removal will best subserve the interests of the parties to such proceedings, or the public generally, then and in that event he shall make an order or judgment authorizing such removal; and thereupon it shall be lawful for the defendant in such proceeding, its or their officers, agents or employees, to open such grave or graves and remove the contents thereof and the stones or monuments connected therewith according to said notices: *Provided*, that if either party to such proceeding shall be dissatisfied with the order or judgment of such clerk, except thereto and appeal thereon may be had within ten days after rendition thereof to the Superior Court of said county upon the issues of law and fact raised before the clerk in such proceeding, and thereafter the procedure shall be that prescribed by law for the trial of civil issues: *Provided further*, that if no proper petition of protest shall be filed within the time and in the manner prescribed herein it shall be lawful for the publisher of such notices to proceed with such removal. Day for hearing.
Order for removal.
Proviso: Right of appeal.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed. Proviso: Removal if no protest filed.
Repealing clause.

SEC. 4. That this act shall apply only to Mecklenburg County. Application of act.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 254

AN ACT TO APPOINT MAJOR T. SMITH, AN ATTORNEY AT LAW, A JUSTICE OF THE PEACE.

The General Assembly of North Carolina do enact:

SECTION 1. That Major T. Smith, an attorney at law, be and he is hereby appointed a justice of the peace in Reidsville Township, Rockingham County, for the term of six years. Appointment.
Term.

May practice law. SEC. 2. That section three thousand six hundred and forty-one, Revisal of 1905, shall not apply to the said Major T. Smith: *Provided*, that the said Major T. Smith shall not appear as attorney in any case which may be appealed from him wherein he presided as justice of the peace.

Proviso: Exceptions.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 255

AN ACT TO REGULATE THE SPEED LIMIT WITHIN KANNAPOLIS, CABARRUS COUNTY.

The General Assembly of North Carolina do enact:

Location.

SECTION 1. That it shall be unlawful for any person to operate any automobile or motorcycle within one-half mile of the United States postoffice at Kannapolis, Number Four Township, Cabarrus County, at a greater rate of speed than twelve miles per hour.

Speed limit

Misdemeanor.

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 effect from its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 256

AN ACT TO AMEND CHAPTER 61, PUBLIC-LOCAL LAWS, SESSION 1915.

The General Assembly of North Carolina do enact:

Salary of sheriff.

SECTION 1. Amend section seven by striking out the words "twenty-seven hundred" in line two of said section seven, and by striking out the words "and fifty dollars," and by inserting in lieu thereof the words, "three thousand dollars."

Salary of register of deeds.

SEC. 2. Amend further by striking out the words "eighteen hundred dollars" in line three of section ten of said act, and by inserting in lieu thereof, the words "twenty-one hundred dollars."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 257

AN ACT TO FIX THE SALARIES FOR THE SHERIFF, CLERK OF THE SUPERIOR COURT, AND REGISTER OF DEEDS OF DAVIE COUNTY, AND TO ABOLISH THE TREASURER'S OFFICE OF DAVIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff, clerk of the Superior Court, and register of deeds of Davie County, and their respective deputies shall collect and receive and account for all 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 Davie 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.

Fees to be collected and accounted for.

Monthly settlements.

SEC. 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.

Officers to collect fees.

Compensation.

Detention, concealment or misapplication, felony.

Forfeiture of office.
Embezzlement.

SEC. 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 the loss or destruction by theft, fire or accident.

Account books.

Books open for 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 Davie 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.

Monthly transcript.

SEC. 9. That all of said officers and financial agents shall give bonds as now provided by law, and should any of the aforesaid officers prefer to execute said bonds in some bonding 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 Davie, the other half by the officers or financial agent executing said bond. Costs of bonds.

SEC. 10. That the county commissioners of Davie County shall, in the month of December, 1918, and in the month of November each year thereafter, employ a competent auditor or expert accountant to audit all books kept by all officers of Davie 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: *Provided* it shall not be over 60 cents per hour, accountant, and the compensation of such auditor or expert accountant shall be paid by the county of Davie. Employment of auditor.
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 allowance 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 said deputies: *Provided*, said commissioners shall not issue warrants for clerks, assistants and deputies in excess of the allowance hereinbefore provided for. Payment of salaries.
Payment of allowances.
Warrants.
Proviso: Limitation.

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 fees misdemeanor.

SEC. 13. After this act shall be effective as to the office of sheriff of Davie 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 Davie County when the tax books for the year one thousand nine hundred and eighteen 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. Sheriff to turn over office.
Proviso: Taxes for 1918.

SEC. 14. That an election shall be called by the county commissioners of Davie County, said election to be held at the same time Election.
Time of election.

- Ballot boxes. Election officers. Ballots. Effect of election. Election on abolition of treasurer. Tickets. Effect of election. Repealing clause.
- of election for county officers in the year nineteen hundred and eighteen. That the county commissioners shall provide separate ballot boxes for the reception of ballots and that the said judges of election and pollholders 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 eighteen; but if a majority of the votes so cast shall be "Against Salary Bill," then the provisions of this act, provided for placing officers of Davie County on salaries, shall be of no effect.
- SEC. 14a. That at the election provided in the foregoing section 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 shall be printed or written the words "For Abolishing Treasurer's Office," and those opposed a ticket on which shall be printed or written the words "Against Abolishing Treasurer's Office." If a majority of the votes so cast shall be "For Abolishing Treasurer's Office" then section one and fourteen shall be in full force and effect from and after the first Monday in December, nineteen hundred and eighteen; 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. 15. That all laws and clauses of laws in conflict herewith are hereby repealed.
- SEC. 16. That this act shall be in force from and after its ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 258

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF ROBESON COUNTY TO ISSUE BONDS TO THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS FOR BUILDING AND IMPROVING THE PUBLIC ROADS AND BRIDGES OF SAID COUNTY.

The General Assembly of North Carolina do enact:

- Election on bond issue. SECTION 1. That for the purpose of ascertaining the wishes of the people of Robeson County upon the question of issuing bonds for good roads and levying the special tax hereinafter provided

for, it shall be the duty of the board of commissioners of Robeson County to submit the question of the issuance of such bonds and the levy of such special tax to the voters of Robeson County who shall register and qualify to vote in such election as herein provided, at an election to be held on the first Monday in May, one thousand nine hundred and seventeen. It shall be the duty of said board of commissioners to cause a brief synopsis of the provisions of this act to be published in some newspaper published in said county for four weeks preceding such election. It shall also be the duty of said board of commissioners to order a new registration for such election, and only those voters who shall duly register for such election in accordance with the provisions of this act shall be entitled to participate in such election. It shall be the duty of said board of commissioners to appoint pollholders and judges of election to conduct the said election, all of whom shall be qualified voters of Robeson County. It shall be the duty of the registrars to make a new registration of all persons who are entitled to vote for members of the General Assembly residing in said county who may offer to register, and to that end the registrars shall, commencing on the fourth Saturday before such election, attend regularly at the polling place in their respective precincts for four successive Saturdays between the hours of eight o'clock a. m. and sundown for the purpose of registering such persons as may offer to register and who are entitled to vote for members of the General Assembly, and only those persons who are duly registered in accordance with the provisions of this act shall be deemed qualified voters under this act. The registrars and judges of election shall be paid the usual compensation for their services, and all expenses in connection with the election shall be paid out of the general funds of Robeson County by the board of commissioners of said county.

SEC. 2. The said election shall be held on the first Monday in May, one thousand nine hundred and seventeen, and shall be held in the same manner as is provided by law for the election of members of the General Assembly except as herein otherwise provided, and the polls shall be opened at sunrise and shall close at sundown. At said election those voters who are in favor of the issuance of the bonds and the levy of the special tax hereinafter provided for shall vote a written or printed ballot with the words "For Good Roads Bond Issue" thereon, and those opposed to the issuance of said bonds and the levy of said special tax will vote a written or printed ballot with the words "Against Good Roads Bond Issue" thereon. At the close of the election the votes shall be counted and returned over the signatures of the registrar and judges of election, or a majority thereof, to the board of commissioners of Robeson County, and blank abstracts for that purpose shall be prepared by the board of commissioners and printed and furnished to the registrars and judges of election in each precinct.

Date of election.
Synopsis of act published.

New registration.

Election officers.

Registration.

Pay of election officers.

Expense of election.

Date of election.

Law governing election.

Hours of voting.

Ballots.

Count and return of votes.

- Duplicate returns. The returns shall be executed in duplicate, and one copy thereof shall be filed with the board of commissioners of Robeson County and the other with the clerk of the Superior Court of said county.
- Canvass of returns. On the first Wednesday following the election the board of commissioners of Robeson County 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 result of said election which shall be duly recorded upon the records of said board and in the office of the register of deeds of said county.
- Record of result.
- Effect of election. SEC. 3. If at said election, a majority of the votes cast shall be "For Good Roads Bond Issue" then the bonds hereinafter provided for shall be issued and sold as herein provided, and the special tax levied and collected, and all the provisions of this act shall thenceforth be in full force and effect.
- Bonds to be issued. SEC. 4. That if the result of said election shall be in favor of the issuance of said bonds, it shall be the duty of the board of commissioners of Robeson County to issue bonds to an amount not exceeding five hundred thousand dollars (\$500,000.00) in such denominations as said board may determine, bearing interest from their date at a rate not exceeding five per centum per annum, with interest coupons attached, payable semiannually, at such time or times, and at such place or places as said board may determine; said bonds to be in 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 date of issue, and at such place or places, as said board of commissioners may determine. Said bonds shall be denominated "Robeson County Good Roads Bonds" and shall be issued under the signature of the board of commissioners of Robeson County, through its chairman, attested by the register of deeds of said county, *ex officio* clerk to said board, and shall have affixed thereto his official seal. The lithographed signatures of said chairman and clerk to the interest coupons attached to said bonds shall be deemed a sufficient signing thereof. Said bonds shall be numbered from one upwards consecutively, and may be issued in series or installments as hereinafter provided, and a record of the issuance of each series shall be kept by the clerk to said board of commissioners upon the minutes of said board.
- Amount.
- Denominations.
- Interest.
- Maturity.
- Entitlement of bonds.
Authentication.
- Issuance and records.
- Delivery to road commission. SEC. 5. Upon written request to the board of commissioners of Robeson County made by the road commission of said county, created under "An act to provide for the construction and repair of the public roads and bridges of Robeson County and to levy a special tax therefor," enacted at this present session of the General Assembly of North Carolina, it shall be the duty of the board of commissioners to cause to be properly signed, sealed and delivered to said road commission of Robeson County such number and par value of said bonds as such written request shall

specify and as may be necessary to be presently used for the building and improvement of the public roads and bridges of Robeson County under the provisions of this act; and upon like request of said road commission the board of commissioners of Robeson County shall sign, seal and deliver to said road commission other installments of said bonds until the entire issue of five hundred thousand dollars par value has been delivered: *Provided, however,* that the delivery of such bonds to the said road commission shall be in series of fifty thousand dollars par value.

Proviso: Delivery in series.

SEC. 6. The duties hereinbefore enjoined upon the board of commissioners of Robeson County are hereby declared to be mandatory and not merely directory; and if the said board of commissioners of Robeson County shall fail to call and hold such election, and sign, seal, and deliver to the road commission of said county the bond as hereinbefore provided, or shall fail, refuse, or neglect to perform the other duties enjoined upon them by the provisions of this act, then each member of said board so defaulting shall be deemed guilty of a misdemeanor and shall be fined or imprisoned, or both, in the discretion of the court.

Duties mandatory.

Failure a misdemeanor.

Punishment.

SEC. 7. That upon the execution and delivery to it of any of the bonds issued under the provisions of this act, or any series thereof, it shall be the duty of the road commission of Robeson County to cause thirty days advertisement to be made in such advertising mediums as it may select, at a time and place to be therein named the said road commission will meet to receive bids for the bonds then and there to be sold, and said road commission shall have full power and authority to make such rules and regulations as it may deem advisable controlling the submission of bids, including the deposit to be made by all bidders as a guaranty of good faith, and including the right to reject any and all bids and to call for new bids. On the day named the road commission shall meet and shall award the bonds to be then and there sold to the highest responsible bidder who shall comply with the rules and regulations adopted by said commission; or said commission may reject all bids and call for new bids and follow this course until a satisfactory bid has been received for said bonds: *Provided, however,* that none of said bonds shall be sold for less than par and accrued interest. The method above provided for shall be followed in the sale of each series or installments of said bonds.

Advertisement for bid on bonds.

Right to reject bids.
Award of bonds.

Proviso: Sale below par for-bidden.

SEC. 8. That upon the sale of any of said bonds, the proceeds of sale shall be paid over to the said road commission and shall be by said commission deposited in the official depository for general taxes of Robeson County as may be provided by law, and the proceeds of all bond sales and all other funds coming into the hands of such official depository under the provisions of this act shall be kept entirely separate and apart, and in a different

Deposit of proceeds.

Funds kept separate.

account from other moneys belonging to the road commission of Robeson County or other road funds or road taxes.

Special tax.

SEC. 9. That, for the purpose of providing for the payment of said bonds and the interest thereon, the board of commissioners of Robeson County shall annually, and at the time of levying other county taxes, commencing with the fiscal year beginning next after the ratification of this act at the election to be held as hereinbefore provided, levy an additional particular or special tax on all property subject to taxation and on all taxable polls in Robeson County, to an amount not exceeding fifteen cents on each one hundred dollars assessed valuation of property and not exceeding forty-five cents on each taxable poll; and said taxes shall be collected by the sheriff of Robeson County at the same time and in the same way and manner as other county taxes are collected, and the taxes so collected shall be by him paid over to the official depository of Robeson County, and all such taxes shall be used and devoted exclusively to the payment of interest upon said bonds and to provide a sinking fund for the payment of the principal thereof at maturity.

Limit of rate.

Collection and settlement.

Exclusive use.

Bond of sheriff.

SEC. 10. It shall be the duty of the board of commissioners of Robeson County to cause the sheriff of said county to annually execute a good and sufficient bond to be approved by said board and filed in the same way as other official sheriff's bonds are approved and filed, in the penal sum of twenty-five thousand dollars conditioned for the faithful discharge of his duties under this act and for the proper accounting for all taxes to be collected by him hereunder, and said bond shall be given annually at the same time and in the same manner as his other official bonds are given. If said bond be given in a surety company, then the premium thereon shall be paid by the road commission of Robeson County out of any funds coming into its hands.

Premium on bonds.

Sinking fund.

SEC. 11. It shall be the duty of the board of commissioners of Robeson County to use such part of the taxes to be collected under the provisions of this act as may not be necessary to use in the payment of the semiannual interest upon said bonds, to constitute a sinking fund for the payment of the principal of said bonds at maturity, which sinking fund shall be, from time to time as determined by said board of commissioners, invested in the purchase of bonds to be issued under this act, but if such bonds cannot be purchased at a reasonable price, then it shall be the duty of the said board of commissioners to keep said sinking fund securely invested or loaned out on first mortgage on real estate located within the county of Robeson and appraised by three disinterested and intelligent freeholders of Robeson County as worth at least two and one-half times the amount of the loan. Said board of commissioners shall also have power and authority to elect or appoint a person whose duty it shall be, under the

Investment of sinking fund.

Commissioner of sinking fund.

supervision and direction of said board of commissioners, to invest the funds and moneys belonging to the sinking fund in the manner provided by this act, who shall be known as "commissioner of the sinking fund" and who shall be paid a reasonable compensation for his services out of the moneys belonging to said fund, not to exceed the sum of one per centum of the moneys invested by him. Before his qualification said commissioner of the sinking fund shall give bond in the sum of ten thousand dollars conditioned for the faithful performance of his duties under this act and for the proper and due accounting for all funds as may come into his hands by virtue of his appointment, and said bond shall, before being received, be approved by said board of commissioners and endorsed with their approval and filed with the clerk of said board along with the other official county bonds; and no moneys shall be turned over to said commissioner for investment or otherwise until said bond shall have been executed, approved and filed. It shall be the duty of said commissioner, annually, and at a time to be fixed by said board of commissioners, to make a full and complete report of all his receipts, investments and disbursements and the present condition of the sinking fund, which report shall be accompanied by a full and itemized list of all investments and assets belonging to said fund, and one copy of said report shall be filed with the clerk of said board, and spread upon the minutes thereof, and another copy shall be posted at the courthouse door of Robeson County and remain posted for thirty days.

Pay of commissioner.

Bond of commissioner.

Annual reports.

List of investments and assets.

Record of report.

Copy posted.

SEC. 12. That the proceeds derived from the sale of said bonds shall be used and devoted by the road commission of Robeson County entirely and exclusively to the construction and improvement of a modern system of good roads in the county of Robeson, and in the building and repairing of the public bridges, within said county; and to that end said road commission shall have all the rights, powers and privileges conferred upon it by the act creating said road commission enacted at this present session of the General Assembly, and all the provisions of that act shall be in full force and effect for the purposes of this act except where the same may be inconsistent with the provisions of this act: *Provided, however,* that in expending the proceeds from the sale of any of said bonds, it shall be the duty of said road commission to cause to be expended upon the public roads and bridges of each road district within the county of Robeson which were established by the act which created said road commission, such *pro rata* of the proceeds arising from the sale of said bonds as the aggregate taxable value of property within said road district bears to the aggregate taxable value of property in the entire county, when considered in connection with the amount of good roads bonds to be issued under this act; and said road commission shall keep its

Exclusive use of proceeds of bonds.

Rights and powers of road commissioner.

Proviso: Apportionment of road funds.

Accounts.

accounts in such manner as that the amounts expended within each road district can be ascertained at any time.

Power and authority of road commission.

SEC. 13. The said road commission shall have full power and authority to supervise, direct, and have full charge and control of the building and construction of all public roads and bridges to be built and improved under this act; full and complete authority to determine what roads or parts of roads shall be permanently built or improved; full and complete authority to determine and decide the method and manner of the construction or improvement and the material or materials to be used in the construction or improvement of all such roads and bridges; how and when the work of construction or improvement shall be done and by whom it shall be done; it shall have full and exclusive charge and control of the laying out of all new roads, the widening or relocation of any existing road and the discontinuance of any old road or bridge; with full and complete power and authority to do any and all things necessary to be done for the construction of a modern and permanent system of good roads and bridges within the county of Robeson, and shall have full power and authority to do any and all things necessary to be done in the furtherance and for the proper discharge of their duties under this act. *Provided, however,* that, so far as possible, the said road commission shall first proceed to construct a modern system of good roads and bridges upon the main highways within the county, and upon the public roads connecting or leading to the several towns and market places within said county; and in constructing the said system of modern good roads and bridges the main thoroughfares and highways of the county shall have the preference in point of construction, the purpose and intention of this section being that the said system of good roads shall be built in such manner as to afford the earliest and best results for the largest number of people at the earliest possible time.

Location and changes of roads.

Proviso: Preference to main highways.

Superintendent and engineer.

SEC. 14. There shall be elected by said road commission at its meeting in April, one thousand nine hundred and seventeen, or so soon thereafter as practicable, and annually thereafter, a competent and experienced person, skilled in modern methods of road building, who shall be known and designated as "superintendent of roads"; and there shall also be elected (if said road commission deem advisable) a civil engineer, skilled and experienced in modern methods of road building, to assist the superintendent in the discharge of his duties. The persons so elected shall be paid a just and a reasonable compensation for their services out of the proceeds arising from the sale of said bonds, or out of other road funds coming into the hands of said road commission. The said superintendent of roads and engineer (if an engineer be elected) shall be elected by said road

Compensation.

Election.

commission upon the nomination and recommendation of the State Highway Commission. If the person or persons so nominated shall not be satisfactory to said road commission it may reject the nomination, and in that case it shall be the duty of said State Highway Commission to nominate and recommend another person, and this method shall be followed until suitable, competent, and efficient persons have been elected by said road commission to fill the positions created by this section.

Nomination and recommendation of State highway commission.

SEC. 15. The said road commission shall have power and authority to employ and pay the compensation of such surveyors, overseers, foremen, laborers, and such other employees as it may deem necessary for the purpose of constructing the system of good roads contemplated by this act; and shall have power and authority to make rules and regulations governing and controlling all persons in its service or under its employ, to prescribe what number of hours shall constitute a day's work and to determine the rate of compensation to be paid, and to suspend, remove or discharge any and all persons employed by it. Said road commission shall also have power and authority to engage, purchase, or hire such teams, machinery, tools, equipment and appliances as it may deem necessary or advisable for the proper construction of such permanent system of good roads and bridges, and all amounts necessary to be expended for this purpose shall be paid out of the funds coming into the hands of said road commission under this act. Said road commission shall have power to employ in such work all teams, machinery, equipment and appliances as may be turned over and delivered to it by persons having charge and control of any public road property under authority of laws existing prior to the passage of this act or which may be turned over to it under the provisions of the act which created said road commission. It shall also have power and authority to cause the county convict force to work in the construction of such system of good roads; and may hire convicts from other counties and pay the proper compensation for the use thereof.

Other employees.

Rules and regulations.

Compensation.

Removal or discharge. Teams and machinery.

Teams and machinery turned over to commissioner.

Convict force.

SEC. 16. The method and manner of constructing the system of good roads and bridges contemplated by this act shall rest entirely in the sound discretion of said road commission. It may employ superintendents, engineers, surveyors and all necessary labor and cause the work to be done under their direct supervision; it may let the entire, or any part, of the work of construction to a contractor or contractors; or may let any portion to a contractor to be done in accordance with the requirements of skilled engineers selected by said road commission to superintend the work done by such contractor or contractors.

Method and manner of work.

Alterations.

SEC. 17. Before the proceeds of any bonds issued under the provisions of this act shall be expended in the construction of the system of good roads contemplated by this act, it shall be the

Survey of work.

- Estimates. duty of said road commission to first cause an adequate survey to be made of the work which is intended to be done, and estimates to be made as to the cost of doing the work, which estimates shall be made by some competent persons to be selected by the commission; the purpose and intention of this section being that before the said commission shall proceed with the expenditure of the proceeds of the sale of said bonds it shall have full and complete data and information as to how many miles of roads and what roads and bridges can be permanently constructed and improved with the funds which will become available under this act, to the end that the proceeds of the sale of said bonds may be judiciously expended and so that each of the road districts within the county may receive its fair and just share of the work to be done in accordance with the provisions of this act.
- Application of bonds. SEC. 18. After said road commission shall have formulated and mapped out its plans for the construction of the system of roads and other work contemplated by this act, and when it is ready to proceed with the work of construction, it shall ascertain the approximate amount of money necessary to conduct the work for a period of approximately six months and shall then apply to the board of commissioners of Robeson County for the delivery to it of sufficient bonds the proceeds wherefrom will realize approximately the amount of money necessary for that purpose, and thereupon such installment of bonds shall be delivered to said road commission and sold in the way and manner above provided, and this course shall be followed until the entire issue of five hundred thousand dollars par value has been sold and disposed of: *Provided, however,* that said bonds shall be offered for sale and sold in series or installments of fifty thousand dollars par value.
- Delivery of bonds. SEC. 19. In case said road commission shall determine to let such road work or any part thereof out to a contractor, then it shall be the duty of the commission to employ some suitable and competent person to prepare plans and specifications for the work to be done, and upon the completion of such plans and specifications, and approval thereof by the road commission, it shall advertise for bids for doing the work, and let the bids out under such advertisement, requiring in every case a good and sufficient bond and guarantee for the faithful performance of the contractor's duty under the contract; and in every case where the work or any part thereof shall be let to any contractor, no money shall be paid to such contractor until the work done has been inspected by the commission, or the superintendent of roads, engineer, or other competent person appointed for that purpose by the commission, and no money shall be paid to any such contractor except upon an itemized and detailed account and
- Proviso: Sale of bonds.
- Plans and specifications.
- Advertisement for bids.
- Bond of contractors.
- Inspection of work.
- Itemized accounts.

statement of the work done and covered by such account, which said account shall bear endorsed thereon a statement in writing signed by the duly authorized agent of the commission appointed to inspect said work, to the effect that he has inspected such work and has found the same to be properly done and performed under and in accordance with the provisions of the contract, and that the account so rendered is just and should be paid. Whenever any contractor shall be so employed it shall also be the duty of the road commission to withhold a sufficient portion and percentage of the contract price until the final completion of the work and its acceptance in order to guarantee the faithful performance of the entire contract and to guard against the contractor throwing up his contract before completion; and upon the completion of the work done by any contractor the entire work shall be carefully and thoroughly inspected by the road commission or its duly appointed agent, and approved in writing before final settlement shall be made with the contractor: *Provided, however,* that notwithstanding the approval by any agent appointed for that purpose by the commission, said commission shall notwithstanding have the right to refuse payment of any bill rendered by any contractor if in the judgment of the commission the said bill is not correct or should not, for any reason, be paid.

Endorsement.

Guarantee of contracts.

Inspection before final payment.

Proviso: Refusal of payment.

SEC. 20. Said road commission shall have power to reject any or all bids offered by contractors for doing any part of the work to be done under this act, and in the event said commission shall be of opinion that they cannot secure the performance of the work or any part thereof by contract as cheaply as should be then it shall have power to proceed to do the work or any part thereof by other methods, and to hire all necessary labor, purchase all necessary machinery, teams, tools, equipment and appliances, and generally to do and perform all acts and things necessary and requisite to be done to carry out the provisions of this act.

Power to reject bids.

Work by hired labor.

SEC. 21. In case said road commission shall determine to do any part of the work to be done by it in the manner provided by section twenty, it shall be its duty to elect or appoint overseers or foremen to have direct supervision and control of the laborers and of the work to be done, and it shall cause the person or persons immediately in charge of such work to give such bond as the commission may prescribe conditioned for the faithful performance of duty and the proper accounting for all moneys which may come into their hands by virtue of their employment. It shall be the duty of the foremen or overseers to keep the time of all laborers under their control in a book to be kept for that purpose, and all such time books shall be, when completed, filed with the secretary of the commission. The laborers shall be

Overseers and foremen.

Bonds of employers.

Time books.

Payment of laborers.

Inspection of work. paid in such way and manner, and at such times, and by such persons, as the commission may direct, and it shall be the duty of the commission to cause printed payrolls to be provided which shall be signed by each laborer and witnessed by some disinterested person at the time any payment is made. The work done under the supervision of such foremen or overseers shall be inspected at least weekly to see that it is being done in the way and manner provided for by the plans and specifications adopted by the commission, and also to keep such checks as may be necessary to see to it that no person is paid for any work which has not been done, or not done it should have been done, and to report to the commission whether the work is being done in the way and manner directed and prescribed by the commission.

Sworn, itemized accounts.

SEC. 22. No moneys under the control of said road commission shall be expended except upon sworn itemized bills of account, first submitted to and approved by the commission and filed with the secretary; and upon the approval of any such bills of account, the same shall be given a number consecutively, and a warrant corresponding therewith shall be issued under the signature of the chairman and secretary of the commission, with the official seal affixed thereto, showing upon its face the person to whom payable, the amount to be paid and the purpose for which payment is to be made. Each warrant shall be numbered consecutively, and after being paid and canceled shall be returned to and filed with the secretary of the commission and shall be open at all times to public inspection. The secretary shall also keep a stub of each warrant issued, which stub shall show upon its face the same information as is shown upon the warrant: *Provided, however,* that in case of payrolls a warrant may be issued for such moneys as any foreman, overseer, or other duly authorized and bonded agent or employee of the commission may estimate will be required to pay for current labor, but in all such cases it shall be the duty of the agent or employee disbursing such money to present to the commission or its secretary within five days thereafter the payroll evidencing such disbursement, which payroll shall be signed by each laborer and shall show the number of days or hours worked by each laborer, the rate of compensation and total amount paid to each laborer, and each laborer shall sign the payroll or in case where a signature is made by mark, it shall be witnessed by some disinterested person; and such agent or employees shall pay over to the commission or its secretary the difference between the amount received by him upon any such payroll warrant and the amount he has disbursed as shown by the payroll.

Warrants.

Warrants filed for inspection.

Stubs.

Proviso: Warrants for payrolls.

Signed payrolls filed.

Moneys kept separate.

SEC. 23. All taxes or other money coming into the hands of the road commission under the provisions of this act shall be

kept separate, apart and distinct, and in a different account, from any other road taxes which may be levied and collected under the provisions of other acts of the General Assembly, or which may come into the hands of the road commission from other sources. On the first day of each and every month, or within five days thereafter, it shall be the duty of the secretary of the road commission to publish in some newspaper published in Robeson County and designated for that purpose by the road commission, an itemized statement of all receipts and disbursements of the road commission for the preceding month of funds handled under the act, and a copy of all such monthly statements shall be spread upon the minutes of the commission, and another copy shall be posted at the courthouse door of Robeson County. On the first Monday in May in each and every year it shall be the duty of the secretary of the commission to prepare and present to the commission in itemized and detailed form a full and complete statement of all receipts and disbursements of funds handled under this act for the preceding fiscal year and the said accounts shall remain on file in the office of the secretary and shall be at all times open to the inspection of the public.

Monthly publication of itemized statements.

Annual statements.

Sec. 24. Upon the submission of the monthly and annual statements by the secretary of the commission as above provided it shall be the duty of the auditor of Robeson County to carefully examine same and to check and compare such statements with all original available sources, and to check all receipts and deposits with the depository with the account of the sheriff and all disbursements with the original warrants in the office of the secretary of the commission and he shall make such investigation as may be necessary to enable him to ascertain and report to the commission whether the accounts so submitted are true and correct. And to that end the said auditor shall have full power to send for persons and papers, administer oaths, examine witnesses, take testimony, examine the books of the secretary, sheriff, official depository and other books and papers as may be necessary, and do any and all such things as may be necessary to carry out and discharge his duties under this section. At the conclusion of such investigation it shall be the duty of said auditor to submit his report to the road commission in writing and to advise said commission whether the accounts so submitted by its secretary are correct or incorrect, and if incorrect in what particulars; and it shall be the duty of the commission to take such steps as may be necessary to correct such accounts and to require the submission of correct accounts and the proper accounting for any funds which may come into the hands of its secretary. At the end of each fiscal year it shall also be the duty of the auditor of Robeson County to prepare,

Audit of statements.

Powers of auditor.

Report of auditor.

Publication by auditor.

publish, and post at the courthouse door of Robeson County for thirty days, a summary of the receipts and disbursements of the road commission of all funds handled under the provisions of this act; such statement to show the amount of road taxes collected and received under this act, receipts of the road commission from other sources, but which are handled under this act as a part of the fund for permanent road improvement, what amounts have been disbursed for salaries and expenses of the road commission, its superintendent, engineer, secretary or other official connected therewith, what has been disbursed for labor, for material, for equipment, and also a summary of the work that has been done and accomplished during such fiscal year; the said statement being made up in such form as that any person examining same will have a general idea of what has been done with the funds handled by the road commission during the previous fiscal year which came into its hands under the provisions of this act. If the auditor fail or neglect to discharge the duties imposed upon him by this section he shall forfeit and pay the sum of two hundred dollars (\$200) to be recovered by suit in any court of competent jurisdiction by any person who will sue for same, and he shall also be guilty of a misdemeanor and shall, upon conviction, be fined in the discretion of the court.

SEC. 25. Upon the conclusion of the work of the road commission under this act, and when the proceeds of the bonds to be issued hereunder shall have been expended in the construction of the system of good roads and bridges contemplated by this act, it shall be the duty of the chairman and secretary of said commission to cause all the records and books of the commission, including all vouchers, accounts, warrants, minutes and all other papers or documents in its possession or under its control to be turned over to the register of deeds of Robeson County to remain on file in his office. It shall also be the duty of said road commission and the secretary thereof, within thirty days thereafter, to publish and post at the courthouse door of Robeson County a brief summary of the work done by the said commission or under its authority, including the number of miles of good roads constructed, built, repaired or improved in each road district in the county, what bridges have been built, repaired or improved, what other work has been done by the commission; and said statement shall also show the aggregate amount of money which came into the hands of the commission under the provisions of this act, and the aggregate amount expended by it hereunder, giving also the percentage of receipts expended for salaries and other administrative expenses, for labor, for material, for equipment, etc., together with such other and further information concerning the work done and accomplished as the commission may deem advisable and such statement shall remain so posted at the courthouse door for thirty days.

Items of statement.

Forfeit for failure.

Misdemeanor.
Punishment.

Delivery of records and books.

Publication of summary of work.

Items of summary.

SEC. 26. After the construction of the system of modern good roads and bridges contemplated by this act and upon the completion of the work of the road commission under the provisions of this act it shall then be the duty of said road commission to cause all the roads and bridges so constructed or improved to be kept up and maintained at all times in good condition for public travel out of the proceeds of taxes to be levied and collected annually as provided by the act creating said road commission enacted at this present session of the General Assembly in the way and manner as by said act provided; and if the taxes available and coming into the hands of the said commission under said act or otherwise, shall be insufficient to keep all the public roads and bridges within the county in good and sufficient condition and proper repair, then it shall be the duty of the said commission to first cause to be kept in good and proper condition and sufficient repair all the roads which have been constructed, built, and improved under the provisions of this act, to the end that the roads to be built under this act shall not be allowed to deteriorate or become unfit for public travel; and if the taxes coming into the hands of the commission be not sufficient for that purpose, then it shall be the duty of said commission to ascertain what additional amount will be necessary to properly care for the upkeep and repair of the public roads and bridges of Robeson County in such manner as may best subserve the public interest, and report the same to the board of commissioners of Robeson County and also to the State Senator and Representatives from Robeson County to the end that such additional legislation may be secured as may be necessary for that purpose and to accomplish that end.

SEC. 27. It shall be the duties of the several grand juries drawn for service at each July and January term of the Superior Court of Robeson County which will hereafter convene for the trial of criminal cases, to appoint such committee or committees as it may deem necessary to discharge its duties under this section to examine the roads and bridges being built, constructed or improved under the provisions of this act, and to ascertain and report whether the road commission, its secretary, superintendent of roads, county engineer, foreman, overseers, and other employees of the commission, are carrying out and performing the duties enjoined upon them under the provisions of this act, and after inspecting the work which has been done or which is being done under the conditions and provisions of this act, it shall be the duty of the said committee or committees to make their report to the full grand jury, and it shall be the duty of said grand jury to make a report in writing to the presiding judge of the Superior Court, which report shall summarize the findings of the committee or committees appointed by the grand

Maintenance of roads and bridges.

Preference of work.

Additional tax.

Examination by grand jury.

Report by grand jury.

jury as herein provided, and shall advise the court as to the work which has been done or which is being done by the road commission under this act, and whether the said road commission, its secretary, superintendent, engineer and other employees are properly discharging and performing their duties under this act; and one copy of such report shall be spread upon the minutes of the clerk of the Superior Court of Robeson County kept by him and containing the minutes of that term of court, and another copy shall be delivered to the solicitor of the Ninth Judicial District. If such report shall state that the said road commission or any employee thereof is failing or neglecting to discharge his duties under this act, or that any person has been guilty of neglect, irregularity, misfeasance or nonfeasance, it shall be the duty of such solicitor to carefully investigate the facts, and if as the result of such investigation the said solicitor be of opinion that the public interests require the prosecution of any person or persons, then it shall be his duty to prepare bills of indictment and to present same to the grand jury and to take any and all steps as may be necessary in the prosecution and final conviction of the person or persons so indicted.

Copies of reports.

Investigation by solicitor.

Duty of solicitor.

Acts of officers or employees declared misdemeanor.

SEC. 28. Any member of the road commission, its secretary, superintendent, engineer, overseer, foreman, or other employee of the commission who shall withhold any moneys collected or received by him for the road fund under this act, or who shall render a false statement of account to the road commission, or who shall pay or cause to be paid any false or fictitious claim out of the road fund, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court. If any person shall willfully file any false account with said road commission, or make any false statement in reference thereto, or procure or aid in procuring any money upon a false or fictitious claim in relation to the road work, he shall be guilty of a misdemeanor and shall, upon conviction, be fined or imprisoned, or both, in the discretion of the court.

Punishment.

Frauds on road fund misdemeanor.

Punishment.

Interest of officers or employers in road contracts with or sales to road commission.

SEC. 29. It shall be unlawful for any member of the road commission, superintendent of roads, engineer, surveyor, overseer, foreman, or any other officer or employee of the commission, or any other person who shall hold any fiduciary or official relation in connection with the duties imposed by this act, to be interested either directly or indirectly in any contract, undertaking, or a matter in which the public roads are concerned as provided by this act, and it shall be unlawful for any such person, or for any partnership or corporation in which any such person may be interested either as partner, stockholder, or otherwise, to sell or participate in the sale to said road commission, or any one acting under its authority, or on its behalf, any goods, wares, merchandise, stock, tools, machinery, equipment, or other article

of sale whatever to be used by the road authorities under the provisions of this act. Any person violating the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction be fined or imprisoned in the discretion of the court, and shall also forfeit and pay the sum of two hundred dollars (\$200) to be recovered by suit in any court of competent jurisdiction to the use and for the benefit of any person who will sue for same.

Misdemeanor.
Punishment.
Penalty.

SEC. 30. Each and every person who shall fail or neglect to perform the several duties enjoined by this act shall be guilty of a misdemeanor and shall upon conviction, be fined or imprisoned in the discretion of the court and shall also forfeit and pay the sum of two hundred dollars (\$200) to be recovered by suit in any court of competent jurisdiction for the use and to the benefit of any person who will sue for same, except as otherwise provided by this act.

Failure to perform
duty misdemeanor.
Punishment.
Forfeit.

SEC. 31. The said road commission shall have the power and authority to make such other and additional rules and regulations for the proper working, construction, improvement and repair of the public roads and bridges of Robeson County, not inconsistent with the provisions of this act, as it may deem necessary or expedient; and any and all such rules and regulations shall be adopted in the form of resolutions duly adopted by said road commission and spread upon the minutes of the commission.

Rules and regula-
tions for work.

SEC. 32. If at the election to be held on the first Monday in May, one thousand nine hundred and seventeen, as hereinbefore provided, a majority of the votes cast shall not be "For Good Roads Bond Issue," then, at any time more than six months thereafter, upon the presentation to it of a petition signed by one hundred citizens and taxpayers of Robeson County, it shall be the duty of the board of commissioners of Robeson County to again submit the provisions of this act to another election to be held for that purpose under the provisions of this act, at a time to be fixed by said board of commissioners, and such election shall be in all respects conducted in the same way and manner as the election herein before provided for, to the same extent and with the same effect, as though the first election had not been held; and if, at such election, a majority of the votes cast as hereinbefore provided shall be "For Good Roads Bond Issue" then all the provisions of this act shall be in force and effect, and it shall be the duty of the board of commissioners of Robeson County to deliver the bonds above referred to to the road commission of Robeson County, whose duty it shall be to sell same and expend the proceeds in the construction of a modern system of good roads and bridges for said county under the provisions of this act. The provisions of this section are hereby declared to be mandatory upon the board of commissioners of Robeson County, and if said board of commissioners, upon the pre-

Further elections.

Provisions manda-
tory.

Failure to comply
a misdemeanor.

• sentation of a petition which complies with the requirements of this section, shall fail, neglect, or refuse to call such election and to perform all things to be done and performed by them under the provisions of this act, then the members of said board of commissioners so defaulting shall be deemed guilty of a misdemeanor and shall, upon conviction, be fined or imprisoned or both in the discretion of the court, and shall also forfeit and pay the sum of two hundred dollars (\$200) to be recovered by suit in any court of competent jurisdiction to the use and for the benefit of any person who will sue for same.

Punishment.
Forfeit.

Repealing clause.

SEC. 33. That all laws and clauses of laws in conflict with the provisions of this act be and the same are hereby repealed.

SEC. 34. Subject to the result of the election hereinbefore referred to, this act shall be in force and effect from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 259

AN ACT APPOINTING ROAD COMMISSIONERS FOR ROAD IMPROVEMENT IN BURKE COUNTY.

The General Assembly of North Carolina do enact:

Commissioners.

SECTION 1. That J. E. Erwin, F. O. Walton, and John M. Mull, of Morganton Township, and William Butler, of Silver Creek Township, and S. B. Moore, of Linville Township, and Ellis Fortner, of Upper Creek Township, and Salem Franklin, of Jonas Bridge Township, and Harrison Avery, of Quaker Meadow Township, and Cameron Smith, of Smoky Creek Township, and Marshall Brinkley, of Lovelady Township, and M. D. Arney, of Icard Township, and Joseph Mull, of Lower Creek Township, and J. P. Bumgarner, of Upper Fork Township, be and they are hereby appointed and constituted the board of road commissioners for

Meeting and organization.

Burke County. That immediately after the ratification of this act the members thereof shall meet at Morganton, North Carolina, and organize by electing one of the 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 the members of the board shall be as follows, viz: Members from Icard and Jonas Ridge townships shall be for one year; from Linville and Lovelady, two years; members from Lower Creek and Lower Fork townships three years; from Morganton and Quaker Meadow, four years; from Silver Creek and Smoky Creek, five years; from Upper Creek and Upper Fork, six years;

Terms.

Successors.

and that the successors of those above named whose terms ex-

pire shall serve each for six years from date of their qualification. That each member of the said board shall, upon his appointment or election, take and subscribe an oath before the clerk of the Superior Court of Burke County for the faithful performance of duties as a member of the said board. If a vacancy shall occur by death or resignation, the remaining members of the board shall elect some well-qualified man from the township in which the vacancy occurs as his successor to fill said vacancy. At the expiration of the term of office of any member of this board the remaining members shall elect some well-qualified elector or electors of the township from which said vacancy occurs as his or their successor or successors.

SEC. 2. That the said board of road commissioners of Burke County and its successors in office be and it is hereby constituted a body corporate under and by virtue of the laws of this State, and by this act, under the name and style of "The Board of Road Commissioners of Burke County," and shall have all power 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, devise, or purchase, hold, exchange, and sell the same, and exercise other rights and privileges as are incident to other municipal corporations of like nature, such as the condemnation of the land for road construction, widening or changing of any road or roads in the said county of Burke, and such other powers as are necessary and incident to the carrying out of all the provisions of this act.

SEC. 3. That it shall be the duty of the said board of road commissioners to take charge of the working, repairing, maintaining, altering, and constructing of any and all public roads and bridges of Burke County except as hereinafter provided, and is hereby vested with all powers, rights and authorities now vested in the board of county commissioners by the general law of the State, for the supervision, construction, and repair of the public roads and bridges of the county, except the construction of the bridges across the Catawba River, which are to be constructed by the county commissioners. And the said board of road commissioners of Burke County is hereby authorized and empowered to issue bonds of Burke County for the construction and repair of the roads and bridges of Burke County not to exceed the sum of three hundred thousand dollars. The bonds so issued shall be styled "Burke County Good Roads Bonds," and the same shall be of such denomination as the said board may deem advisable, bearing interest from date of issuance not to exceed five per cent per annum, with interest-bearing coupons attached, payable annually as the said board may provide, and at such time and times and such place and places as the board may fix. The

Commissioners to qualify.

Vacancies.

Election of successors.

Incorporation.

Corporate name.

Corporate powers.

Charge of road work.

Powers, rights and authority vested.

Exceptions.

Bond issue.

Amount.

Entitlement of bonds.

Denominations.

Interest.

Authentication.

Maturity.	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 as said board of road commissioners may fix, 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 the said board of road commissioners shall determine. None of the said bonds shall be disposed of for less 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 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 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 Burke County.
Sale below par forbidden. Issuance of bonds.	
Corporate seal.	
Obligation of bonds.	
Levy and collection of taxes.	
Validity.	The bonds issued under and by virtue of this act by the board of road commissioners in Burke County shall be as valid in law, and the same liability for the payment thereof imposed upon Burke County as if the same had been issued by the county commissioners of Burke County under like or same power, law and authority.
Special tax.	SEC. 4. That for the purpose of providing a sinking fund for the payment of the bonds issued under this act, and the payment of the interest thereof, and for a maintenance fund to keep up the said roads and bridges, the board of county commissioners of Burke 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 the levying of taxes, and every year thereafter, levy and lay a special tax on all property subject to taxation within the limits of Burke County except as hereinafter provided, as in the case of other taxes for general county purposes, the tax to be of not more than thirty cents on the one hundred dollars valuation of real, personal and mixed property, and not exceeding ninety cents on the poll. The taxes so levied shall be collected by the sheriff of Burke County in the same manner as other taxes are collected, and without additional charge, and shall be kept separate from the other taxes. The funds so collected from the sale of bonds and taxes shall be turned over to the treasurer of Burke County or some solvent bank or banks in said county to be designated by said board of road commissioners; and shall be apportioned by said commissioners in such manner as to provide for the payment of the interest on said bonds when due and for the discharge of the principal thereof
Limit of rate.	
Collection.	
Tax kept separate.	
Deposit and apportionments.	

at maturity, and for the construction, maintenance and repair of the public roads of Burke County except as hereinafter provided.

SEC. 5. That for the purpose of constructing and repairing and maintaining the roads in said county, the board of road commissioners shall employ a road superintendent and such subordinates thereto as may be necessary to carry out the purpose of this act, and shall pay them such salary, to be fixed by the said board, as will compensate them 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.

Road superintendent and subordinates.

Salaries.

Delegation of powers.

SEC. 6. The board of road commissioners shall annually, from the date of its organization, elect a chairman and secretary from among the members of the board, who shall hold office for one year and until their successors have been elected and qualified.

Chairman and secretary.

SEC. 7. That the board of road commissioners shall have the power to advertise and sell any and all of said bonds, except fifty thousand dollars (\$50,000) herein provided for, and such additional sums if any, as other townships may be entitled to on same terms, at such time and place as it may deem best for the purpose of raising a fund with which to construct and improve the public roads of the said county as aforesaid: *Provided, however,* that the purchasers of the said bonds shall not be required to see to the application of said funds.

Advertisement and sale of bonds.

Proviso: Obligation of purchasers released.

SEC. 8. That, whereas Morganton Township has outstanding fifty thousand dollars (\$50,000) in bonds, the proceeds of which have been expended in making permanent road improvements in the 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 Burke County shall deliver to the chairman of the board of county commissioners of Burke County fifty thousand dollars (\$50,000) in bonds authorized by this act, properly signed and sealed, to be substituted for the fifty thousand dollars (\$50,000) the said township now has 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 vault in some banking institution to be selected by the county commissioners of Burke County, 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 as far as it will go, and the excess, if any, on the principal of the township bonds and the amount required as a sinking fund, while the bonds themselves are to be retained for the redemption of the fifty thousand dollars, the amount of the Morganton Township bonds outstanding. Said board of road commissioners are authorized to sell said fifty

Bonds for Morganton township.

Special deposit.

Sale for payment of township bonds.

thousand dollars (\$50,000) in bonds after due advertisement at a price not less than par value whenever a sale thereof is necessary to pay off and discharge the outstanding fifty thousand dollars (\$50,000) of Morganton Township road bonds.

Bonds of other townships.

SEC. 9. If there are other townships in Burke County that have issued and sold road bonds, they may have the said road bonds so issued and sold, taken up as Morganton Township road bonds are taken up by this act, provided they turn over to the board of road commissioners herein appointed, all the proceeds of the said township bond sale, that they have not expended on their roads at the passage of this act, to be used by it as this act provides.

Relation of act to other townships.

SEC. 10. Nothing in this act shall apply to any township in Burke County (except Morganton Township) which has heretofore voted in favor of the issue of road bonds; nor shall any tax provided for in this act be levied or collected upon the property or polls in any such township (other than Morganton Township) unless and until at an election held in said township a majority of the votes cast at said election shall be cast in favor of adopting the provisions of this act. At any time upon a petition presented to the board of road commissioners of Burke County, signed by ten per cent of the qualified voters of any such township, an election shall be called by said board of road commissioners and held to determine whether or not the township so petitioning shall adopt the provisions of this act. Said election shall be held under the provisions of the law under which the bonds of said township were voted; and at said election those in favor of adopting the provisions of this act for said township shall vote a ballot on which is written or printed the words "For County Road Law" and those opposed thereto shall vote a ballot on which is written or printed the words "Against County Road Law."

Petition for elections.

Law governing election.

Ballots.

Effect of election.

If at said election a majority of the votes cast shall be in favor of the adoption of the provisions of this act then all unexpended road fund belonging to said township shall be immediately turned over to the board of road commissioners of Burke County, and all the provisions of this act shall forthwith apply thereto. If a majority of the votes cast at said election shall be against the adoption of the provisions of this act then the provisions of this act shall not apply to said township; and the roads of said township shall be constructed and maintained and all the road funds belonging thereto shall be expended by the road commissioners elected by said township in the manner heretofore provided by law.

Roads designated for improvement.

SEC. 11. The roads to be made, opened, built or improved by the board of road commissioners under the provisions of this act shall be as follows: The public road leading from Morganton to the Caldwell County line at or near Tuttle's Cross Roads; the

public road leading from Morganton to the Catawba County line below Hildebrand; the public road leading from Morganton down the Laurel to the Lincoln County line; the public road leading from Morganton to the Cleveland County line near Joe Mull's store; the public road leading from Morganton to the Rutherford County line near Kirksye's store; the public road leading from Morganton to the McDowell County line near Bridgewater; the public road leading from Morganton up the Yellow Mountain road intersecting with the Southern Power Company's road near Noblet's store; the public road leading from Morganton to the Avery County line near Salem Franklin's; the public road leading from Morganton up what is known as the Jamestown road to Dysartville; the public road leading from Morganton to the Caldwell County line near Amherst Academy; in case the road to Avery County line does not go by Smyrna Church in Upper Creek Township, then there shall be a public road constructed from Morganton to Smyrna Church in said township; also a public road leading from Morganton to the Caldwell County line in Upper Creek Township above the Michaux place. All sections of the roads specifically provided for in this act lying within the boundaries of any township intervening between any two Burke townships to which this act shall apply, when such intervening township shall not have adopted the provisions of this act, shall be constructed and maintained at the expense of such intervening township so as to connect with the other sections of said roads built under the provisions of this act in the other townships of Burke County; and said sections in said intervening townships shall be built upon the survey made by the board of road commissioners of Burke County, and shall be of the same width and character of construction as far as possible as the other sections of said roads in Burke County.

Sections in
excepted townships.

SEC. 12. That said roads above designated shall be surveyed and located by expert surveyors or engineers, and each and every one of said roads shall be located before any contract to build any of them shall be let. To the end that this may be properly done said board of road commissioners is expressly authorized to employ one or more expert road engineers at a compensation to be fixed by it, and to be paid out of the general fund to be raised under this act, not only to survey and locate roads, but to advise and to make plans and specifications for the work, and to have such general oversight of said work as said board of road commissioners may direct, to the end that the work may be properly done: *Provided*, that if the State furnishes to the counties the engineering assistance in its road work, that the acceptance of such services from the State by the road commissioners shall be considered as fulfilling the requirements by the commissioners of this section.

Survey and loca-
tion of roads.

Road engineers.

Compensation.

Proviso: Accept-
ance of State aid.

- Work let to contract. SEC. 13. That as soon as the above-described roads are surveyed and located the board of road commissioners of Burke County shall advertise and let the building, repairing, and constructing of the same, under the plans and specifications as furnished by the engineers and approved by the board of road commissioners of Burke County, to the lowest bidder, letting said roads in sections of from one to five miles in length, reserving the right to reject any and all bids and to readvertise for other bids. That the said contractor or contractors who are awarded contracts to build, revise, and construct said roads shall enter into a good and sufficient bond, in such amount as said board of road commissioners shall designate, for the completion of said work according to plans and specifications, and in the time fixed.
- Plans and specifications. All of the roads hereinbefore specifically mentioned shall be not less than twenty-five feet in width except where in the opinion of the board of road commissioners such width is impracticable or inadvisable.
- Sections of road. Right to reject bids. Contractors to give bond. Width of roads.
- Work by hired labor. SEC. 14. If there should be any road or part of road in said county that said board of road commissioners is unable to contract satisfactorily, then said board shall have the right to employ men and repair or build said road itself.
- Financial interest of commissioners in contracts forbidden. SEC. 15. No member of the board of road commissioners of Burke County shall take any contract to build, repair, or keep up any section of any public road of Burke County, nor shall he be in any way financially interested in the building, repairing, or keeping up any public road in Burke County.
- Itemized statements posted monthly. SEC. 16. That the secretary of the board as provided for in this act shall, on the first Monday in each and every month, post at the courthouse door in the town of Morganton an itemized statement showing in full an account of his receipts and disbursements of the road funds for the previous month, from whom received, and to whom paid.
- Entry on lands. SEC. 17. In opening new roads, widening and straightening old roads, and repairing the same, the said board of road commissioners, through its agents and employees, is hereby authorized to enter upon any lands and locate and build such roads. 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 ninety days, after the said road has been completed and received, cause to be summoned three disinterested citizens and freeholders of the said county, who shall go upon the land and assess the damages and the benefits under the general road law as it now exists: *Provided, however*, that before entering upon lands as authorized in 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 road is to be located upon the said land under the authority of this act;
- Assessment of damages. Proviso: Notice to land owners.

and *provided further*, that in assessing the damages sustained by any landowner the jury should also take into consideration the specific benefits, if any, accruing to the landowner, and if such benefits exceed the damages, then the amount of such excess 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 are collected. It is further provided that no suit shall be instituted by the landowner for damages on account of location of a road under this act, or the taking of material, timber, gravel, or topsoil, until after ninety days from the completion and acceptance of the road across the land of such landowner, and no suit shall be brought by any landowner unless the same is commenced within six months after the completion and acceptance of the road across the lands of the said claimant. That no landowner shall have the right or power by injunction or otherwise to stop the building of any road being laid out, repaired, or constructed under this act.

Proviso: Benefits considered.

Lien on land.

Time for institution of suits.

Injunction not to lie.

SEC. 18. 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 such loan, or if any provision shall be made by the Federal Government appropriating, loaning, or donating to the counties for road improvement, then the board of road commissioners of Burke County is hereby authorized and empowered to avail itself of the privilege or benefits of any such act or acts.

Acceptance of State or Federal aid.

SEC. 19. All expenses incurred by the board of road commissioners on account of meetings held by reason of their duties imposed by this act or otherwise shall be paid by its order out of the funds herein provided.

Expense of board meetings.

SEC. 20. Any member of the board of road commissioners or the road superintendent making or causing to be made any fraudulent orders whereby money is to be paid out of the said road fund, or any treasurer, knowingly paying any fraudulent order, shall be guilty of felony, and shall upon conviction, be imprisoned or fined, or both, at the discretion of the court, and shall be removed from office.

Making or paying fraudulent warrants felony.

Punishment.

SEC. 21. That any moneys on hand in any township to which the provisions of this act shall apply, or assessed to be collected to the credit of the road funds of such township at the time this act becomes effective, except proceeds of bond sales, shall be turned over to the treasurer herein provided for, and any money in the county treasury to the credit of any of such townships of the county for road purposes, shall be turned over to the treasurer herein provided, to be expended as provided by this act.

Township funds turned over.

- Publication of annual statements. SEC. 22. The treasurer herein provided shall publish annually in some newspaper in Burke County an itemized statement of the receipts and disbursements by him made of the moneys coming into his hands or paid out by him under this act, and to whom paid.
- Top soil. SEC. 23. That all roads changed, improved, or constructed as herein provided for shall be crested and covered with the necessary amount of topsoil to make first-class roads of them.
- Sections of roads. SEC. 24. That the board of county commissions, as heretofore provided, shall require the road superintendent, subject to its approval, to divide the public roads of Burke County, which are subject to the provisions of this act, into sections and employ one or more men on each section to keep the same in proper repair; and it shall be the duty of said road superintendent to go over all the roads of the said county at least once in every two weeks and see that the same are being kept in proper repair; that the said road superintendent shall have the right at any time to discharge any one failing to keep the section allotted to him in proper repair, and to hire another in his place.
- Inspection by superintendent. SEC. 25. That the members of the board of road commissioners shall receive their actual expenses in attending meetings or otherwise discharging the duties imposed upon them by this act, but they shall receive no other or further compensation. They have two public meetings at the courthouse in Morganton each year, at which time any one having a grievance or other business can be heard. They can hold other meetings if thought necessary by the chairman of and secretary of the board, and for such meetings all members shall be duly notified at least three days before the day of the meeting.
- Right of discharge. SEC. 26. The board, through its agents, officers, or employees, is hereby authorized to enter upon the lands adjoining or near to any public road being repaired or constructed in the said county; to cut and remove timber, except groves on improved land, or timber left for shade or ornamental trees, and dig or cause to be dug and carried away any gravel, sand, clay, dirt, or stone which may be necessary for the proper construction of any of the said roads in said county; and in order to make drains or ditches through the same as they may deem necessary for the construction and protection of the said roads, they shall have a right to enter. That any person obstructing such drains or ditches so made shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court; that the board of road commissioners, or any one under its direction or employ, shall have the right to enter upon the lands adjacent or near to the said public roads wherever suitable topsoil can be found and to take the same. If the owner of said topsoil and the board of road commissioners cannot agree as to the value of said
- Pay of road commissioners. Public meetings. Called meetings. Entry on land for material. Drains or ditches. Obstructing drains or ditches misdemeanor. Punishment. Top soil. Assessment of damages.

top-soil the same shall be fixed and determined in the manner provided in section seventeen of this act.

SEC. 27. That upon the organization of the board of road commissioners as herein provided all free labor on the roads in Burke County shall be abolished.

Free labor abolished.

SEC. 28. That all special road tax provided for the several townships of Burke County, to which the act shall apply, under the former act, except the tax levied and not yet collected, are hereby repealed, and all road taxes of the several townships heretofore collected or levied to be collected and not expended, shall be turned over to the treasurer provided for in this act, to be used as provided in this act.

Former tax laws repealed.

Taxes heretofore levied.

SEC. 29. That all the moneys arising from the bond issue as provided for in this act, and not expended in the construction of roads heretofore designated, shall be expended on other public roads in the various townships to which this act shall apply, according to the needs of the said townships and with a view to equalizing said townships as nearly as may be in the moneys expended as well as the road advantages.

Expenditure of surplus.

SEC. 30. That upon the organization of the board of road commissioners of Burke County as provided for in this act, all county or township road laws of Burke County heretofore passed are hereby repealed except as herein provided.

Former laws repealed.

SEC. 31. That all laws and clauses of laws in conflict with this act are hereby repealed. Immediately upon the ratification of this act, all of its provisions shall be in effect in Morganton, Linville, Jonas Ridge, Lower Creek, Smoky Creek, and Lower Fork townships in Burke County. The members of the board of road commissioners of Burke County hereinbefore named shall not act as members of said board unless and until the provisions of this act shall apply to the township in which they reside in the manner hereinbefore provided.

Repealing clause.

When act effective.

When commissioners to act.

SEC. 32. That this act shall be in effect from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 260

AN ACT FOR THE RELIEF OF P. P. MARSH, EX-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

Preamble: Funds on deposit.

thousand and two hundred and twenty-five hundredths dollars, which sum has not been commingled with his own funds or used for his own benefit, but was 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 and sixty-one and twenty hundredths dollars to the county road fund, and one hundred three and forty-two hundredths dollars to the county school fund; and upon said date the State Bank Examiner took charge of said bank and receiver has been appointed for the same; 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,

Failure of bank.

Assignment of deposit.

The General Assembly of North Carolina do enact:

Credit to be allowed.

SECTION 1. That the board of education of Anson County and the board of commissioners of Anson County be and they hereby are authorized and directed to allow P. P. Marsh, ex-treasurer of Anson County, in his final settlements, credit for the sums he had on deposit to his credit in the Southern Savings Bank of Wadesboro, North Carolina, when said bank closed its doors and quit business on the twenty-eighth day in October, one thousand nine hundred and fourteen, except five hundred and sixty-one dollars, said sums being amounts belonging to the respective funds named in the preamble of this act. That the amount due said precinct shall not be released or affected by this act.

Amount not released.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 261

AN ACT TO AMEND CHAPTER 262, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915, AND TO AUTHORIZE THE BOARDS OF COMMISSIONERS OF PERQUIMANS AND CHOWAN COUNTIES TO APPOINT A TREASURER.

The General Assembly of North Carolina do enact:

Perquimans stricken out.

SECTION 1. That chapter two hundred and sixty-two, Public-Local Laws of North Carolina, session of nineteen hundred and fifteen, be amended by striking out the word "Perquimans" in line two, section four, thereof.

Appointments directed.

SEC. 2. That the boards of commissioners of Perquimans and Chowan Counties are hereby authorized, empowered and directed

at their regular meeting, to be held on the first Monday of February, nineteen hundred and seventeen, to appoint a treasurer for said Perquimans County and for said Chowan County, who shall hold office until the next general election for State and county officers, when his successor in office shall be elected, as is now provided by law for the election of members of the General Assembly.

Term of appointment.

Election of successors.

SEC. 3. That the duties of such treasurer, and the penalties provided by law for a breach thereof, shall be as now generally provided by the laws of North Carolina applicable to county treasurers, except as herein expressly otherwise provided.

Duties and liabilities.

SEC. 4. That the treasurer shall be entitled to no fees for his services, but shall receive the sum of three hundred dollars per annum, one-half out of the general county fund and the other half out of the road fund. The bond of said treasurer to be determined and paid county commissioners out of the general county fund.

Salary.

Bond.

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

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 262

AN ACT TO AMEND CHAPTERS 158 AND 614 OF THE PUBLIC-LOCAL LAWS OF 1911, RELATING TO THE RECORDERS OF VANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapters one hundred and fifty-eight and six hundred and fourteen of the Public-Local Laws of nineteen hundred and eleven be and the same are hereby amended as follows:

By adding after section nine of chapter one hundred fifty-eight, the following sections:

Section nine (a): That upon motion of either party in either criminal or civil actions a jury trial shall be granted. For the purpose of such trial a jury of six qualified jurors shall be drawn from a jury box; such jury box to be furnished by the county board of commissioners at their first meeting in March, nineteen hundred and seventeen, for said recorder's court in the same manner in which the jury box is provided for the Superior Court.

Jury trial.

Jury box.

Section nine (b): The names of the jurors to be drawn from the jury box by clerk of said recorder's court, the jurors to be summoned in the same manner as Superior Court jurors: *Provided*, that by consent of both parties the jury may be composed of less than six.

Drawing and summoning jurors.

Proviso: Jury by consent.

Repealing clause. SEC. 2. That all laws and clauses of laws inconsistent herewith are repealed.

When act effective. SEC. 3. That this act shall be in force from and after the first Monday in March, nineteen hundred and seventeen.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 263

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BUNCOMBE COUNTY TO BUILD BRIDGES WITH TERMINI AND ABUTMENTS WITHIN THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE AND OTHER INCORPORATED TOWNS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Construction of bridges.

SECTION 1. That the county commissioners of Buncombe County are hereby authorized and fully empowered to construct county bridges across the French Broad River, at the site of the old Smith's Bridge, and at the site of Pearson's Bridge, at Riverside Park, with termini, abutments, and approaches thereto, in the corporate limits of said city, and generally to construct bridges across streams in said county, where one or more of the termini, abutments or approaches of said bridges may be located within the limits of incorporated towns in said county, with the same power and control and management over the same as may be possessed by said county commissioners over other public bridges in said county.

Repealing clause. SEC. 2. That all acts or parts of acts inconsistent herewith are hereby repealed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 264

AN ACT TO AMEND CHAPTER 61, PUBLIC-LOCAL LAWS, SESSION 1915.

The General Assembly of North Carolina do enact:

Salary of sheriff. SECTION 1. Amend section seven by striking out the words "twenty-seven hundred" in line two of said section seven, and by striking out the words "and fifty dollars," and by inserting in lieu thereof the words "three thousand dollars."

SEC. 2. Amend further by striking out the words "eighteen hundred dollars" in line three of section ten of said act, and by inserting in lieu thereof the words "twenty-one hundred dollars." Salary of register of deeds.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 265

AN ACT TO AMEND CHAPTER 129 OF THE PUBLIC-LOCAL LAWS OF 1915, ENTITLED "AN ACT TO REGULATE HUNTING IN CASWELL COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and twenty-nine of the Public-Local Laws of one thousand nine hundred and fifteen, entitled "An act to regulate hunting in Caswell County," be and the same is hereby amended as follows: Strike out section one and insert in lieu thereof the following:

"Section 1. That it shall be unlawful for any person or persons to hunt with gun any deer in the county of Caswell except between the fifteenth day of November and the fifteenth day of December of each year. That it shall be unlawful at all times for a period of six years from the ratification of this act to hunt with dogs and deer in said county." Open season for deer. Hunting with dogs.

SEC. 2. That all 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 9th day of January, A. D. 1917.

CHAPTER 266

AN ACT TO AUTHORIZE AND DIRECT THE COUNTY COMMISSIONERS OF HAYWOOD COUNTY TO BUILD BRIDGES IN BEAVERDAM TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Haywood County are hereby authorized and directed to build an iron, steel, concrete, or I-beam bridge across Thickety Creek, near the dwelling place of Mrs. Mattie Reno, in Beaverdam Township, Haywood County, and to pay for the same out of the general and special bridge fund of Haywood County; and further, the said board of Building directed. Location. Payment. Bridge authorized.

- commissioners may in their discretion erect an iron, steel, concrete, or I-beam bridge across East Fork River, a tributary of Pigeon River, in East Fork Township and near the public school building in said township, said bridge to be located by the board of county commissioners and superintendent of roads, and the cost of construction to be paid out of the special bridge fund when available.
- Location.
Payment.
- Repealing clause. 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 9th day of January, A. D. 1917.

CHAPTER 267

AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF STANLY COUNTY TO BUILD STEEL BRIDGES ACROSS THE YADKIN AND ROCKY RIVERS.

The General Assembly of North Carolina do enact:

- Building authorized. SECTION 1. That the board of county commissioners of Stanly County are hereby empowered and authorized to build one or more steel bridges across the Yadkin and Rocky rivers in said county.
- Repealing clause. 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 9th day of January, A. D. 1917

CHAPTER 268

AN ACT TO ALLOW THE ROAD COMMISSIONERS OF STANLY COUNTY THREE DOLLARS PER DAY FOR SERVICES IN DISCHARGE OF THEIR OFFICIAL DUTIES.

The General Assembly of North Carolina do enact:

- Per diem. SECTION 1. That from and after the ratification of this act the road commissioners of Stanly County shall receive three dollars per day for each day served in connection with the duties of said office.
- Repealing clause. SEC. 2. 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 9th day of January, A. D. 1917.

CHAPTER 269

AN ACT TO AMEND CHAPTER 833 OF THE PUBLIC LAWS OF 1909, ENTITLED "AN ACT TO PROVIDE FOR THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF THE PUBLIC ROADS OF NASHVILLE TOWNSHIP, NASH COUNTY,"

The General Assembly of North Carolina do enact:

SECTION 1. That section twenty-one, of chapter eight hundred and thirty-three, of the Public Laws of 1909, entitled "an act to provide for the construction, repair and maintenance of the public roads of Nashville Township, Nash County," be and the same is hereby repealed and the following section inserted in lieu thereof:

"Sec. 21. For his services in collecting and paying over to the treasurer of said road district all sums of money levied for road purposes in such district, the sheriff shall be allowed such commission as may be fixed by the board of county commissioners, the board of road commissioners concurring, not exceeding four per centum; and he shall be entitled to retain his commission upon the settlement of the road tax with the treasurer of said road district. Said sheriff shall make all payments of road district funds directly to the treasurer of said road district. Said treasurer of said road district and said sheriff shall both give bonds with good and lawful sureties, in such sum as may be fixed by the board of county commissioners, conditioned upon the faithful discharge of their duties and for the accounting of all sums which may come into their hands by virtue of the provisions of this act."

Commission of
sheriff.

Settlement of road
funds.

Sheriff and treasurer to give
bonds.

SEC. 2. That all 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 9th day of January, A. D. 1917.

CHAPTER 270

AN ACT FIXING THE COMPENSATION OF JURORS FOR MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That jurors serving at any term of the Superior Court for Madison County shall receive as compensation for their services the sum of two dollars per day and the mileage allowed by law.

Per diem and
mileage.

- When act effective.
Secretary of State
to send copy. SEC. 2. That this act shall be in effect from its ratification.
- SEC. 3. That immediately upon its ratification the Secretary of State is directed to transmit a certified copy of the same to the register of deeds for Madison County.
- Repealing clause. SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 271

AN ACT TO INCREASE THE PAY OF THE BOARD OF COMMISSIONERS OF STANLY COUNTY.

The General Assembly of North Carolina do enact:

- Per diem. SECTION 1. That from and after the ratification of this act the members of the board of county commissioners of Stanly County shall receive four (\$4.00) dollars per day for services rendered such board in their official capacity instead of that now allowed by law.
- Repealing clause. 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 9th day of January, A. D. 1917.

CHAPTER 272

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

The General Assembly of North Carolina do enact:

- Special tax. SECTION 1. That the board of commissioners of Graham County be and they are hereby authorized to levy a special tax of not less than fifteen cents nor more than thirty cents on the one hundred dollars valuation of all taxable property in said county, and not less than forty-five nor more than ninety cents on each taxable poll in said county, to supplement the county school fund of said county. Said levy shall be made by such board of county commissioners at the same time and in the same manner that the levy for county purposes is made.
- Limit of rate.
- Levy.
- Collection. SEC. 2. That such special taxes shall be collected by the sheriff of Graham County in the same manner and under the same penalties as he is authorized to collect and account for other State and county taxes.

SEC. 3. That all the funds received from this special tax shall be paid by the sheriff of said county, after deducting his lawful commission for the collection thereof, to the chairman of the county school board of said county. Said school board is authorized to expend said school funds as its members may determine to be for the best interests of said county in extending the school term and in building and repairing the schoolhouses of said county.

Settlement.

Expenditure of fund.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 273

AN ACT TO VALIDATE CERTAIN OFFICIAL ACTS OF MISS HALLIE HORN, MRS. S. S. GRIFFIN, MISS KATHERINE McDOWELL, AND MRS. I. M. HORN, DEPUTY CLERKS OF SUPERIOR COURT OF UNION COUNTY, NORTH CAROLINA.

Whereas, the clerk of the Superior Court of Union County, North Carolina, in the year 1907, appointed Miss Hallie Horne to the office of the deputy clerk of the Superior Court of Union County, who held said office for several months and who, while in the discharge of the duties of said office probated and ordered the registration, and performed various other acts of judicial character; and whereas, since said date other ladies, to wit: Mrs. S. S. Griffin, Miss Katherine McDowell, and Miss I. M. Horn, have been appointed to and filled said office of deputy clerk of Superior Court of said county and probated and ordered the registration of various deeds and mortgages and other instruments, and performed various other acts of judicial character; and whereas, there have been recorded in the office of the register of deeds of Union County and other counties various deeds, mortgages, contracts and other instruments upon probate of said deputy clerks of Superior Court of said county; and whereas, it has been virtually held by the Supreme Court of North Carolina that such probates are invalid and registration thereupon ineffectual, thereby rendering uncertain the validity of the registration of various deeds and other instruments in said county and in other counties where such instruments have been recorded upon such probates; now, therefore

Preamble: Appointment.

Preamble: Other appointments.

Preamble: Instruments recorded.

Preamble: Ruling of Supreme Court.

The General Assembly of North Carolina do enact:

SECTION 1. That all probates of deeds, mortgages, contracts, and other instruments, and all acts of judicial character and all official acts of the said Miss Hallie Horn, Mrs. S. S. Griffin, Miss

Probates and other acts validated.

Registrations validated. Katherine McDowell, and Miss I. M. Horn be and the same are hereby in all respects declared as valid, legal and effectual, as if the same had been done by the clerk of the court of said county in his own proper person. And all registrations upon such probates are hereby expressly validated and made as effectual to all intents and purposes as if such probates had been taken and registration ordered by clerk of Superior Court in person.

Administration of oaths validated. SEC. 2. That all oaths administered by said deputy clerks and by the clerk of the Superior Court of said county are hereby validated and declared legal whether the party to whom such oath was administered was required to place his hand upon the Holy Bible and to kiss the said Bible, as required by law, or not.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 274

AN ACT TO AMEND THE ROAD LAW OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

Road tax. SECTION 1. That section 48 of chapter 185 of the Public-Local Laws of 1913 be amended by striking out the word "ten" in line 4 of said section and inserting in lieu thereof the word "fifty."

Road duty. SEC. 2. That all able-bodied male persons between the ages of eighteen and forty-five years shall be required, under the provisions of chapter 286 of the Public Laws of 1899, as amended by chapter 185 of the Public-Local Laws of 1913, to work on the public roads of Ashe County except the members of the boards of township road trustees and the supervisors of public roads, but no person shall be forced to work more than four days in any one year except in case of damage resulting from a storm.

Engineer. SEC. 3. That section 27 of chapter 286 of the Public Laws of 1899 be amended by striking out the words "road surveyor" in line 2 thereof, and inserting the words "competent civil engineer."

Road treasurer abolished. SEC. 4. That the office of township treasurer of the various township boards of road trustees, created by section 4 of chapter 185 of the Public-Local Laws of 1913, be and is hereby abolished, and the duties and liabilities in said chapter 185 imposed upon said township treasurer, are hereby imposed upon the county treasurer of Ashe County. The board of county commissioners of said county of Ashe shall require of said county treasurer that he give additional bond in twice the amount of the road funds before they are given over to him for safekeeping and proper dis-

Additional bond.

bursement, and he shall be liable upon said bond for any failure safely to keep and disburse said funds, under the provisions of law. Said bond shall be recorded and filed with the other bond required of the county treasurer. Upon said county treasurer's failing to give said bond or giving an insufficient bond, the said office of county treasurer shall be declared vacant. The county treasurer shall receive, in handling the road funds, the same commission now allowed by law in handling the general county funds.

Liability on bond.

Vacancy.

Commission.

SEC. 5. In all proceedings to condemn land for the right of way of any highway under chapter 286 of the Public Laws of 1899 as amended by chapter 185 of the Public-Local Laws of 1913, whenever an appeal is taken to the Superior Court from the award of damages in said proceedings, it shall not deprive the proper authorities of the right to go ahead with the construction of the road over the land sought to be condemned, but the proper authorities may proceed in the construction of the road over such land, and the jury of the Superior Court on appeal may assess the actual damage done said land by said construction.

Work not delayed by appeal.

SEC. 6. The various township boards of road trustees shall have the power to construct any road by contract, but before entering into any contract for the said construction of any road they shall call for bids on the said construction and shall let the contract out to the lowest responsible bidder.

Work may be let to contract.

Bids.

SEC. 7. That this act shall only apply to Ashe County.

Application of act.

SEC. 8. That all laws and clauses of laws inconsistent with this act are hereby repealed.

Repealing clause.

SEC. 9. That this act shall take effect from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 275

AN ACT TO PLACE THE OFFICERS OF DUPLIN COUNTY ON A SALARY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff, clerk of the Superior Court, register of deeds of the county of Duplin, shall collect, receive and account for all fees and commissions to which they shall be entitled by virtue of their respective offices under the laws of North Carolina, relative to salaries and fees, or such as may be hereafter enacted, and shall pay same on the first day of each calendar month, or within five days thereafter, to the treasurer

Officers to collect, receive and account for fees.

Monthly payments.

- Responsibility of officers. of Duplin County, and said officers and each of them shall be responsible for and chargeable with all moneys paid in their respective offices on account of fees, commissions, or other charges, and shall be held to strict account therefor; and the moneys so paid by them to the treasurer of said county shall be kept by him in a separate fund, to be known as the "salary fund."
- Salary fund.
- Sheriff to collect and pay in fees. SEC. 2. All fees, commissions, profits, and emoluments of every kind 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 the county, to be disbursed as hereinafter provided; the said sheriff shall receive a salary of three thousand three hundred (\$3,300.00) dollars per annum as sheriff, to be paid as hereinafter set forth; and said amount shall be full compensation for all services as sheriff including hire of deputies, and ex officio treasurer of Duplin County: *Provided*, sheriff's salary from first Monday in December, 1918, to first Monday in December, 1919, shall not exceed two thousand three hundred (\$2,300.00) dollars.
- Salary of sheriff.
- Proviso: Salary for first year. SEC. 3. 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 fees, commissions, profits, and emoluments of every kind that may now or hereafter accrue, belong to, or appertain to them by virtue of their respective offices; that the said clerk of the Superior Court shall receive a salary of two thousand (\$2,000.00) dollars, to be paid as hereinafter set forth, and said amount shall be full compensation for all services as clerk of the Superior Court, including hire of deputies. The register of deeds shall receive a salary of two thousand seven hundred (\$2,700.00) dollars, to be paid as hereinafter set forth, and said amount shall be full compensation for all services as register of deeds, including hire of deputies.
- Clerk of Superior Court and Register of Deeds to collect and turn over fees.
- Salary of clerk.
- Salary of register.
- Officers to perform duties. SEC. 4. That the officers hereinbefore mentioned shall perform all of the duties of their several offices imposed upon them by law, and shall receive no other compensation or allowance than that which is hereinbefore provided; and they and their several official 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.
- Exclusive compensation. Liability on bonds.
- Account books. SEC. 5. That the officers hereinbefore mentioned 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 auditor of Duplin County, or to
- Books open for inspection.

the board of commissioners of said county, or to any other person appointed by said board of commissioners to inspect or investigate said books, or any citizen of Duplin County. Said books shall be safely and accurately kept, so as to prevent loss or destruction thereof.

SEC. 6. That all moneys coming into the hands of the treasurer of Duplin County from the fees, commissions, and emoluments of the several officers hereinbefore mentioned, shall be held by him as a separate and distinct fund for paying the salaries and allowances provided for in this act. Salary fund.

SEC. 7. The salaries and allowances herein provided for shall be paid by the treasurer of said county upon warrants issued by order of the board of commissioners of said county, in equal monthly installments. Warrants.

SEC. 8. That the officers hereinbefore referred to shall pay over to the treasurer of Duplin County all fees, commissions, and emoluments and moneys coming into their hands, respectively, and shall make settlement with said treasurer within the first five days of each and every month; and the said board of commissioners may at any time require said officers, or any of them to exhibit all books and accounts, showing all moneys received and paid over to the treasurer under the provisions of this act. Monthly settlements.
Exhibit of books and accounts.

SEC. 9. That any officer, clerk, deputy, or assistant hereinbefore mentioned who shall willfully fail or refuse to collect all fees, commissions, or emoluments of any kind belonging to the respective officers herein before mentioned, shall be guilty of a misdemeanor. Failure to collect fees misdemeanor.

SEC. 10. That the fees, emoluments, commissions and profits mentioned in this chapter shall extend to and include commissions for the collection of all taxes, for whatever purposes; commissions due to treasurer for all payments made from his office, as now provided by law, except the payment of salary vouchers of officers mentioned in this chapter; commissions on fines, penalties, and costs, all fees and allowances provided by law for the service of the register of deeds in computing taxes; services to the board of commissioners; all commissions, allowances, and sums to which the clerk may be entitled from all sources whatever; the same to be collected, reserved, and promptly and accurately entered upon their respective account books, and paid over to the treasurer as provided by this act. Moneys to be accounted for.

SEC. 11. That it shall be the duty of the board of commissioners for Duplin County to employ an auditor for the county, for such time and at such salary as they may determine, the same to be paid out of any funds of Duplin County. It shall be the duty of said auditor, prior to each quarterly settlement, and monthly, if the board shall so determine, to make careful exami- Employment of auditor.
Duty of auditor.

- nation of the books, papers, records, and accounts in the offices of the clerk, register of deeds, and sheriff of Duplin County, and report to the board as to the correctness of the accounts of said clerk, sheriff or register of deeds, and as to whether the said officers have charged themselves with, and turned over to the treasurer of Duplin County all such moneys as required by this act. The said board may, at its discretion, have the said auditor to assist the tax listers in the several townships, in listing taxes, see that all taxable polls and property be entered on the tax lists, according to law, and assist the board in locating and reporting all persons who have failed to list property and polls, examine the records of mayors and justices of the peace in Duplin County, to see that all fines are properly turned over; to see that all persons liable for license and privilege taxes in the county have paid the same as required by law, and do any and all other things pertaining to the good of the finance of the county, as the said board may determine: *Provided*, auditor's salary shall not exceed six hundred dollars per annum.
- Assistance to tax listers. SEC. 12. That after paying the salaries as herein specified, for any one year, the remainder of the said salary fund then in the hands of the treasurer shall be transferred by him, by order of the board, to the general county fund, to be used as other county money.
- Records of mayors and justices of the peace. License and privilege taxes. Repealing clause. SEC. 13. That all laws and clauses of laws in conflict with this act are hereby repealed.
- Surplus to general fund. When act effective. SEC. 14. That this act shall be in full force from after the first Monday in December, one thousand nine hundred and eighteen.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 276

AN ACT TO PROVIDE FUNDS FOR THE PURPOSE OF BUILDING ROADS IN HAYSLETT TOWNSHIP, IN GATES COUNTY.

The General Assembly of North Carolina do enact:

- Road district. SECTION 1. That from and after the passage of this act Hayslett 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.
- Management of roads. Commission created. SEC. 2. That for the purpose of working, improving and maintaining the public roads in Hayslett 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 W. J. Boone, Z. V. Cross and L. D. Harrell be and they are hereby appointed and shall constitute a board of commissioners of Hayslett Township, in Gates County; that the term of office of W. J. Boone shall be for two years, the term of office of Z. V. Cross shall be four years, and the term of office of L. D. 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 Drum Hill in said county and organize by electing one of their number as chairman of the board, and one of them 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 Hayslett Township, in Gates County, and its successors in office, be and 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 Hayslett 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 Hayslett 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 Hays-

Commissioners.

Terms.

Meeting and organization.

Commissioners to serve without compensation.

Election of successors.

Commissioners to qualify.

Records.

Annual statements.

Incorporation.

Corporate name.

Corporate powers.

Procedure for condemnation of land.

Duty of commission.

Powers and rights vested.

Power to borrow money.	lett Township for the general supervision of the roads of said township, and for the construction and repair thereof; and the said highway commission of Hayslett 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 "Hayslett 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 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. 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 Hayslett 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 thereof imposed upon Hayslett Township, as if the same had been issued by the county commissioners of Gates County, under the same law, power, and authority.
Bond issue. Amount.	
Entitlement of bonds.	
Denominations.	
Interest.	
Approval of issue.	
Authentication.	
Maturity.	
Sale below par forbidden. Issuance of bonds.	
Seal of commission.	
Obligation of bonds.	
Levy and collection of taxes.	
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 commissioners 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 Hayslett 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 levied shall be collected by the sheriff of Gates County as other taxes, and the sheriff shall receive five 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 some Bank of Gates County, 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 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

Limit of rate.

Proviso: Constitutional equation.

Amount of tax.

Collection.

Commission of sheriff.

Deposits.

Order on road fund.

Road tax.

Proviso: Work in payment of road tax.

Days work.

Supervision of work.

Failure to pay tax or work a misdemeanor.

Punishment.

Proviso: Bar to prosecution.

Use of taxes.

Road superintendent and other employees.

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, 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, change, or repair of roads, any machinery, tools, implements, and team 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 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.

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 prosecution 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.
- 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. 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.
- SEC. 11. Any person to whom the road funds are intrusted under this act who shall unlawfully misapply or misuse funds shall, upon conviction, be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.
- 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 compensations for this inspection more than twelve dollars during one year.
- 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.
- 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.
- SEC. 15. The commission shall meet as often as it may deem necessary to carry out the provisions of this act.

Proceedings.

Right of appeal.

Notice to land owners.

Time for presentation of claims.

Costs on appeals.

Work may be let to contract.

Sale of bonds.

Sale below par forbidden.

Misuse of funds misdemeanor.

Quarterly inspections.

Pay of commissioners.

Proviso: Limit of amount.

Warrants on road funds.

Nature of roads.

Meetings of commission.

- Expense declared necessary. SEC. 16. That the construction, repairing and maintenance of the roads in Hayslett Township be and the same is hereby declared a necessary county expense for Hayslett Township.
- 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 refer to the highway commission of Hayslett Township, as created by this act.
- Repealing clause. 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 9th day of January, A. D. 1917.

CHAPTER 277

AN ACT TO REPEAL CHAPTER 728, PUBLIC-LOCAL LAWS 1915, ENTITLED "AN ACT TO REDUCE THE SALARY OF THE RECORDER FOR CLEVELAND COUNTY AND TO PROVIDE FOR EXPERT AUDITING," AND TO AMEND CHAPTER 243, PUBLIC-LOCAL LAWS 1911, ENTITLED "AN ACT TO ESTABLISH A SPECIAL COURT IN THE CITY OF SHELBY AND IN CLEVELAND COUNTY, AND TO PRESCRIBE THE JURISDICTION THEREOF."

The General Assembly of North Carolina do enact:

- Law repealed. SECTION 1. That chapter seven hundred twenty-eight, Public-Local Laws of one thousand nine hundred fifteen, entitled "An act to reduce the salary of the recorder of Cleveland County and to provide for expert auditing," is hereby repealed.
- Law reënacted. SEC. 2. That chapter two hundred forty-three, Public-Local Laws of one thousand nine hundred eleven, is hereby restored and declared to be in full force and effect except as hereinafter amended.
- SEC. 3. That said chapter two hundred forty-three, Public-Local Laws of one thousand nine hundred eleven, is hereby amended as follows, to wit:
- Extension of jurisdiction. (a) That the words "in Shelby" in line two of section one of said act immediately after the word "created" are hereby stricken out, and the words "for Cleveland County" are substituted in lieu thereof.
- Salary. (b) That the words "one thousand" in line twenty-three of section three thereof following the words "shall be" and before the

word "dollars," are hereby stricken out and the words "fifteen hundred" are substituted in lieu thereof.

(c) That section five of said chapter is hereby stricken out and the following is substituted in lieu thereof and shall be known as section five, to wit:

SEC. 5. That the court shall hold daily sessions at the court-house in Shelby, except Sundays, legal holidays, and those days when the court shall be sitting in Kings Mountain. The court shall hold sessions at Kings Mountain on Thursday of each week and on such other days as the recorder shall agree upon at such place in said town of Kings Mountain as the board of county commissioners of Cleveland County shall provide and designate. The court shall hear and dispose of at its sessions in Kings Mountain only those cases arising in Number Four Township: *Provided*, that the court may transfer causes triable at its sessions in Kings Mountain to be heard at Shelby, and may transfer causes triable at Shelby to be heard at Kings Mountain, for the convenience of witnesses and parties litigant: *Provided further*, that all civil process issuing out of said court or made returnable before said court shall be returnable to the recorder's office in Shelby as in said chapter two hundred forty-three, Public-Local Laws of one thousand nine hundred eleven provided, but may be transferred to be heard at Kings Mountain at the instance of either plaintiff or defendant, where both plaintiff and defendant are resident in Number Four Township, and where plaintiff is resident of Number Four Township and defendant is nonresident of Cleveland County. The first session of said court to be held at Kings Mountain shall be on Thursday after the first Monday of March, one thousand nine hundred seventeen and shall be held under the same rules and regulations as is now prescribed for holding court in Shelby.

Sessions at Shelby.

Sessions at Kings Mountain.

Cases heard at Kings Mountain. Proviso: Transfer of cases.

Proviso: Return of process.

First session at Kings Mountain.

(d) That section seventeen of said chapter is amended by adding at the end of said section and following the words "this General Assembly" the following: In cases where there is a conviction and an imprisonment imposed on defendant, or when there is an acquittal, or a *nolle prosequi* entered, the sheriff, deputy, or constable serving said process shall be paid full fees for his service by the county in the manner aforesaid: *Provided*, that no fees shall be paid by the county where there is an acquittal or a *nolle prosequi entered*, if the warrant in such cases be sworn out by or at the instance of such sheriff, deputy, or constable.

Fees of sheriff or constable.

Proviso: Fees not paid by county.

(e) That section nineteen of said chapter is hereby amended by striking out the words "Provided the" at the end of line five of said section, and by striking out all the succeeding words to the end of said section, including the whole of lines six, seven and eight thereof.

Jurisdiction extended.

When act effective. SEC. 4. That sections one and two of this act shall be in force and effect as of January first, one thousand nine hundred seventeen, and all other sections shall be in force and effect from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 278

AN ACT TO AUTHORIZE THE TOWNSHIPS OF SHALLOTTE AND LOCKWOODS FOLLY, IN BRUNSWICK COUNTY, TO SUBSCRIBE TO THE CAPITAL STOCK OF THE WILMINGTON, BRUNSWICK AND SOUTHERN RAILROAD COMPANY.

The General Assembly of North Carolina do enact:

Subscriptions authorized.

SECTION 1. That the townships of Shallotte and Lockwoods Folly, or either of them, may subscribe to the capital stock of the Wilmington, Brunswick and Southern Railroad Company in a sum not to exceed twenty-five thousand dollars, and to this end it shall be the duty of the board of commissioners of Brunswick County, upon the petition of one-fourth of the qualified voters of either of the said townships, to call an election for the purpose of ascertaining the will of the people upon the question of the subscription to the capital stock of the said railroad company in accordance with the provisions of this act.

Amount.

Election to be called on petition.

County commissioners to order election.

SEC. 2. That upon the receipt of a petition, or petitions, signed by one-fourth of the qualified voters of the said townships, or either of them, asking that an election be held under this act, for the purpose of ascertaining the will of the people of the said townships, or either of them, as to whether or not the said townships, or either of them shall subscribe to the capital stock of the said railroad company, it shall be the duty of the board of commissioners of Brunswick County to order an election to be held in said townships, or either of them, and to appoint a day on which the said election shall be held in said townships, or either of them, at which election the qualified voters of the said townships, or either of them, shall be entitled to vote for or against such subscription. Those favoring such subscription shall vote ballots on which shall be written or printed the word "Subscription," and those opposing shall vote ballots on which shall be written or printed the words "No Subscription"; that such election or elections, shall be held after at least thirty days notice posted at the courthouse door in Brunswick County and published for four weeks in some weekly newspaper published in Brunswick County, next immediately preceding the day of election. Such notice shall specify the amount of subscription to be

Ballots.

Notice of election.

voted for, and the amount shall also be stated in the petition or petitions hereinbefore provided for; the notice shall also state the date the said election is to be held, the time that registration books shall be opened for registration, the purpose of said election, and that said subscription is to the capital stock of the Wilmington, Brunswick and Southern Railroad Company.

SEC. 3. That for the purpose of holding said election the registration books used in the last general election shall be used, and the board of commissioners of Brunswick County shall appoint the registrars and judges of election, or pollholders, and any other officers which may be necessary to properly hold and conduct the said election, and the returns shall be made by the judges or pollholders and registrars, under their hands and seals, in sealed envelopes, transmitted by registered mail, or safe hands, immediately after the election, addressed to the chairman of the board of commissioners of Brunswick County. The said board of commissioners of Brunswick County shall, within five days after said election, canvass and declare the result of the same, and make full record thereof in their official record book. There shall be no new registration for said election or elections, and where provision is not made in this act the laws which now govern general elections shall be followed.

SEC. 4. That if the result of said election or elections shall show that the majority of the qualified voters in said townships, or in either of them, should the election herein provided for be held in one only, favor a subscription to the capital stock of said railroad company, to the amount voted for in the said election, then the board of commissioners of Brunswick County shall make said subscriptions or subscription, to the capital stock of the said railroad company, for the said townships, or either of them, payable in bonds authorized to be issued by this act upon such conditions for the delivery thereof as may be agreed upon between the board of commissioners of Brunswick County and the said Wilmington, Brunswick and Southern Railroad Company at the time the said election is ordered. And the said board will issue said bonds according to said agreement, same to be signed by the chairman and attested by the clerk of the board; such bonds shall be in the denomination of one hundred dollars, or any multiple thereof, and shall run for the space of thirty years, and shall bear interest at the rate of five per cent per annum from the delivery thereof. The interest shall be payable semiannually, at some national bank or trust company in Wilmington, North Carolina, and shall be evidenced by coupons attached to said bonds.

SEC. 5. That to provide for the interest of said bonds, and their redemption at maturity, the board of commissioners of Brunswick County, in addition to other taxes each year, shall compute

Registration.
Election officers.

Returns.

Canvass of returns.

No new registration.
Law governing election.

County commissioners to make subscriptions.

Payment by bonds.

Issue of bonds.
Authentication.

Denominations.

Maturity.

Interest.

Special tax.

Constitutional equation.	and levy on all property and polls in said townships, or either of them, should the said election be held in one only, preserving the constitutional equation, a sufficient tax to pay such interest, and to provide each year for a sinking fund, which would be ample when the bonds become due to pay and discharge the same, and the said sinking fund shall be invested and managed in such way as the board of commissioners of Brunswick County may deem to be for the best interest of the said townships, or either of them, and the bondholders.
Investment of sinking fund.	
Neglect of duty misdemeanor.	SEC. 6. Every registrar and judge of election, or pollholders, and other official who shall fail or neglect to perform his duties as prescribed by this act, shall be guilty of a misdemeanor, and on conviction shall be fined or imprisoned, or both, in the discretion of the court; and all laws and clauses of laws of North Carolina relative to frauds and other offenses pertaining to holding elections shall apply to the officials holding the election or elections provided for in this act.
Punishment.	
Laws applicable to election officers.	
Repealing clause.	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 9th day of January, A. D. 1917.

CHAPTER 279

AN ACT TO AUTHORIZE THE HIGHWAY COMMISSION OF PILOT TOWNSHIP, SURRY COUNTY, TO ISSUE BONDS FOR PURPOSE OF PAYING EXISTING INDEBTEDNESS FOR COMPLETING ROADS.

Preamble: Amount of debt heretofore contracted.	Whereas, the highway commission of Pilot Township, Surry County, is indebted in the sum of one thousand and five hundred dollars (\$1,500) contracted by it for the purpose of topsoiling and completing the highway in said township which leads from Mount Airy to Winston-Salem, and said commission issued its obligation for said sum which was necessary to complete said road, and the said highway commission is desirous of issuing bonds for the purpose of paying off said obligation and desires to procure authority for the purpose of issuing bonds and levying taxes for the payment thereof; now, therefore,
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The General Assembly of North Carolina do enact:

Bond issue authorized. Amount.	SECTION 1. That the highway commission of Pilot Township, of Surry County, be and it is hereby empowered and authorized to issue bonds to the amount of one thousand five hundred dollars
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(\$1,500) for the purpose of paying off said obligations for completing the said road, said bonds to bear not exceeding six per centum interest, payable semiannually to run for fifteen years.

Said bonds on request of said highway commission to be signed by the chairman of board of commissioners of Surry County and countersigned by the register of deeds of Surry County.

Bonds to be sold at public sale with notice as the highway commission may determine not less than thirty days for not less than par value with accrued interest added. Bonds to be of five hundred dollars (\$500) each and state on face when due and where payable.

SEC. 2. That board of commissioners of Surry County are hereby required, directed and authorized to levy and have collected from taxable property in Pilot Township a sufficient sum to pay the interest as it falls due and to levy and collect a sufficient sum to pay off the said bonds when they fall due. Said taxes to be levied and collected at same time and in same manner as the taxes are collected for bonds issued by authority of act of one thousand nine hundred and fifteen authorizing bond issue and creating the highway commission of Pilot Township.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 280

AN ACT TO CREATE AND ESTABLISH A RECORDER'S COURT FOR MIDDLE CREEK 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 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 Middle Creek Township" is hereby created and established.

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.

SEC. 3. That J. M. Broughton, Jr., is hereby appointed recorder to preside over said court and perform the duties hereinafter prescribed, and said J. M. Broughton, Jr., 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 Middle Creek Township, at the next

Interest.

Maturity.

Authentication.

Sale of bonds below par forbidden.

Denominations.

Special tax.

Levy and collection.

Court established.

Official entitlement.

Court of record.

Records.

Recorder named.

Term of office.

Election of successor.

- general election for members of the General Assembly on the first Tuesday in November; one thousand nine hundred and eighteen, and every two years thereafter. He shall take and subscribe the oath required by judges of the Superior Court, and shall receive a salary not to exceed fifteen dollars and not less than twelve dollars and fifty cents per day while actually engaged in holding said courts, which shall be paid by the commissioners of the town of Fuquay Springs, monthly.
- Oath of office.
Salary.
- Sessions of court. SEC. 4. The said court shall hold a monthly session of said court on the second Monday in each month, at such place in the town of Fuquay Springs as may be designated by the commissioners of said town. At such sitting of the said court criminal actions pending therein shall have precedence over the civil actions pending therein, and shall be disposed of before taking up the civil issue docket of said court. Said court shall continue in session at such regular monthly meeting or session until all cases pending and at issue therein shall be disposed of: *Provided*, that nothing herein contained shall prevent a continuance of any civil or criminal action for just and lawful cause shown to the court: *Provided further*, that said recorder shall hold such special sessions of said court as may be ordered and directed by the board of commissioners of the town of Fuquay Springs, at a time and place to be specified in said order: *Provided further*, that said recorder shall not be required to hold sessions of said court on more than four days out of any one month.
- Procedure of actions.
- Cases disposed of.
- Proviso: Continuance for cause.
- Proviso: Special sessions.
- Proviso: Limitation.
- Jurisdiction of misdemeanors. SEC. 5. Said court shall have final original jurisdiction of the following misdemeanors: carrying concealed weapons; gambling; 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; simple assault; 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; indecent exposure of person; retailing spirituous liquors; receiving a greater quantity of spirituous liquors than allowed by law; keeping or having on hand spirituous liquors for purpose of sale; selling or giving away cigarettes to a minor; selling or giving away spirituous liquors to a minor; obtaining advances under false pretense; bastardy; disposing of mortgaged property; removing crops from land without giving five days notice and without satisfying the liens of landlord thereon; 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 original jurisdiction, concurrent with the mayor of the town of Fuquay Springs, of all cases wherein said mayor now has or may hereafter have jurisdiction.

Petty misdemeanors.
Jurisdiction concurrent with mayor.

SEC. 6. That in addition to the jurisdiction given in section five of this act, the court is hereby given exclusive jurisdiction to hear and bind over to the Superior Court all persons charged with crime committed within that territory embraced within the lines of Middle Creek Township, including the town of Fuquay Springs, wherein preliminary investigation thereof is now conferred on justices of the peace of Middle Creek Township or mayor of the town of Fuquay Springs. The justices of the peace of said township are hereby empowered and directed, in any criminal action pending in their court wherein said justice's court does not have final jurisdiction and wherein preliminary investigation is now conferred on said justice's court, to bind any person charged with crime, if they shall find probable cause, over to the recorder's court of Middle Creek Township, to be tried therein as the law directs; and only in such cases as the said recorder's court shall not have final jurisdiction shall any person charged with crime be bound over by said court to the Superior Court of Wake County.

Jurisdiction as court of inquiry and committal.

Recognizance to recorder's court.

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 warrants, when attested by the seal of said court, shall run out of the county and be served in like manner as warrants issued by the clerk of the Superior Court of Wake County. Said 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 courts of justices of the peace, and upon such appeal the trial shall be *de novo*.

Issuance of warrants.

Extent of jurisdiction.

Return day.

Other process.

Right of appeal.

Trial *de novo*.

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

Persons bound over to Superior Court.

- 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 said bond or recognizance such person or persons shall be committed to the 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.
- Commitment in default of bail.**
- Proviso: Capital offenses.** **Capital offenses.**
- Costs to use of town.** **SEC. 9.** All costs incurred in issuing warrants and serving the same, when executed by an officer of said town of Fuquay Springs or Middle Creek Township, in cases where the recorder's court does not have 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 Fuquay Springs. Officers serving process issued from said court shall be allowed the same fees as are now allowed sheriffs in like cases. The recorder of said court shall have the power to appoint a special process officer of said court, who shall have the same powers and duties and be subject to the same penalties as is now provided in the case of constable of said township. Said special process officer shall have the power to serve all process, civil or criminal, issuing from said court, with same effect as if served by sheriff of Wake County or constable of said township, and said process officer shall hold said office until the first Tuesday in November, one thousand nine hundred and eighteen, and thereafter until his successor is appointed as herein provided. The said special process officer shall take the oath required of constables, and before entering upon his duties shall file with the board of commissioners of the town of Fuquay Springs a justified bond in the sum of five hundred dollars (\$500) payable to the State of North Carolina to use of said board, for the faithful performance of his said duties.
- Fees of officers.**
- Special process officer.**
- Power of office.**
- Term of office.**
- Qualification and bonds.**
- Punishments.** **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.
- Costs.**
- Sentences.** **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, or he may sentence said party to the common jail of Wake County and assign him to work on the public roads of Middle Creek Township or the streets of the town of Fuquay Springs.
- Recorder to preside.** **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.**

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 it is 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.

Bonds on appeal.

Commitment in default of bonds.

SEC. 13. The said court shall have jurisdiction to try all actions for the recovery of penalties imposed by law or by ordinance of the town of Fuquay Springs for any act done within the corporate limits of the said town or within the territory embraced within the lines of Middle Creek Township, and said penalty shall be recovered in the name of the town of Fuquay Springs; and in cases where judgment may be entered against any person, imposing a fine and cost, or the cost only, and the person against whom the same is adjudged fails or refuses to pay said 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 or the public roads of Middle Creek Township, until at a fair rate of wages such person shall have worked out the full amount of said fine and costs.

Jurisdiction for recovery of penalties.

Road work for fines and costs.

SEC. 14. Said court shall have a seal with the impression, "The Recorder's Court of Middle Creek Township," which seal shall be used in attestation of writs, warrants, and other proceedings, acts, 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.

Seal of court.

SEC. 15. The process of said court may be issued to the marshal, chief of police, or other policeman of the town of Fuquay Springs, or to the special process officer hereinbefore provided for, or to the sheriff of Wake County or constable or other lawful officer thereof, or to the sheriff, constable or other lawful officer of 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 Fuquay Springs or the county of Wake.

Process officers.

Process under seal.

Proviso: Process in Wake County.

SEC. 16. Should the recorder of this court be prevented from attending to his duties on account of sickness or other disability, or by absence from the town of Fuquay Springs and Middle Creek Township, then, in that case, the commissioners of the town of Fuquay Springs shall elect a substitute recorder who

Substitute recorder.

Qualification.	shall have all the jurisdiction, power and authority herein conferred upon the duly appointed or 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 Wake County of good moral character and a licensed attorney
Compensation.	at law. 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 the regular recorder.
Fees to be taxed.	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 costs, be allowed the following fees, to be taxed as part of the costs against the defendant, as follows: for the judge of said court, two dollars and fifty cents (\$2.50), and the clerk of said court shall receive the same fees for all warrants and other process, papers, affidavits, as are now allowed to the clerks of the Superior Courts and justices of the peace in similar cases. All fees paid to the said clerk as aforesaid shall be paid over to the town of Fuquay Springs. The board of commissioners of the town of Fuquay Springs is hereby authorized and directed to pay said clerk, monthly, the sum of two dollars per day for each day said clerk is in attendance upon the sessions of said court, not exceeding four days in any one month:
Fees to use of town.	<i>Provided</i> , that the board of commissioners of the town of Fuquay Springs shall have the right to place said clerk on a salary in such sum as may be agreed upon between said board and said clerk, in lieu of the compensation provided above, at any time it may see fit to do so. All fines collected by said clerk shall be paid by him to the town of Fuquay Springs 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 said town for the use of said town and to reimburse it for the expense of supporting said court.
Pay of clerk.	
Proviso: Salary for clerk.	SEC. 18. The clerk of said court shall be appointed by the commissioners of the town of Fuquay Springs as soon as practicable after the ratification of this act, to serve until the first Saturday after the first Monday in May, one thousand nine hundred and seventeen, when the newly elected commissioners of said town shall elect his successor to serve for the term of one year, or until his successor is elected and qualified, and his successor shall be elected by said board every year thereafter. 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 Fuquay Springs, for the true and faithful performance of his duties as such clerk, and for
Fines and costs paid to town treasurer.	
Appointment of clerk and term of office.	
Election of successor.	
Bond of clerk.	

the faithful accounting for and paying over of all moneys which may come into his hands by virtue of the said office. Said bond shall be approved by the commissioners of said town. 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.

Monthly settle-
ments.

Proviso.

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 name 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 in substance to the dockets kept by the clerk of the Superior Court. He shall keep in proper files, to be provided by the town of Fuquay Springs, a record of all cases which shall be disposed of in said court and what disposition has been made of them.

Records.

Records open for
inspection.

Permanent
dockets.

Files.

SEC. 20. The defendant in any criminal action or the plaintiff or defendant in any civil action pending in said 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 provided in jury trials in courts of justices of the peace. The register of deeds of Wake County is hereby directed to furnish the recorder of said court with jury list of those subject to jury service residing in Middle Creek Township, Wake County, and said list and the jury box shall be kept by the recorder or clerk of said court, and the jurors drawn shall be summoned, and the trial of said cause shall be conducted as in the case above stated. *Provided*, said jurors shall receive the same compensation now allowed for service as juror in courts of justices of the peace, and may be summoned by any officer authorized to serve the process of said court: *Provided further*, that by consent of all parties to any civil action a jury may be summoned without being drawn from the box. Said fee of six dollars shall be taxed against the losing party as part of the costs of the action, or so much of said fee as shall be necessary to pay the expense of summoning said jurors, including said jurors' fees for serving. Said jury list shall be revised and a new list furnished said recorder at such time or times as the general jury list for Wake County shall be revised.

Jury trial.

Jury fee.

Jury list.

Proviso: Pay of
jurors.

Proviso: Jury
summoned by con-
sent.

Jury fee taxed as
costs.

Revision of jury
list.

Power to remove clerk and fill vacancy.

SEC. 21. The commissioners of the town of Fuquay Springs shall have the right at any time to remove the clerk, and in the event of a vacancy from any cause in said office said board of commissioners shall have the right to fill the same for the unexpired term of said clerk.

Costs paid 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 or the costs of the action, or the costs only, as provided by this act, and the defendant is imprisoned in the county 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 Fuquay Springs the amount of the costs taxed in said case, as taxed by the clerk of the said recorder's court.

Prosecutor taxed with cost.

SEC. 23. Said court shall have full power, in any case in which said recorder 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 that said court shall adjudge that said prosecution is frivolous or malicious, he may imprison said prosecutor for the nonpayment of said costs, as provided in section one thousand two hundred and ninety-seven of the Revisal of nineteen hundred and five of North Carolina, until such costs are paid: *Provided*, when such costs are paid they shall belong to the town of Fuquay Springs and shall be paid over to the treasurer of said town as provided herein.

Proviso: Costs to use of town.

General authority of court.

SEC. 24. That the court created by this act shall have the same authority for granting continuances, taking bonds, 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 said 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.

Punishment for contempt.

SEC. 25. Said court shall have the same power to publish for contempt as is given to the Superior Courts of this State by chapter seventeen of the Revisal of nineteen 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.

Procedure.

Amendments.

SEC. 26. In all cases the said court shall have the right to amend any warrant issued by the recorder of said 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.

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 Fuquay Springs twenty-five dollars each month to aid in defraying the costs of maintaining said court.

Monthly reports
to county commis-
sioners.
Contribution by
county.

SEC. 28. This act shall not interfere, except as hereinbefore provided, with justices of the peace in Middle Creek Township in issuing warrants and other papers and in trying such actions over which they may have jurisdiction, but in all cases, criminal and civil, in which an appeal is taken from the decision of such justices, such appeal shall be the next term of "The Recorder's Court of Middle Creek Township" instead of to the Superior Court of Wake County, and said appeals shall be sent up to said recorder's court and perfected in like manner and to the same effect as in case of appeal to said Superior Court as heretofore provided by law: *Provided*, any justice of the peace may make any warrant issued by such justice returnable to the said recorder's court within thirty days from the issuing thereof, instead of to said justice's court. Any appeal taken from the mayor's court of Fuquay Springs from any decision rendered therein shall be appealable to the said recorder's court in the manner provided above for appeal from courts of justices of the peace in Middle Creek Township.

Justice's jurisdic-
tion.

Appeals to re-
corder's court.

Proviso: War-
rants returnable to
recorder's court.

Appeals from
mayor's court.

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 five hundred dollars in torts, and in the trial and determination of such civil actions shall have final original jurisdiction, concurrent with the jurisdiction of a justice of the peace of Middle Creek Township in all matters cognizable in said justices' courts, as now provided by law, and shall have final original jurisdiction, concurrent with the jurisdiction of the Superior Court of Wake County, in all civil actions or matters not within the original jurisdiction or courts of justices of the peace, subject to the limitations contained in this section.

Civil jurisdiction.

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 in all actions on contract wherein the sum demanded does not exceed the sum of two hundred dollars, and in all actions in tort wherein the value of the property in controversy does not exceed the sum of fifty dollars; that in the trial of all other cases in which this court has

Rules of practice
and procedure.

Proviso: Com- plaint in writing.	jurisdiction the procedure, rules of practice, and laws governing the trial of causes in the Superior Court shall prevail: <i>Provided</i> , in all actions not within the jurisdiction of justices of the peace as aforesaid, the plaintiff therein shall file written, verified complaint, setting forth his cause of action, in said court, within five days after issuing summons in said cause, and the defendant in said action shall have ten days from the date of service of summons on him in which to answer. The action shall then stand for trial at the next term or session of said recorder's court, commencing more than five days after the expiration of the time for filing answer as above provided. Said recorder shall have full power and authority to grant continuances for just cause; to extend time in which to file pleadings whenever in his discretion the ends of substantial justice demand continuances or extensions of time as aforesaid, and he shall make such rules as he shall deem necessary, and any orders he sees fit, regarding the filing of pleadings in case of granting of extension of time in which to file pleadings, and the time of trial of any action in case of continuing said action from time to time to be tried. 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. Said court shall have power to take bonds, to render judgments in the same manner and to the same effect as provided in courts of justices of the peace and the Superior Court as the case may be, and any plaintiff or defendant may appeal from any decision of said court to the Superior Court of Wake County, in the same manner as is now provided by law for appeals from courts of justices of the peace to the Superior Court. and on the trial of said cause in said Superior Court the trial shall be <i>de novo</i> .
Time for answer.	
Trial term.	
Continuances.	
Transcripts of judgments dock- eted.	
Power to take bonds and render judgments.	
Right of appeal.	
Trial on appeal.	
Repealing clause.	
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 rati- fication.	
Ratified this the 9th day of January, A. D. 1917.	

CHAPTER 281

AN ACT TO AMEND SECTION 3374 OF THE REVISAL OF 1905, RELATING TO HIRING ANOTHER'S SERVANTS.

The General Assembly of North Carolina do enact:

Law extended. SECTION 1. That section three thousand three hundred and seventy-four of the Revisal of one thousand nine hundred and five

be and the same is hereby amended by adding in the last line thereof after the word "Wayne" the word "Scotland."

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

Ratified this the 22d day of January, A. D. 1917.

CHAPTER 282

AN ACT TO CREATE AND ESTABLISH A RECORDER'S COURT FOR THE TOWN OF APEX AND WHITE OAK 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 certain criminal and civil causes herein provided for and to be designated as "The Recorder's Court of the Town of Apex and White Oak Township" is hereby created and established.

Court established.

Official entitlement.

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 board of commissioners and the mayor of the town of Apex, and said recorder shall hold said office until his successor shall be duly elected and qualified.

Election and term of recorder.

The board of commissioners of the town of Apex and the mayor of said town shall at their regular meeting in June, one thousand nine hundred and seventeen, and at their regular meeting in June every two years thereafter, elect a recorder to preside

Election of successors.

over said court. He shall take and subscribe the oath required by 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 Apex and paid by the town of Apex monthly.

Oath of office.

Salary.

SEC. 4. The court shall hold a session once a month to be fixed by the commissioners of the town of Apex, at such place in the town of Apex as may be designated by the commissioners of said town, and such additional days as the board of commissioners of the town of Apex may hereafter authorize.

Sessions of court.

SEC. 5. Said court shall have final concurrent, original jurisdiction with justices of the peace and the mayor of the town of Apex of all crimes and misdemeanors of which they or either of them now, or may hereafter, by law have final, original jurisdic-

Jurisdiction.

tion, and in addition thereto shall have final and original jurisdiction of the following crimes and misdemeanors: 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 officer, malicious injury to real or personal property, trespassing on land after being forbidden, forcible trespass, enticing servants to leave master, indecent exposure of person, retailing spirituous liquors without license, selling or giving away spirituous liquors to minors, and other violations of the laws relating to intoxicating liquors, selling or giving away cigarettes to minors, obtaining advances by false pretense, bastardy, disposition of mortgaged property, and of all other crimes and misdemeanors now existing under the laws of North Carolina and as they may hereafter be added to, substituted or amended, where the punishment does not exceed a fine of two hundred dollars and imprisonment for two years, 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.

Petty misdemeanors.

Jurisdiction as court of inquiry and committal.

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 crime committed within that territory embraced within the lines of White Oak Township, including the town of Apex, wherein preliminary investigation thereof is now conferred on justices of the peace of White Oak Township or mayor of the town of Apex. The justices of the peace of said township are hereby empowered and directed, in any criminal action pending in their court wherein said justice's court does not have final jurisdiction, and wherein preliminary investigation is now conferred on said justice's court, to bind any person charged with crime, if they shall find probable cause, over to the recorder's court of White Oak Township to be tried therein as the law directs; and only in such cases as the said recorder's court shall not have final jurisdiction shall any person charged with crime be bound over by said court to the Superior Court of Wake County.

Recognizances to recorder's court.

Issuance 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 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,

Return day.

Other process.

orders, capiases, and all other process applicable to said court. Any person convicted in said court shall have the right of appealing to the Superior Court of Wake County as is now provided for appeals from justices of the peace court and upon such appeals the trial shall be *de novo*. Right of appeal.

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 security, 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 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. Recognizances to superior court.

Commitment in default of bonds.

SEC. 9. All costs in issuing warrants and serving the same when executed by an officer of the town of Apex 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, when said officer is paid a salary by the town of Apex, shall be paid to the town of Apex. 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. Fees to use of 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.

Costs.

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 herein provided for, said recorder may sentence said party to the common jail of Wake County and assign him to work on the public roads of Wake County, of White Oak Township, or on the streets of the town of Apex. Sentences.

Proviso: Sentences to road work.

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 Recorder to preside.

Proceedings.

- courts of the 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 otherwise be discharged according to law.
- Bond on appeals.** SEC. 12½. The said recorder's court shall have original, final and concurrent jurisdiction with justices of the peace of Wake County in all civil actions, 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, except when the process of a justice of the peace court would so run.
- Commitment in default of bond.**
- Civil jurisdiction.**
- Proviso: Title to real estate. Proviso: Process outside of county.**
- Written complaint.** SEC. 13. In all civil actions which exceed the final jurisdiction of justices of the peace, the plaintiff at time of issuing summons shall file a written complaint and file a copy of same with the clerk of this court for the use of the defendant. Summons in these actions shall be returnable ten days after service thereof, in which time the defendant shall file his answer. In filing answer defendant shall file a copy of same with the clerk of this court for the use of the plaintiff. The action shall then stand for trial after the expiration of three days from the return day, being docketed and calendared in its order. The said court shall have the same authority for granting continuance, taking bond, and rendering judgment in matters within its jurisdiction as now fixed by law in justice of the peace courts, the mayor's court of Apex and the Superior Court of Wake County, and the rules of law governing the issuing and service of notices and summons and all proceedings for taking and enforcing judgment in such cases shall be the same as is now provided in like cases in said courts as to the matters in their respective jurisdictions by this act placed in the jurisdiction of said recorder's court.
- Return day. Time to file answer. Copy of answer.**
- Trial day.**
- Continuances, bonds and judgments.**
- Rules of practice and proceedings.**
- Option of plaintiff.** SEC. 14. 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 said recorder's court 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 suit before a justice of the peace or in the said recorder's court, 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.

SEC. 15. All judgments in civil actions rendered by the said recorder's court shall have the same force and effect as judgments of the justices of the peace, but no judgment of the recorder's court of the town of Apex and White Oak Township shall be a lien upon land until docketed in the office of the clerk of the Superior Court of Wake County. Executions shall issue from the said recorder's court 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. Effect of judgments. Lien on land.

SEC. 16. 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 town of Apex shall prepare a jury box and a list of the qualified voters of White Oak 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 recorder 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 of not over ten years of age, and the list given to the marshal of the town of Apex, served by him or by a policeman or policemen of the town of Apex, or by any officer duly authorized by the recorder, and the case set for trial at a time fixed by the court, giving the marshal or the officer serving the same sufficient time to serve such jurors. The number of jurors drawn in each case where a jury is demanded shall be twelve. That said jury list shall be revised by the commissioners of the town of Apex 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. Jury trial. Jury fee. Jury box and jury lists. Custody of keys. Drawing jurors. Number of jurors. Revisal of jury lists. Proviso: Jury summoned by consent. Jury fee taxed as costs. Challenges.

SEC. 17. The court shall have jurisdiction to try all actions for the recovery of penalties imposed by law, by any ordinance Actions for recovery of penalties.

- of the town of Apex for any act done within the corporate limits of the said town or within the territory embraced within the lines of White Oak Township, and said penalties shall be recovered in the name of the town of Apex; and in the cases where judgment may be entered against any person, imposing a fine and costs or the costs 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 or on the streets of Apex until at a fair rate of wages such person shall have worked out the full amount of said fine and costs.
- Road work for fines and costs.
- Seal of court. SEC. 18. Said court shall have a seal with the impression, "The Recorder's Court of Apex and White Oak 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.
- Process officers. SEC. 19. The process of said court may be issued to the marshal, chief of police, or other policeman of the town of Apex, 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 Apex or the county of Wake.
- Process under seal.
- Proviso: Process in Wake County.
- Substitute recorder. SEC. 20. 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 Apex and the township of White Oak, then in that case the commissioners and the mayor of the town of Apex may at any special or regular meeting 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. 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.
- Tax fees. SEC. 21. 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 costs, 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
- Fees of clerk.
- Fines and costs paid to town treasurer.

to the town treasurer, 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 town of Apex for the use of the town of Apex and to reimburse it for the expense of supporting said court.

SEC. 22. The clerk of said court shall be elected by the board of commissioners and the mayor of the town of Apex immediately after the ratification of this act to hold office until his successor shall have been elected and qualified. The board of commissioners and the mayor of the town of Apex shall at their regular meeting in June, one thousand nine hundred and seventeen, and at their regular meeting in June every two years thereafter elect a clerk of said court. Before entering upon the duties of said office as such clerk he shall enter into 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 Apex 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 Apex. Said clerk shall be paid by the town of Apex a salary to be fixed within the discretion of the town commissioners, not to exceed the sum of three hundred dollars per annum, to be paid in equal monthly installments. Such clerk shall make monthly settlements with the county and town treasurer: *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, and when so combined the commissioners may pay such additional salary from the town funds as in their judgment is adequate and just compensation for additional services rendered.

SEC. 23. 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 name and residence of such offender and 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 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 Apex, a record of all cases which shall be disposed of in said court and what disposition has been made of them.

SEC. 24. All appeals in civil or criminal cases from the courts of justices of the peace of White Oak Township, or of the mayor

Election and term of clerk.

Election of successor.

Clerk to give bonds.

Approval of bonds.
Salary of clerk.

Monthly settlements.

Proviso: Joinder of offices.

Records to be kept.

Records open for inspection.

Files.

Appeals to recorder's court.

of the town of Apex shall be to the said recorder's court herein provided for when final jurisdiction is given said recorder, and no case shall be removed from said recorder's court as is now provided for removal of cases from one justice of the peace to another.

Clerk removable for cause.

SEC. 25. The commissioners of the said town of Apex 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.

Vacancy.

Costs paid by county.

SEC. 26. 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 costs of the action, or the costs 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 costs or costs 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 Apex the amount of the costs taxed in said case as taxed by the clerk of said recorder's court.

Prosecutor taxed with costs.

SEC. 27. 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 costs 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 costs, as provided in section 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 Apex.

Imprisonment for non-payment.

Proviso: Costs to use of town.

General powers.

SEC. 28. 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 recognizance 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.

Transcripts of judgments docketed.

Power to punish for contempt.

SEC. 29. 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.
 procedure in such matters shall be the same as now provided by
 law for said Superior Courts.

SEC. 30. In all cases the said court shall have the right to Amendments.
 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.

SEC. 31. The clerk of said court shall monthly furnish to Monthly reports
 the board of county commissioners of Wake County a statement to county commis-
 of the costs of maintenance of said court, and the board of com- sioners.
 missioners of Wake County, at their regular monthly meetings, Contribution by
 shall pay to the treasurer of the town of Apex twenty-five dollars county.
 each month to aid in the defraying the costs of maintaining said
 court.

SEC. 32. That all laws and clauses of laws in conflict with this Repealing clause.
 act are hereby repealed.

SEC. 33. That this act shall be in force from and after its
 ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 283

AN ACT TO PROVIDE ROAD COMMISSIONERS AND ROAD IMPROVEMENTS IN BRACKETT TOWNSHIP, McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That P. D. Nanney, J. L. Arrowood and W. S. Road commis-
 Taylor be and they are hereby appointed and constituted the sioners.
 board of road commissioners for Brackett Township, McDowell
 County. That immediately after the ratification of this act the Meeting and or-
 members thereof shall meet and organize by electing one of their ganization.
 members chairman of the board, and one of their members sec- Term of office.
 retary and treasurer of the board. The said commissioners
 shall hold office and serve until the first Monday in May, nine-
 teen hundred and eighteen, and until their successors shall be
 appointed and qualified. Each member of the board shall take Commissioners to
 and subscribe an oath before some person authorized to admin- qualify.
 ister oaths for the faithful performance of their duties as a
 member of said board. If a vacancy shall occur by death or Vacancies.
 resignation, the remaining members of the board shall elect some
 well qualified elector of Brackett Township, McDowell County,
 to fill said vacancy, the elector to be of the same political faith Political faith.

() () () ()

Election of successors.	as his predecessor. At the expiration of the term of office of the members of this board, the board of county commissioners of McDowell County shall appoint three well qualified electors of said Brackett Township as their successors for the term of two
Proviso: Political faith.	years: <i>Provided</i> , that each member appointed shall be of the same political faith as his predecessor.
Incorporation.	SEC. 2. That the said board of road commissioners of Brackett Township, McDowell County, and its successors in office, be and it is hereby constituted a body corporate under and by virtue of
Corporate name.	the laws of North Carolina and by this act, under the name and style of "The Board of Road Commissioners of Brackett Town-
Corporate powers.	ship, McDowell 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 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 township, and such other powers as are necessary to carry out any and all the provisions of this act.
Charge of road work.	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 of Brackett Township, McDowell County,
Powers and rights vested.	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 McDowell County and the road supervisors of Brackett Township for the general supervision of the roads of said township and for the construction and repair thereof, and the said board of road commissioners of Brackett Township, McDowell County, is hereby authorized and empowered to issue bonds of Brackett Township, McDowell County, for the construction and repair of roads in said township, not to exceed the sum of six thousand dollars (\$6,000.00). The bonds so issued shall be styled "Brackett Township 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 six per cent per annum, with interest coupons attached, payable 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. Said 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 fifteen years from date thereof, and at such place or places as said board of road commissioners may determine.
Bond issue authorized.	
Amount.	
Entitlement of bonds.	
Denominations.	
Interest.	
Approval and authentication.	
Maturity.	

None of the 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 township 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 McDowell County. The bonds issued under and by virtue of this act by the board of road commissioners of Brackett Township, McDowell County, shall be as valid in law and the same liability for the payment thereof imposed upon Brackett Township, McDowell County, as if the same shall have been issued by the county commissioners of McDowell County under the same law, power and authority.

Sale below par
forbidden.
Issuance of bonds.

Corporate seal.

Obligation of
bonds.

Validity.

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, and for a maintenance fund, the board of county commissioners of McDowell County and their successors in office shall annually, on the first Monday in July of each year following the 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 Brackett Township, McDowell County, as in the case of other taxes for general county purposes, of not more than forty cents on one hundred dollars (\$100.00) 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 the bonds shall be turned over to the treasurer herein provided for, or person designated by the board of road commissioners. The funds so collected from taxes and from the sale of bonds shall be turned over to the treasurer herein provided for, 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.

Special tax.

Limit of rate.

Collection.

Settlement.

Apportionment.

SEC. 5. That for the purpose of construction and repair of the roads in said township, the board of road commissioners may employ and appoint a road superintendent and such subordinates thereto as 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

Road superintendent
and subordi-
nates.

Salaries.

Delegation of
powers.
Organization of
boards.

- 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 of the township road funds resulting from the bond issuance by this board, or otherwise.
- Duty of treasurer. Salary.** 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 Brackett Township, McDowell County, 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 McDowell County.
- Bond.** SEC. 6. That the board of road commissioners 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 roads of said township, as aforesaid: *Provided, however,* the purchasers of said bonds shall not be required to see to the application of the funds.
- Deposit of funds.** SEC. 7. The said board of road commissioners shall use the funds arising from the sale of said bonds to construct, improve, and maintain public highways of said township, and shall purchase and hold, or contract for the use of such tools, machinery, and stock, and employ such contractors, overseers, foremen and repairers as they may deem necessary for said purpose.
- Advertisement and sale of bonds.** SEC. 8. 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 into consideration the needs of the entire township and every part thereof, opening or altering those highways which in its opinion will be of benefit to the greatest possible number of people in the township. To the end that this may be properly done, said board of road commissioners is hereby 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 a general oversight of the work, that it may be properly done. The highway engineer shall advise the board of road commissioners regarding the road work, supervise the plans and specifications for the work and have a general supervision of all road work; is expressly authorized to give instructions to the highway superintendent, as hereinafter provided.
- Proviso: Obligation of purchasers released.**
- Use of funds.**
- Tools, machinery and stock.**
- Employees.**
- Highways designated.**
- Road engineer.**
- Engineer to supervise work.**
- Width of highways.** SEC. 9. The highways of said township constructed or improved under this act shall have a right of way of not less than

twenty feet, except where the board of road commissioners deem it impracticable to require such width, and in such cases the width to be at least fourteen 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. The alignment of the road shall conform to topography of the lands through which it goes, and that no drains over six per cent, except as such grade is considered impracticable by the road engineer or board.

SEC. 10. The treasurer, as provided for in this act, shall, on the first Monday in each and every month, post at some public place in said township an itemized statement showing in full an account of his receipts and disbursements of the 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.

SEC. 11. 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 or the owners of said land cannot agree as to the damages, if any, the said board of road commissioners shall, after sixty days after said road is completed, cause to be summoned three disinterested freeholders of said township, who shall go upon the land and assess the damage and benefits under the general road law as it now exists: *Provided, however*, that before entering upon land 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: *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 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 the 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.

Alignment.

Grade.

Statements posted monthly.

Quarterly accounts.

Reports from officers and employees.

Entry on land.

Assessment of damages.

Proviso: Notice to land owners.

Proviso: Benefits considered.

Time for bringing suit.

- Expense of board meetings. SEC. 12. 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 under their order out of the funds provided for by this act.
- Highway defined. SEC. 13. The term "highway" shall be understood to mean all public roads designated as such under the provisions of this act.
- Fraudulent orders. SEC. 14. 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 felony and shall be imprisoned or fined, or both, in the discretion of the court, and shall be removed from office.
- Felony. Punishment.
- Road funds heretofore levied. SEC. 15. That any moneys in the hands of the county treasurer, or to be placed or which are placed in his hands from the collection of taxes now levied, to the credit of the road funds of the 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 the township, under the authority of the board of road commissioners.
- Funds kept separate.
- Publication of annual statements. SEC. 16. The treasurer herein provided for shall annually publish in some newspaper published in McDowell County an itemized statement of the receipts and disbursements by him made of moneys received under the provisions of this act.
- Pay of commissioners. SEC. 17. The members of the board of road commissioners shall receive for their services two 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 attorneys' fees, and for other and additional expenses as may be incurred by them in the discharge of their duties.
- Office expenses.
- Entry on land for material. SEC. 18. The board, 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 carry away any timber, except trees or groves on improved land planted or left for shade or ornament, take or cause to be taken and carried away any gravel, sand, clay, dirt or stone which may be necessary for the proper repair and construction of roads in said township; and upon any lands adjoining or lying near any road in said township 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 or 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 (\$50.00), or imprisoned not exceeding thirty days.
- Drains or ditches.
- Obstructing drains or ditches misdemeanor. Punishment.

SEC. 19. The owner of any land from which any timber, or other material has been removed may present to the board his claim in writing, and upon such presentation 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 hearing his claim. Upon the hearing thereof, the claimant may appeal to the Superior Court of McDowell County to have his cause tried as in other civil causes.

Presentation of claims.

Hearing.

SEC. 20. That all male persons within twenty-one and forty-five years of age, who have resided in said township for thirty days, shall perform six days work annually on the public roads of said township, or pay to the treasurer of the board of road commissioners in lieu thereof the sum of two dollars (\$2.00): *Provided*, same is paid by the first day of May of each year; but the sum of three dollars (\$3.00) if not paid before the first day of June of each year, and the sum of four dollars (\$4.00) if not paid before the first day of August in each year. That when any person liable to perform road duty, as aforesaid, shall fail or neglect to work when warned by the proper person authorized for that purpose by said highway commission, or shall refuse to work when so warned, shall be guilty of a misdemeanor and upon conviction shall be punished in the discretion of the court.

Road duty.

Commutation.

Proviso: Term for payment.

Failure to discharge road duty misdemeanor.

Punishment.

SEC. 21. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 284

AN ACT TO AMEND CHAPTER 414 OF THE PUBLIC-LOCAL LAWS OF 1915, ENTITLED AN ACT TO AMEND CHAPTER 40 AND CHAPTER 828 OF THE PUBLIC-LOCAL LAWS OF 1913 AND CHAPTER 101 OF THE PUBLIC-LOCAL LAWS OF SPECIAL SESSION OF 1913, RELATING TO THE PUBLIC ROADS OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter four hundred and fourteen of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the word "script" in line seven thereof and inserting in lieu thereof the word "bonds" and by adding after the word "macadamizing" in line nine of said section the words "or surfacing," and by adding at the end of said section "or highway commission may in their discretion let said work to contract."

Bond for scrip.

Work let to contract.

Bond issues. SEC. 2. That section six of said chapter four hundred and fourteen of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out all of said section down to the comma after the word commissioners in line two thereof, and inserting in lieu thereof the following: "That the board of county commissioners may in their discretion," and by striking out the word "script" in line three of said section and inserting in lieu thereof the word "bonds," and by striking out all of said section after the word "cent" in line six thereof and inserting in lieu thereof the following: "And sell said bonds at public sale, and out of the proceeds arising from said sale pay off and discharge all indebtedness incurred by said county, or which hereafter may be incurred for rebuilding county bridges destroyed by the high water of July the sixteenth, one thousand nine hundred and sixteen, and all indebtedness incurred in surfacing the roads of said county, and pay over to said highway commission any surplus remaining in their hands to be used in the further surfacing of said roads.

Sale of bonds.

Bonds. SEC. 3. That section seven of chapter four hundred and fourteen of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the word "script" in line four of said section and inserting in lieu thereof the word "bonds," and by striking out the word "script" in line six of said section and inserting in lieu thereof the word "bonds."

SEC. 4. That this act shall be in full force and effect immediately upon its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 285

AN ACT TO ESTABLISH A RECORDER'S COURT IN MARK'S CREEK TOWNSHIP, RICHMOND COUNTY, AND PRESCRIBE THE JURISDICTION THEREOF.

The General Assembly of North Carolina do enact:

Court created. SECTION 1. That a special court to be designated the Recorder's
Entitlement. Court of Hamlet District, Richmond County, be and the same is hereby created.

District. SEC. 2-A. The Hamlet District is composed of all Mark's
Court room. Creek Township, Richmond County. The court for the said Hamlet District shall be held in the city hall of Hamlet, or in some other place provided by the commissioners of the town of Hamlet. At the first meeting of the county commissioners after the first of December, one thousand nine hundred and eighteen,

Appointment of recorder.

they shall appoint a recorder as provided for herein, who shall be a qualified voter of Mark's Creek Township, whose term of office shall be for two years.

SEC. 2-B. The regular term of the recorder herein provided shall begin on the first Monday in December, one thousand nine hundred and eighteen, and until that time H. P. Austin shall be and is hereby appointed recorder for the said Hamlet District.

SEC. 2-C. That there shall be appointed by the county commissioners at their first meeting in December, one thousand nine hundred and eighteen, a prosecuting attorney; the said prosecuting attorney to be a resident of Mark's Creek Township, and to be a licensed attorney at law. The said prosecuting attorney shall serve the same length of time as the recorder, and his successor shall be appointed by the county commissioners. Until the first Monday in December, one thousand nine hundred and eighteen, M. W. Nash is hereby appointed prosecuting attorney of the said Hamlet District.

SEC. 3. That the salary of the recorder shall be fixed by the county commissioners of Richmond County at their first meeting after the passage of this act. That the recorder as herein appointed and the recorder hereafter appointed, before entering upon the discharge of his duty, 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. The salary until the first Monday in December, one thousand nine hundred and eighteen, shall be forty dollars per month.

SEC. 4. That 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 court 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.

SEC. 5. The recorder's court herein created shall be a court of record, and shall have jurisdiction in criminal actions and proceedings as follows:

(a) Concurrent jurisdiction with justices of the peace in all criminal actions, matters, and proceedings arising from criminal offenses committed within the limits of Mark's Creek Township.

(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 Mark's Creek Township, 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 court is held.

Crimes below
felony.

Petty misde-
meanors.

Proviso: Jurisdic-
tion of superior
court.

Named offenses.

Petty misde-
meanors.

Jurisdiction of
preliminary hear-
ings.

Actions on bonds.

Issue of process.

Process officers.

(c) Concurrent, original jurisdiction of all other criminal offenses committed within the county of Richmond, Mark's Creek Township, below the grade of felony as now defined by law; and all such offenses committed within Mark's Creek Township, Richmond County, are hereby declared to be petty misdemeanors: *Provided*, 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 court.

(d) In addition to the jurisdiction conferred by the preceding section of this act, said court shall have jurisdiction over the following named offenses, whether such offenses be covered by the preceding section 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 pretense. All crimes and offenses covered by this section are hereby declared to be petty misdemeanors.

(e) In all criminal offenses committed in Mark's Creek Township, 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 for courts of justice of the peace.

SEC. 6. Said court shall have jurisdiction to try all actions for the recovery of any forfeited bonds made returnable to said court, and for the recovery of any penalty imposed by law, with power to dispose of the same as is now provided by law.

SEC. 7. The justices of the peace and the clerk of the Superior Court and recorder of the Hamlet District, 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 mayor of the city of Hamlet and any other incorporated towns, Mark's Creek Township, Richmond County, shall issue warrants and other criminal processes and make the same returnable for trial to the recorder's court of the district. 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 town of Hamlet and any other 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 court, 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. 8. In all actions heard by the justices of the peace and other examining magistrates of Mark's Creek Township, Richmond County, in respect to any offenses whereof the 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 sureties to appear before the recorder's court for the district on a specified day, and within ten days from such preliminary examination of such recognizance, such person or persons shall be committed to Richmond County jail until said trial.

Recognizances to recorder's court.

SEC. 9. The recorder's court herein provided for shall be open at all times for the dispatch of business and 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.

SEC. 10. Any person convicted in said court of any offense shall pay the costs of prosecution and fined or imprisoned, or both, according to law; and when the punishment imposed is imprisonment and costs, it shall be lawful for the recorder to sentence the defendant or defendants to the common jail of Richmond County, to be worked on the public roads of said county until such sentence is served.

Punishment.

Sentences.

SEC. 11. In all cases there shall be the right of appeal from the judgment of the said court 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 undertaking shall conform to the procedure now obtaining in the courts of justices of the peace as far as practicable.

Right of appeal.
Fees.

SEC. 12. As a fee for issuing warrants and other processes returnable to the recorder's court for trial, the officer shall be allowed the same fees as are allowed in the Superior Court. The officer making the arrest shall be allowed a fee of one dollar and no other fees. That the police officers, who are paid salaries, are to receive no fees, but in all cases the fees of such officers for arrest shall be paid to the town of Hamlet by the recorder. There shall be paid witnesses fifty cents per diem and mileage. The statute allowing two witnesses to prove a material fact to be in all cases strictly adhered to. In each case within the jurisdiction of the mayor a fee of one dollar, and all other cases a fee of two dollars, shall be collected as other costs for the trial and judgment there taxed, collected and paid to Richmond County. The prosecuting attorney to be entitled to a fee of two dollars for each person convicted for any offense except where the defendant has a jury trial, and upon trial and conviction, shall re-

Fees of salaried officers.

Pay of witnesses.

Fee for trial and judgment.

Fee of prosecuting attorney.

- Jail fees. ceive a fee of four dollars. The jail fees may be charged the same as is charged by the court of Richmond County, to be taxed as part of the costs, and to be paid to the treasurer of the city of Hamlet after first deducting the actual expenses incurred.
- Costs. Costs in all actions in the recorder's court shall be payable and collectible as provided by law. The recorder shall have full power as to taxing bills of costs and to respective items thereof under the practices now obtained in the Superior Court in reference to such matter.
- Costs paid by county. SEC. 13. In all criminal actions for which the justices of the peace have not final jurisdiction, and violation of town ordinances, 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 the costs, as now provided by law, and if the defendant is not convicted or sentenced to roads no costs shall be paid.
- Dockets, files and records. SEC. 14. There shall be dockets, files, and records of all proceedings in said recorder's court conforming as nearly as possible to the records of the proceedings in the Superior Court. The recorder shall keep the record and perform the duties of the clerk of the said recorder's court, shall collect the same fees and pay them over, together with an itemized statement of all fines, costs, and moneys collected on the first Monday in each month to the county commissioners of Richmond County, and all moneys and costs to be paid to the town of Hamlet, to be paid at the same time with a report of the same to commissioners of the said town.
- Monthly settlements. SEC. 15. Said court shall be presided over by recorder as provided herein, who shall be qualified elector of his district and of good character and of some knowledge of legal procedure. The recorder shall be appointed by the county commissioners, and shall hold office for two years and until his successor is elected and qualified.
- Recorder. SEC. 16. 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 recorder's court: *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.
- Apportionment and term. SEC. 17. When the recorder is unable to preside over said court on account of sickness, absence, or other cause, said recorder shall appoint some other person with the same qualifications as provided for the recorder to act as a substitute recorder, with all the powers and duties of the recorder. The compensation of said substitute recorder shall be paid by the recorder.
- Recorder may practice law.
- Proviso: Partnerships.
- Substitute recorder.

SEC. 18. Any vacancy occurring in the office of recorder or prosecuting attorney shall be filled by the board of county commissioners of Richmond County, said recorder to serve until his successor is appointed and qualified at the next general election. Vacancies.

SEC. 19. The procedure in the recorder's court 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 court. Procedure.

SEC. 20. The first session of the said recorder's court shall be held on the first Monday in April, one thousand nine hundred and seventeen. First session.

SEC. 21. In all cases in which the recorder has final jurisdiction, upon application of the defendant, and by a deposit by him of three dollars with the recorder, the defendant shall have a jury trial, the jury to be drawn in the same manner and under the same rules and regulations as is provided by law for a jury trial before a justice of the peace, or the recorder may in his discretion, with the consent of the defendant, order a jury to be summoned from the bystanders, or from the citizens of the community with the same right of challenge as in the Superior Court. Jury trials.
Jury of bystanders.

SEC. 22. 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 recorder upon warrants issued by the board of county commissioners of said county. Salaries.

SEC. 23. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 24. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 286

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. That chapter 183 of the Public-Local Laws of 1911, be and the same is hereby amended by striking out the words "commissioners of the county of Washington" wherever they occur in said act, and inserting in lieu thereof the words "road commission," so that said road commission will have the same power as the county commissioners now have over the public roads of Washington County. Substitution.

- Road commission. SEC. 2. The road commission shall consist of three persons. said persons to be named by the Governor upon the recommendation of the chairmen of the executive committees of the Democratic and Republican parties, two of which shall be of the majority party and one of the minority party of the State, and shall be men of good business qualifications and shall be freeholders, one to be appointed for two years, one for four years and one for six years. The Governor shall also fill any vacancy in the membership of said road commission caused either by death or resignation, and upon the expiration of the term of any member, he shall appoint his successor.
- Apportionment by Governor.
- Political affiliations.
- Terms of office.
- Vacancies.
- Road supervisor. SEC. 3. Said road commission shall hire or cause to be hired an experienced road supervisor, and said supervisor shall have charge of the public roads of the entire county and shall work under the direction and in connection with the State highway engineer.
- Direction of work.
- Daily record. SEC. 4. That said supervisor shall keep a daily report of work done throughout the entire county and shall make an itemized report to the road commission on the first day in each month, and in no case shall the expenditures on the said roads of the county exceed the income, except in case of a storm or floods.
- Monthly reports.
- Itemized accounts. SEC. 5. Said road commission shall keep or cause to be kept an itemized account of all funds received and from what source received and how expended by them and shall take receipts for same, and said books and receipts shall at all times be open for inspection and be audited by the proper parties appointed by the board of county commissioners to audit the books of said county.
- Books open for inspection.
- Payment of commutation. SEC. 6. The person liable for road duties, who pays two dollars in lieu thereof, shall not pay the same to the sheriff, but shall pay the said amount to the treasurer of said county, who shall collect same on or before the first day of May of each year, and it shall be the duty of said road commission to see that said amount is collected and properly accounted for.
- Time for payment.
- Repealing clause. SEC. 7. That all laws or clauses of laws in conflict with this act are hereby repealed.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 287

AN ACT TO AMEND SECTION 3367 OF THE REVISAL OF 1905, RELATING TO LANDLORDS AND TENANTS.

The General Assembly of North Carolina do enact:

- Law extended. SECTION 1. That section three thousand three hundred and sixty-seven of the Revisal of one thousand nine hundred and

five be and the same is hereby amended by adding in the last line of said section after the word "Franklin," the word "Scotland."

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

Ratified this the 22d day of January, A. D. 1917.

CHAPTER 288

AN ACT TO AMEND CHAPTER 942 OF THE PUBLIC LAWS OF NORTH CAROLINA OF 1907, RELATIVE TO THE JAILER OF BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter nine hundred and forty-two of the Public Laws of one thousand nine hundred and seven be amended by striking out the words "sixty-five" in line five thereof and inserting in lieu thereof the words "seventy-five." Salary.

SEC. 2. That this act shall be in force and effect from and after the first day of February, one thousand nine hundred and seventeen. When act effective.

Ratified this the 22d day of January, A. D. 1917.

CHAPTER 289

AN ACT SUPPLEMENTAL TO AN ACT RELATING TO ROAD FUNDS AND BUILDING OF BRIDGES IN WILKES COUNTY, BEING HOUSE BILL 237, SENATE BILL 298, RATIFIED JANUARY 9, 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of House Bill number two hundred and thirty-seven, Senate Bill number two hundred and ninety-eight, ratified January ninth, one thousand nine hundred and seventeen, entitled "An act relating to road funds and building of bridges of Wilkes County," be and the same is hereby amended by adding at the end thereof the following words: "That nothing in this act shall be construed to interfere with pending litigation or affect any rights existing at the commencement of said litigation." Pending litigation and existing rights.

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

Ratified this the 22d day of January, A. D. 1917.

CHAPTER 290

AN ACT TO REPEAL CHAPTER 362 OF THE PUBLIC-LOCAL LAWS OF 1913.

The General Assembly of North Carolina do enact:

Rutherford county
dog tax.

SECTION 1. That chapter three hundred and sixty-two of Public-Local Laws of one thousand nine hundred and thirteen be and the same are hereby repealed.

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

Ratified this the 22d day of January, A. D. 1917.

CHAPTER 291

AN ACT REPEALING CHAPTER 469 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1915, RELATING TO THE COLLECTION OF THE TAXES OF MADISON COUNTY AND TRANSFERRING THE DUTIES OF TAX COLLECTOR TO THE SHERIFF OF SAID COUNTY AND AN ASSISTANT.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter four hundred and sixty-nine of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, be and the same is hereby repealed: *Provided, however*, that this act shall not operate so as to prevent the present tax collector from completing the collection of the taxes of Madison County for the year one thousand nine hundred and sixteen.

Proviso: Taxes
for 1916.

Sheriff to collect
and settle taxes.

SEC. 2. That hereafter the sheriff of Madison County shall collect and settle for the taxes of said county in the way and manner provided by law.

Salary of sheriff.

SEC. 3. That in consideration of the extra duties imposed by this act the sheriff of Madison County shall receive as full compensation and salary of his office the sum of fifteen hundred dollars per annum, payable monthly, and shall appoint one deputy to assist him in his official duties; said deputy to room at the jail, to hold office at the pleasure of the sheriff, and to receive a salary of fifty dollars per month: *Provided*, this section shall not take effect until the delivery in the hands of the sheriff of the tax books for the year one thousand nine hundred and seventeen.

Salary of deputy.

Proviso: When
section effective.

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

Ratified this the 22d day of January, A. D. 1917.

CHAPTER 292

AN ACT TO REPEAL SECTION 10 CHAPTER 591 OF PUBLIC-LOCAL LAWS, SESSION 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That section ten of chapter five hundred and ninety-one of Public-Local Laws of nineteen hundred and thirteen be and is hereby repealed. Law repealed.

Ratified this the 22d day of January, A. D. 1917.

CHAPTER 293

AN ACT TO REPEAL SECTIONS 3 AND 4 OF CHAPTER 399, PUBLIC-LOCAL LAWS 1915, RELATING TO THE PUBLIC FUNDS OF MADISON COUNTY, AND TO PROVIDE FOR THEIR DEPOSIT AT INTEREST.

The General Assembly of North Carolina do enact:

SECTION 1. That sections three and four of chapter three hundred and ninety-nine of the Public-Local Laws of North Carolina, session of nineteen hundred and fifteen, be and the same are hereby repealed. Law repealed.

SEC. 2. That all public funds of every nature or description belonging to Madison County shall be deposited weekly, and simultaneously by equal division, in equal amounts in the two banks located at the county seat of Madison County; that said banks as a consideration for receiving said deposits shall monthly credit the county with interest thereon at three per cent per annum, calculated upon the basis of the average daily deposit, said interest to be added to the particular fund from which derived, and thereafter to draw interest at the same rate as the principal. Weekly deposits.
Division of deposits.
Interest on deposits.

SEC. 3. That all vouchers shall be so issued by the county commissioners of Madison County and by the board of education thereof as to draw funds in substantially equal amounts simultaneously from the banks herein named. Vouchers.

SEC. 4. That every official, person, board or corporation receiving funds on behalf of said county shall weekly make deposit thereof in equal amounts in said banks, and shall specify when so depositing the same that it is public funds belonging to said county, and the said banks shall so keep their accounts as to credit the county with interest on all such deposits, whether they be of a temporary or permanent nature, and any one failing to make deposit as herein required shall be guilty of a misdemeanor. Method of deposits.
Method of accounting.
Misdemeanor.

Duties to be discharged by banks.

SEC. 5. That in consideration of receiving said funds on deposit said banks shall open and keep the different accounts and perform the duties required by law of county treasurers, and upon disbursing the funds of said county shall charge the amounts disbursed to the proper accounts.

Banks to give bonds.

SEC. 6. That said banks shall each give the bond required by law of county treasurers, said bonds to be executed with some reliable surety company as surety, and to be approved by the board of county commissioners of Madison County before said banks shall receive any deposits or enter upon the discharge of any of the duties prescribed by this act.

Deposits if bank or banks decline compliance.

SEC. 7. That should either of said banks fail to avail itself of the provisions of this act, then the other shall receive all the deposits provided for herein and under the conditions imposed; and should both fail and refuse to receive said deposits as herein provided, then the county commissioners of Madison County are hereby authorized and required to provide for the deposit of said funds in some other bank at a rate of interest not less than that prescribed in this act.

Repealing clause.
Certified copy.

SEC. 8. That all laws and clauses of laws in conflict herewith are hereby repealed; that immediately upon the ratification of this act a certified copy of the same shall be duly transmitted by the Secretary of State to the register of deeds of Madison County.

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

Ratified this the 22d day of January, A. D. 1917.

CHAPTER 294

AN ACT TO AMEND CHAPTER 149 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO USE OF WIDE TIRES ON PUBLIC ROADS OF HOKE, RICHMOND AND MOORE COUNTIES.

The General Assembly of North Carolina do enact:

Two horse wagons.

SECTION 1. That chapter one hundred and forty-nine of the Public-Local Laws of one thousand nine hundred and fifteen be amended by striking out the words "and one-half" in line five of section one; by striking out the word "five" in line six of section one, and inserting in lieu thereof the word "four."

Four horse wagons.

Two horse wagons.

SEC. 2. That section two thereof be amended by striking out the words "and one-half" in line five of said section; by striking out the word "five" in line six of said section, and inserting in

Four horse wagons.

lieu thereof the word "four"; and by striking out the words, "for ordinary farm work" wherever said words appear in said section. Exception rescinded.

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

Ratified this the 22d day of January, A. D. 1917.

CHAPTER 295

AN ACT TO REVISE THE JURY LIST FOR POLK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Polk county be empowered and are hereby authorized to revise the jury list for Polk County on the first Monday of February and each succeeding one year thereafter. Time for revision.

SEC. 2. That all laws and clauses of laws relative to this act shall be and are hereby repealed.

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

Ratified this the 22d day of January, A. D. 1917.

CHAPTER 296

AN ACT TO AMEND CHAPTER 201 OF THE PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO PROVIDE FOR THE WORKING OF ROADS OF GRAHAM COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section twelve of chapter two hundred and one of the Public-Local Laws of the State of North Carolina of the session of one thousand nine hundred and thirteen of the Legislature of North Carolina, be and the same is hereby repealed and the following inserted in lieu:

That each and every male person between the ages of twenty-one and forty years shall work for two days in each year on the public roads, or in lieu thereof furnish an able-bodied hand, or pay the road supervisor the sum of \$1.50 per day: *Provided*, that this labor shall be under the control and supervision of the road supervisors of the respective townships of Graham County, and be summoned by him to work at a time and place therein named, which work shall be done upon that section of the road nearest to the said hand as now sectioned for the appointment of overseer: *Provided*, that any such person so summoned shall fail to

Road duty.
Commutation.
Proviso: Control and supervision of work.
Locality of work.
Proviso: Misdemeanor.

work said road, or furnish an able-bodied hand, or pay to the road supervisor the sum of \$1.50 each day to be worked before the day for which he was summoned, he shall be guilty of a misdemeanor and fined not less than \$10 for each and every such offense: *Provided further*, that if the said road supervisor failed by reason of the absence of the road subject or otherwise to get him summoned to work, he shall upon the return of the road subject or upon road supervisor finding him, summon said road subject to work said time at a time and place set by said supervisor: *Provided further*, that if any road supervisor shall fail to summon any road subject in his township for any of the time during any year hereinafter provided, he shall be guilty of a misdemeanor and upon conviction fined the sum of \$25 for each and every offense: *Provided further*, it shall be the duty of the board of commissioners to prosecute any road supervisor of Yellow Creek and Stecoah townships, and the duty of the board of highway commissioners of Cheoah Township to prosecute the road supervisor of Cheoah Township for failure to perform his duty, and it shall be the duty of said road supervisor to prosecute any hand or hands failing to work when summoned: *Provided further*, that any moneys collected by the road supervisor under this act shall be accounted for as follows: The supervisors of Stecoah and Yellow Creek townships to account to the board of county commissioners and supervisor of Cheoah Township to the board of highway commissioners of Cheoah Township: *Provided further*, that the said road supervisors shall receive their regular per diem for all the time spent in summoning said hands, provided the amount does not exceed twenty dollars during any one year.

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

Ratified this the 22d day of January, A. D. 1917.

Punishment.

Proviso: Enforcement of work.

Proviso: Failure to summon misdemeanor.

Punishment.

Proviso: Commissioners to prosecute.

Supervisors to prosecute.

Settlements.

Proviso: Pay for warning hands.

CHAPTER 297

AN ACT TO AMEND CHAPTER 705 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATIVE TO THE MAKING AND PUBLISHING OF FINANCIAL STATEMENTS IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and five of the Public-Local Laws of North Carolina, session of one thousand nine hundred and fifteen, be and the same is hereby amended as follows: Add at the end of section four of said chapter the following:

Provided, that all statements published under the provisions of this act shall be accurately itemized. Proviso: State-
ments authorized.

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 January, A. D. 1917.

CHAPTER 298

AN ACT TO PROTECT GAME IN THE COUNTY OF WARREN.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and thirty-seven of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby repealed, and the following section inserted in lieu thereof, viz.:

“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, rabbit, squirrel in the county of Warren, State of North Carolina, except between the fifteenth day of November and the first day of March in each and every year: *Provided*, that any person may catch or trap rabbits in the old manner, in hare gums, at all times, or shoot squirrels or rabbits at any time on their own premises, or with the consent of the landowner.” Open season.

Proviso: Hare
gums.
Shooting rabbits
and squirrels.

SEC. 2. That all 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 23d day of January, A. D. 1917.

CHAPTER 299

AN ACT TO AMEND CHAPTER 80 OF THE PUBLIC LAWS OF THE SPECIAL SESSION OF THE LEGISLATURE OF 1913, RELATIVE TO KILLING, SELLING, OR SHIPPING OF VEAL.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eighty of the Public Laws of the special session of the Legislature of North Carolina, one thousand nine hundred and thirteen, as brought forward in Gregory's Revisal of one thousand nine hundred and fifteen, as section three County stricken
out.

thousand three hundred and sixteen thereof, be and the same is hereby amended by striking out the word "Henderson" in section three of said chapter.

Repealing clause. 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 January, A. D. 1917.

CHAPTER 300

AN ACT TO PROVIDE FOR KEEPING UP ROADS IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

Commissioners. JURISDICTION OF ROADS. SECTION 1. That one man in each township in Clay County be named as road commissioners for Clay County to be named hereafter; said highway commissioners to have the jurisdiction over the roads in their respective townships.

Appointment and duty of overseers. SEC. 2. That the said highway commissioners shall appoint for each road section a competent overseer whose duty shall be, after being notified by the said highway commissioners, to warn their hands and work said roads as so advised by the township highway commissioners.

Duty of commissioners. SEC. 3. It shall be the duty of the highway commissioners to go over said roads in their respective townships and examine said roads and to lay out, work, and advise the several road overseers in their respective townships to work said roads as may be deemed necessary by the highway commissioners.

Eligible hands. SEC. 4. All able-bodied hands from the age of eighteen to forty-five years to be eligible to work said roads, and no highway commissioners of overseer shall receive or accept of any hand under eighteen years of age, and no hand shall be compelled to work over eight hours per day.

Day's work. ROAD DUTY. SEC. 5. All eligible hands shall be compelled to work four days in each year and as many more as may be deemed necessary by said highway commissioners for the special purpose of making fills, building culverts or grading hills.

Special work. RIGHT TO WORK OUT ROAD TAX. RATE OF PAY. SEC. 6. All taxpayers in said county shall have the exclusive right to work out their road tax, and shall receive ten cents per hour for said labor, and the said overseer under whom the work is performed shall furnish said taxpayers a receipt for said road taxes.

Lists of road taxes. SEC. 7. It shall be the duty of the county commissioners to furnish the highway commissioners with a true list of all road taxes that may be due in each township.

SEC. 8. All money that may be paid in on road taxes in or due to the several townships and so collected by the sheriff, shall be turned over to the several highway commissioners, to be spent on the roads as deemed to the best advantage by the highway commissioners. It shall be the duty of the highway commissioners to keep a true record of all money turned over to them and a report made by the several highway commissioners to the county commissioners at least twice a year.

Collection of road tax.

Accounts and reports.

SEC. 9. That no road commissioner shall receive more than one dollar and fifty cents per day, and no highway commissioner shall not receive pay for more than twelve days in each year.

Pay of commissioners.

SEC. 10. That said road commissioners shall be appointed for a period of two years from the ratification of this bill.

Term of office.

SEC. 11. There shall be nothing in this chapter to prohibit the laying out or discontinuing or removing roads as is provided by existing law.

Locating roads.

SEC. 12. Now upon the failure of the highway commissioners to comply with the law as so prescribed in said chapter, for each and every failure they shall be guilty of a misdemeanor.

Misdemeanor.

SEC. 13. That if any overseer shall fail or refuse to work said roads as so advised in this chapter, he shall be guilty of a misdemeanor.

Misdemeanor.

SEC. 14. And after due warning by the overseers to the hands, if any hand who is liable to work the road refuse or neglect the working of said road, he shall be guilty of a misdemeanor.

Misdemeanor.

SEC. 15. That if any of the highway commissioners who are named in this chapter shall refuse to accept said commission, then it shall be the duty of the county commissioners to appoint a commissioner who will serve.

Vacancies.

SEC. 16. The names of the highway commissioners for each township in Clay County are as follows: R. R. Alexander for Hayesville Township; Thomas Hampton, Brasstown Township; Cance McCracken, Hiwassee Township; H. E. Crawford, Shooting Creek Township; Cub Moss, Tusquittee Township.

Commissioners named.

SEC. 17. This act shall be in full force and effect from and after its ratification.

Ratified this the 23d day of January, A. D. 1917.

CHAPTER 301

AN ACT TO AMEND HOUSE BILL 374, SENATE BILL 516,
SESSION 1917, RELATING TO GRAHAM COUNTY ONLY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of House Bill three hundred and seventy-four, Senate Bill five hundred and sixteen, session of

Settlement.

nineteen hundred and seventeen, be and the same is hereby amended by striking out the word "chairman" and inserting in lieu thereof the word "treasurer."

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 302

AN ACT REQUIRING INSTRUCTION TO BE GIVEN BEYOND THE SEVENTH GRADE IN EVERY SCHOOL DISTRICT, IF THERE BE NO HIGH SCHOOL IN SAID SCHOOL DISTRICT, AND MAKING IT THE DUTY OF THE SCHOOL BOARDS TO PROVIDE FOR ADDITIONAL GRADES.

The General Assembly of North Carolina do enact:

Curriculum to be enlarged.

SECTION 1. That in every school district in the counties hereinafter named in this act, in which school district no public high school is maintained, it shall be the duty of the county superintendent of education, the county board of education, the committeemen of such school district, and the teacher or teachers of such school district, in each of said counties to provide courses and instruction therein beyond the seventh grade, and as high as and including the tenth grade work, and to admit to such grades all the children of school age in such school district entitled to attend the said school.

Application of act.

SEC. 2. That this act shall apply only to Bertie, Greene, and Northampton counties.

Repealing clause.

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 25th day of January A. D. 1917.

CHAPTER 303

AN ACT TO ALLOW THE BOARD OF COMMISSIONERS FOR BURKE COUNTY TO EMPLOY SPECIAL OFFICERS.

The General Assembly of North Carolina do enact:

Appointments authorized.

SECTION 1. That the board of commissioners of Burke County shall be authorized and empowered to appoint one or more special officers for said county for service and duty in said county, and said officers shall have all the powers of a deputy sheriff. Said officers shall not receive any salary, but shall be entitled to the

Powers.

Fees.

fees as provided by law and now allowed sheriffs for services in the arrest and conviction of violators of the law. Said special officer or officers shall be stationed at the locality or localities designated by said board of commissioners. Stations.

SEC. 2. That upon the ratification of this act the Secretary of State is authorized to send a certified copy of this act to the chairman of board of commissioners for said county. Certified copy.

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 304

AN ACT TO REPEAL CHAPTER 230 OF THE PUBLIC-LOCAL LAWS OF THE SPECIAL SESSION OF 1913, AND CHAPTER 220 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1915, ENTITLED RESPECTIVELY, "AN ACT TO ESTABLISH A SPECIAL COURT FOR RICHMOND COUNTY WITH CRIMINAL JURISDICTION TO BE KNOWN AS RICHMOND COUNTY COURT," AND "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 (230) of the Public-Local Laws of the 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," and chapter two hundred and twenty (220) of the Public-Local Laws of the session of one thousand nine hundred and fifteen, entitled "An act to establish a recorder's court in Richmond County and prescribe the jurisdiction thereof," be and the same are hereby repealed. Laws repealed.

SEC. 2. That all causes and processes in said courts which shall not be heard or disposed of on or before the first day of April, one thousand nine hundred and seventeen, shall be transferred returnable to and tried by the court of proper jurisdiction; and full power and authority is hereby given to said courts to remand such causes and processes to the court of proper jurisdiction. Transfer of causes and process.

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

SEC. 4. That this act shall be in force from and after the first day of April, one thousand nine hundred and seventeen. When act effective.

Ratified this the 30th day of January, A. D. 1917.

CHAPTER 305

AN ACT TO EMPOWER THE COMMISSIONERS OF STANLY COUNTY AND DAVIDSON COUNTY TO PAY TRANSPORTATION CHARGES TO STATE AND GENERAL REUNIONS OF UNITED CONFEDERATE VETERANS OF STANLY COUNTY AND DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

Payment authorized.

SECTION 1. That the commissioners of Stanly County and Davidson County be and they are hereby empowered to pay transportation charges of the United Confederate Veterans of Stanly County and Davidson County to State and general reunions.

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

Ratified this the 30th day of January, A. D. 1917.

CHAPTER 306

AN ACT TO REPEEL CHAPTER 767 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO PEDDLERS' LICENSE TAX IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter seven hundred and sixty-seven of the Public-Local Laws of nineteen hundred and thirteen, relating to peddlers' license in Sampson County, be and the same are hereby repealed.

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 307

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS FOR THE COUNTY OF DURHAM TO MAKE CERTAIN APPROPRIATIONS FOR THE RELIEF OF CONFEDERATE VETERANS OF DURHAM COUNTY.

The General Assembly of North Carolina do enact:

Appropriation authorized.

SECTION 1. That the board of commissioners for the county of Durham be and they are hereby authorized and empowered to appropriate annually from the general tax fund of said county

a sum of money sufficient to pay the actual traveling expenses of all Confederate veterans residing in said county to and from the annual reunion of the United Confederate Veterans.

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

Ratified this the 30th day of January, A. D. 1917.

CHAPTER 308

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE CONSTRUCTION AND REPAIR OF PUBLIC ROADS AND BRIDGES IN ROBESON COUNTY AND TO LEVY A SPECIAL TAX," RATIFIED AT THE PRESENT SESSION OF THE GENERAL ASSEMBLY ON JANUARY 8TH.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of the act entitled "An act to provide for the construction and repair of public roads and bridges in Robeson County and to levy a special tax," ratified at the present session of the General Assembly on January the eighth, be and the same is hereby amended by striking out the words "four years," after the word "of" in line four of the original bill and inserting in lieu thereof the words "two years." Term of office.

SEC. 2. That section sixty-six and one-half of the said statute is hereby repealed.

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

Ratified this the 30th day of January, A. D. 1917.

CHAPTER 309

AN ACT ABOLISHING THE RECORDER'S COURT OF MADISON COUNTY AND REPEALING ALL PUBLIC-LOCAL LEGISLATION RELATING THERETO.

The General Assembly of North Carolina do enact:

SECTION 1. That the recorder's court of Madison County, North Carolina, be, and the same is hereby abolished. Court abolished.

SEC. 2. That chapter one hundred and seventy-three of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, chapter seven hundred and two of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, and chapter one hundred and twenty-eight of Laws repealed.

the Public-Local Laws of North Carolina, extra session of one thousand nine hundred and thirteen, be and the same are hereby repealed.

Transfer of causes.

SEC. 3. That all actions pending in said court of which the Superior Court of Madison County had jurisdiction prior to the establishment of said recorder's court are hereby transferred, without prejudice, to said Superior Court for further proceedings, and all actions pending in said court and of which the justices' courts, or courts of the justices of the peace have concurrent jurisdiction, shall on or before May thirty-first, nineteen hundred and seventeen, be transferred by the judge of said recorder's court to a proper justice or justices of the peace for further proceedings.

When act effective.

SEC. 4. That this act shall take effect the first day of June, A. D. nineteen hundred and seventeen.

Certified copy.

SEC. 5. That immediately upon the ratification of this act the Secretary of State shall transmit to the clerk of the Superior Court and recorder's court of Madison County a duly certified copy of the same.

Repealing clause.

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 310

AN ACT TO AMEND CHAPTER 266, PUBLIC-LOCAL LAWS OF 1915, WITH REGARD TO PAYMENT FOR CONFEDERATE MONUMENT BY COMMISSIONERS OF BURKE COUNTY.

The General Assembly of North Carolina do enact:

Appropriation for balance on monument.

SECTION 1. That chapter two hundred and sixty-six of the Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out all of the first section of said chapter after the word "following," in the fourth line of said section, and inserting in lieu thereof the following: "That as soon as practicable after the first day of February, one thousand nine hundred and seventeen, the board of commissioners of Burke County shall pay to Miss Susan Tate, treasurer of the United Daughters of the Confederacy of said county, the sum of six hundred and fifty dollars, to be applied to the payment of the balance due on the monument of the Confederate soldiers on the courthouse square in the town of Morganton."

Appropriation for fence.

SEC. 2. That said board of county commissioners of Burke County are hereby authorized and directed to pay to Miss Susan Tate, treasurer as aforesaid, the sum of one hundred dollars (\$100), or so much thereof as may be required, to erect a substantial iron fence around said monument.

SEC. 3. That all laws and clauses of laws in conflict with this Repealing clause. 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 1st day of February, A. D. 1917.

CHAPTER 311

AN ACT TO INCORPORATE THE PLEASANT HILL BAPTIST CHURCH IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to swear, gamble, fight, sell liquor, use loud and boisterous language, drink liquor, or in any other way or manner, disturb religious worship in or at the Pleasant Hill Baptist Church in Cartoogechaye Township in Macon County, or upon the grounds belonging to the said church. Acts forbidden.

SEC. 2. Any person violating the provisions of section one of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, at the discretion of the court. Misdemeanor. Punishment.

SEC. 3. That this act shall not affect, and is not intended to affect, in any way, the general laws of the State punishing the crimes herein named, but the penalties herein named shall be cumulative thereto. General law not affected. Penalties cumulative.

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 312

AN ACT TO AMEND CHAPTER 101 OF THE PUBLIC LAWS OF 1915 BY EXEMPTING CRAVEN COUNTY FROM THE PROVISIONS OF SECTION 34 THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and one of the Public Laws of one thousand nine hundred and fifteen be amended by striking the word "Craven" out of section thirty-four thereof. Craven stricken out.

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. Repealing clause.

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 313

AN ACT TO PERMIT BOONE TOWNSHIP IN WATAUGA COUNTY TO VOTE BONDS TO AID IN THE CONSTRUCTION OF THE LINVILLE RIVER RAILWAY FROM SHULLS MILLS TO BOONE, N. C.

The General Assembly of North Carolina do enact:

Subscriptions or donation authorized.	SECTION 1. That Boone Township in Watauga County may subscribe to the capital stock of the Linville River Railway Company, or make donations to the said company, the said subscription to be paid, or the donation to be paid by the sale of bonds
Payment in bonds.	of the said township, bearing five per centum interest, as herein-
Interest rate.	after provided, subject to the approval of the qualified voters of said township.
Approval of voters.	SEC. 2. That the board of commissioners of Watauga County are authorized and it shall be their duty, whenever forty taxpayers in said township in said county shall petition the same, to cause an election to be held in said township, at the proper and
Petition for election.	legal voting place therein, after thirty days notice of said election published in any newspaper published in said county and at three public places in said township, and to submit to the qualified voters of said township the question of subscribing to the capital stock of the Linville River Railway Company, or making donations as aforesaid, the sum of money specified in the written request of the said petitioning taxpayers, not to exceed the sum of forty thousand dollars, at which election those in favor of said subscription or donation, as the petitioners may request, shall deposit a ballot on which shall be written or printed the words "For Subscription"; but if the purpose be to make a donation, then, in that case, the ballot shall have the words "For Donation," and those opposed shall reposit a ballot on which is written or printed the words "Against Subscription" or "Against Donation," as the case may be. Said election to be held in all respects as required by law for the election of members of the General Assembly, except as herein otherwise provided. The returns of said election shall be made to the county commissioners of said county on Tuesday next after the day on which said election is held, who shall on that day canvass the same and declare the result of said election; and if a majority of all the legally qualified voters in said township shall vote for subscription, or for donation, then the subscription or donation so authorized shall be made by the chairman of the board of county commissioners of said county, if for subscription, then the said railway company shall, upon the payment of the said subscription, issue to the chairman of the said board as trustee for the said township the
Order for election.	
Notice of election.	
Limitation.	
Ballots.	
Law governing election	
Returns.	
Canvass of returns.	
Effect of election.	
Issue of stock.	

amount of stock so subscribed for, and the said chairman shall represent the interest of the said township in all meetings of the said railway company, but if said election is for, and the result of the election is in favor of a donation, then the chairman of said board shall cause the said bonds to be sold to the highest bidder for cash after advertising for bidders for ten days and execute the bonds as hereinafter described to the purchasers. The chairman shall notify the said railway company of the result of the election and the result of the sale of the said bonds, and shall deliver or cause to be delivered to the said Linville River Railway Company the amount so subscribed or donated upon the completion of the said railroad from Shulls Mills in said county to the town of Boone in said county, and the said road shall be deemed completed when the railroad iron is placed and the first train passes on the said road to Boone.

SEC. 3. For the payment of any subscription made or for carrying into effect any donation as provided in the next preceding section the board of county commissioners of Watauga County shall issue bonds to the amount authorized to be subscribed or donated, 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 of the denominations of not more than one thousand nor less than one hundred dollars, and shall bear interest at the rate of five per centum per annum, the interest payable on the first day of May each successive year by the treasurer of said county. Said bonds shall be due and payable as follows: Three thousand dollars on the first day of May, one thousand nine hundred and thirty-seven, and three thousand dollars each successive year thereafter, and each bond shall specify the date on which it is payable.

SEC. 4. All the county taxes which shall be levied and collected upon the property and franchise of the Linville River Railway Company in said county shall be applied to the payment of the interest on the said bonds to the amount of said interest so long as the same shall accrue, and the excess of said taxes, if any, shall be applied to the payment of the principal of the said bonds, and the excess may be used to create a sinking fund for that purpose; when the said bonds are paid the said taxes to be applied to the general county purposes.

SEC. 5. That to provide further for the payment of the interest on said bonds the board of county commissioners shall, in addition to the taxes mentioned in the next preceding section and other taxes, each year compute and levy upon the proper subjects of taxation in said township a sufficient tax to pay the interest on said bonds, that is not discharged by the taxes collected from the said railway company, and in order to pay said bonds as they mature the said commissioners shall, at the expiration of ten

Representation.

Payment of donation.

Result notified to company.

Pre-requisite work.

Bonds to be issued.

Denominations.

Interest.

Maturity.

Application of railroad tax.

Special tax for interest.

Special tax for sinking fund.

- years from May first, one thousand nine hundred and seventeen, annually compute and levy an additional tax sufficient to create a sinking fund sufficient to discharge the said bonds as they mature, all of which tax shall be collected by the sheriff of Watauga County under the same rules and regulations as are provided for collecting 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 collection and payment of county and State taxes. The said sheriff shall first pay the interest on the said bonds and the coupons shall be his vouchers and evidence of payment, and the balance of the said money shall be applied to the payment of the said bonds as herein provided.
- Collection of tax.
- Application of tax.
- Authentication of bonds.
- SEC. 6. The said bonds shall be signed by the chairman of the board of county commissioners of Watauga County and the clerk of the said board, and the coupons shall be signed by the chairman alone.
- New registration.
- SEC. 7. That it shall be lawful for the county commissioners to order a new registration of voters for said election.
- Right to reject bids.
- SEC. 8. If in the sale of the said bonds the said commissioners are satisfied that the bids received for the said bonds are not high enough they may reject all bids and make a resale after advertising said sale as hereinbefore provided, and continue to reject and resell until the said bonds have brought a fair value.
- Limit of bond issue.
- SEC. 9. That it shall not be lawful for the said township to have bonds issued under this act amounting in the aggregate to more than forty thousand dollars, and the amount to be voted upon shall be designated in the petition of the petitioning taxpayers and stated in the notice given by the said commissioner of the time and place of the election.
- Time for issuance of bonds.
- SEC. 10. If the said bonds are voted as herein provided, then said bonds shall be issued as hereinbefore provided within sixty days after the result of such election is declared, and the said commissioner shall at once advertise the said bonds and complete a sale thereof in the said sixty days. That the said railway company may become the purchaser of the said bonds. If the said railway company, upon the declaration of the result of the election, agrees to take the bonds at par the said commissioners may without further effort at selling the said bonds agree to sell them to the said company at not less than par value thereof.
- Advertisement and sale.
- Sale to railroad company.
- SEC. 11. When the said bonds are sold the proceeds derived from the sale thereof shall be deposited with the Watauga County Bank to be held in trust by the said bank until satisfactory evidence is produced of the completion of the said railroad to Boone, whereupon the said money shall be delivered to the president of the said Linville River Railway Company. If the said company agrees to take the said bonds then the said bonds, together with the coupons, shall be so deposited with the said bank and deliv-
- Deposit of proceeds.
- Deposit of bonds by railroad.

ered to the said company upon satisfactory proof of the completion of the said railroad to the said town of Boone, N. C. That when the said bonds are issued they, with the said coupons attached, shall be numbered and a record kept by the officers issuing them, showing the numbers, amounts and dates of maturity of the same respectively. Record of bonds.

SEC. 12. That for the purpose of this act Boone Township in the county of Watauga is hereby created a body politic and corporate with power to carry out the provisions of this act, and the county commissioners of the said county of Watauga are declared to be the corporate agents of the said township. Township incorporated.
Corporate agents.

SEC. 13. That any officer failing or refusing to perform his duties under this act shall be guilty of a misdemeanor. Misdemeanor.

SEC. 14. That the said Linville River Railway Company shall commence the construction of the said railroad from Shulls Mills to Boone within six months after the said bonds herein provided for have been voted by said township and complete the same within twelve months after the said election to entitle it to the said suscription or donation, and its failure to so commence and complete the said road shall forfeit its rights to the said amount voted. Time for beginning and completion of road.

SEC. 15. This act shall be in force from and after its ratification.

Ratified this the first day of February, A. D. 1917.

CHAPTER 314

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

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Transylvania County be and they are hereby authorized to levy and collect for the years one thousand nine hundred and seventeen and one thousand nine hundred and eighteen the following special taxes, to wit: Special taxes.

1. For bridge purposes a special tax of not to exceed ten cents on the one hundred dollars valuation on all property in said county. For bridge purposes.

2. For contingent purposes a special levy of not to exceed ten cents on the one hundred dollars valuation on all property in said county, and For contingent purposes.

3. For chain-gang purposes a special levy of not to exceed five cents on the one hundred dollars valuation on all property in said county. For chain gang purposes.

Application of act. SEC. 2. That this act shall apply only to the county of Transylvania, and only for the years one thousand nine hundred and seventeen and one thousand nine hundred and eighteen.

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

Ratified this the 1st day of February, A. D. 1917. .

CHAPTER 315

AN ACT TO AMEND CHAPTER 175, PUBLIC-LOCAL LAWS 1915, THE SAME BEING AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Sheriff or tax collector to perform duties.
Liability on bond.

SECTION 1. Strike out all of section one after the word "abolished" in line two, and all of section two, and insert in lieu thereof the following: "and the sheriff or tax collector of Yancey County shall perform the duties imposed by law upon county treasurers without compensation; and that the sheriff's or tax collector's bond shall be liable for the performance of his duties acting as treasurer in the same manner as for his duties as tax collector."

Repealing clause.

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

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 316

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO ISSUE BONDS TO PAY THE INDEBTEDNESS CREATED BY THE CONSTRUCTION OF A WORKHOUSE IN NEW HANOVER COUNTY AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Purpose of bond issue.

SECTION 1. That for the purpose of paying off and discharging the indebtedness incurred by the building of a workhouse in New Hanover County and for installing a laundry and pumping plant at the same, and for the further purpose of installing of water, sewerage, and lights at the county home in said county of New Hanover, the board of commissioners of New Hanover County are hereby authorized and empowered to issue coupon bonds of

Bond issue authorized.

<p>said county to an amount not to exceed seventeen thousand (\$17,000) dollars, the same to be in denominations of not less than five hundred (\$500) dollars or more than one thousand (\$1,000) dollars. The said bonds shall be payable not more than 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 centum per annum, payable semi-annually 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 the said board of commissioners may determine. The bonds shall be signed by the chairman of the board of commissioners and attested by the clerk of the 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 and County Home Bonds."</p>	<p>Amount. Denominations. Maturity. Interest. Authentication. Designation.</p>
<p>SEC. 2. That the proceeds derived from the sale of said bonds shall be devoted to the following purposes:</p>	<p>Appropriation of proceeds.</p>
<p>1. To pay an outstanding indebtedness incurred in the erection and completion of a workhouse in said county.</p>	<p>For payment of debt.</p>
<p>2. To install a pumping plant and laundry at said workhouse, and</p>	<p>For pumping plant and laundry.</p>
<p>3. To install water, sewerage, and lights at the county home of said New Hanover County.</p>	<p>For water, sewerage and lights.</p>
<p>SEC. 3. That the said board of commissioners shall sell said bonds at not less than par with accrued interest, after having advertised the same for once a week for at least two weeks in some newspaper or periodical, and shall pay over the proceeds from the sale thereof to the county auditor, who shall keep the same separate and apart from other funds in his hands, and shall disburse the same for no other purposes than those mentioned in this act.</p>	<p>Sale of bonds. Proceeds kept separate. Specific appropriation.</p>
<p>The purchaser or purchasers of said bonds, or any one 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 the preparation, issue, and sale of said bonds shall be paid out of the proceeds of the sale as provided for in this act.</p>	<p>Obligation of purchaser relieved. Expense of bond issue.</p>
<p>SEC. 4. 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 not exceeding one cent on the one hundred dollars worth of property.</p>	<p>Special tax.</p>
<p>The subjects of taxation and the levy of taxes are to be the same on which the said board of commissioners now or hereafter</p>	<p>Levy of tax.</p>

Collection.
Separate fund.
Specific appropriation.

may 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 the redemption of said bonds, not exceeding in amount eight hundred and fifty (\$850.00) dollars per annum and the balance to be turned into the general county fund.

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 317

AN ACT TO AMEND CHAPTER 703 OF THE PUBLIC LAWS OF 1905, RELATING TO AUDITOR OF BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Assistant auditor.
Salary.

SECTION 1. That section twelve, chapter seven hundred and three, of the Public Laws of nineteen hundred and five, relating to auditor of Buncombe County, be amended by adding at the end of said section the following: "Said auditor shall have power to appoint an assistant auditor at a salary not to exceed the sum of nine hundred dollars per annum, which shall be paid by the county treasurer upon the order of the board of commissioners."

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

Ratified this the 2d day of February, A. D. 1917.

CHAPTER 318

AN ACT TO AMEND SECTION 1 OF CHAPTER 304 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE APPOINTMENT OF ADDITIONAL MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

Additional commissioner appointed.
Term of office.

SECTION 1. That George L. McKinney be and he is hereby appointed as an additional member of the board of county commissioners of Madison County, his term of office to begin upon the ratification of this act, and to expire on the first Monday in December, one thousand nine hundred and eighteen.

Re-organization of board forbidden.

SEC. 2. That there shall be no reorganization of the board of county commissioners of Madison County prior to the expiration of the term for which the said George L. McKinney is hereby

appointed: *Provided, however,* this section shall not apply in the event that a vacancy should occur in the chairmanship of said board. Proviso: Vacancy in chairmanship.

SEC. 3. 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. Certified copy.

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 319

AN ACT TO AMEND SECTION 2 OF CHAPTER 69, PUBLIC LAWS OF NORTH CAROLINA, EXTRA SESSION 1913, RELATING TO COURT STENOGRAPHER AND ADDING "POLK COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter sixty-nine, Public Laws of North Carolina, extra session one thousand nine hundred and thirteen, be and the same is hereby amended by adding after the word "fee" at the end of the first line of said section and before the word "against" in the second line of said section, "not to exceed four dollars in all cases, except where the case shall last more than two days, and then the sum of five dollars: *Provided,* that the word day shall mean from nine o'clock a. m. to five o'clock p. m.;" and adding after the word "*pauperis*" in the last line of said section, "divorce cases and cases where there has been no jury impaneled." That this act shall add "Polk County" to the said chapter and applies only to Polk County. Fees of stenographer.

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

Ratified this the 2d day of February, A. D. 1917. Polk county added.

CHAPTER 320

AN ACT TO REGULATE THE SALE OF LAND UNDER MORTGAGE GIVEN PRIOR TO THE FORMATION OF LEE COUNTY, AFFECTING LAND IN LEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in all mortgage sales, under mortgages given prior to the formation of Lee County, affecting land situated in Lee County, where by the terms of said mortgage it is provided that the sale shall be held at the courthouse door of either Pitts- Application of act.

Sufficient advertisement.

boro or Carthage, North Carolina, and notice of said sale advertised by posting at the courthouse door of Chatham or Moore County, in Pittsboro, or Carthage, and three other public places in said county, and publishing a notice in some newspaper published in Chatham or Moore County, as the case may be, it shall be a sufficient compliance with the terms of said mortgage to sell said land at the courthouse door of Lee County, after publishing a notice in some newspaper published in Lee County for four successive weeks, and posting a notice at the courthouse door of Lee County and three other public places in Lee County for thirty days immediately preceding such sale: *Provided*, that this act shall not apply to actions now pending.

Proviso: Actions pending.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with the provisions 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 2d day of February, A. D. 1917.

CHAPTER 321

AN ACT TO AMEND SECTION 3 OF CHAPTER 39, PUBLIC-LOCAL LAWS OF 1915, SO AS TO EXEMPT DEEP CREEK TOWNSHIP IN YADKIN COUNTY FROM THE OPERATION OF SAID ACT.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter thirty-nine of the Public-Local Laws of one thousand nine hundred and fifteen be amended by adding the following at the end thereof: "*Provided* that this act shall not apply to Deep Creek Township in Yadkin County."

Proviso: Application of act.

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

Ratified this the 5th day of February, A. D. 1917.

CHAPTER 322

AN ACT TO REGULATE THE FEES OF THE PROSECUTING ATTORNEYS FOR THE RECORDERS' COURTS OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the prosecuting attorneys for the different recorders' courts in Robeson County, in cases of insolvency, shall be paid by the county the sum of two dollars for every conviction.

Payment by county.

SEC. 2. That in cases in the jurisdiction of magistrates before the establishment of the recorders' courts for Robeson County, where the costs are paid by the defendant, each prosecuting attorney shall be paid the sum of three dollars, said fee to be taxed in the bill of costs. In all cases now within the jurisdiction of the recorders' courts which were within the jurisdiction of the Superior Court before the establishment of the recorders' courts for Robeson County and where the costs are paid by the defendant, the prosecuting attorneys shall be paid the sum of four dollars for each conviction, said fee to be taxed in the bill of costs.

Cases within jurisdiction of magistrates.

Cases within jurisdiction of superior court.

Amended
578-1923

SEC. 3. That all laws and clauses of laws in conflict with this chapter to the extent of such conflict are hereby repealed.

Repealing clause.

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

Ratified this the 5th day of February, A. D. 1917.

CHAPTER 323

AN ACT AMENDING SECTION 1 OF CHAPTER 117 OF THE PUBLIC LAWS OF 1915, SO AS TO PROVIDE FOR THE TRIAL OF BOTH CIVIL AND CRIMINAL CASES AT ALL TERMS OF THE SUPERIOR COURT FOR MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and seventeen of the Public Laws of nineteen hundred and fifteen be amended as follows: By striking out the word "exclusively" in line seven of the last paragraph of said section, and inserting between the words "civil" and "cases" of said line the words "and criminal," and also be amended by adding at the end of said paragraph the following: "*Provided further, that the board of county commissioners of Madison County may, whenever the business of the county would not justify or for other good cause shown, dispense with the drawing of the grand jury for any term of the Superior Court for said county except for those terms to be held on the first Monday before the first Monday of March, and the second Monday before the first Monday of September, in each year.*"

Jurisdiction.

Proviso: Grand jury.

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

SEC. 3. That immediately upon the ratification of this act the Secretary of State shall transmit a duly certified copy of the same to the clerk of the Superior Court of Madison County.

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

Ratified this the 5th day of February, A. D. 1917.

CHAPTER 324

AN ACT TO TAX DOGS AND MAKE THEM THE SUBJECT OF LARCENY IN CAMDEN COUNTY.

The General Assembly of North Carolina do enact:

- License tax. SECTION 1. That any person owning or keeping a dog shall pay annually on each dog, male or female, so owned or kept, a Dogs to be listed. license or privilege tax of one dollar. It shall be the duty of every person owning or keeping a dog to list the same for such tax at the same time and place as personal property is listed.
- Dogs held to be property. SEC. 2. Any dog so listed for taxation shall be held to be property and shall be the subject of larceny.
- Collection of taxes. SEC. 3. That the taxes hereunder shall be paid to and collected by the sheriff in the same manner as provided for the payment and collection of other taxes.
- Tax added to road fund. SEC. 4. That the net proceeds raised from the collection of said taxes shall be turned over to the county treasurer, to be added to the road fund of the county.
- Failure to list misdemeanor. Punishment. SEC. 5. 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 more than ten dollars or imprisoned not more than twenty days.
- Levy on dogs for tax. SEC. 6. In the event any person listing a dog for taxation under the provisions of this act shall fail to pay said tax prior to December thirty-first of each year, and the sheriff shall be unable to find other property of such person subject to levy, it shall be his duty to levy upon the dog or dogs of such person, and unless such tax and costs of levy are paid, to cause such dog or dogs to be killed.
- Application of law. SEC. 7. That this act shall apply only to Camden County.
- SEC. 8. That this act shall be in force from and after its ratification.
- Ratified this the 5th day of February, A. D. 1917.

CHAPTER 325

AN ACT TO PREVENT DOGS RUNNING AT LARGE, AND TO PROTECT THE PEOPLE AGAINST HYDROPHOBIA IN TRYON TOWNSHIP, POLK COUNTY.

The General Assembly of North Carolina do enact:

- Dogs to be confined. SECTION 1. That it shall be the duty of every owner and every one having in charge any dog or dogs, to confine such dog or dogs to the lands of his own premises or premises upon which

such dog or dogs are regularly kept: *Provided*, that any person or persons owning or having such dog or dogs in their custody shall not be deprived of the privilege of taking such dog or dogs with them when off their own premises. Proviso: Dogs accompanied by owner.

SEC. 2. That any person or persons violating the provisions of section one of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five dollars or imprisoned not more than ten days. Misdemeanor. Punishment.

SEC. 3. That this act shall apply only to Tryon Township, Polk County. Application of act.

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

Ratified this the 5th day of February, A. D. 1917.

CHAPTER 326

AN ACT PROVIDING FOR THE BOARD OF THE PRISONERS OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Madison County are hereby authorized to make such provision for the board of the prisoners of said county as will, in their judgment, best serve the interest of the county. County commissioners to make provision.

SEC. 2. That this act shall be in effect from ratification. When act effective.

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

Ratified this the 5th day of February, A. D. 1917.

CHAPTER 327

AN ACT TO MAKE THE PROVISIONS OF THE GENERAL PRIMARY LAW OF THE STATE APPLICABLE TO LEGISLATIVE AND ALL COUNTY OFFICES OF PAMLICO COUNTY

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the ratification of this act all primary elections held in Pamlico County for legislative and county offices shall be conducted in conformity to and subject to all the provisions of the general primary law of the State, enacted at the session of the General Assembly of one thousand nine hundred and fifteen. County primaries.

Repealing clause. 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 5th day of February, A. D. 1917.

CHAPTER 328

AN ACT TO PREVENT THE DEPREDATIONS OF DOMESTIC FOWLS IN McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

Permitting fowls to run at large unlawful. SECTION 1. That it shall be unlawful for any person or persons in McDowell County to permit any turkeys, geese, ducks, chickens, or other domestic fowls to run at large upon any land that may be cultivated in any kind of grain or feed stuff, or for gardens or for ornamental purposes, after being notified as provided in section two of this act.

Notice.

Misdemeanor.

SEC. 2. That any person or persons so permitting his or her fowls as aforesaid to run at large after three days notice to keep them up, shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five dollars or imprisoned not exceeding five days, in the discretion of the court.

Punishment.

Application of act.

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

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

Ratified this the 5th day of February, A. D. 1917.

CHAPTER 329

AN ACT TO AMEND CHAPTER 684, PUBLIC-LOCAL LAWS OF 1911, RELATIVE TO DOG TAX IN ROWAN COUNTY.

The General Assembly of North Carolina do enact:

Rowan stricken out. SECTION 1. That chapter six hundred and eighty-four of the Public-Local Laws of nineteen hundred and eleven be amended by striking out the word "Rowan" wherever it may appear in said chapter.

Repealing clause. 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 5th day of February, A. D. 1917.

CHAPTER 330

AN ACT TO REPEAL HOUSE BILL 64, SENATE BILL 99, ENTITLED "AN ACT TO REPEAL CHAPTER 224 OF THE PUBLIC-LOCAL LAWS OF 1915, ENTITLED '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, AND CHAPTER 482 OF THE PUBLIC-LOCAL LAWS OF 1915, IT BEING AN ACT SUPPLEMENTAL TO THE ACT HEREIN REFERRED TO.'"

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill sixty-four, Senate Bill ninety-nine, entitled "An act to repeal chapter two hundred and twenty-four of the Public-Local Laws of nineteen hundred and fifteen, entitled 'An act to amend chapter three hundred and ninety-one of the Public-Local Laws of nineteen hundred and thirteen of North Carolina, relative to the office of county treasurer in Avery County, and chapter four hundred and eighty-two of the Public-Local Laws of nineteen hundred and fifteen, it being an act supplemental to the act herein referred to,'" ratified on January the eighth, one thousand nine hundred and seventeen, be and the same is hereby repealed. Law repealed.

SEC. 2. That the office of county treasurer of Avery County be and the same is hereby abolished, and the sheriff of Avery County shall act *ex officio* as county treasurer in said county, without any compensation for his service as such. Office abolished.
Sheriff to act as treasurer.

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

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

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

Ratified this the 5th day of February, A. D. 1917.

CHAPTER 331

AN ACT TO REPEAL HOUSE BILL No. 281, SENATE BILL No. 299, RELATING TO THE REVISION OF THE JURY LIST OF POLK COUNTY, PASSED AT THE SESSION OF 1917 OF THE GENERAL ASSEMBLY OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number two hundred and eighty-one, Senate Bill number two hundred and ninety-nine, relating to the revision of the jury list for Polk County, passed at the session Law repealed.

of one thousand nine hundred and seventeen of the General Assembly of North Carolina, be and the same is hereby repealed.

Repealing clause. 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 5th day of February, A. D. 1917.

CHAPTER 332

AN ACT AS PROVIDED IN CHAPTER 79, PUBLIC-LOCAL LAWS 1913.

The General Assembly of North Carolina do enact:

Highway commis-
sioner appointed.

SECTION 1. That C. A. Lentz be appointed to succeed himself as highway commissioner for Stanly County for a term of six years. That a period of appointment for said highway commissioner shall start from the ratification of this act.

Beginning of
term.

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

Ratified this the 7th day of February, A. D. 1917.

CHAPTER 333

AN ACT TO AMEND SECTION 3158 OF THE REVISAL OF 1905, WITH RESPECT TO THE RETURN OF CERTAIN WARRANTS ISSUED BY JUSTICES OF THE PEACE.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand one hundred and fifty-eight of the Revisal of nineteen hundred and five of North Carolina be and the same is hereby amended by adding at the end of said section the following: "*Provided*, that a warrant issued by a justice of the peace who is not a resident of the township in which the offense is alleged to have been committed shall be made returnable before some justice in the township of the alleged offense, or if there be no justice available in the said township, or if the justice issuing the warrant has good reasons to believe that a fair trial cannot be had in that township or that it is more convenient to all interested parties, then it may be made returnable before the nearest available justice in an adjoining township:

Proviso: Returns
of criminal pro-
cess regulated.

Proviso: Waiver. *Provided further*, that the provisions of this act may be waived by agreement of parties prosecuting and defending or of their representatives."

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

SEC. 3. That this act shall apply to Pender County only. Application.
Ratified this the 5th day of February, A. D. 1917.

CHAPTER 334

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF ALAMANCE, PERQUIMANS, BERTIE, RICHMOND, NORTHAMPTON, DURHAM, ORANGE, PERSON, NASH, CUMBERLAND, BRUNSWICK, AND LENOIR COUNTIES TO CONTRIBUTE TRANSPORTATION EXPENSES TO CONFEDERATE SOLDIERS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Ala- Payment au-
thorized.
mance, Perquimans, Bertie, Richmond, Northampton Durham, Orange, Person, Nash, Cumberland, Brunswick, and Lenoir counties be and they are hereby authorized and empowered in their discretion to pay from the county funds the railroad expenses of Confederate soldiers residing in above named counties to and from the reunion of the United Confederate Veterans to be held in Washington, D. C., in the year one thousand nine hundred and seventeen, and to and from the subsequent reunions to be held by said United Confederate Veterans.

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

Ratified this the 7th day of February, A. D. 1917.

CHAPTER 335

AN ACT TO AMEND CHAPTER 372 OF THE PUBLIC-LOCAL LAWS OF 1913, AND TO ISSUE ADDITIONAL BONDS IN ROCKFORD TOWNSHIP, SURRY COUNTY, TO COMPLETE ROADS.

For that, whereas, an act was passed, chapter three hundred and seventy-two of the Public-Local Laws of nineteen hundred and thirteen, to build roads in Rockford Township, Surry County, and to issue twenty thousand dollars in bonds therefor, and the same has been approved by popular vote, and said sum is not sufficient to complete the road desired: therefore, Preamble: Bond
issue as voted in-
sufficient.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter three hundred and seventy-two of the Public-Local Laws of nineteen hundred and Road commis-
sioners.

thirteen be amended as follows in lines one and two: Strike out the names of "W. R. Doss, J. F. Burress, W. H. Whitaker and W. R. Norman and their successors in office," and insert in lieu thereof the following: "Fred Parker, J. W. Harbour, V. R. Doss, and Joseph Dobson, and their successors in office."

Appointment of
successors.

Terms of office.

Election.

SEC. 2. That section two of said chapter three hundred and seventy-two of the Public-Local Laws of nineteen hundred and thirteen be amended as follows: Strike out all in line two after the word "relief" and before the word "provided" in line six, and insert in lieu thereof the following: "to be appointed by the board of county commissioners of Surry County as their terms expire, except as hereinafter provided, and those named herein shall hold office as follows: Fred Parker and V. R. Doss shall hold office for four years, J. W. Harbour and Joseph Dobson shall hold office for two years," and in line thirteen of said section strike out the word "legislature" and insert the words "board of county commissioners."

Removal of treas-
urer.

SEC. 3. That section five of chapter three hundred and seventy-two of the Public-Local Laws of nineteen hundred and thirteen be amended by adding after the word "issued" in the last line the following: "and said treasurer be subject to removal by a majority vote of said highway commission and his successor appointed by the board of county commissioners of Surry County and in case of removal, resignation or death of said treasurer, he or his representative shall turn over to his successor in office all funds remaining in his hands as treasurer of said commission, and he shall be responsible on his bond for same."

County commis-
sioners to call
election.
Petition.

Amount of bond
issue voted on.

Notice of election.

Proviso: Subse-
quent elections.

SEC. 4. That section fourteen of said chapter three hundred and seventy-two of the Public-Local Laws of nineteen hundred and thirteen be amended by adding at the end of said section the following:

"SEC. 14 $\frac{1}{2}$. That the board of county commissioners of Surry County, when a petition signed by one-fifth of the voters of said township is filed, is hereby empowered and instructed to submit to the voters of Rockford Township, Surry County, on a day to be designated by the board of commissioners of Surry County, the question of whether the said township of Rockford shall issue bonds in a sum not exceeding twenty thousand dollars, additional to bonds heretofore issued, with interest coupons attached, the proceeds of said bonds to be used for the improvement and completion of the public roads of Rockford Township, as provided in this act. The board of commissioners shall, at least thirty days before the election, give public notice of said election together with the publication thereof in some newspaper published in Surry County: *Provided*, that if a majority of the voters of said township shall vote not to issue the bonds at the election so held, then said board of county commissioners is hereby directed to

submit the said question to said voters at the expiration of four months from the time of the first election under the regulations hereafter set out: *Provided further*, that if a majority of the voters of said township shall vote not to issue bonds at the election so held, the said board of county commissioners of Surry County are directed to submit 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.

SEC. 5. That section sixteen of said chapter three hundred and seventy-two of the Public-Local Laws of nineteen hundred and thirteen be amended by adding at the end of said section the following:

"Sec. 17½. That in the event a majority of the votes cast shall be for bonds issued (additional) at any election herein provided for, after the result has been declared and recorded as aforesaid, the board of county commissioners of Surry County shall have bonds prepared of the denominations of one thousand, five hundred or one hundred dollars, as they may deem best, the total amount not to exceed twenty thousand dollars, the said bonds shall bear a rate of interest not to exceed six per cent per annum, with interest coupons attached, payable semiannually during the time the bonds shall run, the principal payable thirty years from the time of their issue. Said bonds shall be payable in standard currency of the United States at the office of the treasurer of Rockford Township Surry County, provided for in this act, or at any bank or banks which said highway commission may designate to the board of county commissioners of Surry County. Both bonds and coupons shall be numbered consecutively, beginning with number one, and shall be signed by the chairman of the said board of county commissioners and 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 designated 'Rockford Township Highway Improvement Bonds.'"

Issuance of bonds.

Denominations.

Amount.

Interest.

Maturity.

Authentication.

SEC. 6. That section eighteen of said chapter three hundred and seventy-two of the Public-Local Laws of nineteen hundred and thirteen be amended by adding at the end of said section eighteen the following: "that immediately upon the preparation and signing of the said bonds (additional), said board of county commissioners of Surry County shall turn over to the chairman of said commission of Rockford Township all of said bonds in exact accordance with the provisions of section eighteen of said Public-Local Laws of nineteen hundred and thirteen, chapter three hundred and seventy-two, which said section is approved and declared to be a part of this act amendatory thereof."

Delivery of bonds.

SEC. 7. That section nineteen of chapter three hundred and seventy-two of the Public-Local Laws of nineteen hundred and

thirteen be amended by adding at the end of said section nineteen the following:

Special tax.

“Sec. 19½. That in case the election herein provided for shall be in favor of issuing bonds (additional) as in this act provided, the board of county commissioners shall levy annually, the first Monday in June, a special road tax for the township of Rockford on the one hundred dollars worth of property for not less than five cents and not more than twenty-five cents, poll tax not less than fifteen cents and not more than sixty-five cents; which said tax shall be made observing the limitations, equations, applications, sinking funds, investments of sinking funds as directed by the provisions of section nineteen of chapter three hundred and seventy-two of the Public-Local Laws of nineteen hundred and thirteen, and for that purpose said section is declared to be a part of this act.”

Limit of rate.

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

Ratified this the 7th day of February, A. D. 1917.

CHAPTER 336

AN ACT SUPPLEMENTARY TO AND AMENDATORY OF SENATE BILL NUMBER 16, HOUSE BILL NUMBER 386, PASSED AT THE PRESENT SESSION OF THE GENERAL ASSEMBLY, BEING AN ACT TO AUTHORIZE THE COMMISSIONERS OF GASTON COUNTY TO ISSUE BONDS TO BUILD, ERECT AND CONSTRUCT BRIDGES AND TO FUND AND LIQUIDATE INDEBTEDNESS INCURRED FOR THE PURPOSE OF ERECTING, BUILDING AND CONSTRUCTING BRIDGES.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill number sixteen, House Bill number three hundred and eighty-six, passed at the session of one thousand nine hundred and seventeen of the General Assembly, being an act to authorize the commissioners of Gaston County to issue bonds to build, erect and construct bridges and to fund and liquidate indebtedness incurred for the purpose of erecting, building and constructing bridges, be supplemented and amended by adding thereto between sections nine and ten of said act the following section:

Interest.

“Sec. 9½. Said bonds shall bear 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

Maturity.

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: *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.”

Proviso: Sale below par forbidden.

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

Ratified this the 7th day of February, A. D. 1917.

CHAPTER 337

AN ACT TO APPOINT TWO HIGHWAY COMMISSIONERS FOR NORTH AND SOUTH ALBEMARLE TOWNSHIPS OF STANLY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That J. S. Miller and J. S. Efrid shall be and are hereby appointed highway commissioners for North and South Albermarle townships for the term of six years.

Commissioners.
Term.

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

Ratified this the 8th day of February, A. D. 1917.

CHAPTER 338

AN ACT TO ABOLISH THE CHAIN-GANG OF PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three, chapter five hundred and ninety-six, Public Laws of one thousand nine hundred and five, be and the same is hereby repealed.

Section repealed.

SEC. 2. That section five, chapter five hundred and ninety-six, Public Laws of one thousand nine hundred and five, be and the same is hereby repealed.

Section repealed.

SEC. 3. That section six, chapter five hundred and ninety-six, Public Laws of one thousand nine hundred and five, be and the same is hereby repealed.

Section repealed.

SEC. 4. That the provisions of this act shall be submitted to a vote of the qualified voters of Pasquotank County at an election to be held on the first Monday in August, one thousand nine hundred and seventeen, and said election shall be held under the general laws prescribed for and governing the election of county officers in Pasquotank County. Thirty days notice of such elec-

Act subject to vote.

Date for election.

Law governing election.

Notice of election.

- tion containing a copy of this act shall be published in one or more newspapers in Pasquotank County and in all other respects the said election shall be covered by the general election laws.
- Ballots. Those voting in favor of abolishing the chain-gang shall vote a ballot on which shall be printed the words "Against the Chain-gang," and those voting to retain the chain-gang shall vote a ballot containing the words "For the Chain-gang." Should a majority of the qualified voters be in favor of abolishing the chain-gang, then the said chain-gang shall go out of existence in sixty days after the date of said election.
- Effect of election.
- Repealing clause. 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 and effect from and after its ratification.
- Ratified this the 12th day of February, A. D. 1917.

CHAPTER 339

AN ACT TO REPEAL CHAPTER 647 OF THE PUBLIC-LOCAL LAWS OF 1915, AND TO PUT THE COUNTY OF TRANSYLVANIA UNDER THE GENERAL PROHIBITION LAW OF THE STATE.

The General Assembly of North Carolina do enact:

- Laws repealed. SECTION 1. That chapter six hundred and forty-seven of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby repealed.
- SEC. 2. That this act shall be in force from and after its ratification.
- Ratified this the 7th day of February, A. D. 1917.

CHAPTER 340

AN ACT TO AMEND CHAPTER 40 OF THE PUBLIC LAWS OF 1913, RELATIVE TO THE USING OF PROFANE LANGUAGE ON THE PUBLIC ROADS AND HIGHWAYS OF BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

- Law extended. SECTION 1. That the word "Brunswick" in section two of chapter forty of the Public Laws of one thousand nine hundred and thirteen be stricken out and that said act shall apply to Brunswick County.
- SEC. 2. That this act shall be in force from and after its ratification.
- Ratified this the 12th day of February, A. D. 1917.

CHAPTER 341

AN ACT TO INCORPORATE THE MURRY SCHOOLHOUSE IN CATAWBA TOWNSHIP, CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to sell any wines or ciders within one mile of the Murry schoolhouse in Catawba Township, Catawba County. Prohibition.

SEC. 2. That any person or persons violating 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. This act shall be in force from and after its ratification.

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 342

AN ACT TO FIX THE SALARY OF THE CLERK OF THE SUPERIOR COURT OF GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the first day of April, one thousand nine hundred and seventeen the clerk of the Superior Court of Guilford County shall receive a salary of twenty-four hundred dollars per annum in lieu of all other compensation whatsoever. Salary fixed.

SEC. 2. That this act shall be in force from and after the first day of April, one thousand nine hundred and seventeen.

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 343

AN ACT TO PROHIBIT PUBLIC DRUNKENNESS IN GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person who may be found intoxicated under the visible influence of liquor, wine, extracts, cider, bit- Public drunken-
ness a misde-
meanor. ters, or any other drug on any train, hack, vehicle, or any other public conveyance, or at any church, postoffice, store, or any other public place, or on or along any public highway, or any property other than his own in Graham County, shall be guilty of a mis-

Punishment: demeanor, and upon conviction for the first offense, shall be
 First offense. fined not less than five dollars nor more than fifty dollars, or im-
 prisoned not more than thirty days: *Provided*, that any person
 Proviso: Punish- upon a second conviction shall be fined not less than ten dollars
 ment on second nor more than fifty dollars, or imprisoned not less than twenty
 conviction. days nor more than sixty days.

SEC. 2. That this act shall apply to Graham County only.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 344

AN ACT TO REPEAL H. B. 30, S. B. 162, FILE NUMBER 131,
 ENTITLED "AN ACT TO AUTHORIZE THE BOARD OF
 COMMISSIONERS OF ROBESON COUNTY TO DO CERTAIN
 ROAD WORK," RATIFIED ON THE 9TH DAY OF JANU-
 ARY, 1917.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That H. B. thirty, S. B. one hundred and sixty-
 two, entitled "An act to authorize the board of commissioners
 of Robeson County to do certain road work," ratified on the
 ninth day of January, one thousand nine hundred and seven-
 teen, be and the same is hereby repealed.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 345

AN ACT TO AUTHORIZE THE AUDITING OF THE BOOKS
 OF THE VARIOUS COUNTY OFFICERS OF YADKIN
 COUNTY.

The General Assembly of North Carolina do enact:

Employment au-
 thorized.

SECTION 1. That the board of commissioners of Yadkin County
 are authorized and empowered to employ a competent auditor
 to audit the books of the various county officers of Yadkin
 County, including the board of education and superintendent of
 schools, and shall expend therefor a sum not exceeding three
 hundred dollars.

Limit of expense.

Recommendation
 for appointment.
 Report verified.

SEC. 2. That said auditor shall be designated and appointed
 upon the recommendation of J. B. Stimpson, and when his work
 is complete he shall file a verified statement of his findings, which

statement shall be spread upon the minutes of the said board of county commissioners, when approved by them, and become a permanent record of this office. Record of report.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 346

AN ACT TO SUPPLEMENT HOUSE BILL 464 AND SENATE BILL 446, ENTITLED "AN ACT TO AMEND CHAPTER 336 OF THE PUBLIC-LOCAL LAWS OF 1913, ENTITLED 'AN ACT TO PROVIDE FOR GOOD ROADS IN PENDER COUNTY.'"

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill four hundred and sixty-four, Senate Bill four hundred and forty-six, passed at this nineteen hundred and seventeen session of the General Assembly, be and the same is hereby amended by striking out the name of J. W. Sidbury in section five (5) of said act and inserting in lieu thereof the name W. S. Rochelle. Road commissioner.

SEC. 2. That the said House Bill four hundred and sixty-four, Senate Bill four hundred and forty-six, be further amended by adding another section as follows:

"Section 6½. That the road commissioners provided for in this act shall serve without compensation." Road commissioner to serve without pay.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 347

AN ACT TO AMEND CHAPTER 40 OF THE PUBLIC LAWS OF 1913, BEING AN ACT FOR THE BETTER PROTECTION OF PERSONS ON PUBLIC ROADS AND HIGHWAYS OF THE STATE.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter forty of the Public Laws of one thousand nine hundred and thirteen be amended by striking out "Davie" and "Orange" counties. Exemption rescinded.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 348

AN ACT TO PROTECT GAME IN THE COUNTY OF WARREN.

The General Assembly of North Carolina do enact:

Open season. SECTION 1. That it shall be unlawful for any person or persons to hunt with or without dogs, shoot, kill or capture, or destroy any quail, partridge, wild turkey, woodcock, rabbits, squirrels in the county of Warren, State of North Carolina, except between the first day of December and the first day of March in each and every year: *Provided*, that any person may catch or trap rabbits in the old manner; that is, in gums, at all times.

Proviso: Rabbits
in "gums."

SEC. 2. That all 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 13th day of February, A. D. 1917.

CHAPTER 349

AN ACT TO AMEND CHAPTER 40 OF THE PUBLIC LAWS OF 1913, BEING AN ACT FOR THE BETTER PROTECTION OF PERSONS ON PUBLIC ROADS AND HIGHWAYS OF THE STATE.

The General Assembly of North Carolina do enact:

Law extended. SECTION 1. That section two of chapter forty of the Public Laws of one thousand nine hundred and thirteen be, and the same is hereby amended by striking out the word "Perquimans."

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

Ratified this the 14th day of February, A. D. 1917.

CHAPTER 350

AN ACT TO AMEND SECTION 1733 OF THE REVISAL OF 1905, RELATING TO THE PRICE OF VACANT LANDS.

The General Assembly of North Carolina do enact:

Price of land. SECTION 1. That section one thousand seven hundred and thirty-three of the Revisal of one thousand nine hundred and five, relating to the price of vacant lands, be and the same is hereby amended by striking out the words "fifty cents" in line

two of said section, and inserting in lieu thereof the words "six dollars and fifty cents."

SEC. 2. That this act shall apply to Scotland County only. Application of act.

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

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

Ratified this the 14th day of February, A. D. 1917.

CHAPTER 351

AN ACT TO PLACE THE COUNTY OF BEAUFORT UNDER ALL THE PROVISIONS OF THE STATE-WIDE PRIMARY LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That section thirty-four, chapter one hundred and Law extended. one of the Public Laws of one thousand nine hundred and fifteen, be and it is hereby amended by striking out from said section the word or name "Beaufort."

SEC. 2. That chapter six hundred and thirty-three of the Pub- Act repealed. lic-Local Laws of one thousand nine hundred and eleven be and the same is hereby repealed.

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

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

Ratified this the 14th day of February, A. D. 1917.

CHAPTER 352

AN ACT TO AMEND SECTION 1, HOUSE BILL 111, SENATE BILL 92, SESSION 1917, RELATING TO THE CLOSE SEASON FOR THE PROTECTION OF GAME IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, House Bill one hundred and Amendment. eleven, Senate Bill ninety-two, session one thousand nine hundred and seventeen, of the General Assembly of North Carolina, be and the same is hereby amended by striking out the word "first" in line five of said section and inserting in lieu thereof the word "fifteenth."

31—Pub.-Local

Repealing clause. 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 14th day of February, A. D. 1917.

CHAPTER 353

AN ACT TO REPEAL CHAPTER 45 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1913, ENTITLED "AN ACT TO ENCOURAGE THE IMPROVEMENT OF THE STOCK-RAISING INDUSTRY IN MACON COUNTY."

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter forty-five of the Public-Local Laws of the session of one thousand nine hundred and thirteen, entitled "An act to encourage the improvement of the stock-raising industry in Macon 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 14th day of February, A. D. 1917.

CHAPTER 354

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ANSON 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 Anson County be and they are hereby authorized and empowered to levy a special tax for the years one thousand nine hundred and seventeen and one thousand nine hundred and eighteen, 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 commissioners shall observe the constitutional equation between the property tax and the poll tax. Said tax is to meet the ordinary expenses of said county, and 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 other taxes levied for said county.

Limit of rate.

Constitutional equation.

Purpose.

Collection and settlement.

SEC. 2. That the board of commissioners of said county may, if they deem it proper and necessary, use any part of the taxes collected under this act in building and repairing public roads and bridges of said county in such manner and to such extent as they deem advisable. Use for roads and bridges.

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

Ratified this the 14th day of February, A. D. 1917.

CHAPTER 355

AN ACT TO AMEND CHAPTER 586, PUBLIC-LOCAL LAWS OF 1915, BEING "AN ACT TO REGULATE HUNTING IN PERSON COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter five hundred and eighty-six, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by placing a comma after the word "quail," and by inserting the words, "and wild turkeys" between the words "quail" and "from" in line one thereof. Close season.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 356

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF ROBESON COUNTY TO PAY THE NECESSARY EXPENSES OF THE CONFEDERATE VETERANS RESIDING IN ROBESON COUNTY, TO WASHINGTON ON THE OCCASION OF THE MEETING OF THE CONFEDERATE VETERANS AT WASHINGTON, D. C., IN JUNE, 1917.

Whereas, the regular organization of the United Confederate Veterans has arranged for a meeting of the members of said organization to be held in the city of Washington, District of Columbia, during the month of June, one thousand nine hundred and seventeen; and, Preamble: Reunion and date.

Whereas, it is desirable that as many of the Confederate veterans now residing in Robeson County as possible should attend said meeting, and, Preamble: Desirable that veterans should attend.

Preamble: In-ability of veterans to procure funds.

Whereas, it appears that many of said veterans, on account of age, physical disability, and other causes, are unable to procure funds to enable them to attend said meeting, now therefore:

The General Assembly of North Carolina do enact:

Authority given county commissioners.

SECTION 1. That the board of commissioners of Robeson County be and they are hereby authorized and empowered to provide for the attendance of any Confederate veteran, now residing in Robeson County, at the meeting of the United Confederate Veterans to be held in the city of Washington, District of Columbia, during the month of June, one thousand nine hundred and seventeen, and to that end they are authorized and empowered in their discretion to pay the actual railroad fare and reasonable and necessary hotel bills in the city of Washington for any and all Confederate veterans now residing in said county of Robeson who are members of any of the organized camps of Confederate veterans of said county, and who are unable, on account of their pecuniary condition, to pay their expenses:

Proviso: Certificate

Provided, however, that before any of said veterans shall be entitled to receive money for the expenses as herein provided they shall be required to present to said board of commissioners a certificate signed by the officers of some camp of Confederate veterans in said county of Robeson, approved by the pension board of Robeson County, stating that said applicant is a Confederate veteran in good and regular standing, and that he is, in the opinion of said officers signing said certificate, pecuniarily unable to pay his own expenses to said meeting.

Funds for payment.

SEC. 2. That said board of commissioners of Robeson County are authorized and empowered to pay the money authorized to be expended under the terms of this act out of the public funds of Robeson County, and in the payment of said money they are authorized and empowered to adopt such uniform and reasonable rules and regulations, as in their opinion, may be necessary to carry out the reasonable intent of this act, and to prevent im-

Rules and regulations.

position, and they are also authorized and empowered to limit the amount to be paid to any one of said veterans to actual and necessary railroad fare and actual and necessary sustenance for a period of four days, that is to say, during the time necessarily consumed in going to and returning from said meeting and two days in said city of Washington; but *provided*, in no case the said time shall exceed four days, including the time spent in the city of Washington: *Provided further*, that said board of commissioners may use so much of the money derived from a special pension tax levied in Robeson County for the benefit of Confederate soldiers which may be on hand and uncalled for on account of the death of the persons to whom it had been apportioned, in carrying out the provisions of this act; but any balance which

Limitation.

Proviso: Special pension tax.

may be needed, after the use of said special fund, shall be paid out of the general county fund of Robeson county as hereinbefore provided.

SEC. 3. That in order to carry out the provisions of this act the board of commissioners of Robeson County are authorized and empowered to negotiate with any railroad company or other common carrier and procure from them a special rate for parties traveling on one ticket and for the transportation and accommodation of said Confederate veterans as in their judgment will promote the economical transportation and sustenance of the veterans who may take advantage of the provisions of this act. Special rates.

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

Ratified this the 14th day of February, A. D. 1917.

CHAPTER 357

AN ACT TO AMEND CHAPTERS 258 AND 523, PUBLIC-LOCAL LAWS OF SESSION OF 1915, AND OTHER ACTS RELATING TO THE RECORDER'S COURT OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapters two hundred and fifty-eight and five hundred and twenty-three of the Public-Local Laws of nineteen hundred and fifteen, and all other laws or clauses of laws in reference thereto, be amended as follows, to wit: That said recorder shall receive a fee of two dollars instead of the amount specified in said act or acts in each case tried before him. Recorder's fee.

SEC. 2. That the clerk of said recorder's court shall receive one-half of the amount of fees allowed in similar actions in the Superior Court. Fees of clerk.

SEC. 3. That all witnesses shall be allowed the same pay as allowed in similar actions before justices of the peace. Witness fees.

SEC. 4. That the sheriff shall be allowed the same fees as now provided by law. Sheriff's fee.

SEC. 5. That in all cases of criminal nature wherein the defendant is convicted and is sentenced to the public roads and works thereon, that the said recorder and the officers of said recorder's court, the sheriff and the witnesses shall recover their full costs and pay from the county. Fees paid by county.

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

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 358

AN ACT TO AMEND HOUSE BILL 15, SENATE BILL 102, THE SAME BEING AN ACT TO AUTHORIZE THE TAKING OF GRAVEL AND OTHER MATERIAL FOR THE USE OF, AND THE CLEARING OF LAND BORDERING ON HIGHWAYS IN CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of House Bill fifteen, Senate Bill one hundred and two, being an act to authorize the taking of gravel and other material for the use of, and the clearing of land bordering on, highways in Chatham County, passed at the present session of the General Assembly and ratified on the eighth day of January, one thousand nine hundred and seventeen, be and the same is hereby amended by striking out the word "uncultivated," which appears about the middle of said section between the words "any" and "lands."

Entry for material.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 359

AN ACT TO REPEAL CHAPTER 734 OF THE PUBLIC LAWS OF 1907.

The General Assembly of North Carolina do enact:

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

Law repealed.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 360

AN ACT TO PROVIDE FOR AUDITING THE BOOKS OF IREDELL COUNTY.

The General Assembly of North Carolina do enact:

Treasurer to make monthly audits.

SECTION 1. That it shall be the duty of the treasurer of Iredell County to audit monthly the books of the clerk of the Superior

Court, the register of deeds, and the sheriff and shall make an accurate statement of the moneys received and collected through these officers and paid by them to the treasurer. Said audited account shall be filed in the office of the treasurer on or before the tenth of the month succeeding the month for which the account is stated and shall be kept on file for the inspection of the public. A failure to perform the duties required by this section shall be a misdemeanor and upon conviction shall be fined in the discretion of the court.

Accounts filed for public inspection.

Misdemeanor.
Punishment.

SEC. 2. That the board of commissioners of Iredell County be and they are hereby authorized and directed to audit annually, at the end of each and every fiscal year hereafter, the books of the several county officers, and for this purpose they shall employ an expert accountant, who shall make out a full and faithful statement of the financial condition of the county, including its indebtedness, the amount due the county from the sheriff and other officers of the county. That the board may appropriate out of the general fund of the county a sum not exceeding two hundred dollars, for auditing the books as provided by this section of this act.

Annual audits.

Employment of accountant.

Specifications of reports.

Limit of expense.

SEC. 3. That the board of commissioners of Iredell County shall supervise and assist the register of deeds in making out the tax list of the county, and for this purpose may appropriate from the general fund of the county a sum not exceeding three hundred dollars.

Tax lists.

Appropriation.

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

Repealing clause.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 361

AN ACT TO REPEAL CHAPTER 59 AND CHAPTER 332 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter fifty-nine of the Public-Local Laws of North Carolina, session of one thousand nine hundred and fifteen, entitled "An act to improve the public roads of Onslow County," and chapter three hundred and thirty-two of the Public-Local Laws of North Carolina, session of one thousand nine hundred and fifteen, entitled "An act to authorize the board of commissioners of Onslow County to levy a special road tax of

Laws repealed.

three and one-third cents on the one hundred dollars (\$100) and ten cents on each poll of Richlands Township," be and they are hereby repealed.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 362

AN ACT TO AMEND CHAPTER 80 OF THE PUBLIC LAWS OF THE EXTRA SESSION OF 1913 BY STRIKING OUT THEREFROM McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

Counties stricken
out.

SECTION 1. That section three, chapter eighty, of the Public Laws of the extra session of nineteen hundred and thirteen, be and the same is hereby amended by striking out from line four of said section the word "McDowell," and by striking out of line three of said section the word "Gaston," and by adding at the end of said section the following:

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 363

AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF EDUCATION OF BERTIE COUNTY FROM THREE TO FIVE, AND TO ELECT THE SAID BOARD BY THE PEOPLE OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Increase of
number.

SECTION 1. That the board of education of Bertie County be and is hereby increased from three to five members, all of whom shall possess the same qualifications as now provided for by law relating to the board of education of said county; and in addition to the two members of said board whose term of office does not expire the first Monday in July, one thousand nine hundred and seventeen, the following additional members are hereby appointed: C. W. Mitchell, Jr., Dr. Wayland Mitchell, and T. A. Smithwick, whose term of office shall begin on the first Monday in July, one thousand nine hundred and seventeen, and who shall hold their respective office until their successors are elected and qualified.

Appointments.

SEC. 2. That at the next regular election to be held on the first Tuesday in November, one thousand nine hundred and eighteen, the entire board of education of Bertie County, consisting of five members, shall be elected by the people of said county in the same manner and under the same laws, rules, and regulations governing the election of other county officers, two of whom shall be elected for a term of two years and biennially thereafter, two of whom shall be elected for a term of four years and every four years thereafter, and one of whom shall be elected for a term of six years and every six years thereafter.

Election of successors.

Terms of office.

SEC. 3. That the term of office of the members of said board of education elected under the provisions of this act shall begin on the first Monday in December after such election as provided for other county officers in said county, and they shall hold their respective office until their successors are elected and qualified; and any vacancy occurring in said board of education by death, resignation, or otherwise shall be filled by appointment of some competent person to be made by the State Board of Education in the manner now provided by law, which appointee shall hold his office until the next regular election to be held in said county, when said vacancy shall be filled by popular election as herein provided.

Beginning of term.

Vacancies.

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

Repealing clause.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 364

AN ACT TO AMEND CHAPTER 480 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1913, RELATING TO BOND ISSUES FOR SCHOOL BUILDINGS IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and eighty of the Public-Local Laws of the session of one thousand nine hundred and thirteen, entitled "An act to authorize any school district in Guilford County to issue bonds for permanent improvements to school buildings, and furnishing the same with suitable equipment." be amended by striking out, in line ten and section one, the words and figures, "ten thousand dollars (\$10,000)," and inserting in lieu thereof the words and figures "fifty thousand dollars (\$50,000)," and that section four be amended by striking

Amount of bond issue.

out in line ten thereof, the figures "\$10,000," and inserting in lieu thereof the figures "\$50,000."

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 365

AN ACT TO AMEND CHAPTER 40 OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION OF 1913, RELATIVE TO THE BETTER PROTECTION OF PERSONS ON THE PUBLIC ROADS AND HIGHWAYS OF THE STATE.

The General Assembly of North Carolina do enact:

Exemptions rescinded.

SECTION 1. That chapter forty of the Public Laws of North Carolina, session nineteen hundred and thirteen, be and the same is hereby amended by striking out in line four of said section the word "Jones," and by striking out in line five of said section the word "Craven."

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 366

AN ACT TO REVISE THE FEES AND COMMISSIONS OF THE SHERIFF AND REGISTER OF DEEDS OF UNION COUNTY

The General Assembly of North Carolina do enact:

Investigation.

SECTION 1. That the board of county commissioners of Union County be and they are hereby authorized and directed to make a full investigation of the receipts in the offices of the sheriff and register of deeds of Union County from fees, commissions and other sources, in order to ascertain, as near as may be, the income of these officers for the years one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, and one thousand nine hundred and sixteen.

Revision of fees and commissions.

SEC. 2. That after making such investigation, the board of county commissioners of Union County be and they are hereby authorized and directed to revise the fees and commissions which may now be charged by the sheriff and register of deeds of Union County, and to fix all such fees and commissions at such amounts and rates as in the judgment of the board of county

commissioners will give the sheriff and register of deeds and their deputies and assistants reasonable compensation.

SEC. 3. That the fees and commissions so fixed by the board of county commissioners of Union County shall be the legal fees and commissions chargeable by and payable to the sheriff and register of deeds of Union County on and after the first day of December, one thousand nine hundred and eighteen. Legal fees.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 367

AN ACT TO FIX THE SALARIES OF THE SHERIFF, CLERK OF THE SUPERIOR COURT AND REGISTER OF DEEDS OF DAVIE COUNTY, AND TO ABOLISH THE TREASURER'S OFFICE OF DAVIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff, clerk of the Superior Court and the register of deeds of Davie 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 Davie 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 these fees so paid in shall be known as a salary fund and the author shall be paid out of this said fund. Officers to collect and account for fees.
Salary fund.

SEC. 2. That the 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, compensations and allowances as 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 a felony, and upon conviction shall forfeit their said office or offices and be punished as now provided by law in case of embezzlement of public officers. Officers to collect faithfully.
Compensation.
Detention, concealment or misapplication felony.
Punishment.

SEC. 3. That each and all of said officers shall open and keep a set of account books 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 pay- Account books.

Books open for inspection.

able 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.

Verified statements filed monthly.

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 Davie 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.

Salary of sheriff.
Office deputy.

SEC. 5. That the sheriff of Davie County shall receive a salary of one thousand eight hundred and sixty dollars per year, and shall be allowed the sum of five hundred and forty dollars annually to pay an office deputy, which he shall appoint. That the sheriff shall appoint a jailer, whose compensation shall be fixed by the board of county commissioners and paid by them.

Jailer.

Salary of register of deeds.
Tax books.

SEC. 6. That the register of deeds shall receive a salary of thirteen hundred dollars annually. Said register of deeds shall receive no other compensation or allowance whatsoever. And 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 hereinbefore been made out by him, and shall receive no extra compensation or allowance for so doing.

Salary of clerk.

SEC. 7. The clerk of the Superior Court shall receive a salary of one thousand dollars annually and no other compensation whatsoever. And that the board of county commissioners shall each receive three dollars per day and mileage.

Pay of county commissioners.

Office of treasurer abolished.
Bank as financial agent.

SEC. 8. That the office of the county treasurer is hereby abolished, provided the board of county commissioners are able to make a contract with a solvent bank or banks located at the county seat to act as financial agent for said county, which said bank or banks shall perform the duties now performed by the treasurer of said county for a compensation not exceeding one hundred and fifty dollars per year: *Provided*, that the said bank appointed and acting as financial agent of Davie 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 such county for the faithful discharge of its duties as are now required by law of county treasurer: *Provided further*, that all fees that have heretofore been paid into the treasurer's office by virtue of the said office shall be paid in to the financial agent of Davie County, which shall be placed to the salary fund.

Compensation.

Proviso: Term of appointments.

Bank to give bonds.

Proviso: Fees as treasurer.

Bonds of officers.

SEC. 9. That all of said officers and financial agent shall give bond as now provided by law, and should any of the aforesaid offi-

cers or financial agent prefer to execute said bond in some bonding company authorized by the law of this State to execute such bonds, they may do so, and the cost thereof shall be paid one-half by the county of Davie and the other half by the officer or financial agent executing the said bond.

Payment of premiums.

SEC. 10. That the county commissioners of Davie County shall, in the month of November, nineteen hundred and eighteen, and in the month of November each year thereafter, employ a competent auditor or expert accountant to audit all books kept by all the officers of Davie County, including the books showing the general county account and the accounts of the board of education, and the county superintendent of schools. And the said commissioners shall fix the compensation to be paid the said auditor or expert accountant: *Provided*, it shall not be over one hundred and sixty dollars in any one year, and the compensation of such auditor or expert accountant shall be paid by the county of Davie.

Accounts audited annually.

Pay of auditor.

Proviso: Limitation.

SEC. 11. That the salaries herein provided for the officers and financial agent shall be paid by the financial agent upon warrant issued by the board of county commissioners in favor of said officers in monthly installments, and that the allowance made for clerks, assistants and deputies shall be paid by the financial agent upon warrant issued by the board of county commissioners and the said board of county commissioners shall issue warrants for the payment of said 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 allowances hereinbefore provided, and all that is left from the fees turned in by the said officers and financial agent after they are paid shall be divided equally among the seven townships to be used on their roads as they may see best.

Payment of salaries.

Proviso: Payments limited.

Division of surplus.

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—misdemeanor.

SEC. 13. After this act shall be effective as to the office of sheriff of Davie 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, license, 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 the said office of sheriff: *Provided further*, that nothing in this act shall prevent the person holding the office of sheriff of Davie County when the tax books for the year one thousand nine hundred and eighteen are placed in the hands of said officer from collecting said taxes for said year and receive the compensation now fixed by law for so collecting taxes.

Delivery of office by sheriff.

Proviso: Collection of tax for 1918.

- Repealing clause. SEC. 14. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
- When act effective. SEC. 15. That this act shall be in force from and after the first Monday in December, one thousand nine hundred and eighteen.
Ratified this the 21st day of February, A. D. 1917.

CHAPTER 368

AN ACT TO AMEND CHAPTER 358 OF THE PUBLIC-LOCAL LAWS OF 1915, REGULATING THE TAKING OF FISH IN HOKE COUNTY.

The General Assembly of North Carolina do enact:

Proviso: Private lakes and ponds.

SECTION 1. That section one, chapter three hundred and fifty-eight of the Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by adding thereto the following: "And, *Provided further*, that in Robeson and Hoke counties owners of private lakes and ponds may fish therein with seine, nets or traps from July first to September thirtieth."

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 369

AN ACT TO REPEAL CHAPTER 287, PUBLIC-LOCAL LAWS OF 1915.

The General Assembly of North Carolina do enact:

Law repealed.

Proviso: Collection of assessments.

Pending suits.

SECTION 1. That chapter two hundred and eighty-seven, Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, be and the same is hereby repealed: *Provided, however*, the said Lower Creek drainage commissioners may collect any taxes or assessments due to said corporation for the years named in said chapter two hundred and eighty-seven, Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen; or any pending suits for the collection thereof may be prosecuted to judgment under the provisions of chapter ninety-six, Public Laws of North Carolina, session one thousand nine hundred and nine, notwithstanding such repeal.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 370

AN ACT TO REPEAL HOUSE BILL 110, SENATE BILL 95, OF SESSION 1917, RELATING TO DEPUTY CLERK HIRE SUPERIOR COURT OF CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill one hundred and ten, Senate Bill ^{Law repealed.} ninety-five, session one thousand nine hundred and seventeen, relating to deputy clerk hire of Cherokee County, be and the same is hereby repealed.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 371

AN ACT TO APPOINT R. O. BAGLEY A MEMBER OF THE HIGHWAY COMMISSION OF CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That R. O. Bagley be and he is hereby appointed ^{Appointment.} to succeed himself as a member of the highway commission of Currituck County for a term of six years, from the first Monday ^{Term.} in March. one thousand nine hundred and seventeen.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 372

AN ACT TO REPEAL CHAPTER 791, PUBLIC LAWS OF 1907. REGULATING FISHING IN BEAR CREEK IN LENOIR COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and ninety-one of the ^{Law repealed.} Public Laws of nineteen hundred and seven, be and the same is hereby repealed, and after passage of this act it shall be lawful ^{Fishing in Bear Creek and Neuse River.} to fish with unhedged traps and with dip nets and seines in the waters of both Bear Creek and Neuse River in Lenoir 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 ^{Repealing clause.} ratification.

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 373

AN ACT TO AMEND AN ACT TO PROVIDE FOR PRIMARY ELECTIONS THROUGHOUT THE STATE, RATIFIED ON THE 9TH DAY OF MARCH, 1915, BY EXEMPTING THE COUNTY OF GRAHAM FROM THE PROVISIONS OF SECTION 34 THEREOF.

The General Assembly of North Carolina do enact:

Graham stricken
out.

SECTION 1. That the act entitled "An act to provide for primary elections throughout the State," ratified the ninth day of March, one thousand nine hundred and fifteen, be and it is hereby amended by striking from section thirty-four thereof the word or name "Graham."

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 374

AN ACT TO EMPOWER THE COMMISSIONERS OF UNION COUNTY TO PAY THE EXPENSES OF CONFEDERATE VETERANS TO ANNUAL REUNION.

The General Assembly of North Carolina do enact:

Payment au-
thorized.

SECTION 1. That the county commissioners of Union County be and they are hereby empowered in their discretion to pay the railroad fare of worthy or deserving Confederate soldiers who are unable to defray their own expenses to the annual reunion of the United Confederate Veterans.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 375

AN ACT TO PROVIDE FOR A CALENDAR FOR THE CRIMINAL COURTS OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Returns of ap-
peals.

SECTION 1. That after the ratification of this act all clerks of recorders' courts and municipal courts, mayors of towns, and justices of the peace in and for Forsyth County shall on the tenth

day before the date of convening of any criminal term of the Superior Court of Forsyth County make out and deliver to the clerk of said Superior Court their returns and the papers in all cases in which defendants have appealed from the judgments rendered in their respective courts or have been recognized to appear at said term of the Superior Court of Forsyth County.

SEC. 2. That any clerk of a recorder's court or municipal court, Mayor of town, or justice of the peace in said county who shall willfully fail to comply with the provisions of section one of this act shall be guilty of malfeasance in office and, upon conviction, shall be removed from office.

SEC. 3. That on Monday before the convening of any criminal term of the Superior Court of Forsyth County the clerk of said court shall make out a calendar for the first five days of a one-week term and the first ten days of a two-weeks term; that cases shall be placed upon the calendar in the following order; (1) cases in which the defendants have been bound over by the inferior courts and are in jail in default of bail; (2) all other cases in which the defendants are in jail; (3) all cases in which defendants are not in jail; and (4) *sci. fa.* docket and forfeited recognizances; that immediately upon the completion of the calendar, the clerk shall have the same printed, giving the name of the defendant, the offense charged, and the day of the week and month upon which the case is set for trial, and shall mail a copy of said printed calendar to the solicitor of the district, and upon request, deliver a copy each to the officers of the court, the attorneys practicing at the Forsyth County bar, and to the defendants and witnesses.

SEC. 4. That it shall be the duty of the solicitor of the district to have all bills for each day's calendar prepared and present the same to the grand jury upon the opening of court each day of the term except Monday of the first week of the term, when they shall be prepared and presented to the grand jury immediately upon the completion of the charge of the court.

SEC. 5. That the grand jury shall be required to be in attendance at each term not less than four days.

SEC. 6. That cases shall be tried in the order in which they are on the calendar. If for sufficient reason the State or defendant is not ready for trial at the time the case is reached, the same shall be continued for the term unless otherwise set for trial by the court.

SEC. 7. That the defendants and witnesses recognized to appear at any criminal term shall in the recognizance be ordered to appear on the first day of the term, as now provided by law, but, in fact, shall not be required to appear until the day on which the case is set for trial, and no witness shall prove for attendance prior to the day on which the case is set on the calendar.

- Capital felonies. SEC. 8. That the provisions of this act shall not apply to capital felonies.
- Cases docketed after calendar formed. SEC. 9. That cases docketed in the Superior Court after the formation of the calendar shall stand for trial at the approaching term and shall be heard in the discretion of the court.
- Payment of expenses. SEC. 10. That the county commissioners of Forsyth County shall pay all the expenses incurred by the clerk in carrying out the provisions of this act.
- Repealing clause. 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 23d day of February, A. D. 1917.

CHAPTER 376

AN ACT TO PROTECT GAME BIRDS IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

- Commissioners for the protection of game in Robeson county. SECTION 1. That the board of commissioners of Robeson County are hereby constituted and appointed "commissioners for the protection of game in Robeson County." It shall be their duty to enforce the game laws in said county and to perform certain other duties prescribed in this act.
- Forms of license for non-residents. SEC. 2. That said commissioners, acting in conjunction with the county game warden hereinafter provided for, shall prescribe the form of license for nonresident hunters and shall furnish to the clerk Superior Court of Robeson County all licenses and other blanks required under this act, and shall also furnish the clerk Superior Court of said county a suitable book for the purpose of keeping a record of hunters' licenses issued under the terms of this act.
- Record of licenses. SEC. 3. Any nonresident of the county of Robeson who desires to hunt or shoot birds, designated under the terms of this act as "game birds," in said county of Robeson, shall make application to the clerk Superior Court of Robeson County, who shall issue such a license upon the payment of a tax of ten (\$10.00) dollars, and an additional fee of fifty cents shall be paid said clerk for the issuing of said license. Said license shall be of such form as the commissioners, acting in conjunction with the game warden hereinafter provided for, shall prescribe, and shall entitle the person to whom said license is issued to hunt game birds in said county for a period of one year from the time it is issued: *Provided, however,* that said license shall not authorize killing or shooting of game birds except during the season in which said birds may be killed as provided for in section twelve of this act.
- Application for license.
- License tax.
- Fee of clerk.
- Form of license.
- Proviso: License limited to open season.

SEC. 4. The funds received and collected by the clerk of Superior Court, or other persons, from the sale of hunters' licenses provided in this act shall be paid over to the custodian of the public funds of Robeson County. One-half thereof shall be credited to the public school funds of said county and the other one-half shall be set apart to be expended on the order of the board of commissioners of Robeson County for the proper enforcement of this act and other game laws of Robeson County, and the said fund shall be known and designated as the "Fund for the protection of game."

Division of license fees.

Fund for the protection of game.

SEC. 5. The board of commissioners of Robeson County shall, on the first Monday in March, one thousand nine hundred and seventeen, and biennially thereafter, appoint a chief game warden for the county of Robeson, to hold his office for two years and until his successor is appointed and qualified. The said person so appointed shall be, in the opinion of said commissioners, a person of good moral character and of sufficient intelligence to properly perform the duties of said office, and he shall be a person who has been a resident of Robeson County for at least two years prior to the date of his appointment. It shall be the duty of said chief game warden to enforce the game laws of said county, including the provisions of this act.

Appointment and term of chief game warden.

Qualifications for office.

Duty.

SEC. 6. That for the more complete enforcement of the game laws of said county, it shall be the duty of the said chief game warden to appoint a deputy game warden in each township in said county: *Provided*, that he shall not be required to make said appointment until he has been requested by petition in writing, signed by at least one dozen freeholders of the said township, to make said appointment.

Deputy game wardens.

Proviso: Petition for appointment.

SEC. 7. That the chief game warden, and every deputy game warden, appointed under the terms of this act, shall, before entering upon the duties of this act, take and subscribe before the clerk Superior Court of said county an oath to faithfully and impartially perform the duties of said office, and shall also execute a bond in the sum of fifty (\$50) dollars for the honest and faithful performance of the duties of said office, and the said oath and bond shall be recorded by the clerk of said court in his office, and the said chief game warden and deputy game wardens shall thereupon have and exercise all the powers, privileges and duties held and exercised by township constables and other police officers in so far as the same may be necessary to enable them to properly perform their duties. The fees of the clerk for taking said oath and bond, and for recording the same shall not exceed fifty cents.

Game wardens to qualify and give bond.

Record of oath and bond.

Powers of game wardens.

Fees of clerk.

SEC. 8. The chief game warden or his deputy game wardens shall be paid the sum of one dollar and a half (\$1.50) for each

Pay of wardens.

nonresident license procured for any nonresident hunter, and for each conviction for any violation of any of the game laws of said county shall receive the sum of five (\$5.00) dollars, to be paid out of the funds raised under the terms of this act, in addition to the fees for arrests and the service of papers, which shall be the same as are allowed constables for like services, as now provided by law.

Payments.

SEC. 9. That the funds to be disbursed under the terms of this act shall be disbursed by the custodian of the public funds of Robeson County upon the order of the commissioners of said county in the same manner as other public funds of Robeson County are disbursed, and shall be paid only out of the funds derived from the enforcement of the game laws under the terms of this act.

Powers and duties under general law.

SEC. 10. The said chief game warden and deputy game wardens shall have all the powers given in sections one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy of the Revisal of one thousand nine hundred and five, and they shall perform the duties provided in said sections. Said sections shall be and are hereby declared to be parts of this act: *Provided, however,* that the funds derived from the sales under sections one thousand eight hundred and seventy shall be paid to the custodian of the public funds of Robeson County and placed to the credit of the fund hereinbefore provided for.

Proviso: Proceeds of sales.

Trapping or selling game forbidden.

SEC. 11. That it shall be unlawful for any person to trap, sell, or offer for sale, at any time, game birds in Robeson County.

Close season.

SEC. 12. That it shall be unlawful to kill, or in any manner destroy game birds in said county between the first day of March and the fifteenth day of November following, in any year, and the open season in Robeson County is hereby declared to be the period of time between the fifteenth day of November and the first day of March following, and the said fifteenth day of November and the said first day of March shall be included in said open season.

Open season.

Limit of bag.

SEC. 13. That it shall be unlawful for any person to kill more than fifteen game birds in any one day during the open season provided in this act.

Shipping for sale forbidden.

SEC. 14. That it shall be unlawful for any person, firm or corporation to ship or transport game birds out of Robeson County for the purpose of selling or otherwise disposing of the same to any other person, firm or corporation.

Game birds.

SEC. 15. That game birds, within the meaning of this act, shall be Bob White, partridge, quail, wild geese, brant, wild duck, snipe, woodcock, dove, robin, meadow lark, wild turkey.

Hunting without license misdemeanor.

SEC. 16. That it shall be unlawful for any person or persons, not a resident of the county of Robeson, to hunt, pursue, kill, maim, or capture any game bird, within the county of Robeson

without first having applied for and received a nonresident hunter's license as provided in this act: *Provided* that no license tax shall be collected from any nonresident of the said county for the privilege of hunting on his own land in Robeson County.

Proviso: Non-resident land owners.

SEC. 17. That any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than fifty dollars or imprisoned more than thirty days, and shall also forfeit and pay the sum of ten dollars for the use and benefit of the fund for the protection of game provided in this act, and it shall be the duty of the chief game warden or any deputy game warden provided for in this act, to institute suit for said amount before any court of competent jurisdiction in Robeson County, and to collect the same and pay the sum collected to the custodian of the public funds of Robeson County to be credited to the fund hereinbefore provided for the enforcement of this act.

Violation of act misdemeanor.

Punishments. Penalty.

Game warden to sue for penalty.

SEC. 18. That chapter one hundred and fourteen of the Public-Local Laws of North Carolina, extra session one thousand nine hundred and thirteen, and chapter six hundred and fifty of the Public-Local Laws of North Carolina, regular session, one thousand nine hundred and thirteen, and chapter four hundred and ten of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, and chapter eight hundred and forty of the Public Laws of North Carolina, session one thousand nine hundred and nine, in so far as the same apply to game birds of Robeson County, are hereby repealed.

Laws specifically repealed.

SEC. 19. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

General repealing clause.

SEC. 20. That this act shall be in force from and after the first day of March, one thousand nine hundred and seventeen. Ratified this the 23d day of February, A. D. 1917.

CHAPTER 377

AN ACT TO PROHIBIT THE DELIVERY OF INTOXICATING LIQUORS WITHIN SIX MILES OF THE EBENEZER BAPTIST CHURCH AND THE PUBLIC SCHOOL BUILDING AT BADIN IN THE COUNTY OF STANLY.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful for any person, firm, corporation, express company, railroad company, or other transportation companies or any agent, officer, or employee of any person, firm, or corporation to receive, ship, transport, carry or deliver, in any manner or by any means whatsoever, from any point within or

Transportation and delivery forbidden.

Localities defined.

without the State to any person, firm, or corporation within six miles of Ebenezer Baptist Church and the public school building in Badin, Stanly County, any spirituous, vinous, or intoxicating liquors or bitters, or any other preparation containing more than two per cent alcohol; and it shall be unlawful for any person, firm or corporation, or any agent or employee thereof to receive, give away, treat with, or otherwise dispose of any spirituous, vinous, or intoxicating liquors or bitters, or any other preparation containing more than two per cent alcohol within the territory above named.

Receipt or gift
forbidden.

Misdemeanor.

Punishment—first
offense.

Punishment—sec-
ond offense.

Effect of act.

SEC. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor, and shall be fined not less than one hundred dollars or imprisoned for not less than thirty days for the first offense, and fined not less than five hundred dollars and imprisoned not less than twelve months for the second offense.

SEC. 3. This act is not intended to repeal, and shall not repeal any laws now in force in the State of North Carolina pertaining to the sale of spirituous, vinous, malt and intoxicating liquors or bitters except only so far as the same are in conflict with this act.

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 378

AN ACT TO CORRECT A TYPOGRAPHICAL ERROR IN HOUSE BILL 201, SENATE BILL 415, ENACTED BY THE GENERAL ASSEMBLY OF 1917, ENTITLED "AN ACT TO AMEND CHAPTER 503 OF THE PUBLIC LAWS OF 1909, ENTITLED 'AN ACT TO FIX SALARIES OF PUBLIC OFFICERS AND CREATE AND ESTABLISH AN AUDITOR'S OFFICE IN DURHAM COUNTY.'"

Preamble: Error
bill.

Whereas, it appears that House Bill two hundred and one, Senate Bill four hundred and fifteen, a typographical error has occurred in that in section one, line eleven, and after the words "said clerk of the" and before the word "court," the word "supreme" occurs by mistake, when it should be and was so intended to read "superior." Now, therefore, in order to correct said typographical error, and make clear the meaning and intention of said act,

The General Assembly of North Carolina do enact:

SECTION 1. That section one of House Bill two hundred and one, Senate Bill four hundred and fifteen, enacted by the General

Assembly of nineteen hundred and seventeen, entitled "An act to amend chapter five hundred and three of the Public Laws of nineteen hundred and nine, entitled 'An act to fix salaries of public officers and create and establish an auditor's office in Durham County,'" be and the same is hereby amended by substituting the word "superior" for the word "supreme" in line eleven of said section between the words "said clerk of the" and the word "court." Correction.

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 379

AN ACT TO AMEND HOUSE BILL 467, SENATE BILL 456, OF SESSION 1917, RELATING TO THE HUNTING OF QUAIL IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of House Bill four hundred and sixty-seven, Senate Bill four hundred and fifty-six, session of nineteen hundred and seventeen, be and the same is hereby amended by striking out in line two thereof the following words: "Fifteenth day of January," and inserting in lieu thereof the following: "First day of March." Open season.

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 380

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CLEVELAND COUNTY TO TRANSFER CONVICTS ASSIGNED TO WORK UPON THE ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That when any highway commission or other road authorities of Cleveland County, or of any township in Cleveland County now working, or hereafter working, prisoners or convicts, assigned to work upon the public roads of said county or township, shall desire to surrender and transfer said prisoners or convicts or any part of them, then it shall be lawful for, and the board of commissioners of Cleveland County are hereby authorized, in case any road authorities of any other township Transfer authorized.

of Cleveland County, or any township of any other county, or other county, who shall have made proper provision for securing and caring for such prisoners or convicts and are authorized by law to work the same upon the public roads or highways, are willing to receive for hire said prisoner or prisoners, convict or convicts, and to work them upon the public roads of said township or county, to transfer said prisoner, prisoners, convict or convicts, from the township to which the said prisoner or convict was, or said prisoners or convicts were assigned, to be held and worked by the road authorities of the township or county thus receiving or hiring them for the prisoner's, or prisoners', convict's or convicts' unexpired term, in the same manner as in the original sentence: *Provided*, that where the prisoner is so hired, or transferred, to another county, or to a township in another county, when his sentence has expired he shall be returned to Cleveland County for his release without expense to the county of Cleveland.

Proviso: Return
at expiration of
sentence.

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.

Ratified this the 23d day of February, 1917.

CHAPTER 381

AN ACT TO AMEND SECTION 1312 OF THE REVISAL OF 1905, RELATIVE TO THE ELECTION OF A COUNTY BOARD OF COMMISSIONERS FOR MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand three hundred and twelve of the Revisal of nineteen hundred and five be and the same is hereby amended by striking out in lines three and four the following: "and for Montgomery County on the first Monday in June, 1905," so that the county commissioners of Montgomery County will be elected by the qualified electors of said county under the general law as provided in section one thousand three hundred and eleven: *Provided*, that the said commissioners of Montgomery County shall be elected by the justices of the peace, as provided in section one thousand three hundred and twelve of the Revisal of nineteen hundred and five, on the first Monday in June, nineteen hundred and seventeen, and shall hold office until the first Monday in December, nineteen hundred and eighteen, when they shall be succeeded by the board elected by the said qualified electors of Montgomery County at the general election of nineteen hundred and eighteen.

Election under
general law.

Proviso: Election
for 1917.

SEC. 2. That all laws and clauses of laws in conflict with this Repealing clause. 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. 1917.

CHAPTER 382

AN ACT TO AMEND SECTION 2788 OF THE REVISAL OF 1905.
RELATING TO THE FEES OF JUSTICES OF THE PEACE
IN WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand seven hundred and eighty-eight of the Revisal of one thousand nine hundred and five be and the same is hereby amended as follows: In line Fee for trial and judgment. eight strike out the word "forty" and insert the word "eighty;" in line Fee for jury trial. eleven strike out the word "forty" and insert the word "eighty"; in line Fee for examination in bastardy. twenty-two strike out the words "twenty-five" and insert the word "fifty."

SEC. 2. That this act shall apply to Watauga County only.

SEC. 3. That all laws and clauses of laws in conflict with the Repealing clause. 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 23d day of February, A. D. 1917.

CHAPTER 383

AN ACT TO CORRECT TYPOGRAPHICAL ERRORS IN HOUSE
BILL 330, SENATE BILL 290, ENTITLED "AN ACT TO
CREATE A HIGHWAY COMMISSION FOR THE COUNTY OF
PITT," PASSED AT THE REGULAR SESSION 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of House Bill three hundred and thirty, Senate Bill two hundred and ninety, entitled "An act to create a highway commission for the county of Pitt," passed at the regular session nineteen hundred and seventeen, be amended by inserting between the word "commission" and the word "said" in line four thereof the words "before qualification." Vacancy before qualification.

SEC. 2. That section six of said bill be amended by striking out the word "fifty" in line three and inserting in lieu thereof the words "seventy-five." Salary of secretary-treasurer.

- Hire of road force. SEC. 3. That section eight of said bill be amended by inserting between the word "convicts" and the word "to" in line five the words "road forcē, or a part thereof."
- Obstructing ditches. SEC. 4. That section eleven of said bill be amended by striking out the word "constructing" where it appears after the word "willfully" and before the word "such" in line fourteen, and inserting in lieu thereof the word "obstructing."
- Bids for supplies. SEC. 5. That section nineteen of said bill be amended by inserting between the word "convicts" where it occurs at the end of line five, and before the word "and," the words "road forces."
- Maintenance of convicts. SEC. 6. That section thirty-seven of said bill be amended by striking out the word "chain-gang" wherever it appears therein and inserting in lieu thereof the words "convict road forces," and adding at the end of said section the following: "and all other convicts not engaged in road work shall be under the exclusive control of the board of county commissioners and supported and provided for by them."
- Advisory commissioner. SEC. 7. That section thirty-nine of said bill be amended by striking out the words "Foy Smith" and inserting in lieu thereof the words "Ivy Smith."
- SEC. 8. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
- SEC. 9. That this act shall be in force from and after its ratification.
- Ratified this the 23d day of February, A. D. 1917.

CHAPTER 384

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF IREDELL COUNTY TO CONTRIBUTE TRANSPORTATION EXPENSES TO CONFEDERATE SOLDIERS.

The General Assembly of North Carolina do enact:

Payment authorized. SECTION 1. That the board of county commissioners of Iredell County be and they are hereby authorized and empowered, in their discretion, to pay from the county funds the railroad expenses of Confederate soldiers residing in Iredell County to and from the reunion of the United Confederate Veterans to be held in Washington, D. C., in the year one thousand nine hundred and seventeen, and to and from all subsequent reunions to be held by said United Confederate Veterans.

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 385

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

The General Assembly of North Carolina do enact:

SECTION 1. That the office of county treasurer of Transylvania County be and the same is hereby abolished, to take effect on the first Monday in December, nineteen hundred and eighteen. Office abolished.

SEC. 2. That this act shall be in force from and after the first Monday in December, nineteen hundred and eighteen. When act effective.

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 386

AN ACT DECLARING CERTAIN PORTIONS OF CLAY COUNTY A STOCK LAW BOUNDARY.

The General Assembly of North Carolina do enact:

SECTION 1. That the following described boundary in the county of Clay be and the same is hereby declared a stock law boundary, within which it shall be unlawful for any person, whether such person lives inside or outside the said boundary, to allow or willfully permit his or her stock to run at large off his or her own premises, under the same pains and penalties as are now prescribed by law, to wit: Beginning on the Cherokee and Clay County line where it strikes the north side of Hiwassee River, and running up the meanders of said river about seven miles to the mouth of Bob Branch; thence up said branch with its meanderings to its forks; thence up the middle ridge to the top of the mountain; thence down the ridge between Bee Tree Cove and Umphes Improvement, crossing Fires' Creek to the mouth of Rouge's Creek; thence up the Short Off Ridge over the Short Off Ridge to the Cherokee and Clay County line, a distance of four miles, more or less; thence with said county line a distance of seven miles, more or less, to the beginning. Stock law territory.
Boundary.

SEC. 2. That whenever the residents of any district or territory which adjoins the above mentioned boundary desire to become a part of the stock law boundary mentioned in section one of this act, they may present to the board of county commissioners of said county of Clay a petition signed by a majority of the qualified voters in such district or territory to be annexed, and it shall be the duty of the board of county commissioners to declare the said district or territory a part of the stock law boundary. Said petition shall set forth by well-defined lines and Admission of adjoining territory.
Territory set out.

- Record. boundaries such territory to be annexed, and the same shall be recorded by the register of deeds of the county in a book to be kept for that purpose.
- Revisal to apply. SEC. 3. That the provisions of section one thousand six hundred and seventy-nine, one thousand six hundred and eighty, one thousand six hundred and eighty-one, one thousand six hundred and eighty-two, three thousand three hundred and ten, three thousand three hundred and eleven, three thousand three hundred and twelve, three thousand three hundred and nineteen, three thousand three hundred and twenty, three thousand three hundred and twenty-one, and three thousand three hundred and twenty-two of the Revisal of one thousand nine hundred and five are hereby declared and made a part of this act and in full force and effect in all that part of Clay County herein or hereafter to be embraced in the stock law boundary.
- Repealing clause. SEC. 4. That all laws in conflict with this act are hereby repealed in so far as they apply to Clay County and no further.
- SEC. 5. That this act shall be in force from and after its ratification.
- Ratified this the 23 day of February, A. D. 1917.

CHAPTER 387

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

The General Assembly of North Carolina do enact:

- Abolition of office authorized. SECTION 1. That the board of county commissioners for the county of Ashe is hereby authorized, empowered, and directed to
- Banks as financial agents. 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 or 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.
- Proviso: Compensation limited. SEC. 2. That said bank or trust company appointed and acting as the financial agent of the county of Ashe 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 county, and for the faithful discharge of their duties, as are now required by law of a county treasurer.
- Term of appointment.
- Bonds for safe keeping.

SEC. 3. That this act shall not apply to the present incumbent ^{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 eighteen.

SEC. 4. That all laws and clauses of laws in conflict with the ^{Repealing clause.} provisions of this act are hereby repealed.

SEC. 5. That except as herein provided in section three of this ^{When act effective.} act, this act shall be in force from and after its ratification.

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 388

AN ACT TO AMEND CHAPTER 563 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, OF 1915, APPLYING TO ALAMANCE COUNTY ONLY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and sixty-three of the ^{Sale of game.} Public-Local Laws of North Carolina of one thousand nine hundred and fifteen be and the same hereby is amended by striking out the words "two years" in section one, line three of said act, and inserting in lieu thereof the words "four years."

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 389

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF GUILFORD COUNTY TO SELL THE PRESENT COURTHOUSE SITE AND ADJACENT REAL ESTATE BELONGING TO THE COUNTY, AND TO PURCHASE A NEW SITE AND ERECT A NEW COURTHOUSE THEREON.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Guilford County are hereby authorized, if in their judgment it is for the best interest ^{Sale of lands authorized.} of said county, to sell the courthouse and lands upon which the same is now located, and the adjoining lands lately purchased by said county, and the county jail house and the lands upon which it is located, to the highest bidder as hereinafter provided.

SEC. 2. The sale of said land shall be made at public sale to ^{Sale to highest bidder.} the highest bidder for cash at the courthouse door in the city of

- Advertisement. Greensboro, after said sale has been advertised for thirty days by notice posted at the courthouse door and published for at least thirty days in two or more newspapers published in said county.
- Specific appropriation of proceeds. SEC. 3. That the proceeds of said sale shall be turned over to the treasurer of Guilford County and shall constitute a separate fund to be expended for the purchase of lands and the construction thereon of a new courthouse as hereinafter provided.
- Conveyance. SEC. 4. That upon the sale of the said property the board of commissioners of Guilford County are hereby authorized and directed, upon the payment of the purchase money by the purchaser or purchasers, to make, execute and deliver a deed or deeds to the said property conveying the interest of the county of Guilford therein.
- Authority for selection and purchase of site and erection of building. SEC. 5. That the said board of commissioners are hereby authorized to select a suitable location upon which to build and construct a new courthouse, and shall determine the quantity of land and the location thereof to be acquired for the said purpose, and the said board of commissioners is hereby authorized and empowered to acquire the title to said lands and to build a suitable building thereon to be used as a courthouse building.
- Fund for purchase of land and erection of building. SEC. 6. That for the purpose of acquiring title to site selected and erecting thereon a suitable courthouse and equipping and furnishing the same, the said board of county commissioners are hereby authorized and empowered to expend the moneys derived from the sale of the courthouse and jail and adjoining lands aforesaid, together with an additional amount not to exceed two hundred and fifty thousand (\$250,000) dollars to be derived from the sale of bonds as hereinafter provided.
- Bond issue authorized. SEC. 7. That for the purpose of acquiring title to the necessary lands and constructing thereon and equipping and furnishing a suitable courthouse as provided by this act, the board of commissioners of Guilford County are hereby authorized and empowered to issue bonds of the county of Guilford bearing interest at the rate of five (5) per cent per annum for an amount not to exceed two hundred and fifty thousand dollars, the said board to prescribe the form and denomination of said bonds, and when the same shall become due and payable. The interest on said bonds shall be payable semiannually at such place as the county commissioners shall designate. The issue of said bonds is hereby declared to be the lawful exercise of the power of the board of commissioners of the county of Guilford, and the purposes for which they are issued are hereby declared to be a county necessity.
- Interest. Amount. Denomination and maturity. Declaration of necessity. Exemption from taxation. SEC. 8. The said bond issue under this act shall be exempt from all city, county and municipal taxation, and this fact shall appear upon the face of said bonds.

SEC. 9. That before selling said bonds the county commissioners of the county of Guilford shall advertise the same for thirty days immediately preceding the date of sale in a newspaper published in the city of Greensboro, and in such other manner as they shall see fit, giving the time and the 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.

Advertisement for sale of bonds.

Power to reject bids.

SEC. 10. That the proceeds arising from the sale of the bond issue under the provisions of this act shall be added to the proceeds of sale of the courthouse and jail sites and the adjoining lands as herein provided, and, together with the said proceeds of sale, shall constitute a separate and distinct fund to be applied and appropriated for the purposes for which said bonds are issued, and for which said fund was created as provided herein; and the county commissioners of Guilford County shall cause the treasurer of the county of Guilford to open and keep separate accounts of said fund, and the said treasurer shall be liable officially to all the requirements of the law now prescribed for other county 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 be in an amount not less than the aggregate amount of the funds created herein. The said treasurer shall receive no other compensation than the regular salary paid him for his services as said treasurer for his services in receiving, keeping and disbursing the said funds: *Provided, however,* that if the bonds of the treasurer as required by this act shall be executed with corporate surety as now authorized by law, then the board of county commissioners shall pay the reasonable premium which said treasurer may be required to pay for the execution of said bond, the amount to be paid out of the funds arising hereunder.

Specific appropriation of proceeds of bonds.

Separate accounts.

Liability of treasurer.

Compensation.

Proviso: Premium on bonds.

SEC. 11. That to provide for the payment of interest falling due upon said bonds and to create a sinking fund to pay off the respective bonds as they may mature, the board of county commissioners shall, in addition to other taxes, levied upon real and personal property, compute and levy annually, at the time of levying other taxes upon property in Guilford County, a special tax not exceeding five cents on the one hundred dollars valuation on all taxable property in said county to pay the interest accruing on said bonds as it falls due, and to provide a sinking fund sufficient to pay off the principal of such bonds as they fall due, until the whole amount of said bonds be paid, which taxes shall be annually collected by the sheriff or other collecting officer, and paid over to the treasurer of the county or such officer as may be designated by the board of county commissioners,

Special tax.

Limit of tax rate.

Collection and settlement.

which funds shall be used to pay the interest upon the said bonds and the principal of said bonds as they mature.

Tax specifically appropriated.

SEC. 12. That the taxes annually levied and collected for the purpose of meeting the interest on the bonds hereinbefore set forth, and for the purpose of creating a sinking fund, shall be kept separate and apart from the other funds levied and collected by order of the board of county commissioners, and it shall be unlawful to use said funds for any other purpose.

Diversion of funds forbidden.

Purchase of bonds.

SEC. 13. That the board of county commissioners shall have the power and authority to purchase any outstanding bonds issued under this act and pay for the same out of the sinking fund, or out of any general county fund, at such price as it may deem reasonable and just.

General authority.

SEC. 14. That full authority is hereby conferred upon the board of commissioners of Guilford County to do any and all acts necessary for the performance of the duties and obligations imposed 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.

Proviso: Limitations.

Specific repeal of laws.

SEC. 15. That chapter six hundred and ninety-one (691) of the Public-Local Laws of one thousand nine hundred and thirteen (1913), and chapter one hundred and ninety-nine (199) of the Public-Local Laws of one thousand nine hundred and fifteen (1915) be and the same are hereby repealed.

General repealing clause.

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 force and effect from and after its ratification.

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 390

AN ACT TO AUTHORIZE THE COUNTY OF EDGECOMBE TO VOTE UPON THE LEVYING AND COLLECTING OF A SPECIAL TAX ON PROPERTY AND POLLS TO SUPPLEMENT THE COUNTY SCHOOL FUNDS OF SAID COUNTY, AND FOR BONDS FOR SCHOOL BUILDINGS AND EQUIPMENT.

The General Assembly of North Carolina do enact:

Petition and order for election.

SECTION 1. That the county commissioners of Edgecombe County, upon the petition of the county board of education of said county, shall order an election to be held in that part of said county exclusive of Number One Township, that part of the Rocky Mount school district lying in Edgecombe County, that

part of the Whitakers school district lying in Edgecombe County, that part of the Sharpsburg school district lying in Edgecombe County, and including also in addition that part of the Battleboro school district lying in Nash County, to ascertain the will of the people whether there shall be levied on all taxable property and polls in the territory described, a special tax not to exceed thirty cents on the one hundred dollars valuation of property and ninety cents on each poll, to supplement the county school fund of said county.

Question submitted.

Limit of tax rate.

SEC. 2. That said elections shall be conducted as nearly as may be under the same rules and regulations governing special school tax 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.

Law governing elections.

SEC. 3. That in case a majority of the qualified voters at said elections shall vote in favor of said special tax, the same shall be annually levied and collected in the same manner and at the same time as other taxes of the county are levied and collected.

Effect of election.

SEC. 4. At least thirty days prior to the time for levying the usual taxes for the county the county board of education shall meet and fix the amount of said tax herein provided for, and shall recommend the same in writing to the board of county commissioners, who shall provide for the levying and collection of the taxes so recommended by the county board of education.

Recommendation of board of education.

Levy and collection of tax.

SEC. 5. That in case a majority of the qualified voters at said election shall vote in favor of said taxes, then all other special school taxes in special school tax districts heretofore voted and levied under section four thousand one hundred and fifteen of the Revisal of one thousand nine hundred and five or under special acts of the General Assembly, are hereby repealed; otherwise the same shall be in full force and effect.

Other special school taxes.

SEC. 6. That in case a majority of the qualified voters at said election shall fail to vote for said special tax, on petition of a majority of the members of the county board of education, the county commissioners may, after thirty days notice, order an election in any subsequent year after the first election for the same purpose and under the same regulations as the first election herein provided for.

Subsequent elections.

SEC. 7. That the board of county commissioners of the county of Edgecombe shall, upon the petition of the county board of education, order an election by the qualified voters within the territory heretofore described in section one hereof, after thirty days notice at the courthouse door and a publication of four weeks in some newspaper published in the county, to ascertain whether the voters in said territory are in favor of issuing bonds in the sum of one hundred thousand dollars for the purpose of building, rebuilding, and repairing school houses and furnishing

Petition and order for election on bond issue.

Amount.

Purpose of issue.

- the same with suitable equipment, and for the purchase of school wagons and harness for the transportation of pupils. The amount of bonds to be issued and the rate of interest they are to bear, which shall not be more than six per cent per annum, payable semiannually, and the length of time the bonds are to run, which shall not be more than twenty years, shall be set forth in the petition of the county board of education and in the order for the election made by the board of county commissioners.
- Interest.** SEC. 8. The election for the bonds aforesaid shall be held at the time and place provided for the election for special school taxes as provided in section one hereof. At said election those favoring the issuance of bonds shall vote a ballot on which shall be printed the words, "For school-house bonds," and those who are opposed shall vote a ballot on which shall be printed the words "Against school-house bonds."
- Maturity.**
- Time and place of election.**
- Ballots.**
- Issuance of bonds.** SEC. 9. If a majority of the qualified voters shall vote "For school-house bonds" then it shall be the duty of the county board of commissioners to issue bonds, not exceeding the amount specified in the order for election, as the county board of education may request, and shall thereafter annually lay aside a sufficient amount of the special taxes for schools heretofore provided for, to pay the interest on said bonds and create a sinking fund sufficient to pay the principal and interest of said bonds when they shall fall due.
- Interest and sinking fund.**
- Delivery and sale of bonds.** SEC. 10. The said bonds when so issued shall be delivered to the county board of education, who shall sell the same for not less than par and hold the proceeds for the benefit of the county building fund in the territory heretofore described in section one. The said fund shall be paid out upon the order of the county board of education. The sinking fund provided for by this act shall be invested by the county board of education in safe securities or may be deposited in a bank that will pay as much as four per cent per annum, compounded quarterly, and will give sufficient bond for the safety of such deposit.
- Distribution of funds, Investment of sinking funds.**
- Collection of tax.** SEC. 11. That the taxes levied hereunder shall be collected by the sheriff or other officer charged with the collection of other taxes, and they shall in all respects 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.
- Liability of officers.**
- Expense of election.** SEC. 12. That the expense of holding said election shall be paid out of the county school fund of said county.
- SEC. 13. That this act shall be in full force and effect from and after its ratification.
- Ratified this the 23d day of February, A. D. 1917.

CHAPTER 391

AN ACT TO AMEND CHAPTER 616 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and sixteen of the Public-Local Laws of North Carolina of nineteen hundred and thirteen be and the same hereby is amended by inserting after the word "any" in line one of section one, and before the word "calf" in line two of said section, the word "heifer."^{Heifer calves.}

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

Ratified this the 26th day of February, A. D. 1917.

CHAPTER 392

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF HOUSE BILL 14, SENATE BILL 223, PASSED AT THIS SESSION OF THE GENERAL ASSEMBLY, THE SAME BEING ENTITLED "AN ACT TO AUTHORIZE THE COMMISSIONERS IN PERSON COUNTY TO SUBMIT TO THE VOTERS OF SAID COUNTY THE QUESTION OF ISSUING BONDS TO BUILD AND IMPROVE THE PUBLIC ROADS THEREOF AND FOR OTHER PURPOSES."

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill fourteen, Senate Bill two hundred and twenty-three, passed at this session of the General Assembly, the same being entitled "An act to authorize the commissioners of Person County to submit to the voters of said county the question of issuing bonds to build and improve the public roads thereof, and for other purposes," be and the same is hereby supplemented and amended by adding a section following section thirteen thereof, the said new section to read as follows:^{Act amended.}

"Sec. 14. That in the event the provisions of this act are adopted by the voters of Person County in the manner provided by said act, then all laws and clauses of laws in conflict with this act and all laws and clauses of laws enacted prior to this session of the General Assembly providing for the levying of any taxes for the building or maintenance of public roads in the county of Person, or in any of the townships thereof, are hereby repealed, it being the purpose of this act to make uniform taxation for public roads in all the townships of said county of Person"^{Repealing clause.}
^{Purpose of acts.}

and to limit such taxation to the rates and amounts herein provided for in case the provisions of this act are adopted in the manner provided for in said act."

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. 1917.

CHAPTER 393

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY TO BORROW NOT EXCEEDING TEN THOUSAND DOLLARS TO PAY OFF A BALANCE OF BONDS ISSUED UNDER THE AUTHORITY OF AN ACT OF THE GENERAL ASSEMBLY OF 1907.

The General Assembly of North Carolina do enact:

Power to borrow money.

SECTION 1. That the board of commissioners of Rutherford County is hereby authorized and empowered to borrow a sum of money, not exceeding ten thousand dollars, with which to pay off and discharge a balance due on refunding bonds issued under the authority of an act of the General Assembly of North Carolina, at the session of one thousand nine hundred and seven, as appears from the Public Laws, chapter seven hundred and eighty-seven, on page one thousand one hundred and twenty-five.

Amount and purpose.

Interest.

SEC. 2. That the said board of commissioners is hereby empowered and authorized to borrow the said sum of money at a rate of interest not exceeding six per centum per annum, and issue therefor interest bearing scrip or notes, evidencing the sum so borrowed, one-third payable January first, one thousand nine hundred and nineteen; one-third January first, one thousand nine hundred and twenty; and the remaining one third or balance, January first, one thousand nine hundred and twenty-one.

Notes.

Maturity of notes.

Special taxes.

SEC. 3. That in order to provide for the repayment of the said sum of money so borrowed, the said board of commissioners of Rutherford County is hereby authorized and empowered to levy a tax for the year one thousand nine hundred and eighteen sufficient to pay one-third of the sum so borrowed, including interest; and for the year one thousand nine hundred and nineteen, a sum sufficient to pay one-third of the sum so borrowed, including interest; and for the year one thousand nine hundred and twenty, a sufficient sum to pay the remaining third, or balance, of the said sum so borrowed. And the said board of commissioners shall levy a tax for the years one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, and one thousand nine hundred and twenty to repay the sum so borrowed, both upon the

Tax on property and polls.

property subject to taxation and the polls, observing the constitutional equation between the property and the poll. Constitutional equation.

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 394

AN ACT TO REGULATE FISHING AND HUNTING IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and five (505) of the Public Laws of North Carolina, session one thousand nine hundred and seven (1907), relating to fishing and hunting in Columbus County, be and the same is hereby repealed. Law repealed.

SEC. 2. That chapter four hundred and seventeen (417) of the Public Laws of North Carolina, session one thousand nine hundred and nine (1909), relating to trapping fur-bearing animals in Columbus County be and the same is hereby repealed. Law repealed.

SEC. 3. That chapter three hundred and fifty-eight (358) of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen (1915), be amended as follows, to wit: Strike out the word "Columbus" in the caption of said chapter three hundred and fifty-eight (358) and strike out the word "Columbus" in line five of section one of said chapter three hundred and fifty-eight (358), and strike out the word "Columbus" in line seven of section two of said chapter three hundred and fifty-eight (358), so that said chapter three hundred and fifty-eight (358) of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen (1915), shall not in any way apply to Columbus County. Law repealed as to Columbus County.

SEC. 4. That it shall be unlawful for any person to chase, capture or kill, or in any manner molest any deer running wild in the woods between the first days of January and October in each year, or at any time in any lake or stream or pond that is fifty yards or more in width measured from water's edge to water's edge. Protection of deer.

SEC. 5. That it shall be unlawful to kill or capture any partridge, quail, dove or wild turkey between the first days of April and November of each year, or destroy the nests of any, or in any manner molest the eggs of the above named birds. Protection of feathered game.

SEC. 6. That it shall be unlawful for any person, without first having obtained permission of the owner, to set any steel trap or other device for the purpose of catching and fur-bearing animals or for any other purpose on the lands of another. Trapping.

- Misdemeanor. SEC. 7. Any person violating the provisions of this act shall
Punishment. be guilty of a misdemeanor, and upon conviction shall be fined
not exceeding fifty (\$50.00) dollars or imprisoned not more
than thirty (30) days.
- Jurisdiction. SEC. 8. That the county court of Columbus County shall have
original and final jurisdiction of any violation of this act subject
to the right of appeal as allowed by law.
- Repealing clause. 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 thirty days after its
ratification.
- Ratified this the 23d day of February, A. D. 1917.

CHAPTER 395

AN ACT TO PROTECT GAME AND FUR-BEARING ANIMALS.

The General Assembly of North Carolina do enact:

- Law governing SECTION 1. That it shall be unlawful for any person to hunt,
hunting. trap, or kill any pheasant, quail or partridge, grouse, wild turkey,
or fur-bearing animals or squirrels except as hereinafter pro-
vided. That the open season for hunting or killing wild turkeys,
or pheasants (grouse), and quail or partridges shall be from the
fifteenth day of November to the first day of February in each
and every year; and the open season for hunting all fur-bearing
animals shall be from the fifteenth day of November to the fif-
teenth day of February in each year, provided the owner of
personal property shall have the right to kill such fur-bearing
animals when they are about to destroy or are in the act of de-
stroying his personal property.
- Open season for SEC. 2. That the open season for killing squirrels shall be from
feathered game. the first day of September to the fifteenth day of February in
each and every year.
- Open season for SEC. 3. That it shall be unlawful for any person to hunt with
fur bearing dogs or gun or in any way to kill any deer for five years from
animals. the ratification of this act, and then only in the months of No-
vember and December in each and every year thereafter.
- Proviso: Animals SEC. 4. That any person violating the provisions of this act
destroying prop- shall be guilty of a misdemeanor and upon conviction shall be
erty. fined not exceeding fifty (\$50.00) dollars or imprisoned not ex-
ceeding thirty (30) days for each offense.
- Open season for SEC. 5. That any person furnishing sufficient evidence for con-
squirrels. victing any one violating the provisions of this act shall receive
ten (\$10.00) dollars for each conviction to be taxed as costs
against the party convicted.
- Protection of deer. SEC. 3. That it shall be unlawful for any person to hunt with
dogs or gun or in any way to kill any deer for five years from
the ratification of this act, and then only in the months of No-
vember and December in each and every year thereafter.
- Open season. SEC. 4. That any person violating the provisions of this act
shall be guilty of a misdemeanor and upon conviction shall be
fined not exceeding fifty (\$50.00) dollars or imprisoned not ex-
ceeding thirty (30) days for each offense.
- Misdemeanor. SEC. 5. That any person furnishing sufficient evidence for con-
Punishment. victing any one violating the provisions of this act shall receive
ten (\$10.00) dollars for each conviction to be taxed as costs
against the party convicted.
- Pay of informer. SEC. 5. That any person furnishing sufficient evidence for con-
victing any one violating the provisions of this act shall receive
ten (\$10.00) dollars for each conviction to be taxed as costs
against the party convicted.

SEC. 6. That this act shall apply only to the counties of Macon Application of act. and Clay.

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

Ratified this the 26th day of February, A. D. 1917.

CHAPTER 396

AN ACT TO REPEAL CHAPTER 34, PUBLIC-LOCAL LAWS 1911, RELATING TO FEES OF OFFICERS OF CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter thirty-four of Public-Local Laws of Chapter repealed. one thousand nine hundred and eleven be and the same is hereby repealed wherein it relates to the fees of the sheriff of Cherokee County, and that section two, chapter two hundred and twenty-six, of the Public Laws of one thousand nine hundred and seven, in so far as it relates to the fees for the sheriff of Cherokee County is hereby reinstated.

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 26th day of February, A. D. 1917.

CHAPTER 397

AN ACT TO PROVIDE FOR THE PAYMENT OF A HOME FOR THE AGED AND INFIRM IN SWAIN COUNTY.

That whereas, the board of county commissioners of Swain County have been required to purchase a home for the aged and infirm, together with necessary farm lands, and have expended therefor the sum of nine thousand dollars, which sum has been borrowed by the said board of county commissioners from the funds in the treasury of Swain County levied for the purpose of providing a sinking fund for bonds issued by the said county, which said sum they will have to repay to said fund and are without authority to levy taxes for said purpose; now, therefore, Preamble: Purchase of home and fund borrowed.

The General Assembly of North Carolina do enact:

SECTION 1. That all acts of the board of county commissioners of Swain County with reference to the purchase and payment for Acts validated.

the home for the aged and infirm in said county be and the same are hereby validated.

Special tax.

SEC. 2. That for the purpose of providing funds to liquidate the indebtedness incurred in buying said home, the board of county commissioners of Swain County, at their regular meetings on the first Monday of August, one thousand nine hundred and seventeen, and the first Monday of August, one thousand nine hundred and eighteen, are authorized, empowered and directed to levy a special tax of not exceeding ten cents on the one hundred dollar valuation of real and personal property, and thirty cents on each taxable poll in said county for the purpose of paying said indebtedness.

Tax rate.

Repealing clause.

SEC. 3. That all laws and clauses of laws in conflict 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. 1917.

CHAPTER 398

AN ACT TO REGULATE THE KILLING OF SQUIRRELS IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That the close season or time during which no squirrels shall be hunted, killed, or in any way captured shall be, as to Harnett County, from the first day of February to the fifteenth day of October, of each and every year.

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

Ratified this the 26th day of February, A. D. 1917.

CHAPTER 399

AN ACT TO PROTECT PHEASANTS IN THE COUNTY OF FRANKLIN.

The General Assembly of North Carolina do enact:

Full protection.

SECTION 1. It shall be unlawful for any person to kill or hunt with dog or gun any pheasants in the county of Franklin, State of North Carolina, at any time during the year, and any person violating this act shall be guilty of a misdemeanor and fined or imprisoned, or both, in the discretion of the court.

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

Ratified this the 26th day of February, A. D. 1917.

CHAPTER 400

AN ACT TO REGULATE HUNTING OF CERTAIN GAME IN DURHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to kill or hunt quail or partridges or wild turkeys between the first day of February and the fifteenth day of November of each year. Close season for quail and wild turkeys.

SEC. 2. That it shall be unlawful for any person to sell quail or partridges: *Provided*, a landowner may sell quail or partridges killed by himself upon his own land; but, in case of arrest, proof that he has sold quail or partridges shall be *prima facie* evidence of the violation of the provisions of this act. Sale of partridge or quail forbidden. Proviso: Sales by land owners. Prima facie evidence.

SEC. 3. That it shall be unlawful to hunt or kill rabbits with a gun or other firearms between the first day of February and the fifteenth day of November of each year. Close season for rabbits.

SEC. 4. That it shall be unlawful to hunt or kill squirrels with a gun or other firearms between the first day of July and the fifteenth day of November of each year. Close season for squirrels.

SEC. 5. That any one 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. 6. That this act shall apply to the county of Durham. Application of act.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 401

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A REFORMATORY FOR YOUTHS IN THE COUNTY OF MECKLENBURG.

The General Assembly of North Carolina do enact:

SECTION 1. That the county of Mecklenburg be and the same is hereby authorized and empowered to establish and maintain a reformatory for youthful criminals of both sexes and both races, from the ages of seven to eighteen years, inclusive. Establishment and maintenance authorized.

SEC. 2. That for the purpose expressed in section one of this act the board of county commissioners of Mecklenburg County may purchase a suitable farm. If such property be purchased for the aforesaid purpose there shall be maintained thereon a building for boys with separate accommodations for white and colored Purchase of farm. Buildings.

<p>Superintendent and assistants.</p> <p>Proviso: Superintendent to require obedience.</p> <p>Authority to correct and punish.</p> <p>Work required.</p> <p>Object.</p> <p>Bond issue authorized.</p> <p>Interest.</p> <p>Amount.</p> <p>Denominations.</p> <p>Maturity.</p> <p>Authentication.</p> <p>Sale of bonds.</p> <p>Specific appropriation.</p> <p>Special tax.</p> <p>Limit of rate.</p> <p>Constitutional equation.</p> <p>Annual purchase and retirement of bonds.</p>	<p>boys, and a building for girls with separate accommodations for white and colored girls. The board of commissioners may employ a superintendent and such other assistants as may be deemed necessary to manage and control the institution under such rules as shall be established by such board: <i>Provided</i>, that the superintendent employed by the said board shall have the right and is hereby authorized to require obedience from all of the inmates of said reformatory, and is hereby intrusted with the authority to correct and punish any inmate thereof to the same extent as a parent may, under the law, impose upon his own child.</p> <p>SEC. 3. That any or all of the inmates may be required to work from time to time, at light work on the farm, and in such shop or shops as may be established on the property, the object being to provide regular, light, suitable and humane employment, to teach the inmates good moral character, how to work, and to be industrious.</p> <p>SEC. 4. That in order to provide funds for the purchase of property and the erection of buildings and equipping the same, as provided in section two of this act, the board of commissioners are hereby authorized and empowered to issue coupon bonds bearing interest payable annually or semiannually, at a rate not exceeding six per cent per annum, to such an amount as the board of commissioners may determine, not exceeding the sum of thirty thousand dollars, in such denominations as the board of commissioners may determine, payable not more than twenty years from the date of issue. Said bonds shall be signed by the chairman of the board of county commissioners and countersigned by the county treasurer, and the coupons of said bonds shall bear the engraved or lithographed signature of the treasurer and shall be made payable, both principal and interest, at such place or places as the board may determine. Said bonds shall be sold at public sale, after due notice, and the proceeds thereof shall be applied for the purposes herein set out, and no other.</p> <p>SEC. 5. That the board of county commissioners, in order to provide for the payment of said bonds and coupons, are hereby authorized and empowered to levy a special tax of not more than five cents on the one hundred dollars worth of property and fifteen cents on the poll, observing the constitutional equation in the levy thereof. And the said board of commissioners are hereby authorized and empowered to purchase and retire one or more of said bonds annually, as the proceeds of the special tax may be found sufficient for that purpose, and without regard to the date of maturity of the particular bond or bonds; such bond or bonds, however, to be purchased and retired in the order of the date of their maturity.</p>
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SEC. 6. That the provisions of this act as to the establishment and maintenance of a reformatory, the issue of bonds, and the levying and collection of a special tax, shall not become operative and effective unless and until approved by a majority of the qualified voters of Mecklenburg County. If at any meeting of the board of commissioners of Mecklenburg County a majority of the board are in favor of holding an election to submit to the people the question of whether such reformatory shall be established, the said board shall make an order calling the election, in which order shall be stated the time for holding such election, the amount of bonds to be issued and the interest thereon, and the tax rate which may be levied to take care of the bond issue. Such order shall be posted at the courthouse door and at the usual polling place in each and every voting precinct in Mecklenburg County for not less than thirty days preceding the date of election. Such election, if called, shall be held in accordance with the general laws governing general elections, except that the county board of elections shall provide for a new registration of voters for said election.

Approval by voters.

Order calling election.

Notice of election.

Law governing election.

New registration.

SEC. 7. That at such election those who favor the adoption of the provisions of this act shall vote ballots with the words "For reformatory" written or printed thereon, and those opposed thereto shall vote ballots with the words "Against reformatory" written or printed thereon. And if at said election a majority of the qualified voters of said county shall vote ballots with the words "For reformatory" written or printed thereon, then the provisions of this act shall become operative and effective.

Ballots.

Effect of election.

SEC. 8. That in the event such reformatory is established it shall be the duty of any court in Mecklenburg County having before it for final decision a case within its final jurisdiction of a child within the ages specified in section one of this act, found guilty of any criminal offense, or found to be a juvenile delinquent under chapter two hundred and twenty-two of the Public Laws of one thousand nine hundred and fifteen, to sentence such child to the custody of the superintendent of the reformatory. The sentence shall be for a term within that prescribed by law for the offense with which the child has been convicted or has confessed guilt, or in the case of a juvenile delinquent, for a probation period and under the conditions prescribed by chapter two hundred and twenty-two of the Public Laws of one thousand nine hundred and fifteen.

Sentences to reformatory.

Terms of sentence.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 402

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

The General Assembly of North Carolina do enact:

Purpose of tax.	SECTION 1. That for the purpose of paying the jail bonds here-
Authority for levy.	tofore issued for the erection of the jail, the board of county com-
	missioners for the county of Tyrrell be and it is hereby authorized
	and empowered to levy a special tax sufficient to pay said bonds
Limit of rate.	and interest coupons as they mature, said tax not to exceed seven
	cents on the one hundred dollars valuation of property and
Constitutional	twenty-one cents on polls, observing the constitutional equation
equation.	in levying said tax.
Levy, collection	SEC. 2. That said tax shall be levied, collected and accounted
and settlement.	for as other county taxes are.
	SEC. 3. That this act shall be in force from and after its
	ratification.
	Ratified this the 27th day of February, A. D. 1917.

CHAPTER 403

AN ACT TO AUTHORIZE CERTAIN TOWNSHIPS IN
GREENE COUNTY TO SUBSCRIBE FOR STOCK IN THE
EAST CAROLINA RAILWAY, AND TO AUTHORIZE THE
ISSUE OF BONDS THEREFOR.

The General Assembly of North Carolina do enact:

Purpose of bond	SECTION 1. That for the purpose of securing an extension of
issue.	the East Carolina Railway or for the purpose of constructing a
	standard gauge railroad either from the town of Hookerton or
	the town of Maury, Greene County, North Carolina, to the town
Petition for elec-	of Snow Hill in said county and State, the board of commission-
tion.	ers of Greene County are authorized and required whenever one-
	fifth of the voters of any township or townships, through which
	said extension shall pass, or through which the construction of
	the standard gauge railroad proposed, shall petition them in
	writing to be submitted to the voters of said township or town-
Election to be	ships a proposition to subscribe a specific sum for the first mort-
held.	gage bonds of the said company, to cause an election to be held
Notice of election.	in said township or townships at the voting place or places
	therein, after thirty days notice of said election by advertising
	same in some newspaper published in the said county, if there
	be any, and at the courthouse door and four or more public
Question to be	places in the said township or townships, and to submit to the
voted on.	

qualified voters of said township or townships the question of subscribing for the said first mortgage bonds the sum of money specified in said written petition of at least one-fifth of the voters of said township or townships, as aforesaid, asking for said election. At the election, those who favor subscription shall vote a ballot upon which shall be written or printed the words "For suscription," and those who oppose shall vote a ballot upon which shall be written or printed "Against subscription." Such election, when ordered, shall be held under the rules and regulations prescribed by law for holding election for members of the General Assembly. The returns of any election held by any township or townships under the terms of this act shall be made to the board of commissioners of the county on Saturday next after the day of election, and the said board shall meet at the courthouse in Greene County, N. C., on that day and shall on that day canvass the returns, and if a majority of the qualified voters of said township or townships shall have voted for subscription, then the subscription so authorized may be made for the first mortgage bonds of said company for said township or townships, by the chairman of the board of commissioners for Greene County.

Ballots.

Laws governing election.

Returns.

Canvass of returns.

SEC. 2. That in payment of any subscription made as provided in the next preceding section, the board of commissioners of Greene County shall cause bonds to an amount not exceeding the sum so authorized to be subscribed. The said bonds shall be in the sum of one hundred dollars each, and shall express upon their face by what authority and for what purpose they are issued. They shall be coupon bonds and bear interest at the rate of not more than six per cent, payable on the first day of January in each year, by the treasurer of Greene County, and shall have coupons attached for each payment of interest provided; and both the said bonds and each coupon shall be signed by the chairman of the said board of county commissioners. Bonds herein provided shall run for the period of thirty years from and after the first day of January next after they are issued.

Bond issue authorized.

Denominations.

Interest.

Authentication.

Maturity.

SEC. 3. That to provide for the payment of interest upon said bonds that may be issued under the provisions of this act the board of commissioners of said county on account of which said bonds shall be issued shall, in addition to other taxes, compute and levy upon the proper subjects of taxation and upon each taxable poll in such township or townships a sufficient tax each year to pay the interest on said bonds and one-thirtieth of the amount of the principal thereof, the constitutional equation to be at all times observed, which tax shall be and constitute a sinking fund to be invested by said board of commissioners to meet the redemption of said bonds at their maturity, which said tax shall be collected by the sheriff of said county under the same rules and

Special tax.

Constitutional equation.

Collection and settlement.

regulations and subject to the same penalties as may be provided by law for the collection of other taxes, and shall be paid by the sheriff to the treasurer of the county, who shall pay the interest on said bonds, and the coupons taken up by him shall be evidence of such payment.

Taxes from railroad.

SEC. 4. That all taxes levied upon the said railroad properties when the said extension shall have been completed shall be paid to the treasurer of Greene County, and by him expended in paying the interest coupons and the sinking fund hereinbefore provided for.

Exchange of bonds.

SEC. 5. That when the said railroad shall have been extended from the town of Hookerton or the town of Maury as aforesaid, or when a standard gauge railroad shall have been constructed either from the town of Hookerton or from the town of Maury to the town of Snow Hill, as aforesaid, and shall have been placed in operation, it shall be the duty of the board of commissioners of Greene County to deliver to the said railway company the said bonds or the amount thereof in money upon the delivery by the said railroad company to the said board of commissioners of its bonds secured by first mortgage upon that portion of the said road extended or constructed as aforesaid from Hookerton, N. C., or from Maury, N. C., to Snow Hill, N. C.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 404

AN ACT TO TAX CERTAIN MOTOR VEHICLES WHICH OPERATE UPON THE PUBLIC ROADS OF YADKIN COUNTY.

The General Assembly of North Carolina do enact:

Privilege tax.

SECTION 1. That an annual privilege tax of one dollar per horsepower shall be paid by the owners of all motor vehicles operated upon any of the improved roads of Yadkin County, who make a regular business of hauling freight. That before any person shall operate such vehicle on the roads of said county he shall register the same with the register of deeds of said county, and pay the tax provided in this act, which tax when paid shall be turned into the general road funds of the said county.

Registration and payment of tax.

Tax paid into road funds.

Misdemeanor.

SEC. 2. That any person who makes a regular business operating any such motor vehicle without having first paid the taxes herein provided for shall be guilty of a misdemeanor, and upon conviction shall pay a fine of fifty dollars.

Punishment.

SEC. 3. That this act shall not be so construed as to impose a tax on motor vehicles weighing less than twenty-five hundred pounds exclusive of the load thereon. Exemption.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 405

AN ACT TO REQUIRE INSTRUCTIONS TO BE GIVEN BEYOND THE SEVENTH GRADE IN THE PUBLIC SCHOOLS OF YADKIN, DAVIE AND WILKES COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That in every school district in which no public high school is maintained it shall be the duty of the county superintendent of public instruction, the county board of education, and the committeemen of such district to provide courses of instruction up to and including the tenth grade: *Provided*, the available school funds of said district are sufficient to provide adequate instruction in both elementary and high school subjects, and to admit to such grades all children of school age in said district. Curriculum.
Proviso: Available funds.

SEC. 2. That this act shall apply only to the counties of Yadkin, Davie and Wilkes. Application of act.

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 27th day of February, A. D. 1917.

CHAPTER 406

AN ACT TO AMEND "AN ACT FIXING SALARIES FOR THE PUBLIC OFFICERS OF HALIFAX COUNTY," RELATING TO THE SALARY OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine, chapter two hundred and eighty-seven of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, be amended as follows: Strike out the words "fifteen hundred" in line two of said section, and insert in lieu thereof the words "two thousand." Salary.

When act effective. SEC. 2. That this act shall be in full force and effect from and after the first day of July, one thousand nine hundred and seventeen.

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 407

AN ACT TO AMEND HOUSE BILL 17. SENATE BILL 489, ENTITLED "AN ACT FOR THE RELIEF OF P. P. MARSH, EX-TREASURER OF ANSON COUNTY.

The General Assembly of North Carolina do enact:

Amendment.

SECTION 1. That House Bill seventeen, Senate Bill four hundred and eighty-nine of the General Assembly of one thousand nine hundred and seventeen, entitled "An act for the relief of P. P. Marsh, ex-treasurer of Anson County," be and the same hereby is amended by striking out the words "and sixty-one" in line eight of section one and the words "said precinct" in line ten of section one, and insert between the words "due" and "shall" in line ten of section one the following words "Lanesboro Precinct No. 2 Road Fund."

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 408

AN ACT TO AMEND CHAPTER 69 OF THE PUBLIC-LOCAL LAWS OF EXTRA SESSION OF 1913, RELATIVE TO EXCLUSIVE STOCK LAW BOUNDARIES IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Election by township upon petition.

SECTION 1. That chapter sixty-nine of the Public-Local Laws of the extra session of one thousand nine hundred and thirteen of the General Assembly be and the same is hereby amended by adding at the end thereof the following: That any township within said county which has not heretofore by vote come under the benefits of said chapter may, at any time, upon petition of a majority of the qualified voters therein, to the commissioners of Jackson hold an election under and as is provided in said chapter, and upon the filing of a petition from any such township it shall be the duty of the board of commissioners of said county to canvass the same, and if they shall find that a ma-

jority of the qualified voters therein have signed such petition, then it shall be their duty to order an election as is in said chapter provided; and if at such election a majority of the qualified voters in such township shall vote for "exclusive stock law," then the same shall be reported to the commissioners as in said chapter provided, and such township shall have all the benefits of the exclusive stock law so provided in said chapter: *Provided*, that any person who owns lands partly within and partly without any township which has or may hereafter adopt the exclusive stock law, or any person owning lands adjoining any township which has or may hereafter adopt the exclusive stock law, may, by petition to the board of commissioners of Jackson County, have all his or their lands brought within the boundary of such exclusive stock law and have all the benefits of said chapter, and it shall be the duty of the commissioners to make an order to this effect and spread the same upon their minutes.

Effect of election.

Proviso: Inclusion of lands by petition.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 409

AN ACT TO AMEND CHAPTER 126, HIGHWAY COMMISSION OF PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter one hundred and twenty-six, Public-Local Laws of North Carolina of one thousand nine hundred and fifteen, be amended by striking out the word "three" in line four thereof and inserting in lieu thereof "five."

Number of commissioners.

SEC. 2. That W. T. Williams and P. A. Onley be and they are hereby appointed members of the Pasquotank Highway Commission for a period of six years from the first Monday in March, one thousand nine hundred and seventeen. That J. J. Morris be appointed a member of Pasquotank Highway Commission for the period of four years, commencing with the first Monday in March, one thousand nine hundred and seventeen, and their successors shall hereafter be elected by the General Assembly of North Carolina, and their respective terms of office shall last for a term of six years beginning with the first Monday of March following their appointment.

Appointments.

Terms.

Election and term of successors.

SEC. 3. That section four of chapter one hundred and twenty-six, Public-Local Laws of North Carolina of one thousand and nine hundred and fifteen shall be amended by striking out all of line five of said section, being line three on page one hundred and fifteen.

Vacancies.

dred and thirty-nine, and insert in lieu thereof "board of county commissioners of Pasquotank County."

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 and effect from and after its ratification.

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 410

AN ACT REGULATING NOMINATIONS FOR COUNTY COMMISSIONERS IN LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Nominations by townships.

SECTION 1. That at the primary elections hereafter held in and for Lincoln County the nominations for the offices of the five members of the board of county commissioners by each political party shall be made by each of the five townships in said county nominating one candidate to be voted for as a candidate for election at the general election to the board of county commissioners of said county. The names of the five persons thus nominated by each political party shall appear on the official county ballot of the particular political party to be voted for in the county at large at the general election for which such nominations were made.

Election by county.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 411

AN ACT TO REGULATE THE COLLECTION OF TAXES IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

Collection by distress.

SECTION 1. That neither the real nor personal property of any taxpayer shall be sold by the tax collector for the purpose of satisfying taxes listed for the year nineteen hundred and sixteen until the first Monday in September nineteen hundred and seventeen: *Provided* such taxpayer shall have paid as much as fifty per cent of all taxes due by him on or before the fifteenth day of March nineteen hundred and seventeen: *Provided*, that this section shall not apply to any person, firm, or corporation removing or attempting to remove property out of the county;

Proviso: Partial payment.

Proviso: Removal of property.

and *provided further*, that nothing herein shall be construed to relieve the sheriff or tax collector from the collection and settlement of State taxes as now provided by law. Proviso: State taxes.

SEC. 2. That the said tax collector shall have the same power and authority, and it shall be his duty to make sale of all property of delinquent taxpayers on the said first Monday in September, nineteen hundred and seventeen, in the same manner as is now provided by law for the sale of property of delinquent taxpayers on the first Monday in May of each year. Powers of tax collector.

SEC. 3. That this act shall apply only to Henderson County and to the taxes for the year nineteen hundred and sixteen. Application of act.

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

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 412

AN ACT TO REGULATE THE HUNTING OF GAME IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to trap, take, catch, shoot, kill, or in any manner wound with dogs or hunt with gun any quail or squirrels from the first day of February to the twenty-fifth day of November; that it shall be unlawful for any person to hunt or kill with gun any rabbits from the first day of February to the twenty-fifth day of November: *Provided*, that it shall not be unlawful to trap or hunt rabbits with dogs any time during the year: *Provided*, that it shall not be unlawful to train bird dogs from the first day of October to the first day of March of any year. Close season.
Quail and squirrels.
Rabbits.
Proviso: Trapping and hunting rabbits.
Proviso: Training bird dogs.

SEC. 2. That it shall be unlawful for any person, firm, or corporation to sell or offer for sale any quail or squirrels between the first day of February and the twenty-fifth day of November in any year. Sale of game.

SEC. 3. That it shall be unlawful for any person to net or trap any quail. Netting or trapping quail.

SEC. 4. That it shall be unlawful for any person, firm, or corporation to allow bird dogs, or dogs with bird dog blood in them to run at large and not under control from the first day of April to the first day of October of any year. Bird dogs at large.

SEC. 5. That any person 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. Misdemeanor.
Punishment.

- Application of act. SEC. 6. That this act shall apply only to Catawba County.
- Repealing clause. 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 27th day of February, A. D. 1917.

CHAPTER 413

AN ACT TO PROHIBIT HUNTING QUAIL ON LANDS OF ANOTHER IN RUTHERFORD COUNTY WITHOUT WRITTEN PERMISSION.

The General Assembly of North Carolina do enact:

- Act forbidden. SECTION 1. That it shall be unlawful for any person or persons to hunt, trap, catch, or kill quail or partridge in Rutherford County on the lands of another, without first having obtained written permission of the owner.
- 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 (\$50), or imprisoned not more than thirty days.
- Punishments.
- Repealing clause. SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act be and the same are hereby repealed.
- SEC. 4. That this act shall be in force from and after its ratification.
- aRtified this the 27th day of February, A. D. 1917.

CHAPTER 414

AN ACT RELATIVE TO BUYING AND SELLING QUAIL IN MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

- Sale forbidden. SECTION 1. That it shall be unlawful for any person, firm, or corporation to offer for sale, or to buy or offer to buy quail within the county of Mecklenburg.
- Shipment for sale forbidden. SEC. 2. That it shall be unlawful for any person, firm, or corporation 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. The possession of any quail or partridge by any hotel, restaurant, or cafe keeper, or by any produce

dealer, markets or stores, within the above named county shall be *prima facie* evidence of the violation of this act.

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 more than fifty dollars or imprisoned not more than thirty days. Misdemeanor.

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. 1917.

CHAPTER 415

AN ACT TO PROTECT THE FISH OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to fish with seine, set-hooks, traps, gill-nets, or by gigging, striking, dynamiting, shooting, or using lime or other chemicals by which fish may be killed, in Lumber River or any of its tributaries in Robeson County, or other rivers, lakes, ponds, or swamps of Robeson County: *Provided, however,* that any

owner or lessor of any millpond in Robeson County may at any time draw off said millpond for the purposes of fishing said millpond with nets, seines, gigs or by muddying, striking or shooting fish in said millpond; and *provided further,* that any owner or lessor of said millpond may at any time fish said millpond with gill-nets or traps, or in any manner he may select; and

provided further, that no person shall fish in any river, creek lake, pond, or other body of water in Robeson County without the written permission of the owner or owners thereof.

SEC. 2. That it shall be unlawful for any person to sell, barter or dispose of for gain, or assist or aid in selling, bartering, or disposing of for gain, any of the fish known as "red breasts" which shall have been caught from Lumber River or any of its tributaries in Robeson County, or other rivers, lakes, ponds, or swamps of Robeson County.

SEC. 3. That it shall be the duty of the county game warden and his deputies to enforce the provisions of this act, and it shall be their further duty to confiscate and destroy all traps, set-hooks, seines, and nets found in Lumber River or any of its tributaries in Robeson County, or other rivers, lakes, ponds, or swamps of Robeson County: *Provided,* that no trap, net or seine placed in any millpond by an owner or lessor thereof shall be confiscated or destroyed. And the fees of the county game warden and his deputies for the enforcement of this act shall be

the same as those allowed the county game warden or his deputies for the game bird act for Robeson County enacted at the regular session of the Legislature of one thousand nine hundred and seventeen.

Misdemeanor. SEC. 4. That any person violating the provisions of this act
Punishment. shall be guilty of a misdemeanor, and upon conviction shall be
 fined not exceeding fifty dollars or imprisoned not more than
 thirty days.

Law repealed. SEC. 5. That chapter three hundred and fifty-eight of the
 Public-Local Laws of North Carolina regular session one thou-
 sand nine hundred and fifteen in or so far as said chapter applies
 to Robeson County is hereby repealed.

General repealing SEC. 6. That all laws and clauses of laws in conflict with this
clause. 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 27th day of February, A. D. 1917.

CHAPTER 416

AN ACT TO AMEND CHAPTER 703 OF THE PUBLIC LAWS OF 1907, THE SAME BEING AN ACT TO PROTECT GAME IN UNION COUNTY.

The General Assembly of North Carolina do enact:

Fees for informer. SECTION 1. That section four, chapter seven hundred and three
 of the Public Laws of one thousand nine hundred and seven, be
 and the same is hereby amended by adding the following: "and
 in such case the court shall add, as part of the costs, a fee of
 ten dollars, payable to the person furnishing information suffi-
 cient for and resulting in conviction."

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 417

AN ACT TO PROTECT GAME IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

Close season. SECTION 1. That chapter two hundred and six, section ten of
 the Public-Local Laws of nineteen hundred and thirteen, for
 Clay County, be amended as follows: That all hunting shall be
 prohibited in Clay County from the fifteenth day of February

until the twenty-fifth day of November in each year, and that it shall be unlawful for any person or persons to allow bird dogs to run at large between the fifteenth day of February to the fifteen day of November in each year. That no person or persons shall be allowed to shoot or kill over three wild gobblers and two turkey hens during the open year.

Dogs not to run at large.

Limitation as to turkeys.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 418

AN ACT TO REPEAL THE LAW TAXING DOGS IN CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and ninety-three of the Public-Local Laws of one thousand nine hundred and thirteen, entitled "An act taxing dogs in Chatham County and making them a subject of larceny," 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 27th day of February, A. D. 1917.

CHAPTER 419

AN ACT TO AUTHORIZE THE COUNTY BOARD OF EDUCATION OF GUILFORD COUNTY TO CREATE A TEACHERS' RETIREMENT FUND.

The General Assembly of North Carolina do enact:

SECTION 1. That the county board of education of Guilford County, North Carolina, by a majority vote may create a teachers' retirement fund, and those who are eligible to participate in said fund may form an organization to be known as the "Teachers' Retirement Fund Association of Guilford County." Said fund shall be under the control and management of a board known as the Board of Trustees of the Teachers' Retirement Fund of Guilford County. Said board of trustees shall consist of the members of the county board of education, one person selected by the Teachers' Retirement Fund Association from their number, and one business man selected by the county board of education. The person selected by the association

Creation of fund.

Teachers' Retirement Fund Association.

Control and management of fund.

Board of trustees.

Terms of trustees.

shall serve for a term of four years, and at the expiration of his term his successor shall be chosen for a term of six years, the business man chosen shall serve for a term of six years, and at the expiration of his term his successor shall be chosen for a term of six years. The term of office for those selected from the association and the business man shall begin on the first Monday in July next succeeding their election.

Persons eligible to membership.

Applications for membership.

Acceptance.

SEC. 2. That any person who is now or shall hereafter be engaged in teaching or administration of public school work in Guilford County shall be eligible to membership, provided that those who are eligible shall first make application to the county board of education in writing and pledge themselves to comply with the conditions imposed by this act, and whenever said application is accepted by the board of education the applicant shall become a member of the Teachers' Retirement Fund Association of Guilford County.

Incorporation.

Corporate name.

Guardians of fund.

Gifts, grants and bequests. Appropriation from county fund.

Payments by members.

SEC. 3. That the trustees of the teachers' retirement fund shall be a body corporate by the name and style of Board of Trustees of the Teachers' Retirement Fund of Guilford County, and by that name shall be guardians of all funds secured for the purposes of awarding pensions to those who are entitled to the same under the provisions of this act. The said board is authorized to receive gifts, grants, or bequests, and the county board of education is authorized to appropriate to said fund not more than two per cent of the general school fund of the county, and each member of the Teachers' Retirement Fund Association shall pay into the fund not exceeding two per cent of the salary which the said applicant receives for services rendered to the public schools of the county.

Persons eligible to benefits.

SEC. 4. That before any one is eligible to participate in the benefits of this fund he shall have spent at least twenty-five years of service in teaching or administration work in the public schools of the State of North Carolina, the last ten of which must have been spent in Guilford County: *Provided further*, that if a teacher or one engaged in administration is incapacitated by reason of physical or mental infirmities he may be retired on a pension after twenty years of service in the public schools of North Carolina, the last ten of which have been spent in Guilford County.

Proviso: Physical or mental infirmities.

Membership for five years.

Persons eligible to membership.

SEC. 5. That no person shall be retired or receive any benefits under this act until he has been a member of the association for five years. All who are engaged in public school teaching or administration at the time the county board of education authorizes the creation of the teachers' retirement fund shall be eligible to membership in the association, and those who enter the public school work of the county after the county board of education has authorized the creation of said fund

shall be eligible for membership under such rules and regulations as the board of trustees may determine.

SEC. 6. That the amount of pension under this act shall be one-half of the average annual salary for the last five years of service rendered, provided that no annual pension shall exceed six hundred dollars. If the funds are insufficient to pay in any one year all that is due under this act then the amount available shall be prorated.

SEC. 7. That the board of trustees shall not pay any pensions under this act until it has secured a permanent fund of at least ten thousand dollars (\$10,000), and only the income derived from this permanent fund can be used in paying annual pensions: *Provided*, that all gifts, grants and bequests shall be added to the permanent investment fund: *Provided further*, that if the annual revenue received from the interest on the permanent fund, the annual appropriation by the board of education from the general school fund, and the annual amount collected from the members of the association shall exceed the amount due the beneficiaries in any one year the excess shall be added to the permanent investment fund.

SEC. 8. That the permanent fund created by this act shall be invested by the board of trustees in Government, State, county, or municipal bonds, or loaned by note secured by first mortgage upon real estate. The loans upon real estate shall not exceed fifty per cent of the actual value of property mortgaged.

SEC. 9. That the board of trustees are empowered to make rules and regulations and are given full authority to do any and all things to carry out the provisions of this act, provided they do not violate any of its expressed commands.

SEC. 10. That this act shall apply to Guilford County only.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 420

AN ACT TO REPEAL A PORTION OF CHAPTER 353 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE CLERK'S OFFICE OF BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter three hundred and fifty-three of the Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby repealed, and in lieu of the salary provided in said section the clerk of the Superior Court of said county shall receive the fees provided by

law for clerks of the Superior Court, which shall be in full compensation for all services rendered by said clerk.

When act effective. SEC. 2. That this act shall be in force from and after the first day of March one thousand nine hundred and seventeen.
Ratified this the 27th day of February, A. D. 1917.

CHAPTER 421

AN ACT TO PROVIDE FOR THE AUDITING OF THE BOOKS OF THE VARIOUS OFFICERS OF GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

Annual audit. SECTION 1. That the board of commissioners of Graham County shall have the books of the various officers of the county audited at the end of each fiscal year by an expert accountant: *Provided* the amounts spent for such services shall not exceed one hundred dollars annually.

Proviso: Limit of expense.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 422

AN ACT TO PROTECT GAME BIRDS, WILD FOWL, AND OTHER GAME IN 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 county of Davie between the twentieth day of February and the twentieth day of November in each and every year.

Netting and trapping.
Protection for wild turkeys.

SEC. 2. That it shall be unlawful for any person or persons to net or trap partridges or quail in any manner in Davie County, or to net, trap, shoot, kill, or in any manner destroy wild turkeys or their eggs in Davie County.

Misdemeanor.

SEC. 3. That any person or persons violating any of the provisions or sections of this act shall be guilty of a misdemeanor, and shall be fined or imprisoned in the discretion of the court.

Punishment.

Application of act.

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

When act effective.

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

Repealing clause.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 423

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CLEVELAND COUNTY TO PAY THE REGISTER OF DEEDS FOR REGISTERING BIRTHS AND DEATHS AND COMPUTING AND MAKING OUT TAX BOOKS OF CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Cleveland County are hereby authorized and empowered to pay the register of deeds of Cleveland County the sum of one cent each per name for indexing births and deaths in said county, beginning with the year one thousand nine hundred and sixteen. Allowance for indexing births and deaths.

SEC. 2. That the board of commissioners of Cleveland County are hereby directed and fully empowered to pay the register of deeds of Cleveland County a reasonable sum each year for the work of making out the tax books, computing taxes therefor, and making out the tax receipts for the sheriff or tax collector. Allowances for tax books.

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 27th day of February, A. D. 1917.

CHAPTER 424

AN ACT TO AMEND AN ACT OF THE GENERAL ASSEMBLY OF NORTH CAROLINA PASSED AT ITS PRESENT SESSION, BEING HOUSE BILL NUMBER 287 AND SENATE BILL NUMBER 265, AND RATIFIED JANUARY 9, 1917, AND ENTITLED "AN ACT REGULATING THE TIME OF PAYMENT OF EMPLOYEES IN MANUFACTURING, MINING AND LUMBERING PLANTS OF AVERY AND MITCHELL COUNTIES."

The General Assembly of North Carolina do enact:

SECTION 1. That section one of the act of the General Assembly of North Carolina passed at its present session, being House Bill number two hundred and eighty-seven and Senate Bill number two hundred and sixty-five, and ratified January ninth, one thousand nine hundred and seventeen, and entitled "An act to regulate the time of payment of employees in manufacturing, mining and lumbering plants in Avery and Mitchell counties," be and the same is hereby amended so as to read, as amended, as follows:

Full settlements
monthly.

That all persons, firms and corporations owning or operating manufacturing, mining or lumbering plants in Avery and Mitchell counties, shall pay all employees on certain days, not less than once in each calendar month in full for all work and labor done ten days prior to pay day, and no such person or corporation shall issue scrip in payment for work or labor done unless it is made transferable and redeemable in cash on the regular pay day; that any person, firm, or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five dollars for each offense.

Payment by scrip.

Misdemeanor.
Furnishments.

SEC. 2. That this act shall go into effect from and after its ratification.

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 425

AN ACT TO REGULATE PUBLISHING ANNUAL STATEMENT BY BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY.

The General Assembly of North Carolina do enact:

Copy posted.

SECTION 1. That it shall be a sufficient publishing of the annual statement required to be published by law by the board of county commissioners of Lee County to post a typewritten copy thereof duly signed by the chairman of said board and attested by its clerk, at the courthouse door of said county: *Provided*, it shall be in the discretion of said board whether said statement is so posted or published in some newspaper issued in said county.

Proviso: Discretion of board.

Repealing clause.

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

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 426

AN ACT TO PROTECT QUAIL OR PARTRIDGES IN CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That it shall be unlawful to hunt, shoot, or in any manner kill any quail or partridge in Cleveland County between January first and December tenth of any year.

SEC. 2. That it shall be unlawful for any person to kill more ^{Limit of kill.} than fifteen quail or partridges in any one day during the open season herein provided for.

SEC. 3. That it shall be unlawful to hunt upon the lands of ^{Hunting on lands of others.} another without first having obtained the written permission of said owner.

SEC. 4. That any person violating the provisions of this act ^{Misdemeanor.} shall be guilty of a misdemeanor, and, upon conviction, shall be ^{Punishment.} fined not exceeding twenty dollars or be imprisoned not exceeding thirty days.

SEC. 5. That all laws and clauses of laws in conflict with the ^{Repealing clause.} provisions of 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. 1917.

CHAPTER 427

AN ACT TO PROTECT THE TRI-COUNTY FAIR HELD AT SPRUCE PINE.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or ^{Operations for-} corporation to operate any show, merry-go-round, or other attrac- ^{bidden.} tion or place of amusement within a mile from the grounds of the Toe River Fair Association at Spruce Pine in Mitchell County, while the said fair is being held. Any person, firm, or ^{Misdemeanor.} corporation violating the provisions of this act shall be guilty of a misdemeanor.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 428

AN ACT TO AUTHORIZE TRIAL FEES IN COUNTY COURT OF GREENE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in each criminal cause heard before the ^{Fees in criminal} county court of Greene County a trial fee of two dollars shall ^{causes.} be charged against each and every person, firm, or corporation convicted or adjudged guilty therein, or who shall submit or enter a plea of *nolo contendere*; and that a fee of three dollars ^{Fees in civil} ^{causes.}

Fees to use of county.

shall be charged in each and every civil cause docketed in said court. That said fees shall be for the use and benefit of the county of Greene and shall be paid into the county treasury.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 429

AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF EDUCATION OF GATES COUNTY.

The General Assembly of North Carolina do enact:

Number increased.

SECTION 1. That the membership of the board of education of Gates County be increased to five, and the following be and are hereby appointed:

Appointments and terms.

- For a term of six years.....J. R. Parker,
- For a term of six years.....N. J. Riddick,
- For a term of four years.....S. P. Cross,
- For a term of four years.....L. D. Harrell,
- For a term of two years.....L. E. Cross.

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 27th day of February, A. D. 1917.

CHAPTER 430

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF HOUSE BILL 246 AND SENATE BILL 308, ENTITLED "AN ACT TO RESTORE THE OFFICE OF COUNTY TREASURER OF CLEVELAND COUNTY, APPOINTING A TREASURER, AND PROVIDING FOR INTEREST ON DEPOSITS," RATIFIED ON JANUARY 9, 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill two hundred and forty-six, Senate Bill three hundred and eight, entitled "An act to restore the office of county treasurer of Cleveland County, appointing a treasurer, and providing for interest on deposits," be and the same is hereby amended as follows: In section three strike out the following words: "The interest collected on the bank balances and

Collection of interest.

deposits aforesaid shall be collected every three months and credited to the respective fund bearing said interest."

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 27th day of February, A. D. 1917.

CHAPTER 431

AN ACT TO AMEND CHAPTER 508 OF THE PUBLIC-LOCAL LAWS OF 1915, BEING AN ACT ENTITLED "AN ACT TO FIX THE SALARIES OF THE COUNTY OFFICERS IN LINCOLN COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter five hundred and eight of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby stricken out and the following inserted in lieu thereof and known as section seven: "That in the event the county commissioners shall find that the salaries herein provided are not sufficient compensation, they shall allow an additional amount of not exceeding five hundred dollars each per annum to the register of deeds and the clerk of the court for the purpose of clerk hire: *Provided*, that the present register of deeds and clerk of the Superior Court for the present term shall receive three hundred dollars each per annum for clerk hire." Increase allowed.
Proviso: Allow-
ance for clerk
hire.

SEC. 2. That the present clerk of the Superior Court shall have the option of coming under the provisions of this act or retaining the fee system until the expiration of his present term of office in December, one thousand nine hundred and eighteen. Option to clerk of
superior court.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 432

AN ACT TO AMEND CHAPTER 63 OF THE PUBLIC-LOCAL LAWS 1913, RELATING TO CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section eight, chapter sixty-three, Public-Local Laws one thousand nine hundred and thirteen, be and the same is hereby amended by striking out the word "three" in line Allowance to reg-
ister of deeds.

three of said section, and inserting in lieu thereof the word "five," and inserting in line four of said section between the word "for" and the word "making" the words "clerk hire and."

Pay of auditor.

SEC. 2. That section ten (10), chapter sixty-three, Public-Local Laws one thousand nine hundred and thirteen, be and the same is hereby amended by adding after the word "county" at the end of section: "*Provided*, that said auditor or person designated to do said auditing shall receive for the said services not more than the sum of one hundred and twenty (\$120.00) dollars per annum."

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 27th day of February, A. D. 1917.

CHAPTER 433

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF CATAWBA COUNTY TO APPOINT A COUNTY MANAGER.

The General Assembly of North Carolina do enact:

Appointment authorized.

SECTION 1. That the board of county commissioners of Catawba County be and they are hereby authorized to appoint a suitable person to act as county manager, who shall hold such position at the will of the board of commissioners, and at such compensation as they may fix. Such county manager may be a member of the board of county commissioners.

At will of board.
Compensation.

Member of board.

Duties.

SEC. 2. That such county manager shall perform such duties as may be imposed on him by the board of commissioners, which may include the following:

Execution of laws.

(1) He shall see that within the county the regulations, resolutions and orders of the board of commissioners are duly observed and executed.

Supervision of roads and bridges.

(2) He shall have supervision, under the control of the board of commissioners, of the roads and bridges of the county, which are not by statute placed under the supervision and control of a board of road commissioners or trustees.

Investigation of claims.

(3) He shall receive and investigate all claims and matters to be presented at the next meeting of the board of commissioners, in order that he may be in a position to inform the board with respect thereto.

Enumeration of powers and duties.

(4) He shall attend all meetings of the board of commissioners, inform the board with respect to claims and matters, present

recommendations for adopting such measures as he shall deem expedient, may report from time to time upon the affairs of the county and keep the board fully advised of the county's financial condition and its future financial needs, but shall not have any vote or power to act as a member of the board unless he be a member of the board, except that he may act as the representative of the board, when the board is not in session, with respect to all matters intrusted by the board to his supervision. He may also be required to audit the books of the various county officers. Audit of books.

(5) The county manager may perform the duties of county treasurer, and if required to perform such duties, he shall give the bonds required by statute to be given by a county treasurer. County treasurer.

SEC. 3. Upon appointing a county manager, the board of county commissioners shall enter or cause to be entered upon the minutes of the board an order stating in detail the duties such county manager is required to perform and the authority he may exercise, which may include all or any of the powers and duties set forth in section two of this act, as well as such others as the board may see fit to impose. Order of appointment recorded.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 434

AN ACT TO PROHIBIT THE SHIPMENT OF INTOXICATING LIQUORS INTO ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any railroad company, express company, or other common carrier, or any officer, agent or employee of any of them, or any other person, to ship or to transport into, or to deliver in the county of Ashe in any manner or by any means whatsoever any spirituous, vinous, fermented or malt liquors, ciders or intoxicating bitters of any kind from any other State, territory, or district of the United States, or place noncontiguous thereto, subject to the jurisdiction of the United States, or from any foreign country, or to any person, firm or corporation within the territory of said county, when the said liquors, or bitters, or any of them, are intended by any person interested therein to be received, possessed, sold or in any manner used, either in the original package, or otherwise, in violation of this act. Shipment, transportation or delivery of liquor forbidden.

SEC. 2. That it shall be unlawful for any person in said county of Ashe to receive, directly or indirectly, any spirituous, vinous, Receipt forbidden.

Liquors for personal use.

Proviso: Wine for sacramental purposes.

Permits for transportation of wine for sacrament.

Proviso: Limitation.

Permit attached to package.

Possession forbidden.
Proviso: Possession for medicinal or sacramental use.

Alcohol for compounding medicines or surgical purposes.

Proviso: Denatured spirits.

Proviso: Wines and liquors for sanatoria.

malt, fermented, or any intoxicating liquors, or ciders, or bitters, from a common or other carrier. This section shall apply to such liquors for personal use as well as for other purposes, and to interstate as well as intrastate shipments or carriers: *Provided, however, that wine for sacramental purposes, not to exceed three gallons during the period of three months, may be received and possessed when ordered or received and possessed as hereinafter provided by the pastor or other church officer, duly authorized to provide the elements for the celebration of the Lord's supper by a church organization.*

SEC. 3. That the clerk of the court of Ashe County is authorized to grant a permit or permits for the transportation of wine to the pastor or other church official duly authorized to provide the elements for the celebration of the Lord's supper: *Provided, such permits shall not aggregate more than three gallons in three months. The clerk of the court must first assure himself that the applicant is the proper person to receive such shipment. Said permit, pasted on or otherwise attached to the package of wine, authorizes the public carrier to bring it into the county and deliver the package as the permit provides.*

SEC. 4. That it shall be unlawful for any person to possess or have in possession any spirituous, vinous or malt liquors: *Provided, however, that this section not be construed to prohibit the possession of two quarts or less of spirituous liquor, one hundred per cent proof, or three gallons of malt liquors, containing not more than five per centum of alcohol, for medicinal use, or five gallons of vinous liquor for sacramental or medicinal use.*

SEC. 5. That the provisions of this act shall not apply to grain alcohol received by duly licensed physicians, druggists, dental surgeons, laboratories and manufacturers of medicine, when intended to be used in compounding, mixing, or preserving medicines, or medicinal preparations, or for surgical purposes, when obtained as hereinafter provided: *Provided, however, that nothing contained in this act shall prohibit the importation into said county and the delivery and possession in said county for use in industry, manufacture, and arts of any denatured alcohol or other denatured spirits, which are compounded and made in accordance with the 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 commissioners of internal revenue thereof, and which are not now subject to internal revenue tax levied by the Government of the said United States: Provided, further that this act shall not apply to wines and liquors required and used by hospitals and sanatoria bona fide established and maintained for the treatment of patients addicted to the use of liquors, morphine, opium, cocaine, or other deleterious drugs, when the same are adminis-*

tered 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.

SEC. 6. 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 permits shall then be granted by the clerk or his duly appointed deputy, who shall affix his 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.

Applicants for permits to ship alcohol.

Permits issued by clerk.

Details of permit.

Permit in duplicate. Original sent to shipper.

SEC. 7. 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 in 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.

Transportation under permit.

SEC. 8. 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 the 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 twenty-five cents, to be paid by the applicant.

Duplicate filed for public inspection.

Fee of clerk.

SEC. 9. 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 one hundred (\$100) dollars, nor more than twenty-five hundred (\$2,500) dollars for each offense, and, in the discretion of the court, may be confined in jail for not more than two years. This penalty if for the first offense, and on a second and every subsequent conviction of a violation of any preceding provisions of this act, the offense shall, in addition to the fine within the limits above named, be punishable by

Misdemeanor. Punishments.

First offense.

Subsequent convictions.

Second offense to be charged and proven. confinement in the county jail for not less than sixty days nor more than two years. It shall be the duty of the prosecuting attorney in all cases of indictment by the grand jury, or when instituting a prosecution in any other way, to ascertain whether or not the charge made or to be made is the first or subsequent offense, and if the latter, it shall be so stated in the charge and returned, and he shall introduce proper evidence in the trial court to show that it is such subsequent offense, and shall not be allowed to use his discretion in charging such second offense, or in introducing evidence and proving the same on trial. It is a purpose to make jail sentence compulsory in the event of a second subsequent offense.

Jail sentence compulsory.

Repealing clause.

SEC. 10. That all acts and parts of acts in conflict with this act are hereby repealed.

SEC. 11. That this act shall take effect from and after its ratification.

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 435

AN ACT TO EMPOWER THE COUNTY COMMISSIONERS OF CLEVELAND COUNTY TO PAY TO THE TOWN OF SHELBY AN ASSESSMENT OF \$2,782.40 FOR IMPROVEMENT OF STREETS ABOUT THE COURTHOUSE SQUARE OF THE COUNTY OF CLEVELAND.

The General Assembly of North Carolina do enact:

Payment authorized.

SECTION 1. That the county commissioners of Cleveland County, North Carolina, be and they are hereby authorized, directed and empowered to pay to the town of Shelby, the county seat thereof, the sum of two thousand seven hundred and eighty-two dollars and forty cents, the said amount being an assessment of one-fourth of the whole cost, for the permanent improvement of the four several streets contiguous to the courthouse square, charged and imposed by the town of Shelby against said county commissioners as abutting landowners.

Amount.

Payment by cash or installments.

SEC. 2. That the said assessment of two thousand seven hundred and eighty-two dollars and forty cents may be paid or discharged by the said county commissioners of Cleveland County in one immediate cash payment, or, alternatively, in ten equal annual installments with interest at the rate of five per cent per annum until paid.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 436

AN ACT TO AMEND CHAPTER 425 OF PUBLIC-LOCAL LAWS 1913, RELATING TO THE RECORDER'S OR COUNTY COURT FOR STANLY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section eleven of chapter four hundred and twenty-five, Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out the word "sixty" in line fourteen of said section and inserting in lieu thereof the words "seventy-five." Salary of recorder.

SEC. 2. That this act shall be in force and effect from and after the first day of March, one thousand nine hundred and seventeen. When act effective.

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 437

AN ACT TAXING DOGS IN CLEVELAND COUNTY AND MAKING THEM SUBJECTS OF LARCENY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person owning or keeping a dog shall pay annually on each dog so owned or kept a license or privilege tax as follows: On each male dog or spayed bitch, one dollar; on each open or unspayed bitch, two dollars. The person so owning or keeping a dog shall be liable for the tax herein provided for whether said dog shall be so owned or kept for a whole calendar year or for any portion thereof. License tax.
Dogs and spayed bitches.
Open bitches.
Liability for tax.

SEC. 2. That it shall be the duty of the board of county commissioners to furnish the several tax collectors of the county with tags bearing some appropriate device indicating payment of the tax herein provided for, and the year issued legibly printed thereon and consecutively numbered, the shape or design of which tags shall change every year. There shall be a different shape or design for the different classes of dogs. License tags.

SEC. 3. The tax herein provided for shall be due and payable on the first day of January in each and every year, or at the time any dog shall come into the ownership or possession of any person, and upon the payment of said tax the tax collector shall deliver to the person so paying said tax one of the tags hereinbefore provided for for each dog upon which such tax has been paid. The said tax collector shall also deliver to said person so paying the tax a receipt, and shall keep stub showing collection by him of said tax. Tax due and payable.
Delivery of tag.
Receipt.

- Dogs liable to tax. SEC. 4. All dogs six months of age and older shall be liable to the tax herein provided for. Any dog upon which the tax herein provided for has been paid shall be held to be property, and shall be the subject of larceny.
- Dogs held to be property.
- Misdemeanor. SEC. 5. That any person who shall own or keep a dog upon his premises without having a tax paid tag upon it as herein provided for, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than ten dollars.
- Punishment.
- Tax to school fund. SEC. 6. The net proceeds raised from the collection of said taxes shall be turned over to the treasurer of the county to the use of the board of education of said county for public school purposes.
- Application of act. SEC. 7. That this act shall apply to Cleveland County only.
- Repealing clause. SEC. 8. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
- SEC. 9. That this act shall be in force from and after its ratification.
- Ratified this the 28th day of February, A. D. 1917.

CHAPTER 438

AN ACT TO PROHIBIT THE SHIPMENT OF SPIRITUOUS LIQUORS INTO LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

- Shipment, transportation and delivery forbidden. 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 into Lincoln County.
- Receiving liquor forbidden. 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 in Lincoln County 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.
- Grain alcohol for mixing medicines or surgical uses. 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: *Pro-*
- Proviso: Denatured alcohol.

vided, however, that nothing contained in this act shall prohibit the importation into Lincoln County and the delivery and possession in said county 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 act 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 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.

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.

Applications for permits.

Grant of permit.

Details.

Permit in duplicate. Original sent to shipper.

SEC. 5. That a permit, issued as above, when attached to or plainly affixed in a conspicuous place to any package or parcel containing grain alcohol transported within the 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.

Transportation covered by permit.

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

Duplicate filed.

- Application and permit open to inspection. 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.
- 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.
- Application of act. SEC. 9. That this act shall apply only to Lincoln County.
- When act effective. SEC. 10. That this act shall take effect on the 1st day of April, one thousand nine hundred and seventeen.
- Ratified this the 28th day of February, A. D. 1917.

CHAPTER 439

AN ACT TO AMEND HOUSE BILL 509, SENATE BILL 507, PASSED AT SESSION OF 1917, ENTITLED "AN ACT TO RE-ESTABLISH THE OFFICE OF COUNTY TREASURER OF CHOWAN COUNTY."

The General Assembly of North Carolina do enact:

- Funds chargeable. SECTION 1. Amend House Bill five hundred and nine, Senate Bill five hundred and seven, passed at session of nineteen hundred and seventeen, by adding after the word "seventeen" in the last line of section three thereof the words "out of the county, school, and road funds, in proportion to the amounts collected for said funds: *Provided*, said treasurer shall receive no other compensation or emoluments by virtue of holding said office."
- Proviso: Exclusive compensation. 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 27th day of February, A. D. 1917.

CHAPTER 440

AN ACT TO APPOINT AN ADDITIONAL MEMBER OF THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

- Appointments. SECTION 1. That Thomas H. James be and he is hereby appointed an additional member of the board of county commissioners of Madison County, his term of office to begin upon the
- Term.

ratification of this act, and to expire on the first Monday in December, one thousand nine hundred and eighteen.

SEC. 2. That there shall be no reorganization of the board of county commissioners of Madison County. No reorganization of board.

SEC. 3. That immediately upon the ratification of this act the Secretary of State shall transmit to the register of deeds of Madison County a duly certified copy of the same. Copy of act.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 441

AN ACT TO PROHIBIT THE SALE OF WINE WITHIN TWO MILES OF FREE-WILL UNION CHURCH IN ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to manufacture for sale or to offer for sale any wine, cider, or other intoxicating beverage within two miles of Free-Will Union Church in Richlands Township, Onslow County. Prohibition.

SEC. 2. Any person, firm, or corporation violating the provisions of this act shall be guilty of a misdemeanor. Misdemeanor.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 442

AN ACT TO REPEAL CHAPTER 337, PUBLIC-LOCAL LAWS OF 1915, AND TO AMEND CHAPTER 446 OF THE PUBLIC-LOCAL LAWS 1913, RELATIVE TO ROADS IN MARSH TOWNSHIP, SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and thirty-seven of the Public-Local Laws of nineteen hundred and fifteen, entitled "An act to authorize a special tax for roads in Marsh Township, Surry County," be and every section therein from one to sixteen, is hereby repealed. Law repealed.

SEC. 2. That section one of chapter four hundred and sixty-seven of the Public-Local Laws of nineteen hundred and thirteen be and the same is hereby amended by striking out all of

Appointment of
highway commis-
sioners.

line one and all of line two of said section down to and including the word "office" before the word "are" in said line two, and inserting in lieu thereof the following: "The board of county commissioners of Surry County are empowered and directed to designate and appoint four persons as highway commissioners on the first Monday in February, nineteen hundred and seventeen, and when so appointed they and their successors in office."

Appointments and
terms.

SEC. 3. That section two of chapter four hundred and sixty-seven of the Public-Local Laws of nineteen hundred and thirteen be amended by striking out all in line two after the word "relief" and before the word "provided" in line six, and inserting in lieu thereof the following: "To be designated and appointed by the board of county commissioners of Surry County as their terms expire; the first two named on the first Monday in February, nineteen hundred and seventeen, shall hold office for four years, and the two last named shall hold office for two years."

Repealing clause.

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 28th day of February, A. D. 1917.

CHAPTER 443

AN ACT TO PROTECT GAME IN CRAVEN AND JONES COUNTIES.

The General Assembly of North Carolina do enact:

Close season for
deer.

SECTION 1. That it shall be unlawful to hunt or kill deer in any manner between the first day of January and the first day of September following in any year, and no person shall be permitted to kill more than one deer in any one day.

Limit of kill.

Close season for
quail or partridge.

SEC. 2. That it shall be unlawful to hunt or in any manner kill quail or partridges between the fifteenth day of February and the fifteenth day of November following in any year, and no person shall be permitted to kill more than twelve quail or partridges in any one day.

Sale forbidden.

SEC. 3. That it shall be unlawful to sell any quail or partridges, either dead or alive.

Shooting water-
fowl from motor
boat.

SEC. 4. That it shall be unlawful to shoot ducks, geese or other water fowl from motor boats.

Misdemeanor.

SEC. 5. That any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than fifty dollars, or imprisoned not more than thirty days.

Punishment.

SEC. 6. That this act shall apply to Craven and Jones counties Application of act only.

SEC. 7. That it shall be the duty of the game warden and of all Enforcement of act. qualified peace officers of the said counties to enforce the provisions of this act.

SEC. 8. That all laws and clauses of laws in conflict with the Repealing clause. provisions of this act are hereby repealed.

SEC. 9. That this act shall be in force from and after March When act effective. first, one thousand nine hundred and seventeen.

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 444

AN ACT TO PROHIBIT THE MANUFACTURE OR SALE OF ANY KIND OF INTOXICATING LIQUOR OR EXTRACT WITHIN A RADIUS OF THREE MILES OF CENTENARY METHODIST CHURCH IN ANTIOCH TOWNSHIP, IN HOKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to manu- Prohibition. facture, or in any way prepare, or to sell, within a radius of three miles of Centenary Methodist Church in Antioch Township, Hoke County, North Carolina, wine, cider, or any other kind of intoxicating liquor, or any kind of intoxicating extract.

SEC. 2. That any one violating this law shall be guilty of a Misdemeanor. misdemeanor.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 445

AN ACT TO AMEND SECTION 4049 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

SECTION 1. That section four thousand and forty-nine of the Revisal of one thousand nine hundred and five be amended by adding at the end thereof: "But any canal owned by it may be Enlargement of canal. enlarged and broadened and deepened, by and at the expense of the landowners whose land is or may be benefited by drainage into a canal; and such landowners may at their own expense Maintenance. maintain said canal in good and proper condition for the efficient

Enlargement by
drainage district.

drainage of such lands, and such enlarging, broadening, deepening, and maintenance may be effected through the agency of a drainage district formed by the adjoining and adjacent land-owners under chapter four hundred and forty-two of the Public Laws of one thousand nine hundred and nine, ratified on the fifth day of March, one thousand nine hundred and nine, and the amendments thereto, being an act entitled: "An act to promote the public health, convenience, and welfare by leveeing, ditching and draining the wet, swamp and overflowed lands of the State and providing for the establishment of levees or drainage districts for the purpose of enlarging or changing any natural water-courses, and for digging ditches or canals for securing better drainage or providing better outlets for drainage, for building levees or embankments and installing tide gates or pumping plants for the reclamation of overflowed lands, and prescribing a method for so doing; and providing for the assessment and collection of the cost and expense of the same and issuing and selling bonds therefor, and for the care and maintenance of such improvements, when constructed."

Application.

SEC. 2. That this act shall apply only to Hyde County.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 446

AN ACT TAXING DOGS DOGS IN GASTON COUNTY AND MAKING THEM SUBJECTS OF LARCENY.

The General Assembly of North Carolina do enact:

License tax.

SECTION 1. That any person owning or keeping a dog shall pay annually on each dog so owned or kept a license or privilege tax as follows: On each male dog or spayed bitch, one dollar; on each open or unspayed bitch, two dollars. The person so owning or keeping a dog shall be liable for the tax herein provided for whether said dog shall be so owned or kept for a whole calendar year or for any portion thereof.

Dogs and spayed
bitches.
Open bitches.
Liability of owner.

License tags.

SEC. 2. That it shall be the duty of the board of county commissioners to furnish the several tax collectors of the county with tags bearing some appropriate device indicating payment of the tax herein provided for and the year issued legibly printed thereon and consecutively numbered. The shape or design of which tags shall change every year. There shall be a different shape or design for the different classes of dogs.

SEC. 3. The tax herein provided for shall be due and payable on the first day of January in each and every year, or at the time any dog shall come into the ownership or possession of any person, and upon the payment of said tax the tax collector shall deliver to the person so paying said tax one of the tags hereinbefore provided for for each dog upon which such tax has been paid. The said tax collector shall also deliver to said person so paying the tax a receipt, and shall keep a stub showing collection by him of said tax.

Tax due and payable.

Tag on payment of tax.

Receipt.

SEC. 4. All dogs six months of age and older shall be liable to the tax herein provided for. Any dog upon which the tax herein provided for has been paid shall be held to be property, and shall be the subject of larceny.

Dogs liable to tax.
Dogs held to be property.

SEC. 5. That any person who shall own or keep a dog upon his premises without having a tax paid tag upon it as herein provided for shall be guilty of a misdemeanor, and upon conviction shall be fined not more than ten dollars.

Misdemeanor.
Punishment.

SEC. 6. The net proceeds raised from the collection of said taxes shall be turned over to the treasurer of the county to the use of the board of education of said county for public school purposes.

Tax to school fund.

SEC. 7. That this act shall apply to Gaston County only.

Application of act.

SEC. 8. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 447

AN ACT TO AMEND SECTION 3733 OF THE REVISAL OF 1913, CHAPTER 81, RELATING 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 thirteen be amended by inserting the word "Washington" between the words "Rutherford" and "Warren" in line five of said section.

Washington inserted.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 448

AN ACT TO APPOINT A COTTON WEIGHER FOR THE TOWN OF OAKBORO IN STANLY COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

- Cotton weigher to be appointed. SECTION 1. That there shall be appointed for the town of Oakboro, in Stanly County, North Carolina, one cotton weigher, sworn to perform his duties faithfully, whose duty shall be to weigh all cotton, sold in bales in said town, and to make just and proper deduction for water or any other damages.
- Duty.
- Cotton weigher to be sworn. Bond. SEC. 2. That all cotton sold in bales in the town of Oakboro shall be weighed by a sworn cotton weigher, who shall give bond in the sum of two hundred (\$200) dollars, to be approved by the board of county commissioners of Stanly County, for the faithful performance of his duties; and said weigher shall receive in full compensation for his services the sum of ten (10) cents per bale for each bale weighed, the seller and the purchaser to pay five (5) cents each, and that the purchaser shall retain five cents of the purchase price and shall be responsible to the said weigher for his fees, and to whom said weigher shall look to for such fees.
- Compensation.
- Term of office. SEC. 3. That the term of said officer shall be two years, beginning with the first day of August, one thousand nine hundred and seventeen, and that his successor shall be elected biennially thereafter, by the boards of commissioners of the town of Oakboro and Stanly County, in joint session held for that purpose on the first Monday in June of the year for which such cotton weigher is to be elected, and his bond approved by the said boards of commissioners of the town of Oakboro and Stanly County on the first Monday in July of each year, when such election shall recur as by this act provided.
- Election of successor.
- Cotton kept separate. SEC. 4. That it shall be the duty of the cotton weigher to keep separated, as nearly as possible, the cotton belonging to different buyers weighed by him, so that cotton belonging to different buyers shall not become mixed on the yard or platform where the weighing is done, such as may be established for public convenience, and furthermore it shall be his duty to keep a record of all cotton weighed, showing the name of the seller and buyer, the grade of cotton, and the price paid, if known to such weigher.
- Records.
- Records evidence. SEC. 5. That the records of said officer shall be evidence in any court, when duly and properly authenticated, and his books and records shall be open to inspection by any person who shall make request to be allowed such privilege.
- Books and records open for inspection.

SEC. 6. That said cotton weigher may, if he shall see proper, Deputies. appoint one or more assistants or deputies in the discharge of his duties in said position; but the said cotton weigher shall be responsible on his bond for each and all of the acts of any person or persons so appointed by him.

SEC. 7. That the said board of commissioners are empowered Removal for cause. Vacancies. to remove for good cause shown, and to fill all vacancies in said position of cotton weigher.

SEC. 8. That J. Ernest Richardson be and he is hereby ap- Weigher named. pointed to fill the first term of office under this act, that is to say, from August the first, one thousand nine hundred and seventeen, to August the first, one thousand nine hundred and nineteen.

SEC. 9. That all laws and clauses of laws now existing in con- Repealing clause. flict with the provisions of this act are hereby repealed.

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 449

AN ACT FOR THE PROTECTION OF CERTAIN CHURCHES IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or Prohibition. corporation to manufacture, sell or otherwise dispose of any wine, whiskey, or any other intoxicating liquors within three Cool Run Baptist Church. miles of Cool Run Baptist Church, in Shallotte Township, Brunswick County, or within three miles of New Britain Baptist New Britain Baptist Church. Church in Waccamaw Township, Brunswick County: *Provided*, that this section shall not apply to the sale of wine for sacramental purposes or for medical purposes.

SEC. 2. That it shall be unlawful for any person in a drunken Drunkenness forbidden. condition to be found upon the grounds of either of said churches, or upon the public highways within three miles thereof.

SEC. 3. That any person, firm or corporation violating the Misdeameanor. Punishment. provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding twenty-five dollars, or be imprisoned not exceeding thirty days.

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

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 450

AN ACT TO PREVENT THE SALE OF WINE, CIDER, OR ANY OTHER INTOXICATING DRINKS WITHIN ONE AND THREE-FOURTHS MILES OF BETHNEY M. E. CHURCH, LIBERTY TOWNSHIP, RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

Prohibition.

SECTION 1. That it shall be unlawful for any person or persons to sell or offer for sale any wine, cider, or other intoxicating drinks within one and three-fourths miles from Bethney M. E. Church, Liberty Township, Randolph County.

Misdemeanor.

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, or both, in the discretion of the court.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 451

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF SURRY COUNTY TO PURCHASE A PURE-BRED AND REGISTERED BULL FOR EACH OF THE SEVERAL TOWNSHIPS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Purchases authorized.

SECTION 1. That the county commissioners of Surry County be and they are hereby authorized to purchase a pure-bred and registered bull for each township in said county, or for any one of said townships complying with the conditions in section two of this act.

Keeping and maintenance of bull.

SEC. 2. The citizens of any one of the several townships of Surry County or all of said townships are authorized and empowered to arrange under such terms of contract as to them may seem just and proper for the keeping and maintenance of said stock bull at their own expense, and shall allow only residents and citizens of Surry County to patronize said bull free of charge; that any township shall certify their contract for the maintenance of said bull to the board of county commissioners before receiving same.

Free service.

Certificate of contract.

Expenditure authorized.

SEC. 3. That said board of county commissioners shall have authority to expend the necessary amount of money out of the general county funds to purchase said bulls. And said county

Sale.

commissioners and their successors in office shall not sell or dispose of any of said bulls in less than six years after purchase.

SEC. 4. That said board of county commissioners of Surry County shall have supervision of said stock and shall withdraw said bulls from one township to another every two years, and shall have authority to sell or dispose of same when such bulls shall become diseased, crippled or unsuited for the purpose for which it was bought. Supervision.
Transfer.

SEC. 5. That the provisions of this act shall be submitted to the board of county commissioners of Surry County on the first Monday of any month for their approval and enforcement. Approval by
county commis-
sioners.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 452

AN ACT TO AMEND CERTAIN SECTIONS OF CHAPTER 97
OF THE PUBLIC LAWS OF 1903, BEING AN ACT TO PRO-
VIDE A BETTER SYSTEM FOR WORKING AND MAIN-
TAINING THE PUBLIC ROADS IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in line three of section three of chapter ninety-seven of the Public Laws of one thousand nine hundred and three, after the word "year" and before the word "and" the following be inserted: "showing under sworn itemized state-
ment semiannually, from the ratification of this act, through its secretary the amount of money spent for permanent improve-
ment on the roads in said township, and to whom paid, and names of persons who paid money in lieu of free labor and the amount so paid, and the names of the persons who worked out their taxes on said road, and the amounts." Details of state-
ments.

SEC. 2. That section seventeen of chapter ninety-seven of the Public Laws of one thousand nine hundred and three be amended by striking out in line sixteen the words "seventy-five cents," and the words "one dollar" be inserted in lieu thereof. Commutation.

SEC. 3. That the following be added to section thirty-seven after the word "services" in line five: "That any person or persons violating section three of this act shall be guilty of a misdemeanor and be fined or imprisoned in the discretion of the court." Misdemeanor.
Punishment.

SEC. 4. That all laws and clauses of laws in conflict herewith are hereby repealed. Repealing clause.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 453

AN ACT TO CORRECT THE ENROLLMENT OF HOUSE BILL 394, SENATE BILL 24, ENTITLED "AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF CALDWELL COUNTY TO ISSUE BONDS TO IMPROVE AND MAINTAIN THE PUBLIC ROADS OF SAID COUNTY AND THE SEVERAL TOWNSHIPS THEREIN, AND TO REFUND THE DEBT OF SAID COUNTY INCURRED FOR BUILDING ROADS AND BRIDGES IN SAID COUNTY," RATIFIED JANUARY 9, 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill three hundred and ninety-four, Senate Bill twenty-four, entitled "An act to authorize the board of commissioners of Caldwell County to issue bonds to improve and maintain the public roads of said county and the several townships therein, and to refund the debt of said county incurred for building roads and bridges in said county, ratified January ninth, one thousand nine hundred and seventeen, be and the same is hereby amended and corrected by striking out of section nine thereof the following sentence: "The registrars and judges of election of each precinct shall meet at their respective precincts on Saturday, the fifth day of May, one thousand nine hundred and seventeen, at sunset."

Meeting of registrars and judges.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 454

AN ACT TO APPOINT A SUPERINTENDENT OF ROADS FOR LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Appointment.

SECTION 1. That James L. Putnam be and he is hereby appointed superintendent of the roads and highways of Lincoln County at an annual salary of one thousand dollars for a period of two years after the ratification of this act, and actual traveling expenses up to five hundred dollars per annum.

Salary.

Repealing clause.

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

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 455

AN ACT TO RESTRICT THE CARRYING OF LIQUOR INTO
UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to take into or receive in Union County from a point within or without this State, for hire or otherwise, for himself, itself, or another, any spirituous or vinous liquors, intoxicating bitters, or malt liquors, except as a separate and independent shipment or consignment by a common carrier under the provisions of and conditions prescribed by chapter ninety-seven of the Public Laws of one thousand nine hundred and fifteen, and chapter forty-four of the Public Laws of one thousand nine hundred and thirteen.

Restriction on shipment and receipt.

SEC. 2. That before any spirituous or vinous liquors, intoxicating bitters, or malt liquors are delivered to any consignee in Union County, under the conditions prescribed by section five, chapter forty-four of the Public Laws of one thousand nine hundred and thirteen, the consignee shall be required by the common carrier to sign an affidavit that he has not received during the previous fifteen days any such liquors or bitters, as the case may be.

Affidavit required of consignee.

SEC. 3. That it shall be unlawful for any common carrier to transport or deliver to any woman, or to any person under twenty-one years of age in Union County, any spirituous or vinous liquors, intoxicating bitters, or malt liquors from a point within or without this State.

Delivery to women or minors.

SEC. 4. That any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor.

Misdemeanor.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 456

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF McDOWELL COUNTY TO ISSUE BONDS FOR ROAD PURPOSES IN NORTH COVE TOWNSHIP IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of McDowell County are hereby authorized and directed to issue fifty thousand dollars (\$50,000) in bonds for road purposes in North

Issue of bonds ordered. Amount.

Interest.	Cove Township, McDowell County. The said bonds shall not bear a greater rate of interest than five and one-half per centum per annum, payable thirty years after the date thereof. The same are not to be sold at less than par and to be of the denomination of five hundred dollars (\$500) each, interest to be due and payable semiannually and to be so expressed on the face of said bonds. Each of the said bonds shall be numbered and have attached thereto coupons to represent the interest that shall become due semiannually on each of said bonds. Said bonds and coupons are to be due and payable at the Chase National Bank of New York City. 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 said register attached thereto.
Sale below par forbidden.	
Denominations.	
Numbers and coupons.	
Place of payment.	
Authentication.	
Obligation of bonds.	SEC. 2. The said bonds and coupons shall express upon their face that they are payable out of the taxable property and polls of North Cove Township, and it shall be lawful for and the duty of the board of commissioners of McDowell 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.
Tax for interest and sinking fund.	
Pay of road commissioners.	SEC. 3. That the road commissioners who are hereinafter appointed by this act shall receive for their services the sum of two dollars (\$2) per day during the time they are actually engaged in the duty assigned them by this act. They shall be allowed all necessary expenses for postage, stationery, attorney's fees, traveling expenses, and such other additional expenses as may be incurred by them in the discharge of their duty. That the road commissioners of North Cove Township shall be and the same are hereby appointed under this act, viz.: Joe C. Connelly, Jim Avery, and James Hollifield, who shall hold their office until their successors are appointed on the first Monday in March, one thousand nine hundred and nineteen, and duly qualified. That the road commissioners shall elect a secretary-treasurer and chairman.
Expenses.	
Appointment.	
Term.	
Organization.	
Charge of expenditures.	SEC. 4. The road commissioners of North Cove Township shall have entire charge of expenditures of the proceeds of sale of said bonds herein authorized to be issued and the expenditures derived from the taxes herein authorized to be levied and collected, less the interest on the bonds issued and sold and the amount set apart for the sinking fund; and before entering upon the discharge of their duties under this act each of them shall take and subscribe the oath for the faithful performance of their duties under this act. The secretary-treasurer.
Commissioners to qualify.	
Bond of secretary-treasurer.	

urer of said road commission shall file a bond with sureties to be approved by the clerk of the Superior Court of McDowell County, payable to the board of commissioners of McDowell County in the sum of ten thousand dollars (\$10,000) conditional for the faithful discharge of his duties, and upon the taking of said oath and the filing of said bond, and the approval of the same, the board of commissioners of McDowell County shall turn over to the road commissioners the bonds so issued. Delivery of bonds.

SEC. 5. The said road commissioners of North Cove Township are authorized and directed 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. Payment for bonds.

SEC. 6. That when said bonds shall be turned over to said road commissioners, as herein provided, it shall be the duty of such commissioners to sell them to the best advantage of such township by securing the lowest rate of interest at which said bonds can be sold for not less than their par value. That the money derived from the sale of said bonds shall be paid to the secretary-treasurer of the road commissioners of North Cove Township, who shall disburse the same on written order of the chairman of said road commissioners, countersigned by the secretary-treasurer thereof. The said secretary-treasurer is hereby authorized, required, and directed to keep a separate account of money received by him of the proceeds of the sale of said bonds, and the disbursement therein made by him of all funds, and the said bonds of the secretary-treasurer shall be liable for the faithful accounting of the money received by him under this act. The said secretary-treasurer shall receive for his compensation for receiving and disbursing the moneys derived from the sale of said bonds one-half of one per centum, and shall receive for his compensation for receiving and disbursing the tax levied and collected under this act the sum of one per centum, the said tax to be collected by the sheriff or tax collector of said county and accounted for as other taxes levied and collected in said county. Sale of bonds.
Custody of proceeds.
Orders on fund.
Separate accounts.
Pay of secretary-treasurer.

SEC. 7. That it shall be the duty of the said board of county commissioners to levy an annual tax on the taxable property and the polls of said township a separate tax, the proceeds of which shall be applied to paying the interest and providing a sinking fund for the payment of said bonds. Collection of tax.
Special tax.

SEC. 8. That all laws now pertaining to the public roads of North Cove Township, except such as are modified or repealed by this act, shall remain in full force and effect. Former laws.

SEC. 9. That said road commissioners herein created shall have the power to sue and be sued in the courts of this State Corporate powers.

and other courts for the enforcement of or for the penalty of any violation of any contract made by said road commissioners in the performance of the duties assigned under this act.

Repealing clause.

SEC. 10. That all laws or clauses of laws inconsistent with the provisions of this act shall be repealed when this act shall become operative, but all laws and clauses of laws which are not repealed or modified by this act shall be in full force and effect.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 457

AN ACT TO AMEND CHAPTER 635 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATIVE TO AUDIT OF ACCOUNTS OF OFFICERS.

The General Assembly of North Carolina do enact:

Auditor to be employed.

SECTION 1. That section one of chapter six hundred and thirty-five of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the word "appoint" in line two, and insert in lieu thereof the word "employ," and by inserting between the word "treasurer" and the word "and" in line four "and board of education," and by striking out all between the word "sum" in line seven and the word "time" in line nine, and insert in lieu thereof the words "that may be agreed upon for the."

Extension of audit.

Payment.

Repealing clause.

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 28th day of February, A. D. 1917.

CHAPTER 458

AN ACT TO REGULATE THE SALE OR BARTER OF VINOUS, MALT AND SPIRITUOUS LIQUORS OR BITTERS IN DARE COUNTY.

The General Assembly of North Carolina do enact:

Prohibition.

SECTION 1. That it shall be unlawful for any person, firm or corporation to barter or sell any vinous, malt or intoxicating liquors, bitters and Jamaica ginger.

SEC. 2. That this act shall apply only to Dare County: *Provided*, that this act shall in no wise be construed to repeal any of the laws of the State now existing, except in so far as said laws may conflict with this act: *Provided further*, that this act does not make unlawful the shipping of wine to dealers outside of the county as now provided by law.

Application of act.
Proviso: Effect
on former laws.

Proviso: Ship-
ping wine.

SEC. 3. That any person, firm, or corporation violating the provisions of this act shall be guilty of a misdemeanor and fined or imprisoned or both in the discretion of the court.

Misdemeanor.
Punishment.

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

Repealing clause.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 459

AN ACT TO CONSOLIDATE THE LAWS RELATING TO THE PROTECTION OF GAME IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and ninety-nine of the Public Laws of session of one thousand nine hundred and seven, and chapter six hundred and sixty-three of the Public-Local Laws of session of one thousand nine hundred and fifteen be and the same are hereby repealed.

Laws repealed.

SEC. 2. That it shall be unlawful to hunt, kill, or shoot any quail in Iredell County, except with gun and dog from the first day of December until the tenth day of January in each and every year; that it shall be unlawful to trap, net, or otherwise destroy quail in Iredell County at any time or in any way except as provided above, from December first, with gun and dog, until the tenth day of January, in each and every year. It shall be unlawful to take or destroy the eggs of any quail in said county at any time. That any person who shall violate any provision of this section shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court.

Open season for
quail.

Trapping and net-
ting forbidden.

Eggs protected.

Misdemeanor.
Punishment.

SEC. 3. That it shall be unlawful for any person, persons, firm, or corporation to ship, haul, carry or transport, or otherwise convey beyond the limits of Iredell County any quail, dead or alive. Any person, firm or corporation violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court.

Shipping quail
forbidden.

Misdemeanor.
Punishment.

Sale of quail forbidden. SEC. 4. That it shall be unlawful for any person, persons, firm or corporation to sell, offer for sale, trade, barter or otherwise dispose of any quail within said county. Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court.

Misdemeanor.
Punishment.

Hunting on lands of others. SEC. 5. That it shall be unlawful for any person to hunt on the lands of another without first obtaining the permission from the owner of the land to do so. That it shall be unlawful for any person who is a bona fide resident of the State of North Carolina, but not a bona fide resident of said county, to hunt, shoot or kill any quail in said county, unless said nonresident shall have 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 two dollars; and it shall be unlawful for any person who is a nonresident of the State of North Carolina to hunt, shoot, or kill any quail in said county unless said nonresident of the State 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 licenses, when issued, shall be good from the date of issue to the close of the open season for that year.

License for resident of State.

License for non-residents.

Open season for opossums.

SEC. 6. That it shall be unlawful for any person or persons to hunt, kill or trap any opossums at any time except from the first day of October until the first day of March of each and every year.

Repealing clause.

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 28th day of February, A. D. 1917.

CHAPTER 460

AN ACT TO PROHIBIT LOUD AND BOISTEROUS CONDUCT ON THE PUBLIC ROADS IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

Conduct forbidden.

SECTION 1. That it shall be unlawful for any person or persons while traveling along or upon the public highways of Hyde County, either during the day or at night, to disturb the peace by loud, boisterous or indecent conduct.

SEC. 2. That any person violating the provisions 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. Misdemeanor.
Punishment.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 461

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF HOUSE BILL 461, SENATE BILL 457, ENTITLED "AN ACT TO DIVIDE MARION TOWNSHIP, McDOWELL COUNTY, INTO TWO VOTING PRECINCTS."

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill four hundred and sixty-one, Senate Bill four hundred and fifty-seven, entitled "An act to divide Marion Township, McDowell County, into two voting precincts," ratified on the day of January, one thousand nine hundred and seventeen, be and the same is hereby amended as follows: In the caption and body of said act, strike out the word "township" wherever the same appears, and insert the word "precinct." Amendment.

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 force from and after its ratification.

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 462

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:

SECTION 1. That 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 all of section eleven of said chapter and inserting in lieu thereof the following:

That each board of township road supervisors shall make an itemized quarterly report to the board of county commissioners once every three months or oftener if required by said board of commissioners, which report shall show: Itemized quarterly reports.

- Receipts. (a) The amount of moneys received since the last report and from what source received;
- Disbursements. (b) The expenditures since the last report, and for what expended;
- Inventory. (c) A complete list of teams, tools and all machinery owned by their respective townships; and said reports shall be recorded by the register of deeds in a suitable book, and shall be subject to the inspection of the public.
- Reports recorded.
- First report. SEC. 2. That the first report provided for in this act shall be made on the first Monday in May, one thousand nine hundred and seventeen.
- SEC. 3. That this act shall be in force from and after its ratification.
- Ratified this the 28th day of February, A. D. 1917.

CHAPTER 463

AN ACT TO AMEND CHAPTER 775 OF THE PUBLIC-LOCAL LAWS OF 1913, WITH RESPECT TO PUBLIC DRUNKENNESS AND DISORDER IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

- Minimum fine. SECTION 1. That section two, chapter seven hundred and seventy-five of the Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out the word "ten" in line thirty-nine thereof, and inserting in lieu thereof the word "twenty."
- Application of act. SEC. 2. That this act shall apply to Avery County only.
- SEC. 3. That this act shall be in force from and after its ratification.
- Ratified this the 28th day of February, A. D. 1917.

CHAPTER 464

AN ACT FOR THE BETTER ENFORCEMENT OF THE PROHIBITION LAWS OF THE STATE OF NORTH CAROLINA IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

- Punishment on conviction or submission. SECTION 1. Any person who shall be convicted or who shall plead guilty, upon indictment in the Superior Court of Columbus County, or in the county court, or any of the recorder courts of said county, of any violation of any of the prohibition laws of the State of North Carolina, shall be sentenced by the court wherein

he is convicted or pleads guilty, to imprisonment in the common jail of said county of Columbus, to be worked on the public roads of Columbus County for a term of three months at least, or for a longer term than three months, in the discretion of the court, and may, in addition to the term of imprisonment as pronounced by said court, be fined in the discretion of the court.

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

SEC. 3. That this act shall be in force from and after the When act effective. first day of April, one thousand nine hundred and seventeen.

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 465

AN ACT TO AMEND CHAPTER 814, PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE PROMPT PAYMENT OF TAXES IN CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eight hundred and fourteen, Public-Law extended. Local Laws of one thousand nine hundred and thirteen, be amended by adding after the word "county" in line fourteen of section one, the words "and Caldwell County."

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

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 466

AN ACT TO AMEND THE ROAD LAW OF LEE COUNTY AND MAKE THE BOARD OF COUNTY COMMISSIONERS EX OFFICIO HIGHWAY COMMISSIONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That the terms of all members of the highway Terms to end. commission of Lee County as at present constituted shall end on April thirtieth, one thousand nine hundred and seventeen.

SEC. 2. That effective May first, one thousand nine hundred and seventeen, the members of the board of county commissioners of Lee County shall be ex officio members of the highway County commissioners ex officio highway commissioners. commission of Lee County, and shall be vested with all the Powers and duties vested. powers, duties, rights and privileges vested in the highway com-

mission of Lee County by virtue of chapter five hundred and eighty-six, Public-Local Laws of one thousand nine hundred and eleven, and chapter three hundred and fifty-five of the Public-Local Laws of one thousand nine hundred and eleven, and acts amendatory thereof; and shall perform all of the duties therein defined and described.

Laws repealed.

SEC. 3. That all portions of chapter five hundred and eighty-six, Public-Local Laws one thousand nine hundred and eleven, and chapter three hundred and fifty-five, Public-Local Laws one thousand nine hundred and eleven, providing for the election of a board of highway commissioners for Lee County, and all other portions of acts amendatory thereof of similar purport, are hereby repealed.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 467

AN ACT TO ESTABLISH STOCK LAW IN CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Time of operation.

SECTION 1. That on and after January first, one thousand nine hundred and nineteen, Chowan County shall become stock-law territory.

Stock law defined.

SEC. 2. The term "stock law" as designated in section one hereof shall be understood and construed to mean that no stock shall be allowed to run at large upon any land that is not surrounded by fence or natural barrier over which stock cannot freely pass.

Stock defined.

SEC. 3. The word "stock" as used in this act shall be construed to mean geese and all four-footed domestic animals except dogs and cats.

Misdemeanor.

SEC. 4. That on and after the first day of January, nineteen hundred and nineteen, any person who shall willfully allow his stock to run at large in Chowan County shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one dollar nor more than fifty dollars, or imprisoned not more than thirty days.

Impounding stock.

SEC. 5. That any person finding stock running at large in Chowan County after this act shall have gone into effect may take up and impound the same, notifying the owner of said stock, if he be known, who may reclaim the said stock by paying damages and twenty-five cents per head for impounding; if the

Pound charges.

Sale of stock.

owner be unknown, sell said stock to the highest bidder, after advertising same for ten days at the courthouse door and three public places in the township in which the stock is impounded, unless sooner reclaimed by the owner. After all expenses shall have been paid any balance to be turned over to the public school fund of the county in which said stock is impounded: *Provided*, that this act shall not go into effect if at the next general election for the election of members of the General Assembly there shall be a box provided in which may be voted a ballot on which is written or printed "Against Stock Law," and if a majority of the qualified voters of Chowan County shall vote against stock law, then this act shall not go into effect.

Provide: Election on 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 force from and after its ratification.

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 468

AN ACT TO AMEND SECTION 9, CHAPTER 231. PUBLIC LAWS OF 1897, ENTITLED "AN ACT TO IMPROVE THE ROADS IN UNION COUNTY BY TAXATION."

The General Assembly of North Carolina do enact:

SECTION 1. That section nine, chapter two hundred and thirty-one of the Public Laws of one thousand eight hundred and ninety-seven, be amended by striking out after the word "districts" at the end of line thirteen, all of lines thirteen and fourteen; and all after the word "roads" in line eighteen in said section.

Pay of overseers and laborers.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 469

AN ACT FOR THE PROTECTION OF GAME IN THE COUNTIES OF WATAUGA, CALDWELL, AND AVERY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to kill or in any way destroy any deer or Chinese pheasants or have the same in their possession, for a term of five years from and after the ratification of this act. And any person convicted of a viola-

Deer and Chinese pheasants.

Punishment.

tion of this section shall be fined not less than fifty dollars or imprisoned for a term not less than sixty days, or both in the discretion of the court.

Deer in parks and enclosures.

SEC. 2. That any person convicted of killing or removing any deer from any park or enclosures in said counties shall be guilty of a felony and punished as for that offense.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 470

AN ACT TO AMEND CHAPTER 80 OF THE PUBLIC LAWS OF THE EXTRA SESSION OF 1913, RELATIVE TO KILLING, SELLING AND SHIPPING OF VEAL IN CERTAIN COUNTIES.

The General Assembly of North Carolina do enact:

Cleveland stricken out.

SECTION 1. That chapter eighty of the Public Laws of the extra session of one thousand nine hundred and thirteen be and the same is hereby amended by striking out the word "Cleveland" in line four, section three thereof.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 471

AN ACT TO REGULATE THE HOUSE OF CORRECTION OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Reception of delinquent and wayward children.

SECTION 1. That the directors of the house of correction of Forsyth County shall, in their discretion, receive therein such delinquent and wayward children under the age of sixteen years as may be sent or committed thereto under any order of commitment by the judges of the Superior Court of Forsyth County or the judge of the municipal court of the city of Winston-Salem, or the presiding officer of any court of criminal jurisdiction in Forsyth County, and shall have the sole right and authority to keep, restrain, and control such delinquent or wayward children during their minority or until such time as they shall deem proper for their discharge and under such proper and humane

Keeping, restraint and control.

rules and regulations as may be adopted by said directors: *Provided* that no child shall be admitted to the said house of correction until he shall have been examined by the county physician of Forsyth County and found not to have any infectious or contagious disease: *Provided further*, that no child over sixteen years of age shall be admitted to said house of correction.

Proviso: Examination by county physician.

Proviso: Age limit.

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 the date of its ratification.

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 472

AN ACT TO INCREASE THE PAY OF THE COUNTY COMMISSIONERS OF DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after the first Monday in April, one thousand nine hundred and seventeen, the members of the board of county commissioners of Duplin County shall each be allowed and shall be paid the sum of four dollars per day for each day they are in actual attendance on their duties as such commissioners, and no more, and they shall receive the further sum of five cents per mile to and from their places of meeting on the first day of each session, and no mileage on other days.

Per diem.

Mileage.

SEC. 2. That all 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 28th day of February, A. D. 1917.

CHAPTER 473

AN ACT FOR THE RELIEF OF THE COUNTY SUPERINTENDENT OF HEALTH OF BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Bertie County be and they are hereby authorized and empowered to pay out of the public funds of said county all expenses, costs and charges of every kind incurred and paid by Dr. John L. Pritchard, county superintendent of health, for treatment, transportation and hospital charges and burial expenses of McKinley Pritchard, after

Payment authorized.

being wounded by the deputy sheriff of said county in an effort to arrest him for felonious house-breaking.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 474

AN ACT TO PROTECT GAME IN ANSON COUNTY.

The General Assembly of North Carolina do enact:

- Chief game warden. SECTION 1. The board of commissioners of Anson County shall, on the first Monday in April, one thousand nine hundred and seventeen, and biennially thereafter appoint a chief game warden for Anson County. It shall be the duty of said chief game warden to enforce the game laws of Anson County, including the provisions of this act.
- Duty.
- Deputy game wardens. SECTION 2. For the more complete enforcement of the game laws of said county said chief game warden is authorized and empowered to appoint such number of deputy game wardens as in his opinion may be necessary. Said deputy game wardens shall be vested with the same power and authority as is herein granted to said chief game warden.
- Powers.
- Chief and deputy warden to qualify and give bond. SECTION 3. Said chief game warden and each deputy game warden appointed under the terms of this act shall, before entering upon the duties of his office, take and subscribe an oath for the faithful performance of his duties and shall execute a bond in such sum as may be required by the board of commissioners of Anson County; and said chief game warden and deputy game wardens shall have and exercise all the powers and privileges exercised by township constable and other police officers in so far as the same may be necessary to enable them to perform the duties of enforcing the provisions of this act, and the game laws applicable to Anson County.
- Powers as constables and police officers.
- License for non-residents. SECTION 4. It shall be unlawful for any nonresident of Anson County to hunt, shoot, or kill any game or wild bird or animal in said county, without first procuring a license to be issued by the chief game warden or a deputy game warden. Said license shall run for one year and shall be issued upon the payment of a tax of ten dollars and a fee of fifty cents to the warden issuing such license. It shall be unlawful for any resident of Anson County to shoot or kill any game bird, rabbit, squirrel, fox, raccoon, or opossum in said county without first procuring a license to be issued by the chief game warden or a deputy game warden. Said license shall run for one year and shall be issued upon the pay-
- License tax and fee.
- License for residents.
- Tax and fee.

ment of a tax of two dollars and a fee of fifty cents to the warden issuing such license: *Provided, however,* that resident land-owners of Anson County may hunt or kill game which is allowed to be killed under the provisions of this act, upon their own lands, without the payment of said license. Said license above provided for shall be in such form as the board of commissioners of Anson County shall prescribe and shall cover a period of one year from the first day in June until the thirty-first day in May: *Provided, however,* said license shall not authorize the killing or hunting of any game during the closed season or at a time when it shall be unlawful to kill or hunt the same. No other license shall be required for hunting in said county.

Proviso: Resident landlords.

Form and time of licenses.

Proviso: Closed season.

SEC. 5. It shall be unlawful for any person to hunt, kill, or capture any game bird, rabbit, opossum, raccoon, or squirrel in Anson County without the written consent of the owner of the lands upon which said killing, hunting or capturing shall be done. It shall be unlawful for any person to hunt, kill or capture any deer or wild turkey in Anson County for five years from the ratification of this act.

Hunting on lands of others.

Deer and wild turkey.

SEC. 6. It shall be unlawful for any person to hunt, kill or capture any game bird, opossum, squirrel, rabbit, or raccoon in Anson County between the twentieth day in January and the twentieth day in November in any year.

Close season.

SEC. 7. That game birds, within the meaning of this act, shall be bob white, partridge, quail, wild geese, brant, wild duck, snipe, woodcock, dove, robin, and meadow lark.

Game birds defined.

SEC. 8. For each arrest under the provisions of this act the chief game warden or his deputy shall be paid the sum of one dollar and fifty cents, and for each conviction of any violation of any game law, including this act, he shall receive the sum of five dollars in addition to the fees for arrest and service of papers, which shall be the same as allowed to constables for like service.

Fees of wardens.

SEC. 9. All license fees collected by the chief game warden or his deputy shall be paid over monthly to the treasurer of Anson County. The board of commissioners of Anson County may use any portion of said funds for the purpose of enforcing the provisions of this act and paying the chief game warden and his deputies. Any surplus shall be used by them in the improvement of the public roads in Anson County.

Settlement of license fees.

Use of license fees.

Surplus to road fund.

SEC. 10. If any person shall violate any provision of this act, he shall be guilty of a misdemeanor and upon a conviction shall be fined not less than twenty-five dollars nor more than one hundred dollars; or imprisoned not less than thirty days nor more than six months.

Misdemeanor.

Punishment.

SEC. 11. All laws in conflict with this act are hereby repealed.

Repealing clause.

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 475

AN ACT TO AMEND SECTION 3733 BY ADDING PITT COUNTY TO THE NUMBER OF COUNTIES THEREIN NAMED, RELATING TO DRUNKENNESS ON THE PUBLIC HIGHWAY.

The General Assembly of North Carolina do enact:

Law extended.

SECTION 1. That section three thousand three hundred and thirty-three of the Revisal of one thousand nine hundred and five, be and the same is hereby amended by adding after the word "Mecklenburg" in line five, the word "Pitt."

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 476

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF WILSON COUNTY TO BUILD A NEW COURTHOUSE FOR THE COUNTY OF WILSON AND TO ISSUE BONDS THEREFOR.

The General Assembly of North Carolina do enact:

Election authorized.

Proviso: Notice of election.

SECTION 1. The board of commissioners of Wilson County are hereby authorized and empowered to cause an election to be held in the county of Wilson at such time as they shall name: *Provided*, the said election shall not be held until notice thereof shall be given by a notice posted at the courthouse door in the town of Wilson for thirty days and by the publication of a like notice for four successive weeks in some newspaper published and circulating in the county of Wilson prior to the holding of said election, upon the question as to whether or not the board of commissioners of Wilson County shall issue one hundred thousand (\$100,000) dollars of bonds of the county of Wilson, to be known and designated as "Wilson County Courthouse Bonds."

Bond issue to be voted on.

Ballots.

SEC. 2. That at said election all qualified voters who favor the issuing of said bonds shall vote a ballot upon which shall be written or printed the words "For Courthouse Bonds," and all qualified voters who are opposed to the issuing of said bonds as provided for in this act, shall vote a ballot upon which shall be written or printed the words "Against Courthouse Bonds." That said election shall be held under and pursuant to the general election laws of the State of North Carolina governing the election of county officers as near as the same is practicable, and shall

Law governing election.

be held under the supervision of the county board of elections, which said board shall have printed and distributed a sufficient number of ballots as herein provided for, and the expenses of holding the said election shall be paid by the county of Wilson out of the general county fund. The judges of election and poll-holders of the various precincts shall make their returns to the board of county commissioners of Wilson County, who shall canvass the same and declare the results and enter the same upon their minutes.

Expense of election.

Returns.

Canvass and record.

SEC. 3. The board of county commissioners of Wilson County are authorized, if in their judgment it seems best, to order a new registration for said election.

New registration.

SEC. 4. In the event a majority of the qualified voters of Wilson County at said election, shall vote "For Courthouse Bonds," then, and in such event, the board of commissioners of Wilson County are hereby authorized and empowered to issue the bonds of the county of Wilson to be known and designated as hereinbefore provided, in an amount not to exceed one hundred thousand (\$100,000) dollars, in denominations not to exceed one thousand (\$1,000) dollars, nor less than one hundred (\$100) dollars, which said bonds shall bear a rate of interest as hereinafter provided for, with interest coupons attached, payable semiannually on the first day of January and on the first day of July each and every year during which said bonds shall run; that the principal of said bonds shall be payable and redeemable not more than thirty (30) years from the date of their issuance; both principal and interest shall be payable at some banking or trust company to be designated by the board of commissioners of Wilson County, and named in the face of said bonds and coupons; that said bonds shall be in such form as may be prescribed by the board of commissioners of Wilson County and shall be named and styled "Wilson County Courthouse Bonds." Said bonds shall be signed by the chairman of the board of commissioners of Wilson County and countersigned by the clerk of said board; that a facsimile of the signature of the chairman shall be lithographed upon the interest coupons; that none of said bonds shall be valid until the seal of the board of commissioners of Wilson County shall have been attached thereto. The board of commissioners of Wilson County are hereby authorized and empowered, if in their discretion it may seem best, to issue the said bonds serially; that the form of said bonds and coupons shall be adopted by the board of commissioners of Wilson County at a regular meeting of the said board and shall be entered upon the minutes of said board; that the faith and credit of the county of Wilson shall be pledged for the payment of both principal and interest of said bonds.

Bond issue if authorized.

Amount.

Denominations.

Interest.

Maturity.

Form and entitlement.

Authentication.

Serial issue.

Obligation of bonds.

Use of proceeds of bonds.

SEC. 5. The proceeds received from the sale of said bonds shall be used by the board of county commissioners of Wilson County

in defraying the costs of building a new courthouse and jail, buying fixtures and furniture therefor, and tearing down and demolishing the present courthouse and jail.

Advertisement for sale.

SEC. 6. The board of commissioners of Wilson County shall offer the said bonds for sale by advertising the same for sale for not less than four successive weeks in such newspapers and publications as to them may seem best and in accordance with the statutes in force in the State of North Carolina relative to the sale of bonds, and the said bonds shall be sold upon the following terms and no other, to wit: The said bonds shall be offered at par and the bidders shall name the rate of interest at which they shall offer to take the said bonds at par, and the board of commissioners of Wilson County shall sell the said bonds to such responsible bidder who shall offer to take the same at par for the smallest rate of interest, and the bonds shall thereafter bear such rate of interest and shall be so designated in the sale and the face thereof.

Terms of sale.

Special tax.

SEC. 7. In the event that a majority of the qualified voters of Wilson County shall vote at said election "For Courthouse Bonds," as herein provided for, then and in such event the board of commissioners of Wilson County shall annually levy a special tax upon all the property and subjects of taxation in the county of Wilson of not more than ten cents on the one hundred dollars assessed valuation of property and subjects of taxation, and not more than thirty cents on each poll, for the purpose of providing a fund for the payment of interest coupons on said bonds, and a fund for the payment of the principal of said bonds, as it shall become due.

Limit of rate.

Specific appropriation.

SEC. 8. That the moneys derived from taxation as herein provided for shall be used for the purpose of paying the interest upon the bonds herein provided for and the principal of said bonds

Sinking fund commission.

when due, and no other purpose; that the board of commissioners of Wilson County shall elect three (3) qualified electors of Wilson County as a sinking fund commission, which electors when elected shall meet and organize and elect one of their members chairman and one secretary and treasurer; that the terms of office of said sinking fund commission shall be as follows: One shall be elected for one year; one shall be elected for two years, and one shall be elected for three years, and their successors shall be elected for a term of three years each. That after paying the interest coupons annually from the money derived from the annual levy as herein provided for the surplus of said fund shall on the first day of July in each year be paid over to the said sinking fund commission, and shall be by it held for the purpose of paying the principal of said bonds and retiring the same as it shall fall due, and shall be invested by it in good interest-bearing securities; and the notes, bonds, and other evidences of debt which the said commission

Organization and terms of office.

Investment of sinking fund.

may take for the moneys invested by it shall be made payable to the Wilson County Sinking Fund Commission. The board of commissioners of Wilson County shall annually from time to time notify the said sinking fund commission of the date of the maturity of any of the bonds herein provided for, which notice shall be given by the said board of commissioners at least three months prior to the date of the maturity of the said bonds, and which notice shall contain a notice of the place at which said bonds are payable. Notice of maturity.

SEC. 9. The sinking fund commission herein provided for may be the same persons which may have been appointed as a sinking fund commission for any other bonds issued by the county of Wilson, but all moneys paid to the said sinking fund commission pursuant to the terms of this act shall be held by it separate and distinct from any other funds and shall be used by the said commission for the purposes herein provided for and no other purpose. Money kept separate.

SEC. 10. The sinking fund commission herein provided for shall have the power in the event the board of commissioners of Wilson County shall refuse to levy the tax as herein provided for, to bring actions in the Superior Court of Wilson County for the purpose of compelling the said commissioners to levy the said tax and cause the same to be collected. Enforcement of tax levy.

SEC. 11. This act shall be in force from and after the date of its ratification.

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 477

AN ACT TO AUTHORIZE THE COUNTY OF NEW HANOVER TO ISSUE BONDS FOR SCHOOL BUILDINGS AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of New Hanover County, in order to provide for the erection, construction, and repair of suitable and permanent schoolhouses in said county, necessary for the accommodation of the children of said county, be and it is hereby authorized and directed, when requested by the board of education of said county, to submit to a vote of the qualified electors of said county the question "Shall New Hanover County issue its coupon bonds not to exceed the sum of two hundred and fifty thousand dollars, and levy a special tax for public school improvements in said county?" Said board of commissioners shall, for at least thirty days preceding said election, give public Question to be submitted to vote.

Notice of election.

notice of the time and places for holding said election and the purposes thereof, by publication in one or more newspapers published in said county.

Apportionment of proceeds of bonds.

SEC. 2. The proceeds of the sale of said bonds shall be apportioned to the following objects: Sixteen thousand dollars may be used to pay off any outstanding indebtedness, and the balance shall be thus distributed:

High school	\$125,000.00
Purchase of balance of lot	10,000.00
Carolina Beach	1,500.00
Oak Hill	1,500.00
East Wilmington	3,000.00
Repairs to old high school building.....	15,000.00
Peabody school	20,000.00
Williston industrial addition.....	10,000.00
Williston primary	2,000.00
Myrtle Grove	1,000.00
Rural colored	5,000.00
Scott's Hill	1,500.00
South Wilmington	2,000.00
Acorn Branch	1,500.00
Bear Memorial	8,000.00

Law governing election.

SEC. 3. That the said election shall be held and conducted in the same manner as prescribed by law for holding elections for members of the General Assembly. *Provided, however,* that said board of commissioners shall order a new registration and appoint the registrars and judges of election; that the vote shall be counted at the close of the polls and returned to said board of commissioners on the second day next after said election, and said board of commissioners shall tabulate and declare the result of the election, all of which shall be recorded in the minutes of the board of commissioners, and no other recording and declaration of the result of said election shall be necessary.

Proviso: New registration. Election officers.

Count and return of votes.

Canvass of returns.

Record.

Ballots.

SEC. 4. That at said election the ballots shall have written or printed upon them the words, "For public school bonds," or "Against public school bonds." All qualified voters who favor the issue of bonds and levy of the special tax shall vote "For public school bonds." All qualified voters who are opposed thereto shall vote "Against public school bonds."

Denomination of bonds.

SEC. 5. In the event that the requisite majority of the qualified electors of said county shall vote "For public school bonds" at said election, the board of commissioners shall, upon the demand of the board of education, have prepared and issued bonds in denomination not exceeding one thousand dollars and not less than one hundred dollars, the total amount not to exceed that provided

Amount of issue.

for in the first section of this act, and said bonds shall bear a rate of interest not exceeding five per centum per annum, with interest coupons attached payable semiannually on the first day of January and July of each year during the time of their running, and the principal thereof shall be payable or redeemable at said time or times, not exceeding fifty years from the date of issue, as the board of commissioners of New Hanover County may determine. Said bonds and coupons shall be payable at such place as the board of commissioners of New Hanover County shall designate in said bonds and coupons. And said bonds shall be signed by the chairman of the board of commissioners and countersigned by the clerk of said board, and sealed with the common seal of the said county of New Hanover, but the coupons thereon may be signed by the clerk of said board alone, or have a facsimile of his signature printed, engraved or lithographed thereon.

SEC. 6. That the said bonds shall be issued and sold by the board of commissioners of New Hanover County at such time and in such amount as may be agreed upon between the board of commissioners and the board of education of said county, and when any of said bonds are issued after the date thereof all past due coupons attached thereto shall be detached from said bonds and destroyed by said board of commissioners, and an account of the coupons so destroyed shall be kept. And none of said bonds issued under the provisions of this act shall be disposed of by sale, exchange, hypothecation, or otherwise, for a less price 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. When 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 said bonds shall show by what authority they are issued.

SEC. 7. When any of said bonds are sold the proceeds of sale shall be turned over to the treasurer 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 and apart from all other funds, and he shall keep separate accounts of the same. Said county treasurer, before any fund provided for in this act shall be paid over to him, shall execute a sufficient bond conditional as other such bonds, and he shall render an accounting in respect thereto, and in all things hold and disburse and account for the same as required by law, which bond shall be received by said county commissioners as they pass upon, accept, and receive other like bonds; and all orders directed to said county treasurer for the payment of said funds under this act shall state on their face that they are public school orders and chargeable to said county.

Interest.

Maturity.

Authentication.

Sale of bonds.

Sale below par forbidden.

Specific appropriation.

Funds kept separate.

Bond of treasurer.

Orders on funds.

- Special tax. SEC. 8. That in case the result of said election shall be in favor of issuing bonds and a levy of the tax as aforesaid, said board of commissioners of New Hanover County shall, if said bonds or any part thereof are sold, levy annually on the first Monday in August of each year, a special tax for said county not exceeding twelve cents on one hundred dollars worth of property, and thirty-six cents on each poll, the subject of taxation and levy of taxes to be the same as that on which the said board of county commissioners now or may hereafter be authorized to lay and levy taxes, and the same shall be separate fund applied, first to the payment of the interest on said bonds, and then to the creation of sinking fund sufficient, in the judgment of the board of commissioners, to redeem said bonds when the same shall be due.
- Limit of rate. SEC. 9. That all expenses of holding said election and printing, issuing, and selling said bonds, shall be paid by the board of commissioners out of the proceeds from the sale of said bonds before turning over said proceeds to the county treasurer as treasurer of the school fund of said county.
- Specific appropriation. SEC. 10. That the board of commissioners of New Hanover County shall audit the account of the sheriff for all taxes levied and collected under this act, and make settlement of same between said sheriff and the said treasurer; and said board of commissioners may prosecute any necessary action for the recovery of any such taxes against any officer failing to account for the same.
- Payment of expenses. SEC. 11. That the board of education of New Hanover County may, from time to time in its discretion, apply in writing to the board of commissioners of said county to sell such an amount of said bonds as said board of education shall deem necessary; and thereupon said board of commissioners shall sell the same as provided in this act, and after deducting the cost and expense above provided for, shall place the residue of said proceeds in the hands of the treasurer of New Hanover County as treasurer of the school fund, to be held and accounted for by him as hereinbefore provided for, who shall pay out the same only upon the written order of said board of education to him, signed by the chairman of said board and countersigned by the secretary of said board.
- Settlement of taxes. SEC. 12. That the residue of the proceeds of the sale of said bonds aforesaid, shall be used, applied, and expended by the said board of education in its discretion, for the purchase of sites and the construction and repair of suitable and permanent school-houses, and equipping the same in such localities in said county of New Hanover as the said board of education may select for the accommodation of the children of said county; and also to reimburse the public school fund of said county for any money already
- Application for sale of bonds.
- Appropriation of surplus.

expended since the first of June, one thousand nine hundred and fifteen, in building schoolhouses in said county. And in the event it becomes necessary before said bonds are sold, to reimburse the said school fund for such money expended in buildings, then said board of education is authorized to borrow said amount, or so much thereof as may be necessary, upon the note of said board of education, signed by the chairman and attested by the secretary of said board, said money so borrowed to be repaid out of the bonds to be issued, or out of any other of the public school funds of New Hanover County.

Temporary loans.

Notes.

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

Repealing clause.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 478

AN ACT TO RATIFY SALE OF BONDS BY THE COMMISSIONERS OF RICHMOND COUNTY AND TO AUTHORIZE THE LEVY OF TAX TO PAY INTEREST AND PRINCIPAL.

That whereas, on the sixth day of December, one thousand nine hundred and fifteen, the board of commissioners of Richmond County, North Carolina, did sell to Baker, Watts & Company, of Baltimore, Md., certain bonds in the total sum of twenty-five thousand dollars, for the purpose of funding certain outstanding notes issued by said board of commissioners for necessary current expenses of said county, and did agree to petition the General Assembly of North Carolina, at its session in one thousand nine hundred and seventeen, to ratify the sale of said bonds and to authorize the commissioners of Richmond County to levy a tax sufficient to pay the interest and each installment of the principal of the bonds as they severally become due: now, therefore,

Preamble: Sale of bonds.

The General Assembly of North Carolina do enact:

SECTION 1. That the sale of bonds in the sum of twenty-five thousand dollars, on December sixth, one thousand and nine hundred and fifteen, by the commissioners of Richmond to Baker Watts & Company, of the city of Baltimore, Md., is hereby ratified and approved.

Sale ratified and approved.

SEC. 2. That the commissioners of Richmond County be and are hereby directed, authorized and empowered to levy a tax sufficient in amount to pay the interest and the installments of the

Tax authorized.

principal of said bonds as they severally mature, and to order the collection of the same.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 479

AN ACT TO REDUCE THE NUMBER OF COMMISSIONERS OF BUNCOMBE COUNTY FROM FIVE TO THREE, TO PRESCRIBE THEIR DUTIES AND TO FIX THEIR SALARIES.

The General Assembly of North Carolina do enact:

- Number. SECTION 1. That from and after the first Monday in December, one thousand nine hundred and eighteen, the board of commissioners of Buncombe County shall consist of three members; the said members shall be elected at the general election to be held on the first Tuesday after the first Monday in November, one thousand nine hundred and eighteen. They shall hold office for a term of two years, or until their successors are elected and qualified, and their successors shall be elected at each general election thereafter. Any vacancy on said board shall be filled by appointment of the clerk of the Superior Court.
- Election.
- Term of office.
- Successors.
- Vacancies.
- Chairman and commissioner of finance. SEC. 2. One of the members of said board shall be designated and known as "Chairman and Commissioner of Finance"; another shall be designated and known as "Commissioner of Highways," and the third member of said board shall be designated and known as "Commissioner of Public Institutions."
- Commissioner of highways.
- Commissioner of public institutions.
- Supervision of finances. SEC. 3. The chairman and commissioner of finance shall have under his control and supervision the finance of the county, shall be the purchasing agent of the county, and shall, with the approval of the other members of the board, buy and purchase all supplies, material, machinery, implements and equipment required and used by the county. He shall preside at all meetings of the board, shall be the chief executive officer of the county, and shall perform all other duties now prescribed by law for chairmen of boards of county commissioners, and perform such other duties as said board may require him to perform.
- Purchases.
- Chief executive officer.
- Other duties.
- Supervision and maintenance of roads and bridges. SEC. 4. The commissioner of public highways shall have under his direct supervision, control and management of the public roads and bridges of the county. He shall be, in effect, the superintendent of the public road system of the county. It shall be his duty to see that all public roads and bridges are kept in good condition and repair and are properly maintained. He shall have direct supervision of the county road supervisors or over-
- Supervision of overseers.

seers and see that they properly perform their duties, and shall have under his direct control all convicts while at work on the public roads. He shall perform all other duties prescribed by law for county commissioners, and any other duties which may be required of him by said board.

Control of convicts.

Other duties.

SEC. 5. The commissioner of public institutions shall have under his direct control, charge and keeping, all public buildings and institutions of the county and shall have charge of all prisoners of the county, and shall superintend all convict camps and convicts while not actually at work, and shall cause all convicts to be properly housed, cared for, clothed and fed, and shall turn over during working hours to the commissioner of highways all convicts assigned to work on the public roads and bridges of the county. He shall have under his charge and keeping all county machinery, implements, tools, wagons, teams and other equipment used in connection with the convict camps, and shall perform all other duties prescribed by law for county commissioners or which may be required of him by said board.

Control and care of buildings and institutions.

Care of convicts.

Care of machinery and equipment.

Other duties.

SEC. 6. The said board shall, for the transaction of business hold regular meetings at the commissioner's office in the courthouse at ten o'clock a. m. every Monday morning, and may hold special meetings at any other time it may desire, and all meetings of said board shall be open and public.

Regular meetings.

Special meetings.

Meetings public.

SEC. 7. The said commissioners shall devote their entire time to performing the duties of their respective offices. They shall render faithful and efficient service. The chairman shall, as far as practical, maintain fixed office hours in the courthouse, so that he may be at all times accessible and available for the transaction of public business.

Entire time.

Office hours for chairman.

SEC. 8. The said board, in addition to the power and authority conferred herein, shall have all the power and authority now vested in the several boards of county commissioners by the Revisal of one thousand nine hundred and five and the amendments thereto, and also shall have all the power and authority vested in the board of commissioners of Buncombe County in any of the special acts of the General Assembly relating to Buncombe County. They shall also, in addition to the duties herein specifically prescribed, perform all other duties required of the county commissioners by said Revisal of one thousand nine hundred and five, the amendments thereto, and said special acts of the General Assembly relating to Buncombe County, and such other duties as the board may prescribe.

Powers and authority.

SEC. 9. The names of candidates for chairman and commissioner of finance, for commissioner of public highways, and commissioner of public institutions shall appear separately on the ballots to be voted at the general and primary elections, so that each voter may express his choice of candidates for each of the

Ballots.

respective positions; that is to say, each voter shall vote for a chairman and commissioner of finance, for a commissioner of public highways and a commissioner of public institutions.

Salaries.

SEC. 10. The chairman and commissioner of finance shall receive a salary of twenty-five hundred dollars (\$2,500) per year; the commissioner of public highways and the commissioner of public institutions shall each receive a salary of two thousand dollars (\$2,000) per year, payable monthly.

Board to have and exercise powers.

SEC. 11. The said board of commissioners shall have and exercise all power and authority now or hereafter conferred by law upon boards of county commissioners in this State, and all the power and authority herein conferred upon the members of the said board, and all the acts of each member thereof shall be subject to the control, review, approval or revocation of said board as a body, and said board may by resolution, order, or otherwise, assign to any member thereof, or to any other officer, agent or employee of said board all such duties relating to any part of the affairs of said county as they may deem best.

Acts of members subject to boards.

Advertisement and award of contracts.

SEC. 12. That it shall be the duty of said board and each member thereof, before awarding any contract or making any purchase involving the expenditure of five hundred dollars (\$500) or more, if such contract or purchase can be made the subject of competitive bids, to advertise for such bids and award the contract or purchase to the best advantage for the county, under such rules as said board may prescribe.

Repealing clause.

SEC. 13. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

SEC. 14. That this act shall go into effect from and after its ratification.

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 480

AN ACT TO CORRECT THE TYPOGRAPHICAL ERRORS IN HOUSE BILL 490 AND SENATE BILL 502 OF THE GENERAL ASSEMBLY OF 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That certain typographical errors in House Bill four hundred and ninety and Senate Bill five hundred and two of the General Assembly of one thousand nine hundred and seventeen, ratified on the ninth day of January, one thousand nine hundred and seventeen, be and the same are hereby corrected as follows:

I. By striking out in section six of said act the word "exclusive," it being the twentieth word in the first sentence of said section, and inserting in lieu thereof the word "concurrent."

II. By inserting in the second sentence of section thirteen of said act before the word "ten," it being the eighth word in said sentence, the words "not sooner than."

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. 1917.

CHAPTER 481

AN ACT TO APPOINT TWO MEMBERS OF THE BOARD OF EDUCATION OF HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That W. F. White be and he is hereby appointed a member of the county board of education of Halifax County to fill the unexpired term of office of John A. Collins, deceased.

SEC. 2. That N. L. Stedman be and he is hereby appointed a member of the county board of education of Halifax County to fill the unexpired term of office of W. R. Neville, resigned, which term expires on the first Monday of July, one thousand nine hundred and seventeen, and that said N. L. Stedman, be and he is hereby appointed a member of the county board of education of Halifax County for an additional term of six years, from the first Monday in July, one thousand nine hundred and seventeen.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 482

AN ACT TO CORRECT AND AMEND HOUSE BILL 3, SENATE BILL 155, ENTITLED "AN ACT APPOINTING ROAD COMMISSIONERS FOR ROAD IMPROVEMENT IN BURKE COUNTY," RATIFIED JANUARY 9, 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill three, Senate Bill one hundred and fifty-five, entitled "An act appointing road commissioners for road improvement in Burke County," ratified January ninth.

one thousand nine hundred and seventeen, be and the same is hereby corrected and amended as follows:

Names changed.

By striking out in line three of section one the name of S. B. Moore, and inserting in lieu thereof the name John T. Curtis.

Name added.

By inserting after the word "and" in line six, the words "and Vance Powell of Lower Creek Township."

Names changed.

By striking out in line seven the name "Cameron Smith," and inserting in lieu thereof the name "J. R. Bonfield."

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 483

AN ACT TO AUTHORIZE THE COMMISSIONERS OF WASHINGTON 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 Washington County be and they are hereby authorized and empowered to levy a special tax for the purpose of creating a sinking fund out of which to pay the interest and principal, as same shall accrue and become due, on a certain issue of bonds in the amount of fifty thousand dollars (\$50,000), issued in pursuance of a resolution adopted by said board on the first Monday of January, one thousand nine hundred and seventeen, for the purpose of building a courthouse in said county. The said special tax shall be levied for the next fiscal year after the ratification of this act and for each successive year during the period for which the said bonds are to run and until each and all of same shall have been paid, at the same time and in the same manner with the levies of other county taxes in said years, and on all taxable property and polls in said county. Said tax not to exceed eight (8) cents on the one hundred dollars valuation of property; and in making and levying same the said board of commissioners shall observe the constitutional equation between property and the poll tax. 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 other taxes levied for said county.

Purpose.

Levy of tax.

Limit of rate.

Constitutional equation.

Collection and settlement.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 484

AN ACT FOR THE PROTECTION OF ALTAN PRESBYTERIAN
CHURCH IN UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to manufacture or make any cider, wine, or intoxicating liquors of any kind for sale or to sell or give away the same within two miles of Altan Presbyterian Church in Union County. Manufacture, sale or gift of wine, cider or liquor.

SEC. 2. That it shall be unlawful for any person, firm, or corporation to sell or give away cigarettes within two miles of said church. Sale or gift of cigarettes.

SEC. 3. That it shall be unlawful for any person to be found drunk or disorderly within two miles of said church. Drunkenness and disorderly conduct.

SEC. 4. That any person 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. Misdemeanor. Punishment.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 485

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND
THE HIGHWAY COMMISSION LAWS OF MACON COUNTY,"
PASSED AT THE PRESENT SESSION OF THE GENERAL
ASSEMBLY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of an act entitled "An act to amend the highway commission laws of Macon County," passed at the present session of the General Assembly, be and the same is hereby amended by striking out the words "one dollar" in said section and inserting in lieu thereof the words "one and one-half dollars." Pay of commissioners.

SEC. 2. That in case any member, or all of the members of the highway commissions of Smiths Bridge, Cartoogechaye, Cowee, Ellijay, and Franklin townships should for any reason fail or refuse to serve as such highway commissioner then and in that event the board of county commissioners of Macon County is hereby authorized to and empowered to elect a board of highway commission in each of said townships or any member thereof, who shall serve until their successors are elected and Election by county commissioners.

Proviso: Penalty
for failure to
serve.

qualified under existing laws: *Provided*, that nothing in this act shall release any member of the highway commission in each township, either collectively or individually, from any liability for failure or refusal to serve on said commission.

SEC. 3. That sections nine and ten of the said act entitled "An act to amend the highway commission laws of Macon County," passed at the present session of the General Assembly, be and they are hereby stricken out.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 486

AN ACT TO AMEND CHAPTER 631, PUBLIC LAWS OF NORTH CAROLINA, SESSION 1907, CHANGING THE AGE LIMIT OF PERSONS LIABLE FOR ROAD DUTY IN BERTIE COUNTY.

The General Assembly of North Carolina do enact:

Age limit.

SECTION 1. That chapter six hundred and thirty-one of the Public Laws of North Carolina, session one thousand nine hundred and seven, be and the same is hereby amended by striking out the word "eighteen" in line two of section twenty-three of said act and inserting in lieu thereof the words "twenty-one," so as to make the age of persons liable for road duty under the provisions of said section extend from twenty-one years of age to forty-five years of age.

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. 1917.

CHAPTER 487

AN ACT SUPPLEMENTAL TO "AN ACT RELATING TO THE ROAD FUND IN WILKES COUNTY," BEING HOUSE BILL No. 237, SENATE BILL No. 298, RATIFIED JANUARY 9, 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of said act be amended as follows: at the end of said section strike out the period, insert a colon and add the following: *Provided*, the board of town commissioners of North Wilkesboro shall without delay complete the

Proviso: Comple-
tion of road im-
provement.

permanent improvement of the road between the bridge across the Yadkin River and the depot in North Wilkesboro, according to the plans and specifications as adopted and begun by the special committee of North Wilkesboro Township, except the board of commissioners of said town of North Wilkesboro may adopt such plans and specifications of a competent engineer for a permanent road from depot to point where stone is now laid on said road. The said board of commissioners are hereby authorized to pay for such improvement out of any funds in the treasury of said town. Payment for improvement.

SEC. 2. That all 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 1st day of March, A. D. 1917.

CHAPTER 488

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF GREENE COUNTY TO ISSUE COUNTY GUARANTY BONDS TO REDEEM TOWNSHIP AND ROAD DISTRICT ROAD BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Greene County be and they hereby are authorized and empowered to issue, or cause to be issued, county guaranty bonds, pledging the faith and credit of the said county of Greene for the purpose of redeeming and retiring road bonds already issued, or that in the future may be issued, under the authority of chapter one hundred and twenty-two of the Public Laws of North Carolina, session one thousand nine hundred and thirteen, and of chapter fifty-seven of the Public-Local Laws of North Carolina, extra session one thousand nine hundred and thirteen. Bond issue authorized.
Purpose of issue.

SEC. 2. That said county guaranty bonds shall be in like denominations and run for like periods of time as the bonds redeemed and retired, and they shall also bear the same rate of interest and have similar coupons attached thereto, and that the said county guaranty bonds and the said coupons attached shall be signed and attested similarly as provided in said chapter one hundred and twenty-two, Public Laws of North Carolina, session one thousand nine hundred and thirteen, and chapter fifty-seven of the Public-Local Laws, extra session one thousand nine hundred and thirteen. Denominations.
Maturity.
Interest.
Authentication.

- Proviso: Option of maturity. SEC. 3. *Provided, however,* that the said board of commissioners may issue said county guaranty bonds to be due and payable not more than five years earlier than appears in said township or road district road bonds nor more than five years later than appears therein; or the said board of commissioners may issue said county guaranty bonds to be due and payable serially in annual installments so nearly equal as will permit the said bonds to be issued, if so desired, in denominations of five hundred dollars or one thousand dollars or any less amount. That the first of said serial county guaranty bonds, if issued, shall not be made due and payable before December first, one thousand nine hundred and twenty, nor later than December first, one thousand nine hundred and twenty-five, and the last of said serial county guaranty bonds, if issued, shall not be made payable before December first, one thousand nine hundred and thirty, nor later than December first, one thousand nine hundred and forty-five, and that the said serial installment county guaranty bonds shall run for a period not less than ten years nor more than twenty years.
- Bonds payable in installments.
- Limitation.
- Place of payment. SEC. 4. That the principal and interest of said county guaranty bonds may be made payable in the city of New York or elsewhere as the said board of county commissioners and the purchasers may agree.
- Special tax. SEC. 5. That the board of commissioners of Greene County be and they hereby are authorized and directed to levy taxes upon their issuing said county guaranty bonds under express authority of this act similarly as provided in said chapter one hundred and twenty-two, Public Laws of North Carolina, session one thousand nine hundred and thirteen, and chapter fifty-seven of the Public-Local Laws of North Carolina, extra session one thousand nine hundred and thirteen, and cause the same to be collected and to apply, or cause to be applied, the said taxes when so collected in the discharge, payment, and retirement of the county guaranty bonds issued for the redemption and retirement of the road bonds for that township or road district for which specifically issued, and to no other purpose.
- Application of tax. SEC. 6. That the intent and purpose of this act is to accord the credit and endorsement of the county of Greene to said township and road district road bonds already issued, or that may be issued hereafter under authority of said chapter one hundred and twenty-two, Public Laws of North Carolina, session one thousand nine hundred and thirteen, and chapter fifty-seven Public-Local Laws of North Carolina, extra session one thousand nine hundred and thirteen; but that the obligations of said townships and road districts to pay off and discharge its or their bonds and indebtedness incurred thereby shall continue and be and remain a lien on all real and personal property and on all
- Intent and purpose of act.
- Obligation on townships not released.

taxables of whatever kind and on the polls in said townships or road districts, as provided in said chapter one hundred and twenty-two of the Public Laws of North Carolina, session one thousand nine hundred and thirteen, and chapter fifty-seven of the Public-Local Laws of North Carolina, extra session one thousand nine hundred and thirteen.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 489

AN ACT TO AMEND CHAPTER 731, PUBLIC-LOCAL LAWS 1911, RELATING TO THE SALARY OF THE TREASURER OF LENOIR COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter seven hundred and thirty-one of Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby amended by striking out the word "fourteen" in line two thereof and by inserting the word "ten" in lieu thereof. Salary reduced.

SEC. 2. That this act shall be in force and effect from and after the first Monday of December, one thousand nine hundred and eighteen. When act effective.

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 490

AN ACT FOR THE PROTECTION OF BETHANY PRESBYTERIAN CHURCH IN UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to manufacture or make any cider, wine or intoxicating liquors of any kind for sale or to sell or give away the same within two miles of Bethany Presbyterian Church in Union County. Manufacture, sale or gift of wine, cider or liquors.

SEC. 2. That it shall be unlawful for any person, firm or corporation to sell or give away cigarettes within two miles of said church. Sale or gift of cigarettes.

SEC. 3. That it shall be unlawful for any person to be found drunk or disorderly within two miles of said church. Drunkenness or disorderly conduct.

Misdemeanor.
Punishment.

SEC. 4. That any person 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.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 491

AN ACT FOR THE PROTECTION OF SILER PRESBYTERIAN CHURCH IN UNION COUNTY.

The General Assembly of North Carolina do enact:

Manufacture, sale
or gift of cider,
wine or liquors.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to manufacture or make any cider, wine, or intoxicating liquors of any kind for sale or to sell or give away the same within two miles of Siler Presbyterian Church in Union County.

Sale or gift of
cigarettes.

SEC. 2. That it shall be unlawful for any person, firm or corporation to sell or give away cigarettes within two miles of said church.

Drunkenness or
disorderly conduct.

SEC. 3. That it shall be unlawful for any person to be found drunk or disorderly within two miles of said church.

Misdemeanor.
Punishment.

SEC. 4. That any person 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.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 492

AN ACT TO ALLOW LINCOLN COUNTY TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

Special tax au-
thorized.

SECTION 1. That the board of county commissioners of Lincoln County, North Carolina, be and they are hereby authorized and empowered to levy a special tax, not to exceed twenty cents on the one hundred dollars valuation of all property, real and personal, and other subjects of taxation in Lincoln, and sixty cents on each poll, annually, for three years, viz.: nineteen hundred and seventeen, nineteen hundred and eighteen, and nine-

Rate.

Term.

teen hundred and nineteen, to be expended in paying the float- Use of fund.
ing indebtedness of the county.

SEC. 2. That said special tax shall be levied and collected at Levy and collec-
the same time as other taxes in said county. tion.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 493

AN ACT TO AMEND CHAPTER 538 OF THE PUBLIC-LOCAL
LAWS OF NORTH CAROLINA, SESSION OF 1911, AND
CHAPTER 369 OF THE PUBLIC-LOCAL LAWS OF NORTH
CAROLINA, SESSION OF 1915, RELATIVE TO DRAINAGE
IN MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section fourteen of chapter five hundred and
thirty-eight of the Public-Local Laws of one thousand nine hun-
dred and eleven be amended by adding at the end of line eight
the following: "Provided, if the expense of levying and collect-
ing an assessment for repairing and maintaining water-courses
shall, in the opinion of the drainage commission, be out of pro-
portion to the amount to be expended, that the cost of repairing
and maintaining such water-courses shall be paid out of the
special tax funds levied by the board of county commissioners
for drainage purposes." Provide: Pay-
ment from special
tax.

SEC. 2. That when the terms of the present members of the
drainage commission shall expire or terminate by resignation or
otherwise, the said commission shall be composed of three mem-
bers, to be elected by the board of commissioners of Mecklenburg
County, whose term shall end on the thirty-first day of Decem-
ber of each and every year hereafter. Number and elec-
tion of commis-
sioners.

SEC. 3. That, for the purpose of carrying out the provisions
of chapter five hundred and thirty-eight of the public-Local Laws
of one thousand nine hundred and eleven, and chapter three
hundred and sixty-nine of the Public-Local Laws of one thousand
nine hundred and fifteen, and any amendments to said acts, the
county commissioners of Mecklenburg County may, at the time
of levying taxes, levy annually a tax of not exceeding two and
one-third cents on the one hundred dollars valuation of real
and personal property, and said levy shall be made in the same
manner as all other county taxes are levied. Special tax.
Rate.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 494

AN ACT TO CORRECT TYPOGRAPHICAL ERROR IN HOUSE BILL 271, SENATE BILL 3, LAWS OF 1917, RATIFIED JANUARY 9, 1917.

The General Assembly of North Carolina do enact:

Road age.

SECTION 1. That House Bill two hundred and seventy-one, Senate Bill three, Laws of one thousand nine hundred and seventeen, be amended by adding after the word "men" in line three of section three of said bill, "between the ages of twenty-one and forty-five years inclusive."

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 495

AN ACT TO ALLOW THE JUSTICES OF THE PEACE RESIDING WITHIN THE CITY OF MONROE, UNION COUNTY, NORTH CAROLINA, TO ISSUE WARRANTS.

The General Assembly of North Carolina do enact:

Warrants in preliminary hearings.

SECTION 1. That the justices of the peace residing within the corporate limits of the city of Monroe, Union County, North Carolina, be allowed, and they are hereby allowed, to issue warrants for all violations of the criminal laws of the State and try the same preliminary, for all crimes committed without the corporate limits of said city of Monroe, North Carolina, and not within the jurisdiction of the recorder's court of the city of Monroe, North Carolina, and bind the defendants to the Superior Court of Union County, North Carolina, as is now prescribed by law governing courts of justices of the peace.

Warrants returnable to recorder's court.

SEC. 2. That all justices of the peace residing within the corporate limits of the city of Monroe, Union County, North Carolina, may issue warrants for all violations of the criminal laws of the State and within the county of Union, North Carolina, and without the corporate limits of the said city of Monroe, North Carolina, and make said warrants returnable for trial before the recorder's court for the city of Monroe, North Carolina.

Repealing clause.

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 full force and effect from and after its ratification.

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 496

AN ACT TO REPEAL CHAPTER 758 OF THE PUBLIC-LOCAL LAWS OF 1915, ENTITLED "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. That chapter seven hundred and fifty-eight of the Public-Local Laws of one thousand nine hundred and fifteen, entitled "An act supplemental to an act entitled 'An act to regulate hunting in Mecklenburg County,'" ratified March the eighth, one thousand nine hundred and fifteen, 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 2d day of March, A. D. 1917.

CHAPTER 497

AN ACT TO AMEND THE GAME LAWS OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred fifty-nine of the Public-Local Laws of North Carolina, session of one thousand nine hundred and fifteen, be amended by striking out the word "rabbit" in line two of section three of said act. Shipping rabbits.

SEC. 2. That this act shall not apply to Number Six Township of said county. Exception.

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 498

AN ACT TO AMEND SECTIONS 3366 AND 3367 OF CHAPTER 81 OF THE REVISAL OF 1905, RELATING TO CONTRACTS BETWEEN LANDLORDS AND TENANTS.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand three hundred and sixty-six of the Revisal of nineteen hundred and five be and the same is hereby amended by inserting the word "Vance" and the word "Person" between the words "Cabarrus" and "Columbus" in line twenty of said section. Law extended.

Law extended.

SEC. 2. 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 the word "Vance" and the word "Person" between the words "Sampson" and "Franklin" in line nineteen of said section.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 499

AN ACT TO CORRECT A TYPOGRAPHICAL ERROR IN AN ACT PASSED AT THE PRESENT SESSION OF THE GENERAL ASSEMBLY, BEING HOUSE BILL NUMBER 5, SENATE BILL NUMBER 156, RATIFIED ON THE 9TH DAY OF JANUARY, 1917, ENTITLED "AN ACT TO PROVIDE FOR THE CONSTRUCTION AND MAINTENANCE OF THE PUBLIC ROADS AND HIGHWAYS OF YANCEY COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number five, Senate Bill number one hundred and fifty-six, ratified on the ninth day of January, one thousand nine hundred and seventeen, entitled "An act to provide for the construction and maintenance of the public roads and highways of Yancey County," be changed as follows, so as to correct a typographical error made therein in the original bill as introduced: In section two, line six, after the word "exceeding" strike out the word "one" and insert the word "two."

Correction.

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 2d day of March, A. D. 1917.

CHAPTER 500

AN ACT TO INCREASE THE NUMBER OF MEMBERS OF THE COUNTY BOARD OF EDUCATION OF UNION COUNTY AND TO APPOINT THREE MEMBERS OF SAID BOARD.

The General Assembly of North Carolina do enact:

SECTION 1. That the number of members of the county board of education of Union County be and the same is hereby increased from three to five members.

Number.

SEC. 2. That the following named persons be and they are hereby appointed as members of said county board of education for the terms herein named, said terms to begin on July first, one thousand nine hundred and seventeen: J. L. Rodman, two years; B. F. Parker, four years; Zeb M. Little, six years. Appointment.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 501

AN ACT TO REPEAL CHAPTER 599 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915, RELATING TO CLERK HIRE FOR THE RECORDER'S COURT OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and ninety-nine of the Public-Local Laws of North Carolina, session of one thousand nine hundred and fifteen, be and the same is hereby repealed. Law repealed.

SEC. 2. That this act shall be in effect from and after the first day of June, one thousand nine hundred and seventeen. When act effective.

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 502

AN ACT TO AMEND H. B. 340, S. B. 305, FILE NUMBER 385, RATIFIED JANUARY 9, 1917, BEING AN ACT TO AMEND CHAPTER 383 OF THE PUBLIC LAWS OF 1909, ENTITLED "AN ACT TO PROVIDE FOR THE CONSTRUCTION, REPAIR AND MAINTENANCE OF THE PUBLIC ROADS OF NASHVILLE TOWNSHIP, NASH COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number three hundred and forty, Senate Bill number three hundred and five, file number three hundred and eighty-five, ratified January ninth, one thousand nine hundred and seventeen, being an act to amend chapter three hundred and eighty-three of the Public Laws of one thousand nine hundred and nine, entitled "An act to provide for the construction, repair and maintenance of the public roads of Nashville Township, Nash County," be amended by adding at the end of section one the following: "And the board of road commissioners of Nashville Township road district shall annually Election of treasurer.

Monthly statements.

elect one of its members as treasurer of said board who shall make a monthly statement to the said road commissioners, showing itemized receipts and disbursements of all funds of Nashville Township Road District received by him from the sheriff of Nash County."

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 503

AN ACT TO AMEND HOUSE BILL 36, SENATE BILL 172, ENTITLED "AN ACT TO AUTHORIZE THE COMMISSIONERS OF YADKIN COUNTY TO ISSUE BONDS FOR ROAD PURPOSES AND TO CREATE AND ESTABLISH A ROAD COMMISSION," RATIFIED JANUARY 9, 1917, SO AS TO PROVIDE FOR THE APPLICATION OF CERTAIN ROAD FUNDS.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number thirty-six, Senate Bill number one hundred and seventy-two, be and the same is hereby amended by striking out all of section eight after the words "Forsyth County line," and inserting the following: "Provided further, that the board of road commissioners shall spend for roads in Little Yadkin Township a just proportion of the moneys derived from the sale of the bonds provided for in this act; said proportion to be based upon the property values of the other part of Yadkin County, and that in building of said bridge no more of the funds belonging to Little Yadkin Township shall be used than the proportional part of said township based upon the property values of said township as compared with the values of the other part of the county."

Proviso: Roads in Little Yadkin township.

Funds for bridge.

Designation of roads.

Obligation of purchasers released.

Repealing clause.

SEC. 2. That section seven of said act be and the same is hereby amended by striking out the word "either" preceding the words "Brock's Cross Roads" in the next to the last sentence of said section.

SEC. 3. That the purchasers of said bonds shall not be required to see to the application of any of the funds derived from the sale of any of the bonds herein authorized.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of 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 2d day of March, A. D. 1917.

CHAPTER 504

AN ACT TO AMEND CHAPTER 61, PUBLIC-LOCAL
LAWS OF 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That section forty-seven, chapter sixty-one, Public-Local Laws one thousand nine hundred and fifteen, be and the same is amended by striking out the word "July" in the third line of said section on page eighty-five, and substituting in lieu thereof the word "March."

SEC. 2. That section forty-eight, chapter sixty-one, Public-Local Laws one thousand nine hundred and fifteen, be and the same is hereby amended by striking out the word "July" in said section on page eighty-five, and inserting in lieu thereof the word "March."

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

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 505

AN ACT TO REGULATE THE APPOINTMENT OF TREASURER OF HERTFORD COUNTY AND FIX THE SALARY OF THE SHERIFF.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Hertford County may on the first Monday of September, one thousand nine hundred and seventeen, reestablish the office of treasurer of said county: *Provided*, the said board can obtain the consent of a reliable bank or banks in said county to act as treasurer or treasurers of said county without pay.

SEC. 2. That in case the board of commissioners of said county shall arrange with any bank or banks to act as treasurer or treasurers of said county, said bank or banks shall be required to execute all bonds with sureties satisfactory to said board, that are now required of the county treasurer, under the general laws of the State.

SEC. 3. That in the event the office of treasurer is reestablished as aforesaid the bank or banks appointed treasurer or treasurers shall, on the first Monday in September, one thousand nine hundred and seventeen, and annually thereafter be required to qualify

under this act on or before the first Monday in October following, and be subject to all the duties and liabilities under the general law relating to county treasurer.

Fees allowed
sheriff.

SEC. 4. That in the event of the appointment and qualification of the bank or banks as treasurer or treasurers, then the sheriff of said county shall be allowed to charge the same fees as the law allows sheriffs for services, and be authorized and allowed to collect all licenses and privilege taxes for which he shall receive the fees now allowed by law, and shall also be paid by the county the sum of twelve hundred dollars per annum, payable quarterly, which salary shall be paid out of the general funds in the same manner as the commissions heretofore allowed the sheriff acting as treasurer of said county.

Salary.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 506

AN ACT TO AMEND SECTION 3374 OF THE REVISAL OF 1905, RELATING TO HIRING ANOTHER'S SERVANT.

The General Assembly of North Carolina do enact:

Law extended.

SECTION 1. That section three thousand three hundred and seventy-four of the Revisal of one thousand nine hundred and five, relating to hiring another's servant, be and the same is hereby amended by adding after the word "Beaufort" in line eight, the words "Cumberland, Perquimans, and Montgomery."

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with the provisions 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 2d day of March, A. D. 1917.

CHAPTER 507

AN ACT TO REPEAL CHAPTER 538 OF THE PUBLIC-LOCAL LAWS OF 1915, PRESCRIBING A PENALTY AGAINST DELINQUENT TAXPAYERS SO FAR AS THE SAME RELATES TO ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter five hundred and thirty-eight, Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, be and the same is hereby repealed so far as the same relates to Robeson County.

SEC. 2. That hereafter no fee or penalty shall be collected out of any taxpayer in Robeson County by virtue of the act hereinbefore mentioned, or any other law, except such as are provided by the general laws of North Carolina relating to the assessment and collection of taxes, as contained in the Revenue and Machinery Acts then in force. Penalties abolished.

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

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 508

AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF EDUCATION OF ALAMANCE COUNTY FROM THREE TO FIVE MEMBERS.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the two members of the board of education of Alamance County, whose terms of office do not expire the first Monday in July, one thousand nine hundred and seventeen, the following additional members are hereby appointed: J. L. Scott, W. P. Lawrence, and McBride Holt. Each of said parties shall hold said office and position for a term of two years, and the terms of each of said parties shall begin the first Monday in July, one thousand nine hundred and seventeen. Additional members.
Terms.

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 be in full force and effect from and after its ratification.

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 509

AN ACT TO PROVIDE FOR SEPARATE SCHOOLS FOR THE CROATAN INDIANS OF SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of education of Sampson County be empowered and directed to provide separate schools for the Croatan Indians of Sampson County. Separate schools.

SEC. 2. That the county of Sampson shall constitute one school district for the Croatan children of school age in said county, and County constituting school district.

New Bethel Indian School.
Shiloh Indian school.

Apportionment of children.

the county board of education are directed to establish and locate two schools in said county, one to be known as the New Bethel Indian School in Herrings Township, and the other to be known as Shiloh Indian School in Dismal Township, said county, and all of the Croatan children or Indian children of said county of school age shall be ascertained and apportioned to these schools, by the county board of education, which board shall designate that part of the county in which the Indian children shall be allotted to the New Bethel School and that part of the county in which the Indian children shall be allotted to the Shiloh Indian School.

Apportionment of school money.

SEC. 3. That to said Croatan Indian schools shall be annually apportioned their pro rata part of the public school funds of the county, including their pro rata part of fines, forfeitures, penalties, and funds derived from the State and other sources whatsoever, so that they may share equally with the other races of the county according to their requirements and the grade of their schools, as now provided for the apportionment of the school funds between the white and colored race in Sampson County.

Trustees for Shiloh school.

SEC. 4. That Enoch Manuel, William J. Bedsole, Luther Bedsole, and Matthew Burnette are hereby constituted and appointed trustees for Shiloh Indian School in Dismal Township, and shall hold said position for the term of two years and until their successors are appointed and qualified, and the county board of education, at the expiration of their term as such trustees, shall appoint their successors, selected from the Croatan Indians of Sampson County, who shall likewise hold for a term of two years from the date of their appointment and until their successors are elected and qualified; and said trustees shall biennially thereafter be elected by the county board of education.

Trustees for New Bethel school.

And J. Arthur Brewington, W. E. Goodman, Hardy R. Jones, and Enoch Oxendine are hereby constituted and appointed trustees for the New Bethel Indian School in Herrings Township, Sampson County, who shall hold said position for the term of two years and until their successors are elected, and the county board of education shall biennially elect said trustees from the Croatan Indians of Sampson County; and said trustees and their successors in office are authorized and empowered to select the teachers of these respective schools and to have general control and supervision of the same, but at all times said trustees shall be amenable to the rules and regulations and general supervision of the county superintendent and county board of education.

Assignment of school children.

SEC. 5. That all of the Croatan Indian children of school age residing in that territory or section in Sampson County designated and allotted to the Shiloh Indian School District shall be assigned to Shiloh Indian School of Dismal Township, and all

Croatan children of school age residing in that territory or section in Sampson County designated and allotted to New Bethel Indian School District shall be apportioned to New Bethel Indian School of Herrings Township; and the trustees of Shiloh Indian School shall annually, at the time provided by law for taking the census of the other school children of the county, take the census of all the Croatan Indian children between the ages of six and twenty-one years residing in said county in Shiloh district, and the trustees of New Bethel Indian School of Herrings Township shall annually at the time of taking the census of the other school children as provided by law, take the census of all the Indian school children between the ages of six and twenty-one years residing in the New Bethel district in Sampson County; and there shall be excluded from such census and from said schools for the Croatan Indians of Sampson County all children of the negro race to the fourth generation, and the action of the trustees of these Indian schools as to who shall be admitted or excluded from said schools shall be final, and not appealable to the county board of education, but no one shall be precluded from instituting legal proceedings in the proper courts of the State.

SEC. 6. That the school trustees of the Shiloh Indian School and their successors in office, and the trustees of New Bethel Indian School and their successors in office shall be and they are hereby constituted a body corporate under the name of "Shiloh Indian School" and "New Bethel Indian School," respectively, and, as such, each are authorized and empowered to purchase or sell in their corporate name real and personal property, and to receive gifts and grants or donations for each of said schools.

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

SEC. 8. This act shall be in full force and effect from and after its ratification.

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 510

AN ACT TO INCREASE THE BOARD OF EDUCATION OF BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the passage of this act the board of education of Burke County shall be composed of five members.

SEC. 2. That Joseph R. Patten be and he is hereby appointed a member of said board for a term of six years; that A. N. Dail,

who is now filling an unexpired term on said board, be and he is hereby appointed to succeed himself for a period of two years; that William McConnaughey be and he is hereby appointed a member of said board for a term of six years; and that A. J. Waycaster be and he is hereby appointed a member of said board for a term of four years.

Term of office. SEC. 3. That the term of office of each of the members of said board herein appointed shall begin on the first Monday of July, one thousand nine hundred and seventeen.

Repealing clause. 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 the 2d day of March, A. D. 1917.

CHAPTER 511

AN ACT TO REPEAL SENATE BILL 434, HOUSE BILL 496, ENACTED AT THE PRESENT SESSION OF THE GENERAL ASSEMBLY, RELATING TO ASSESSMENT OF PROPERTY AND COLLECTION OF TAXES IN FRANKLIN COUNTY.

Preamble: Passage of act. Whereas, there was passed at the present session of the General Assembly Senate Bill four hundred and thirty-four, House Bill four hundred and ninety-six, a bill to be entitled "An act to amend chapter two hundred and eighty-six of the Public Laws of one thousand nine hundred and fifteen, in relation to the assessment of property and the collection of taxes in Franklin County," the same having passed its several readings in both branches of the General Assembly and ratified on the ninth day of January, one thousand nine hundred and seventeen; and,

Preamble: Effect of act. Whereas, the said Senate Bill four hundred and thirty-four, House Bill four hundred and ninety-six, repeals certain sections of the Machinery act in so far as they relate to Franklin County, and provides for an assessment of the real property of Franklin County in the year one thousand nine hundred and seventeen without any State supervision of the said assessment, and provides for the assessment of the real estate of Franklin County in the future at a different time and under different laws than prescribed under the general laws for other counties of the State; and,

Preamble: Assessment of 1915. Whereas, the real estate of Franklin County was duly assessed under the general laws of the State in the year one thousand nine hundred and fifteen and equalized by the State Tax Commission with the assessment of real estate in other counties of the State; and,

Whereas, there should not be any special local laws for the assessment of real estate, but the real estate in all the counties of the State should be assessed at the same time and under the same general laws; now, therefore,

Preamble: Con-
current assess-
ment.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill four hundred and thirty-four, House Bill four hundred and ninety-six, entitled "An act to amend chapter two hundred and eighty-six of the Public Laws of one thousand nine hundred and fifteen, in relation to the assessment of property and collection of taxes in Frannlin County," enacted and ratified on the ninth day of January, one thousand nine hundred and seventeen, be and the same is hereby repealed. Law repealed.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 512

AN ACT TO PROTECT SQUIRRELS IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to hunt, shoot, or kill any squirrel or squirrels, in Brunswick County, between the fifteenth day of January and the fifteenth day of September in any year, provided the owner of growing crops may kill squirrels which are destroying or damaging said crops. Close season.
Proviso: Squirrels
destroying crops.

SEC. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five (\$5) dollars. Misdemeanor.
Punishment.

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

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 513

AN ACT TO AID IN THE COLLECTION OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That on all State and county taxes due and unpaid by the first day of December after said taxes are due and payable, there shall be added thereto a penalty of one per cent on the Penalties for non-
payment.

39—Pub.-Local

Penalties paid into
general fund.

amount of said taxes; if said taxes are not paid by the first day of January following, there shall be added thereto a penalty of two per cent; if said taxes are not paid by the first day of February following, there shall be added thereto a penalty of three per cent; and if said taxes are not paid by the first day of March following, there shall be added thereto a penalty of four per cent. Said penalties so added shall become a part of the taxes due and payable by any and all taxpayers, and shall be paid into the general fund of the county and shall belong to same, and the sheriff or tax collector of the county shall have the same power and authority to collect said penalties so added, and in the same manner, as is now vested in him by law for the collection of other taxes.

Application of act.

SEC. 2. That this act shall apply only to Edgecombe County.

When act effective.

SEC. 3. That this act shall be in force and effect from and after the day of its ratification, but shall not apply to the collection of taxes due for the year one thousand nine hundred and sixteen.

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 514

AN ACT TO PROHIBIT THE SALE AND DELIVERY OF INTOXICATING LIQUORS WITHIN FOUR MILES OF CERTAIN CHURCHES IN MITCHELL AND AVERY COUNTIES.

The General Assembly of North Carolina do enact:

Prohibition.

SECTION 1. That it shall be unlawful to manufacture, sell, deliver, or give away any spirituous, vinous, or malt liquors, wine, cider, beer, near-beer, and other liquor within four miles of the following church houses or buildings in Mitchell and Avery counties, viz.: Toecane Baptist Church, Rebel's Creek Baptist Church, Hunt Dale Freewill Baptist Church, Spruce Pine High School, Altapass Public schoolhouse, Green Mountain Public schoolhouse, Silver Chapel, and Episcopal Industrial School on Conley Ridge in Mitchell County, and Elk Park High school, Cranberry Public schoolhouse, Minneapolis Public schoolhouse, Newland State high school, Montezuma Methodist Episcopal Church, South, Pineola Public schoolhouse and Linville City Public schoolhouse in Avery County.

Localities.

Misdemeanor.

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

Punishment.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 515

AN ACT TO AMEND CHAPTER 556 OF THE PUBLIC-LOCAL LAWS OF 1915, ENTITLED "AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF GUILFORD COUNTY TO CONDEMN LANDS FOR PUBLIC PURPOSES."

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter five hundred and fifty-six of the Public-Local Laws of one thousand nine hundred and fifteen be amended by adding at the end thereof the following:

"*Provided*, that said Guilford 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 or 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: *Provided further*, that the powers herein conferred shall not be construed to confer the right to condemn land upon which dwelling houses are situated for the purpose of constructing public highways."

Proviso: Extension of powers.

Restrictions and limitations removed.

Proviso: Condemnation of land for roads.

SEC. 2. That all 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 2d day of March, A. D. 1917.

CHAPTER 516

AN ACT TO REGULATE THE SALE OF QUAIL IN STANLY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to receive for sale, sell, or offer for sale any quail or partridges in Stanly County.

Sale forbidden.

SEC. 2. That any person, firm, or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction be fined not less than ten dollars nor more than fifty dollars for each offense.

Misdemeanor. Punishment.

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 full force and effect from and after its ratification.

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 517

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF McDOWELL COUNTY TO INCREASE THE SALARY OF THE SHERIFF AND FIX THE FEES OF THE COUNTY TREASURER OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Additional pay to sheriff. SECTION 1. That the board of county commissioners of McDowell County be and they are hereby authorized and empowered, in their discretion, to pay the sheriff of said county, the sum of three hundred and sixty (\$360) dollars per annum in addition to the amount now provided by law, to be paid in equal monthly installments. And said board of commissioners are also empowered and authorized, in their discretion, to fix the fees to be paid to the county treasurer of said county.

Fees to county treasurer.

Repealing clause.

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

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 518

AN ACT TO APPOINT TWO MEMBERS OF THE COUNTY BOARD OF EDUCATION OF LEE COUNTY.

The General Assembly of North Carolina do enact:

Appointment. SECTION 1. That S. P. Hatch be and he is hereby appointed a member of the board of education of Lee County, whose term of office shall be for a term of six years, and until his successor is named and qualifies.

Vacancy declared. SEC. 2. That the term of office of M. A. McLeod, a member of the board of education of Lee County, who is ineligible by teaching in the public schools of said county, is hereby repealed and the said office declared vacant, and D. E. Shaw be and he is hereby appointed to fill said vacancy, whose term of office shall begin upon his qualification and until the first day of July, one thousand nine hundred and nineteen, and until his successor is named and qualifies.

Appointment.

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

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 519

AN ACT TO REPEAL CHAPTER 719 OF PUBLIC-LOCAL LAWS 1915, RELATIVE TO INCREASING THE MEMBERSHIP OF THE BOARD OF EDUCATION OF BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and nineteen, Public-^{Law repealed.} Local Laws one thousand nine hundred and fifteen, be and the same is hereby repealed.

SEC. 2. This act shall be in force from and after the first ^{When act effective.} Monday in July, one thousand nine hundred and seventeen.

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 520

AN ACT TO AMEND CHAPTER 648 OF THE PUBLIC-LOCAL LAWS OF 1913, REGULATING HUNTING IN JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter six hundred and forty-eight of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out the words "in Bentonsville, Boon Hill, and Wilder's townships," so that the said section will read as follows:

"SECTION 1. That it shall be unlawful for any person or persons ^{Close season.} to hunt with dog or gun, trap, shoot, kill, or destroy any squirrels, partridges, quails, wild turkeys, or opossums in Johnston County, from the first day of March to the first day of November in any year."

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 521

AN ACT TO PROTECT GAME IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the close season for hunting squirrel, wild ^{Close season.} turkey, and partridges in Sampson County shall be from the first day of February to the thirty-first day of October, both dates inclusive in each.

Hunting and trapping forbidden. SEC. 2. That it shall be unlawful for any person to shoot, kill, hunt, or trap any game mentioned in section one of this act during the close season as therein designated. Any person violating the provisions of this act shall be guilty of a misdemeanor and shall, for each offense, be fined not more than fifty dollars nor imprisoned more than thirty days.

Misdemeanor. Punishment.

Repealing clause. SEC. 3. That all laws and parts 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 2d day of March, A. D. 1917.

CHAPTER 522

AN ACT GIVING THE BOARD OF EDUCATION OF WILKES COUNTY AUTHORITY TO APPOINT ATTENDANCE OFFICERS.

The General Assembly of North Carolina do enact:

Appointment and removal authorized. SECTION 1. That the county board of education of Wilkes County is hereby authorized and empowered to appoint and remove at will any suitable person in Wilkes County to act as attendance officer for any township in said county: *Provided, however,* said board of education is unable to get suitable persons in each township to do this work.

Proviso.

Repealing clause. 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 2d day of March, A. D. 1917.

CHAPTER 523

AN ACT TO FIX THE FEES OF THE COTTON WEIGHER AT WAXHAW IN UNION COUNTY.

The General Assembly of North Carolina do enact:

Fee for weighing. SECTION 1. That from and after the passage of this act, the fee for weighing cotton in the town of Waxhaw, Union County, shall be ten cents per bale, five cents of which shall be paid by the seller of such cotton and five cents by the purchaser thereof.

Repealing clause. 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 2d day of March, A. D. 1917.

CHAPTER 524

AN ACT TO INCREASE THE NUMBER OF COUNTY COMMISSIONERS OF BURKE COUNTY AND TO PAY THE CHAIRMAN A SALARY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Burke County shall, from and after the ratification of this act, consist of five members. Number.

SEC. 2. That in addition to the three members of the board of commissioners of Burke County elected at the last general election, E. B. Claywell, and M. N. Hennessee are hereby nominated and appointed members of said board to serve until their successors are elected at the general election in one thousand nine hundred and eighteen, and are duly qualified. Appointments.

SEC. 3. That at the regular meeting of the board of commissioners of Burke County, to be held on the first Monday in March, one thousand nine hundred and seventeen, the five members of the board shall elect a chairman from among their number to serve until his successor is elected and qualified. Election of chairman.

SEC. 4. The chairman of the board of commissioners of Burke County shall, in addition to usual duties of his office, perform the duties now imposed on the county auditor and shall, during the months of July and January in each year, audit the books and accounts of the clerk of Superior Court, the sheriff and county tax collector, the register of deeds, the treasurer, and of the road commissioners of Burke County. He shall also, at least twice each year, audit the books of the commissioners of the town of Morganton, of the board of education of Burke County, and of the Morganton graded school trustees. He shall, in the discharge of his duties as auditor, have authority to summon and examine witnesses and to demand the production of books and papers necessary in making his examination. Chairman to act as auditor.
Accounts to be audited.

SEC. 5. The chairman of the board of commissioners of Burke County shall receive, as full compensation for all services as chairman and county auditor, his actual expenses incurred in discharging the duties of his office, and a salary of five hundred dollars per annum, which salary shall be payable in quarterly installments out of the general county funds. He shall reside in the town of Morganton and maintain an office therein for the transaction of the county business, which office shall be kept open during business hours, except when said chairman is temporarily absent from Morganton or from other cause is unable to attend at his said office. Authority as auditor.
Compensation.
Residence and office.

Law specifically repealed.

SEC. 6. That chapter one hundred and seventy-seven of the Public-Local Laws of one thousand nine hundred and fifteen, entitled "An act to amend chapter three hundred and forty-nine of the Public-Local Laws of one thousand nine hundred and eleven, relating to the appointment of an auditor for Burke County," be and the same is hereby repealed.

General repealing clause.

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 2d day of March, A. D. 1917.

CHAPTER 525

AN ACT TO AMEND CHAPTER 132 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATIVE TO ABOLISHING THE OFFICE OF COUNTY TREASURER.

The General Assembly of North Carolina do enact:

Amendment as to Lincoln county.

SECTION 1. That section one of chapter one hundred and thirty-two of the Public-Local Laws of one thousand nine hundred and fifteen be and is hereby amended in so far as it affects Lincoln County in adding thereto: "*Provided further*, that any bank or trust company, so designated and acting as depository for said county, shall pay into the general funds of the county no interest on monthly balances on all county funds held by it.

Depositories to pay no interest.

County commissioners may recreate office and elect treasurer.

SEC. 2. That in case no bank or trust company within said county is secured to act as depository, or for any other good and lawful reason, no bank or trust company acts as depository under the provisions of said act, then and in that event the board of county commissioners is hereby empowered, authorized, and directed to recreate the office of county treasurer and elect or appoint some competent citizen to act as county treasurer, and such named treasurer shall perform all of the duties provided for in the law governing county treasurers in the State of North Carolina. Any person designated as county treasurer, to fill any vacancy caused by reason of any failure of bank or trust company to serve, as set out in chapter one hundred and thirty-two of the Public-Local Laws of one thousand nine hundred and fifteen, shall serve until the next general election in one thousand nine hundred and eighteen, or until his successor shall qualify. The salary of said treasurer shall be at the rate of six hundred (\$600) dollars per annum for such services; and any person so appointed shall qualify in the usual manner for qualifying county treasurers.

Term of election.

Salary.

SEC. 3. That after the first Monday in December, one thousand nine hundred and eighteen, the office of county treasurer for Lincoln County shall be reestablished, and a treasurer shall be elected by the voters in the manner and form prescribed for the election of other county officers in Lincoln County; and he is to hold office for a term of two years, and his successor shall be elected biennially thereafter, by the qualified voters of Lincoln County; and upon his being duly declared elected by the proper officials and upon his meeting the requirements for assuming the said office of county treasurer, he shall qualify and begin the discharge of his duties as treasurer of said county.

Office reestablished.

Election.

Term.

Election of successor.

SEC. 4. That the county treasurer shall be ex officio auditor for the county, and shall audit the books and reports of all other county officers, the school board, and the road superintendent, monthly, or oftener, and shall require such officers to turn over to him any and all moneys in their hands, belonging to the county. And he shall submit a report to the county commissioners each month of his receipts and disbursements, showing the balance of the county fund in his hands.

Ex officio auditor.

Reports.

SEC. 5. That the county treasurer shall deposit the county funds in such solvent bank or banks located in Lincoln County as shall allow him the best rate of interest on all monthly balances.

Deposit of funds.

SEC. 6. That the county treasurer of Lincoln County, who is also ex officio county auditor, shall receive for his combined offices, the salary of eight hundred (\$800) dollars per annum, for his services, in lieu of all other compensation now allowed by law.

Salary.

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

Repealing clause.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 526

AN ACT TO PROHIBIT THE SALE OF CERTAIN ARTICLES WITHIN TWO MILES OF PHILADELPHIA BAPTIST CHURCH IN LANE'S CREEK TOWNSHIP, UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to manufacture or make cider, wine, or intoxicating liquors of any kind for sale, or to sell or give away the same within two miles of Philadelphia Baptist Church in Lane's Creek Township, in Union County.

Prohibition.

Drunkenness and disorder.

SEC. 2. That it shall be unlawful for any person to be found drunk or disorderly within two miles of said church.

Misdemeanor.

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 or imprisoned in the discretion of the court.

Punishment.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 527

AN ACT TO AMEND CHAPTER 244 PUBLIC LAWS OF 1915, AND BEING AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF SEVERAL COUNTIES OF NORTH CAROLINA TO COMPENSATE THE OWNER OF LIVE STOCK CONDEMNED BY THE AUTHORITY OR ADVICE OF THE STATE BOARD OF HEALTH BECAUSE OF AFFECTION WITH CONTAGIOUS AND INFECTIOUS DISEASES.

The General Assembly of North Carolina do enact:

Law extended.

SECTION 1. That chapter two hundred and forty-four Public-Laws of one thousand nine hundred and fifteen, be amended by inserting after the word "county" and before the word "only" in line one of section three the words "Iredell and Halifax counties."

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 528

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF GREENE 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 Greene County be and they are hereby authorized, for the purposes hereinafter named, to levy a special tax for the year one thousand nine hundred and seventeen and one thousand nine hundred and eighteen, respectively, at the time for levying the general taxes for said county, which special taxes shall be levied upon taxable property and polls and other subjects of taxation in said county, and may amount to, but not exceed the sum of forty thousand dollars; and that one-half of the same be levied and collected in each of said years, observing the equation prescribed in the Constitution.

Limit of amount.

SEC. 2. That the said special taxes are authorized and are to be levied and collected only for the purposes of paying off the indebtedness for the construction of county bridges and highways and public buildings of said county and to make necessary provision to keep the same in good condition and repair. Purpose of tax.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 529

AN ACT FOR THE CLEARING OUT, CLEANING AND KEEP- ING IN GOOD CONDITION RICHARDSON CREEK, IN RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That whereas Richardson Creek in the southeast section of Rutherford County, and running into Main Broad River, near the old Island Ford, has much valuable bottom lands along each side of it, and Necessity for law.

Whereas, the banks of the said creek have been allowed to grow up, and drifts to accumulate, and old private bridges and footlogs have been allowed by some of the owners to fall in and tend to dam and impede the flow of the water; and

Whereas, further, there are several owners of lands along said creek some of whom refuse to keep creeks and banks in good condition; therefore, the owners thereof are authorized and required as herein provided,

SEC. 2. Beginning at the mouth of the said creek in Broad River and up the said creek to Miller's bridge, across said creek, it shall be the duty of each riparian owner having lands on either side or both sides to see that the banks are cleared from the water to the top of the ground and thence back on the land for a distance of six feet on each side thereof. At the same time creek shall be opened to a width of at least ten feet and all drifts and debris removed therefrom down as deep as original run. Riparian owners
to clean up banks.

Bank to be
opened.
Debris removed.

SEC. 3. That after the same shall have been cleaned and cleared as provided in section two of this act, it shall be unlawful for any owner of lands on either or both sides of the said creek to erect any bridges, footway or footlog to be erected unless the same be at least five feet above low water mark in said creek. Bridges and foot
ways.

SEC. 4. That within six months after the clearing and cleaning of the creek as herein provided, it shall be the duty of each of the owners of land along said creek, and they are herein required to further widen said creek by taking from the banks Width to be in-
creased.

thereof at least one foot so as to extend the width of the said creek to eleven feet average, and it is further herein provided that annually each owner of lands along said creek shall cause the banks of the said creek to be mown and cleared that the same may at all times be in good shape to carry the flow of water, and in case of freshets, it shall be the duty of such owners, and they are herein required, to at once remove any and all drifts, debris, or any other thing which in any way tends to prevent the flow of the said creek.

Banks cleared annually.
Removal of obstructions.
Misdemeanor.
Punishment.

SEC. 5. That any of the landowners along the said creek who shall fail or refuse to comply with the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned at the discretion of the court.

Proceedings against owners.
Notice to appear and show cause.
Judgment.
Time for work.

SEC. 6. That it is herein further provided that should any of the owners of land along the creek aforesaid fail and refuse to put his section of the creek in conditions here provided, either one or all of the other owners having complied with the terms hereof may apply to the clerk of the Superior Court of Rutherford County, and by affidavit it shall be the duty of the said clerk to issue notice to such delinquent owner to appear and show cause why his said land shall not be assessed to an amount sufficient to have the same put in the condition as herein provided. And upon failure of the said delinquent to have same done or show cause, then it shall be the duty of the said clerk to render judgment covering the amount considered sufficient to do the work and for the cost of the proceeding. Work of clearing and cleaning to be done within six months from the date of the ratification of this bill.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 530

AN ACT TO AMEND CHAPTER 617 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1911, AND TO AMEND CHAPTER 602 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1915, 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 4 and 5 chapter 602 of the Public-Local Laws of 1915 a section reading as follows:

Sec. 4 $\frac{1}{2}$. That all clerks, assistants and deputies employed or appointed by any of the officers who are allowed to appoint and employ clerks, assistants, and deputies hereunder shall be required while acting as such clerks, assistants, and deputies to give their entire time to their work as such clerks, assistants, and deputies, and such clerks, assistants, and deputies shall be required to spend all the usual business hours of every day except Sundays and legal holidays in the offices where they are employed.

Clerks, assistants and deputies.

Business hours.

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 force from and after its ratification.

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 531

AN ACT TO RATIFY AND APPROVE AN ISSUE OF \$10,000 OF FUNDING BONDS BY CLAY COUNTY, NORTH CAROLINA.

Whereas, the county of Clay did, by resolution of its board of commissioners, adopted the fifth day of February, nineteen hundred and seventeen, authorize an issue of ten thousand dollars of funding bonds bearing six per cent interest and dated January first, nineteen hundred and seventeen, and maturing as follows: Five hundred dollars on the first day of January, nineteen hundred and twenty-two, and five hundred dollars on the first day of January in each successive year thereafter until all of said bonds are paid, said bonds being issued to fund and consolidate the outstanding indebtedness of said county, theretofore contracted for the necessary expenses thereof; therefore

Preamble: Resolution authorizing bond issue.

The General Assembly of North Carolina do enact:

SECTION 1. That said issue of bonds be and the same are hereby in all respects fully authorized, ratified and approved and confirmed.

Bonds approved.

SEC. 2. That in order to pay the principal and interest of said bonds, the said county of Clay is authorized and empowered to levy, if necessary, a special tax of sufficient rate and amount to pay the principal and interest of said bonds.

Special tax.

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

Repealing clause.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 532

AN ACT TO PREVENT THE SALE OF CERTAIN COMMODITIES AT THE ANNUAL MEETING OF THE LOWER COUNTRY LINE PRIMITIVE BAPTIST ASSOCIATION, AND TO OTHERWISE PROTECT SAID ASSOCIATION.

The General Assembly of North Carolina do enact:

Sales forbidden.

SECTION 1. That if any person, firm, or corporation shall sell or offer for sale at any place, except in incorporated towns and cities, within one mile of any meeting of the Lower Country Line Primitive Baptist Association, at any time during the three days and nights of the meeting, any wine, cider, confectioneries, candies, lemonade, coco-cola, pepsi-cola, soda water, ginger ale, or any cold or soft drinks or concoction of any kind, such person, firm, or corporation shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days: *Provided*, that nothing in this section shall extend to merchants or their employees while engaged in their customary business, at other times than Sunday, at their regularly established places for the sale of goods and merchandise.

Punishment.

Proviso: Regular merchants.

SEC. 2. If any person operating or causing to be operated or having in his charge or possession, any automobile, motorcycle, or other motor vehicle shall permit the pipes, mufflers or other device to emit sounds of exhaust, or shall fail to keep the muffler cut-out of such vehicle closed, while same is within one hundred yards of any place where divine worship is being held at any meeting of the Lower Country Line Primitive Baptist Association he shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Operation of motor vehicles.

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

Punishment.

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 533

AN ACT TO REGULATE FISHING IN BROAD RIVER IN HENDERSON AND RUTHERFORD COUNTIES.

The General Assembly of North Carolina do enact:

Fishing regulations.

SECTION 1. That it shall be unlawful for any person to dynamite, trap, shoot, seine, or otherwise catch or kill fish, except with hook and line, in Broad River or any of its tributaries in Henderson County, and in Chimney Rock Township in Rutherford County.

SEC. 2. That any person violating this act shall be guilty of a Misdemeanor. misdemeanor, and upon conviction shall be fined not less than Punishment. five 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 2d day of March, A. D. 1917.

CHAPTER 534

AN ACT TO ENLARGE KINGS MOUNTAIN ROAD DISTRICT.

Whereas, by chapter four hundred and twenty-nine of Public-Local Laws one thousand nine hundred and eleven, entitled "An act to authorize Kings Mountain precinct, in Number Four Township, Cleveland County, to issue bonds and to improve the highways therein," and by chapter four hundred and seventy of the Public-Local Laws one thousand nine hundred and thirteen, entitled "An act to provide for an additional bond issue for Kings Mountain precinct, in Number Four Township, Cleveland County, for road improvement." Kings Mountain precinct was created a special road district and authorized to issue bonds for the improvement of the public roads of said precinct; and,

Preamble: Road district and bond issue.

Whereas, it is desired to enlarge said road district by adding to the same the territory transferred to Cleveland County from Gaston County by chapter two hundred and three, Public Laws one thousand nine hundred and fifteen, and the election held pursuant thereto, and the act of the General Assembly of one thousand nine hundred and seventeen, entitled "An act to establish the boundary line between the counties of Cleveland and Gaston;" now, therefore,

Preamble: Enlargement of district.

The General Assembly of North Carolina do enact:

SECTION 1. That all that territory transferred from Gaston County to Cleveland County by virtue of chapter two hundred and three of the Public Laws of one thousand nine hundred and fifteen, and the election held pursuant thereto, and by virtue of an act enacted by the General Assembly of one thousand nine hundred and seventeen, entitled "An act to establish the boundary line between the counties of Cleveland and Gaston," shall hereafter become and be a part of the Kings Mountain road district established and created by chapter four hundred and twenty-nine of the Public-Local Laws of one thousand nine hundred and eleven, and chapter four hundred and seventy of the Public-Local Laws of one thousand nine hundred and thirteen, and, except as hereinafter provided, shall be subject to all of the provisions of

Addition to road district.

said chapter four hundred and twenty-nine of the Public-Local Laws of one thousand nine hundred and eleven, and chapter four hundred and seventy of the Public-Local Laws of one thousand nine hundred and thirteen.

Special tax.

SEC. 2. That hereafter the board of commissioners of the county of Cleveland, or other authorities with the power of levying taxes for said county, shall annually compute and levy, at the time of levying other county taxes, a special tax of not more than twenty-five cents on the one hundred dollars worth of property, and seventy-five cents on each poll, on all polls, real estate and personal property and other subjects of taxation in said Kings Mountain road district, as enlarged and constituted by this act, the said district comprising the territory within what has heretofore been known as the Kings Mountain precinct, and also the territory transferred from Gaston County to Cleveland County by the acts above mentioned, and said tax shall be collected in the manner provided by chapter four hundred and twenty-nine of the Public-Local Laws of one thousand nine hundred and eleven, and chapter four hundred and seventy of the Public-Local Laws of one thousand nine hundred and thirteen, and paid over to the treasurer of Cleveland County, as ex officio treasurer of the highway commission of said Kings Mountain road district, as constituted by this act, with the right to the highway commission of said Kings Mountain road district to use the proceeds arising from said tax only for the purpose of improving and maintaining the public roads lying within the said Kings Mountain Road district, as constituted by this act: *Provided*, that no part of said tax shall be used for paying the interest or principal of the bonds heretofore issued by virtue of chapter four hundred and twenty-nine of the Public-Local Laws of one thousand nine hundred and eleven, and chapter four hundred and seventy of the Public-Local Laws of one thousand nine hundred and thirteen, and the elections held pursuant thereto.

Tax rate.

Collection and settlement.

Specific appropriation.

Proviso: Obligation of bonds.

Special tax for bonds.

Tax rate.

Collection and settlement.

SEC. 3. That at the same time the aforesaid tax is levied the said commissioners of Cleveland County shall also annually compute and levy a sufficient tax on all polls, real estate, and all personal property, and all other subjects of taxation in Kings Mountain precinct, the said tax not to exceed more than fifteen cents on the one hundred dollars worth of property, and forty-five cents on each poll, and said tax to be collected and paid over in the same manner as provided in the foregoing section, the proceeds arising from said tax to be used only for the purpose of paying the interest on the bonded indebtedness of Kings Mountain precinct outstanding by virtue of chapter four hundred and twenty-nine of the Public-Local Laws of one thousand nine hundred and eleven, and chapter four hundred and seventy of the Public-Local Laws of one thousand nine hundred and thirteen,

and the elections held pursuant thereto, and for creating a sinking fund for paying off said bonded indebtedness: *Provided*, that no part of said tax shall be levied or collected in any portion of that territory which is added to Kings Mountain road district by this act.

Proviso: Territory exempted.

SEC. 4. That the treasurer of Cleveland County shall keep the taxes arising from the foregoing provisions under separate accounts; the taxes arising from Kings Mountain precinct under the accounts "Kings Mountain Precinct Road Bond Tax," and the taxes arising from the Kings Mountain road district under the account "Kings Mountain Road District Maintenance Tax."

Separate accounts.

SEC. 5. That Wiley H. McGinas and J. R. Payne be and they are hereby appointed members of the highway commission of Kings Mountain Road District, as herein created, along with the members already constituting the highway commission, and they shall serve until December first, one thousand nine hundred and eighteen, and until their successors are elected and qualified, having the same duties to discharge and being charged with the same responsibilities as are imposed upon the other members of the highway commission by the acts hereinbefore referred to, and they shall give bond in the same manner as the other commissioners. At the next general election held for the election of members of the General Assembly and county officers successors shall be elected for these two appointees for a term of two years, and upon the expiration of the terms of the present highway commissioners, who are serving under the acts hereinbefore referred to, their successors shall be elected for a period of two years instead of a period of six years, as provided for in said acts: *Provided*, that not more than three members of said commission, as herein constituted, shall belong to the same political party.

Highway commissioners.

Term of office.

Election of successors.

Proviso: Political affiliation.

SEC. 6. That all laws and clauses of laws in conflict with this act are hereby repealed in so far as they conflict with the same.

Repealing clause.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 535

AN ACT TO APPOINT A COTTON AND PEANUT WEIGHER IN THE TOWN OF WILLIAMSTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That J. C. Crawford be and he is hereby appointed cotton and peanut weigher for the town of Williamston, Martin County, for a period of two years from and after the ratification

Appointment.

Term of office.

Oath of office. of this act. Before entering upon the duties of his office, he shall take and subscribe to the oath prescribed by law for the faithful and honest performances of the duties of his office, which oath shall be filed with the clerk of the Superior Court of Martin County.

Exclusive right. SEC. 2. That it shall be unlawful for any other person to weigh cotton or peanuts which are offered for sale on the markets of the town of Williamston: *Provided*, that this act shall apply only to cotton in bales and peanuts in sacks.

Proviso: Application of act.

Fees. SEC. 3. That said cotton and peanut weigher shall receive for his services ten cents for each bale of cotton weighed by him, five cents of which shall be paid by the buyer and five cents by the seller of such cotton; he shall also be paid the sum of two cents for each bag of peanuts weighed by him, one cent of which shall be paid by the buyer and one cent by the seller of such peanuts.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 536

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF FORSYTH COUNTY TO ISSUE BONDS FOR THE CONSTRUCTION OF PUBLIC ROADS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Bond issue authorized.

SECTION 1. That the board of county commissioners of Forsyth County be and it is hereby authorized and empowered to issue bonds for Forsyth County for the construction of the public roads in said county, not to exceed the sum of fifty thousand (\$50,000) dollars. The said bonds so issued shall be styled "Forsyth County Good Roads Bonds," and the same shall be of such denomination as said board may deem advisable, bearing interest from the date of issuance, not to exceed five per cent per annum, with interest coupons attached, payable semiannually or 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 and by virtue of this act shall be approved by a majority of the board of county commissioners of Forsyth County, and shall be signed by the chairman thereof and countersigned by the clerk or secretary of said board, and the seal of the county attached thereto. Said bonds to be of such form and tenor and transferable in such way and the principal thereof payable and

Amount.

Entitlement.

Denominations.

Interest.

Approval and authentication.

Maturity.

redeemable at such time or times, not exceeding five years from the date thereof, and at such place or places as said board of county commissioners may determine. No part of said bonds shall be disposed of at less than par value.

Sale below par forbidden.

SEC. 2. That for the purpose of providing for the payment of said bonds as they mature and for the payment of interest on said bonds as it accrues, the board of county commissioners of Forsyth County is hereby authorized, empowered, and directed to retain and appropriate out of the road fund of Forsyth County, now and hereafter levied and collected under the road law, chapter 12, Public-Local Laws, session 1913, a sufficient amount of the road funds to pay the interest accumulating on said bonds, and one-fifth of the principal amount of the bonds herein provided for, for each and every year until the said bonds, principal and interest, has been paid and discharged.

Appropriation for payment.

SEC. 3. That the provisions of this act shall not in any way hinder or interfere with the present road law, chapter 12, Public-Local Laws, session 1913, now in existence, authorizing and empowering the highway commission of Forsyth County to borrow funds as provided under the act creating the highway commission and amendments thereto.

Present road law.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 537

AN ACT TO PROTECT DEER, SQUIRRELS, AND FUR-BEARING ANIMALS IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person not a resident of Robeson County to hunt, pursue, maim, or capture any squirrel or fur-bearing animal within the limits of Robeson County without first having applied for and received a nonresident hunter's license as prescribed in the act to protect game birds in Robeson County, enacted at the regular session of the Legislature of one thousand nine hundred and seventeen.

Non-residents to be licensed.

SEC. 2. That it shall be unlawful to hunt, pursue with dog or gun, kill, or destroy in any manner any squirrel or fur-bearing animal in Robeson County between the first day of March and the first day of October in any year, and the open season in Robeson County on squirrel and fur-bearing animals is hereby declared to be the period of time between the first day of October and the first day of March next following.

Close season.

Open season.

- Limit of kill. SEC. 3. That it shall be unlawful for any person to kill more than ten squirrels in any one day in Robeson County.
- Trapping for- SEC. 4. That it shall be unlawful for any person to net, snare, bidden. trap with steel-trap, or trap in any manner any squirrel or fur-bearing animal at any time in Robeson County, provided that this section shall not prohibit the setting of 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.
- Proviso: Traps SEC. 5. That it shall be unlawful for any person to hunt, pursue, by lessors or land owners. kill, maim, or destroy any deer in Robeson County at any time.
- Protection for SEC. 6. That it shall be unlawful for any person, firm, or corporation to ship or in any manner transport squirrel or fur-bearing deer. animals out of Robeson County at any time: *Provided*, that nothing in this act shall prevent the confinement, killing, selling, importing, and exporting of any deer, squirrel, or fur-bearing animal of any kind imported or kept for propagating purposes by any such person.
- Transportation SEC. 7. That fur-bearing animals within the meaning of this forbidden. act shall be otter, skunks, raccoons, mink, muskrat and opossum.
- Proviso: Animals SEC. 8. That the tax for a nonresident hunter's license provided for in this act shall be the same as that in said act to protect for breeding. game birds in Robeson County: *Provided, however*, that when a person shall have obtained a license to hunt game birds in Robeson County he shall not be charged an additional tax to hunt squirrel or fur-bearing animals.
- Definition. SEC. 9. That it shall be the duty of the county game warden and his deputies, as provided for in said "Act to protect game birds in Robeson County," to enforce provisions of this act, and the compensation and fees for the county game warden and his deputies for the enforcement of the provisions of this act shall be the same as the compensation and fees for the county game warden and his deputies for the enforcement of the game bird act of Robeson County, enacted at the regular session of the Legislature of one thousand nine hundred and seventeen.
- License tax. SEC. 10. That any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than fifty dollars or imprisoned more than thirty days.
- Proviso: License SEC. 11. That all laws and clauses of laws in conflict with the for game birds. provisions of this act to the extent of such conflict are hereby repealed.
- Enforcement of SEC. 12. That this act shall be in force from and after its act. ratification.
- Compensation of Ratified this the 2d day of March, A. D. 1917. warden and deputies.
- Misdemeanor. Punishment.
- Repealing clause.

CHAPTER 538

AN ACT AMEND CHAPTER 404 OF THE PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO TAX DOGS AND TO MAKE THEM THE SUBJECT OF LARCENY IN GRANVILLE COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and four of the Public-Local Laws of one thousand nine hundred and thirteen be amended by inserting between the words "school" in line three and "fund" in line four of section four and the word "building." Use of tax.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 539

AN ACT FOR THE PROTECTION OF STOCK IN CURRITUCK TOWNSHIP, HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to chase or catch stock with dog or to shoot stock on the range in Currituck Township, Hyde County. Chasing or shooting stock unlawful.

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 less than ten dollars nor more than fifty dollars, or imprisoned not less than thirty days nor more than ninety 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 2d day of March, A. D. 1917.

CHAPTER 540

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF PITT COUNTY TO APPOINT COTTON WEIGHERS AND TO PRESCRIBE THEIR DUTIES AND COMPENSATION.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Pitt County be and they are hereby authorized and empowered to appoint public cotton weighers, and weighers of other produce for any town in Appointments authorized.

Duties and compensation.

said county of Pitt and prescribe the duties and compensation of such public weighers.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 541

AN ACT TO REPEAL HOUSE BILL 330, SENATE BILL 290, ENTITLED "AN ACT TO CREATE A HIGHWAY COMMISSION FOR THE COUNTY OF PITT," RATIFIED ON JANUARY 9, 1917, AND HOUSE BILL 891, SENATE BILL 823, ENTITLED "AN ACT TO CORRECT CERTAIN TYPOGRAPHICAL ERRORS IN SAID ACT," RATIFIED FEBRUARY 1917.

The General Assembly of North Carolina do enact:

Laws repealed.

SECTION 1. That House bill three hundred and thirty, Senate bill two hundred and ninety, entitled "An act to create a highway commission for the county of Pitt," ratified on January the ninth, one thousand nine hundred and seventeen, and House Bill eight hundred and ninety-one, Senate Bill eight hundred and twenty-three, entitled "An act to correct certain typographical errors in said act," ratified February, one thousand nine hundred and seventeen, be and the same are hereby repealed.

Laws reënacted.

That the laws repealed by said acts, or either of them, be and the same are hereby reënacted.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 542

AN ACT TO AMEND THE PRIMARY LAW RELATIVE TO PENDER COUNTY.

The General Assembly of North Carolina do enact:

Democratic executive committee for precincts.
Election.

SECTION 1. That in each voting precinct in Pender County there shall be a Democratic executive committee to be composed of three members, who shall be selected biennially by the Democratic voters of the respective precincts at the time and in the manner as prescribed under the general primary law for the selection of county officers, and a separate box shall be provided for depositing ballots for selection of the said committee which

Ballot box.

shall be labeled; that the three men receiving the largest number of votes cast in the said primary for said committee shall be declared the Democratic executive committee of the respective precinct: *Provided*, no notice of candidacy or entrance fee shall be required.

Persons declared elected.

Proviso: Notice and entrance fee.

SEC. 2. That the Democratic executive committee for the respective voting precincts of Pender County shall meet as early as practicable after their election is declared under the primary as provided in section one of this act, and shall elect one of their number chairman, and he shall be ex officio member of the county democratic executive committee.

Organization.

County committee.

SEC. 3. That the county Democratic executive committee, composed of the chairman of the precinct executive committees, as provided in this act, shall meet at the courthouse in Burgaw on the first Monday in July following the primary and elect a chairman of the said democratic executive committee for Pender County: *Provided*, that any member of the said committee may vote by proxy.

Organization of county committee.

Proviso: Vote by proxy.

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

Repealing clause.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 543

AN ACT TO ESTABLISH A FARM-LIFE SCHOOL AT WEBSTER IN THE COUNTY OF JACKSON.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be and hereby is established at Webster in the county of Jackson a farm-life school, to be known as "Jackson County Farm Life School," and the same is hereby incorporated under the name of Jackson County Farm-Life School.

School established.

Title.
Incorporation.

SEC. 2. That said Jackson County Farm-Life School shall be controlled and conducted by a board of trustees of fifteen members, one from each township in said county of Jackson, as follows: T. R. Zachary of Cashiers Township, C. G. Wilson of Hamburg Township, H. R. Snider of Dillsboro Township, Thomas C. Jones of Barkers Creek Township, and G. M. Green of Greens Creek Township, who shall serve for a term of two years; W. J. Henderson of Mountain Township, R. Lee Wike of River Township, D. L. Robinson of Scotts Creek Township, James T. Bryson of Savannah Township, and Paul Ferguson of Quallatown

Board of trustees.

Trustees named.

Township, who shall serve for a term of four years; and A. L. Owen of Canada Township, R. C. Hunter of Caney Fork Township, Thomas A. Cox of Cullowhee Township, A. B. Allison of Webster Township, and James H. Cathey of Sylva Township, who shall serve for a term of six years.

Meeting and organization.

SEC. 3. That said trustees above named shall meet as soon as convenient after ratification of this act and not later than the fifteenth day of May, nineteen hundred and seventeen, and organize by electing one of their number chairman of said board, and may elect one of their number to serve as secretary and treasurer, or may elect a secretary and treasurer separately.

Conveyance of buildings and lands.

SEC. 4. That when said board of trustees have organized as set forth in section three of this act, then the commissioners of Jackson County shall convey to said Jackson County Farm-Life School the old courthouse and jail situated in the town of Webster, and grounds belonging to said Jackson County in said town of Webster and known as the courthouse and jail grounds and public square, for the purposes of said Jackson County Farm-Life School. And shall also in addition convey to said Jackson County Farm-Life School for the purposes of a demonstration farm, and for the uses of Jackson County Farm-Life School, at least twenty-five acres of land on the southwest end of the present county home farm, with the privilege of taking as much as forty acres, if in the discretion of the board of trustees the same is necessary for its successful operation.

Conveyance for farm.

Annual appropriation.

SEC. 5. That the board of commissioners of Jackson county shall appropriate annually the sum of twenty-five hundred dollars for the maintenance and support of said Jackson County Farm-Life School, and to that end are hereby empowered and authorized at the regular times for levying taxes for said county, to levy a special tax of not exceeding five cents on the one hundred dollars valuation of property and fifteen cents on each poll for the purposes of raising the amount to be paid in support of said Jackson County Farm-Life School.

Special tax.

Law for government of school.

SEC. 6. That said Jackson County Farm-Life School shall be controlled and governed as set forth in chapter eighty-four, Public Laws of nineteen hundred and eleven, which said act shall be applicable to the establishment and government of said farm-life school, and all the provisions of said chapter eighty-four, acts of nineteen hundred and eleven, are in full force and effect and applicable to said Jackson County Farm-Life School, except as the same is modified by this act.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 544

AN ACT TO REGULATE THE SHOOTING OF QUAIL IN CURRITUCK, CAMDEN, PASQUOTANK, PERQUIMANS, HERTFORD, CHOWAN, AND GATES COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That the season for shooting quail in Currituck, Camden, Pasquotank, Perquimans, Hertford, Chowan, and Gates counties shall begin on the fifteenth day of November in each year and close on the first day of March in each year. Open season.

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 3d day of March, A. D. 1917.

CHAPTER 545

AN ACT TO AMEND CHAPTER 297 OF THE PUBLIC-LOCAL LAWS 1911, ENTITLED "AN ACT TO FIX THE SALARIES OF CERTAIN PUBLIC OFFICERS IN CLEVELAND," AND RATIFYING THE CONTRACTS OF THE COMMISSIONERS OF CLEVELAND COUNTY FOR THE CONSTRUCTION OF ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter 297 of the Public-Local Laws of North Carolina, session 1911, entitled "An act to fix the salaries of certain public officers in Cleveland County," be amended as follows: By adding after the word "annum" in line two of section six of said act, and before the word "and" the following: "And an allowance of \$500 per annum for deputy hire"; that this amendment shall become effective for the ensuing year beginning on the first Monday in December, 1916, and for each year thereafter. Hire for deputy sheriff.

SEC. 2. That section 8 of the act referred to in the foregoing relating to the compensation of the register of deeds, be amended by striking out all of said section after the word "commissioners," the last two syllables of which are in line six of said act, and inserting in lieu thereof the following: "but the said register of deeds shall receive one cent each per name for registering births and deaths beginning with January 1, 1916, and the county commissioners be, and they are hereby directed and empowered, to pay him a reasonable sum each year beginning with the year Allowances to register of deeds.

1917, for the work of making out the tax books, computing taxes therefor, and making the tax receipts for the sheriff or tax collector of Cleveland County.”

Contracts ratified.

SEC. 3. That all contracts and agreements and expenditures made by the commissioners of Cleveland County for the building of public roads and highways in Number Four Township, and in the territory described and defined in chapter two hundred and three of the Public Laws of North Carolina, session nineteen hundred and fifteen, be and the same are hereby legalized and ratified, and the commissioners of Cleveland County are authorized to carry out the terms of the various resolutions heretofore made by them in respect to said roads and to complete payment for the construction of same, and issue the notes or bonds of the county and sell same for said purpose.

Notes or bonds.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 546

AN ACT TO PERMIT THE CLERK OF THE RECORDER'S COURT OF CUMBERLAND COUNTY TO ACT AS DEPUTY CLERK OF THE SUPERIOR COURT, CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Authority.

SECTION 1. That the clerk of of the recorder's court of Cumberland County is hereby authorized and empowered to act as deputy clerk of the Superior Court of Cumberland County when appointed, as now provided by law.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 547

AN ACT TO AUTHORIZE THE CITY OF KINSTON TO ISSUE GRADED SCHOOL BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the city council of the city of Kinston be and the same are hereby authorized to issue coupon bonds not to exceed in amount the sum of twenty-five thousand dollars, and in denominations of not less than one hundred dollars nor more

Bond issue authorized.
Amount.

Denominations.

than one thousand dollars, bearing interest from date of bonds at Interest.
 a rate not to exceed five per centum per annum, and payable
 semiannually on the first day of January and the first day of
 July of each year, until the said bonds are paid; that the said Maturity.
 bonds shall be made payable at a time and place to be fixed by
 the city council and named therein, not to be less than twenty,
 nor more than fifty years from the date thereof: *Provided, how- Proviso: Classifi-*
ever, that the said city council of the city of Kinston may di- cation.
 vide said bonds into classes, as they may determine best and
 have them mature at different convenient dates between the
 limits aforesaid. It is further enacted that said bonds and their Authentication.
 coupons shall be numbered, and the bonds shall be signed by the
 mayor of the city of Kinston and countersigned by the clerk of
 the said city, and have the corporate seal of said city affixed
 thereto, and the coupons thereto attached shall be signed by the
 mayor of said city and countersigned by said clerk; that the Records.
 record shall be kept of said bonds, showing the numbers and
 denominations thereof and to whom sold, the dates of issuing
 thereof and when the same will mature, and the rate of interest
 thereof and the amount received from the said sale of the same,
 and the date of paying the proceeds into the treasury of the
 said city, and such other data in relation to the same as the city
 council may direct to be kept.

SEC. 2. That the said bonds hereby authorized to be issued Sale not below
 shall not be sold for less than their face value, and the treasurer par.
 of the city shall receive all such moneys paid in the purchase of Treasurer to re-
 ceive proceeds.
 the bonds in his official capacity as treasurer of said city, and he Official liability.
 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 may
 be provided otherwise by the laws relating to the treasurer of the
 said city of Kinston, and it shall be the duty of the said city Official bond.
 council of the city of Kinston to see to it that the bonds of the
 said treasurer shall at all times be sufficient in amount and with
 satisfactory sureties to provide against any loss of money aris-
 ing from sale of said bond, and to that end may at any time re-
 quire said treasurer to renew his official bond in such sum and
 with satisfactory sureties as they may require, and in default
 thereof remove him from office as treasurer.

SEC. 3. That the treasurer of the city of Kinston shall keep Moneys kept
 separate
 separate from all public moneys coming into his hands the
 moneys arising as proceeds from the sale of said bonds, and the Specific appropria-
 tion.
 same shall be expended by the board of trustees of the Kinston
 Graded Schools (the body corporate created by and existing un-
 der chapter ninety-six, Laws of one thousand eight hundred and
 ninety-nine, entitled "An act to create graded schools in the
 town of Kinston, North Carolina"), and the said money shall be
 expended by the said board of trustees in their discretion as they

may deem wise and best for any one or all of the following purposes:—In the purchase of lands in the city of Kinston and the erection thereon of suitable buildings and furnishing the same with proper equipments and furniture to enlarge the facilities of the Kinston graded schools, and for all other purposes as the said board of trustees of the Kinston Graded Schools may deem proper for the enlargement and betterment of the schools and order the same to be disbursed: *Provided, however*, this act shall be submitted to the qualified voters of the Kinston Graded School District as said district was enlarged and as it is now defined and exists under an act entitled "An act relative to enlarging the Kinston Graded School District by submitting proposition to the voters of said district," in chapter three hundred and forty-six at page one thousand and eleven, Private Laws of North Carolina, session one thousand nine hundred and thirteen, for their ratification at an election to be held on Tuesday after the first Monday in May, one thousand nine hundred and seventeen or on such date thereafter as the said city council of the city of Kinston shall in their proper discretion deem wise and best and most suitable to the wishes of the people of said Kinston Graded School District.

Proviso: Act to be submitted to voters.

Date for election.

Advertisement of election.

SEC. 4. That the said election shall be advertised by the city council of the city of Kinston in a notice signed by the mayor and clerk of said city for thirty days prior to the day of election in the Kinston daily *Free Press*, a newspaper published in the city of Kinston, or any other paper published in the said city, and if said election mentioned herein is held as designated on Tuesday after the first Monday in May, one thousand nine hundred and seventeen, then it shall be held under the supervision of inspectors and pollholders or judges of election appointed for the purpose of holding and conducting the election of mayor and city council of said city on Tuesday after the first Monday in May, one thousand nine hundred and seventeen, and the returns of said election shall be made and certified in like manner as all other elections in said city, and in like manner the returns of said election and the result thereof shall be canvassed by the same authority and officers as shall canvass the result of the election of mayor and city council of the city of Kinston and the result accordingly declared; but if the said city council shall, in their proper discretion, deem it wise and best to call the said election for the purpose of voting on the said bonds herein mentioned at a date subsequent to the first Tuesday after the first Monday in May, one thousand nine hundred and seventeen, then the said city council shall, at the same meeting in which said election is called, appoint and designate all proper officials, judges, inspectors, and pollholders necessary for holding and carrying through said election, and shall do and perform

Election officers at city election

Returns.

Canvass of returns.

Officers if special election.

all things necessary and proper for the holding of said election, and the said election shall be held under the same rules and regulations not inconsistent with the provisions of this act as is prescribed for town and city elections in chapter seventy-three of the Revisal of one thousand nine hundred and five of North Carolina; but in the said election, whenever held, it shall be left entirely within the discretion of the city council of the city of Kinston to provide as to them seems fit and proper for voting precincts in that territory now comprising the Kinston Graded School District lying outside of the corporate limits of the city of Kinston as in their judgment will be most convenient for the qualified voters therein, and it shall also be left entirely within the proper discretion of the said city council whether or not they shall order a new registration of the qualified voters of all or any part of the territory now comprising the Kinston Graded School District.

SEC. 5. That at the said election those who are in favor of issuing bonds herein mentioned shall vote "For Graded School Bonds," and those opposed shall vote "Against Graded School Bonds," on written or printed ballots; that the number of ballots cast for and against said bonds and deposited in the box or boxes, which shall be provided for that purpose, shall be counted and the result of said election certified and returned as in the case of the election of mayor and city council of the city of Kinston, and the same when canvassed and declared as aforesaid shall be enrolled on the minutes of the city council of the city of Kinston. If at the said election a majority of the qualified voters of the Kinston Graded School District do not vote "For Graded School Bonds," then the said bonds shall not be issued under the authority of the election hereinbefore mentioned, but if at said election the ballots cast "For Graded School Bonds" shall be a majority of the qualified voters of the Kinston Graded School District, then the said city council of the city of Kinston shall proceed at once to issue and sell the bonds, or as many thereof as shall be necessary in the judgment and discretion of the said board of trustees of the Kinston Graded Schools for the purposes aforesaid, not exceeding the amount of twenty-five thousand dollars.

SEC. 6. If the notice of the election to be held on the first Tuesday after the first Monday in May, one thousand nine hundred and seventeen, as hereinbefore provided for, shall not be ordered by the city council of the city of Kinston prior to the twenty-fourth day of March, one thousand nine hundred and seventeen, then and in that event it shall be the duty of the city council to assemble in special session on the twenty-fourth day of March, one thousand nine hundred and seventeen, and order the notice of said election as hereinbefore provided for.

Law governing elections.

Voting precincts.

Ballots.

Count and return of votes.

Record.

Effect of election.

Special session of city council.

- Further election. SEC. 7. If at the election hereinbefore provided for the result shall be against issuing said bonds, then at any time thereafter within one year from the date of the said election, whenever same is held, at the request of the board of trustees of the Kinston Graded schools, the city council of the city of Kinston shall call a special election, at which shall be submitted the question of
- New registration. issuing bonds as hereinbefore provided for. If said special election shall be called the city council shall order a new registration of the qualified voters of the Kinston Graded School District as the same may then exist, and shall appoint a registrar and make all necessary regulations concerning the election and manner and method of holding the same, in keeping with the provisions of the State laws with reference to elections in municipalities. which said election, however, shall in all respects apply to the Kinston Graded School District as the same may then exist.
- Special tax. SEC. 8. That in order to pay the interest on the said bonds as the same becomes due and to create a sinking fund for the retirement of said bonds at their maturity, it is required and directed that a special tax shall be levied and collected in addition to all other taxes in the said Kinston Graded School District, which special tax shall not exceed ten cents on each one hundred dollars worth of taxable property and thirty cents on each poll in said Kinston Graded School District, observing the equation of taxation between property and polls fixed by the Constitution of the State of North Carolina for the purpose of State and county taxation: *Provided*, that the taxes collected under this act for the purposes aforesaid shall be kept separate and apart from all other taxes and shall be used for no other purposes than those expressed above.
- Limit of rate. SEC. 9. The city council of the city of Kinston may, if in their opinion it becomes necessary or advisable, appoint one or more trustees, whose duty it shall be to receive all taxes collected under this act for the purpose of creating a sinking fund to pay the principal of said bonds at maturity; and the said city council may prescribe the duty of said trustee or trustees, fix the amount of his or their compensation and the bond for the faithful performance of the duty or duties on his or their part. It shall be the duty of said trustee or trustees to invest or lend the money coming into his or their hands for the purpose of creating a sinking fund in safe securities or upon real estate situated in the city of Kinston.
- Constitutional equation. Trustees of sinking fund. Investment of sinking fund.
- Proviso: Taxes kept separate. SEC. 10. The treasurer shall be allowed such compensation for his services required under this act as may be fixed and allowed by the said board of trustees of the Kinston Graded Schools.
- Pay of treasurer. SEC. 11. If, after the retirement of all bonds hereinbefore provided for, there shall remain a surplus from the taxes collected,
- Use of surplus.

it may be used for any school purposes for the Kinston Graded Schools as the board of trustees of said schools may deem proper and advisable.

SEC. 12. All laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 13. This act shall be in force and effect from and after its ratification.

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 548

AN ACT TO FIX THE SALARIES FOR PUBLIC OFFICERS OF STOKES COUNTY AND TO ABOLISH THE OFFICE OF COUNTY TREASURER.

The General Assembly of North Carolina do enact:

SECTION 1. The sheriff of Stokes County may appoint one or more deputies in each township in the county, and may allow such deputies the fees made and collected by them in serving summons, subpoenas, notices, and processes of all kinds, and all fees and commissions made and collected by them from executions. Township deputies.

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 kept as a separate and distinct fund to be disposed of as hereinafter provided. Fees to be collected.

SEC. 3. The said sheriff shall receive a salary of eighteen hundred dollars per annum in lieu of all other compensations whatsoever. Salary.

SEC. 4. The clerk of the Superior Court and the register of deeds of said county shall faithfully collect, account for, and turn over to the sheriff of said county, to be disposed of as hereinafter provided, 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 office. Fees to be collected by clerk of court and register of deeds.

SEC. 5. The clerk of the Superior Court shall receive a salary of twelve hundred dollars per annum in lieu of all other compensations whatsoever. Salary of clerk.
The register of deeds shall receive a salary of twelve hundred dollars per annum in lieu of all other compensations whatsoever. Salary of register.

SEC. 6. The officers hereinafter 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 Exclusive compensation.

or State or other governmental agency, 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.

Salary fund.

SEC. 7. All moneys coming into the hands of the sheriff of Stokes County by virtue of this act shall be held by him as a separate and distinct fund, and after paying the salaries and allowances provided for in this act, the balance of said fund shall be applied to the county fund of Stokes County.

Surplus to general fund.

Payment of salaries.

SEC. 8. The salaries and allowances herein provided for shall be paid by the sheriff of said county upon warrant as required by law, to the officers in monthly installments: *Provided*, that the allowances may be paid in warrants of irregular size, according to the needs of the various officers, but shall never exceed for the year the amounts herein provided.

Proviso: Variant payments.

Monthly settlements.

SEC. 9. The officers hereinbefore required to turn over to the sheriff of Stokes County moneys coming into their hands shall make settlement with said sheriff on the last 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 sheriff under the provisions of this act.

Exhibit of books and accounts.

Officers responsible for collections.

SEC. 10. Any officer or clerk or assistant herein mentioned who shall willfully fail or refuse to collect the full fee, commission, or emolument of any kind belonging to his office, shall be responsible for the same.

Audits.

SEC. 11. That the board of county commissioners of Stokes County shall have the books of the sheriff, clerk of the Superior Court and register of deeds audited by a competent auditor every two years.

Office abolished.

SEC. 12. That the office of county treasurer of Stokes County be and the same is hereby abolished.

Sheriff to act as treasurer.

SEC. 13. That the sheriff of Stokes County shall perform the duties now performed by the treasurer of Stokes County.

Present county treasurer.

SEC. 14. That this act shall in no way interfere with the performance of the duties of the present county treasurer for the term for which he has been elected.

When act effective.

SEC. 15. That this act shall be in force from and after the first Monday in December, one thousand nine hundred and eighteen: *Provided*, the sheriff whose term shall expire on said date shall receive the commission now allowed by law for the collection Monday in December, one thousand nine hundred and eighteen: and all other taxes in his hands for collection and for settlement of same with county and State.

Proviso: Taxes for 1918.

Repealing clause.

SEC. 16. That all laws in conflict with the provisions of this act are hereby repealed.

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 549

AN ACT TO PROVIDE FOR THE NOMINATION OF CANDIDATES FOR COMMISSIONERS OF CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of elections of Cumberland County Districts for nominations. be and they are hereby authorized, in their discretion, to divide the county into two districts with the Cape Fear River as a dividing line, the east side of the river to be designated as the "East Side," and the western side of the said river to be designated as the "West Side," for the purpose of nominating county commissioners. East side. West side.

SEC. 2. Upon such division the said board of elections shall Nominations. provide the necessary primary machinery for the nomination of two commissioners from the East Side District and three commissioners from the West Side District, to be voted for by the electorate of the entire county entitled to vote in such primary.

SEC. 3. That the candidates so nominated shall be placed upon Election. the county ticket for the general election without designation as to the districts from which they come.

SEC. 4. That all laws and clauses in conflict with this act are Repealing clause. 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. 1917.

CHAPTER 550

AN ACT TO PROVIDE FOR A REFERENDUM TO THE QUALIFIED VOTERS OF CUMBERLAND COUNTY ON THE QUESTION OF THE SALARY SYSTEM FOR COUNTY OFFICERS.

Whereas, the county commissioners of Cumberland County have, Preamble: Fee system desired. by resolution, expressed the desire to restore the fee and commission system for county officers in said county on the ground that the same would be more economical and satisfactory; and,

Whereas, the present salary law, chapter six hundred and seventy of the Public-Local Laws of one thousand nine hundred and thirteen, was enacted after an expression in a primary referendum; now, therefore, Preamble: Referendum on adoption of salary system.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of elections of Cumberland County shall, upon the written petition of the board of commissioners of Box to be provided at general primary.

- Ballots. said county, provide a box at the general primary election to be held in one thousand nine hundred and eighteen, in order to determine the will of the qualified voters of Cumberland County as between the present salary system and the fee and commission system of paying officers for said county; and they shall also provide ballots to be voted in said box reading "For Salary System" and "Against Salary System."
- Count, return and canvass. SEC. 2. That the votes shall be counted, returned, and canvassed in the same manner as now provided for members of the General Assembly, and the canvassing board shall certify the result thereof to the board of county commissioners. If a majority of the votes cast shall be "For Salary System," then the present system shall remain in full force and effect; and if a majority of the votes cast shall be "Against Salary System," then the fee and commission system shall be restored and the officers of said county shall be paid the fees now provided by laws applicable to Cumberland County.
- Certificate of result. Effect of election. SEC. 3. That if a majority of the votes cast be "Against Salary System," the board of county commissioners is hereby authorized and empowered to put into effect the fee and commission system herein provided for at such time and in such manner as to them may appear equitable and just.
- Authority of county commissioners. SEC. 4. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
- Repealing clause. SEC. 5. That this act shall be in force from and after its ratification.
- Ratified this the 3d day of March, A. D. 1917.

CHAPTER 551

AN ACT TO AMEND CHAPTER 259, PUBLIC LAWS OF 1909, RELATING TO APPOINTMENT OF A FINANCE COMMITTEE FOR POLK COUNTY.

The General Assembly of North Carolina do enact:

- SECTION 1. That chapter two hundred and fifty-nine of the Public Laws of one thousand nine hundred and nine, being "An act relating to the appointment of a finance committee for Polk County," be hereby amended by adding a section after section three of said act as follows: "That any finance committee appointed under the provisions of said act may, at their discretion, examine and report the finances of said county for the years preceding that of their appointment, not covered by legal appointment and service of a finance committee, and shall receive the same compensation provided for in section three of said act."
- Examination of matters prior to appointment.

SEC. 2. That said act be further amended by the addition of another section after section three as follows:

"That said finance committee, or its successors, if they deem it necessary, shall have the power to employ an expert accountant to assist them in their work, to be paid out of the general county fund; and shall also have the power to fill any vacancy in their committee by the appointment of any expert accountant so employed." Employment of accountant.
Vacancies.

SEC. 3. That all laws and clauses of laws in conflict with this act in so far as they relate to the county of Polk are hereby repealed. Repealing clause.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 552

AN ACT TO AMEND THE GAME LAW OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

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

(1) By striking out the words "fifteenth of February" in line three of section two, and inserting in lieu thereof the words "first of March." Beginning of close season.

(2) By striking out the words "first day of November" in line three of section two, and inserting in lieu thereof the words "fifteenth day of November." End of close season.

SEC. 2. That all 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 3d day of March, A. D. 1917.

CHAPTER 553

AN ACT TO ALLOW THE COUNTY COMMISSIONERS OF MONTGOMERY COUNTY TO PAY ACTUAL EXPENSES OF OLD SOLDIERS TO CONFEDERATE REUNIONS.

The General Assembly of North Carolina do enact:

SECTION 1. The county commissioners of Montgomery County may, in their discretion, pay the actual expenses of all dependent Payment authorized.

Confederate soldiers to the Confederate reunions and pay for same out of the general county fund of Montgomery County.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 554

AN ACT TO REPEAL A PORTION OF THE SALARY BILL OF THE COUNTY OFFICERS OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

Assistant clerk to register.

SECTION 1. That section five of chapter four hundred and fifty-two of the Public-Local Laws of nineteen hundred and eleven be and the same are hereby amended as follows: By striking out all of line twelve after the word "month," including the comma, and all of line thirteen, including the words "per month," and to the colon in said line.

SEC. 2. That this act shall be in force from and after March 1, 1917.

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 555

AN ACT RELATING TO WILD BIRDS AND ANIMALS AND GAME IN MITCHELL AND AVERY COUNTIES.

The General Assembly of North Carolina do enact:

Birds and animals not protected.

SECTION 1. That it shall be lawful for any person at any time to kill any of the following kinds of birds, namely: Hawks of all kinds, owls, buzzards, English sparrows, crows and jays; and the following kinds of wild animals, namely: Foxes, opossums, minks, weasels, skunks, ground squirrels, ground hogs, wild cats; muskrats, rats, mice, moles and rabbits.

Birds fully protected.

SEC. 2. That it shall be unlawful at any time to hunt with dog or gun, or to kill quail or partridge, or any other birds not enumerated in section one.

Squirrels and boomers.

SEC. 3. That it shall be unlawful to hunt with dog or gun, or kill squirrels and boomers at any time except from the fifteenth day of September to thirty-first day of October inclusive:

Proviso: Squirrels destroying crops.

Provided that any one may kill squirrels upon his own premises at any time, if the squirrels are destroying his crops.

SEC. 4. 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 exceeding thirty days in the discretion of the court. Misdemeanor.
Punishment.

SEC. 5. That this act shall apply only to Mitchell and Avery Counties. Application of act.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 556

AN ACT TO AMEND THE RECORDER'S COURT LAW OF CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter six hundred and sixty-seven of the Public-Local Laws of nineteen hundred and thirteen be amended by striking out the word "ten" in line eleven and inserting in lieu thereof the word "five," and by striking out the word "fifteen" in line sixteen and inserting in lieu thereof the word "ten." Return day.

SEC. 2. That the said chapter be further amended by adding at the end of section fourteen the following: "Provided, the recorder may in such offenses for which the maximum fine prescribed by law or ordinance is not over ten dollars, make such order reducing the cost to be paid as in his judgment will meet the ends of justice." Proviso: Order
reducing costs.

SEC. 3. That the said chapter be further amended by striking out the word "three" in line nine of subsection three, section three, and inserting in lieu thereof the word "one." Jurisdiction.

SEC. 4. That this act shall be in force and effect from and after the fifteenth day of March, nineteen hundred and seventeen. When act effective.

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 557

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF WASHINGTON COUNTY TO ABOLISH THE PLYMOUTH RECORDER'S COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Washington County be and they are hereby empowered in their discretion to abolish the Plymouth recorder's court on and after December Action authorized.

Time for entering the first, one thousand nine hundred and eighteen. Such order may be entered at any regular meeting of said board prior to May the first, one thousand nine hundred and eighteen.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 558

AN ACT TO FIX THE FEES OF THE COUNTY SURVEYOR OF STOKES COUNTY.

The General Assembly of North Carolina do enact:

Fees. SECTION 1. That the fees of the county surveyor of Stokes County shall be three dollars per day for all services done by him in his official capacity.

Repealing clause. SEC. 2. That all 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 3d day of March, A. D. 1917.

CHAPTER 559

AN ACT TO PLACE THE COUNTY OFFICERS OF WAYNE COUNTY UPON A FEE BASIS AND TO REPEAL THE LAWS FIXING THE SALARIES FOR SAID OFFICERS.

The General Assembly of North Carolina do enact:

Law amended. SECTION 1. That chapter one hundred and seventy-three of the Public Laws of one thousand eight hundred and eighty-seven be amended by striking therefrom the word "Wayne" wherever it

Laws repealed. appears in said chapter; that chapter two hundred and seventy of the Public Laws of one thousand eight hundred and ninety-two, chapter four hundred and twenty-nine of the Public Laws of one thousand nine hundred and three, chapter three hundred and seventy-four of the Public Laws of one thousand nine hundred and five, chapter four hundred and seventy-seven of the Public-Local Laws of one thousand nine hundred and thirteen, chapter five hundred and thirty-seven of the Public-Local Laws of one thousand nine hundred and fifteen, and any and all other laws fixing the salaries for officers of Wayne County, be and the same are hereby repealed.

Payment of officers. SEC. 2. That from and after the first day of May, one thousand nine hundred and seventeen, the county officers of Wayne County

shall be paid the fees prescribed by the laws applicable to said county, except that the treasurer of said county shall receive a salary of nine hundred (\$900) dollars per annum in lieu of all other compensation whatsoever; and, *provided further*, that the treasurer's bond shall be paid for out of the county funds and shall not be included in the salary herein mentioned.

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 the first day of May, one thousand nine hundred and seventeen.

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 560

AN ACT TO AMEND CHAPTER 587 OF PUBLIC-LOCAL LAWS OF 1911, RELATIVE TO FEES OF OFFICERS FOR WILKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter five hundred and eighty-seven of Public-Local Laws of one thousand nine hundred and eleven be amended as follows: by adding after the figures "\$2,000.00" in line two of said section, "and four hundred (\$400) dollars for clerk hire," and by striking out the words and figures "one hundred and sixty-six dollars and sixty-six cents (\$166.66) in lines eight and nine of section one, and by inserting in lieu thereof, "two hundred dollars."

SEC. 2. That section three of said chapter five hundred and eighty-seven be amended as follows: by adding after the word "jail" and before the word "which" in line four of said section the following: "and such fees as are now or may hereafter allowed by law to the sheriffs for the seizure and destruction of illicit stills."

SEC. 3. That section three of said chapter be further amended as follows: after the word "shall" in line twenty-four, by striking out the words "account for and pay over to the sheriff, and he to the treasurer, as heretofore provided, all fees, commissions, penalties and emoluments which may come into their hands by virtue of their office," and by inserting in lieu thereof the following words: "be allowed the fees made and collected by them in serving summons, subpoenas, notices, and processes of all kinds, and all fees made and collected by them from executions and their fees for the seizure and destruction of illicit stills as provided by law; and the sheriff shall not be required to keep any account of said fees of the deputies nor shall he be required to pay said fees out of his salary."

Repealing clause. 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 3d day of March, A. D. 1917.

CHAPTER 561

AN ACT TO REPEAL HOUSE BILL 377, SENATE BILL 383, ENTITLED "A BILL TO BE ENTITLED AN ACT TO AMEND SECTION 3672, REVISAL OF 1905, RELATING TO GRAVEYARDS IN MECKLENBURG COUNTY," RATIFIED JANUARY 9, 1917.

The General Assembly of North Carolina do enact:

Law repealed. SECTION 1. That House Bill three hundred and seventy-seven, Senate Bill three hundred and eighty-three, entitled "A bill to be entitled an act to amend section three thousand six hundred and seventy-two, Revisal of one thousand nine hundred and five, relating to graveyards in Mecklenburg County," ratified January ninth, one thousand nine hundred and seventeen, be and the same is hereby repealed.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 562

AN ACT TO APPOINT A STANDARD KEEPER FOR CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Appointment. SECTION 1. That W. B. Jackson of Cross Creek Township be and he is hereby appointed standard keeper for Cumberland County under all the provisions of the general law or any special law as it now exists; his term of office to expire the first Monday in December, one thousand nine hundred and eighteen, when his successor shall be elected by the board of commissioners.

Term.
Election of successor.

Repealing clause. SEC. 2. That 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. 1917.

CHAPTER 563

AN ACT TO INCREASE THE COMPENSATION OF JURORS
OF STANLY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. To empower the county commissioners of Stanly County to increase the compensation of regular jurors only for Superior Court shall not exceed three (\$3) dollars per day and mileage. Authority of increase. Limit.

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. 1917.

CHAPTER 564

AN ACT THAT SECTION 14, CHAPTER 425, OF THE PUBLIC-
LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, BE
AMENDED AS FOLLOWS:

The General Assembly of North Carolina do enact:

SECTION 1. In addition to the officers above provided there shall be a prosecuting attorney for the county court of Stanly County whose qualifications, election and term of office shall be the same as provided for the judge of said court; and before entering upon the discharge of his duties he shall take and subscribe an oath of office before the clerk of the Superior Court, similar to that now prescribed for the solicitors of the State. It shall be the duty of the said prosecuting attorney to see that warrants, subpoenas and other process are issued for the proper apprehensions, and trial of all the violators of the law in Stanly County, and to represent the State of North Carolina in all criminal actions heard before said court, and faithfully and diligently prosecute the same, in case of appeal to the Superior Court and in case where the defendant is bound over to the Superior Court by the judge of the county court for Stanly County. It shall be the duty of the prosecuting attorney, in all such criminal actions, to assist the solicitor in the Superior Court, and his fees shall be taxed in said court equal to the fees of a solicitor and shall be paid to him as a part of his salary. The prosecuting attorney shall have the same right to appoint a substitute as judge of the county court of Stanly County has, and the same appointments shall be made in the same manner. Prosecuting attorney. Oath of office. Duty. Assistance to solicitor. Fees. Substitute.

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. 1917.

CHAPTER 565**AN ACT TO PREVENT THE SETTING UP OF TRAPS IN CLAY COUNTY.**

The General Assembly of North Carolina do enact:

Unlawful setting
of trap.

SECTION 1. That it shall be unlawful for any person to set or place any trap in the county of Clay in such manner or in such place as to catch live stock in said trap.

Misdemeanor.

SEC. 2. That if any live stock of any kind get caught in any trap in the said county, the owner of the said trap or the person setting the same shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days for each offense.

Punishment.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 566**AN ACT TO AMEND CHAPTER 40, PUBLIC LAWS OF 1913, RELATING TO INDECENT OR PROFANE LANGUAGE ON HIGHWAYS.**

The General Assembly of North Carolina do enact:

Exemption
stricken out.

SECTION 1. That chapter forty, Public Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out the word "Washington" in section two thereof.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 567**AN ACT TO AMEND CHAPTER 502 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO SALARIES OF OFFICERS OF CASWELL COUNTY.**

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and two of the Public Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended as follows: After section sixteen insert the following:

"Sec. 16½. That the board of county commissioners of said county be and they are hereby authorized, upon receiving the report of the auditor herein provided for at their regular meetings in May or December of any year, to change the method of paying said county officers if in their judgment the best interests of the county require such change; and in the event such change is made, such officers shall be entitled to receive the same fees which they received prior to December first, one thousand nine hundred and sixteen, and the provisions of this act shall be null and void."

Change of method
of payment.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 568

AN ACT TO AMEND HOUSE BILL 36, SENATE BILL 172, ENTITLED "AN ACT TO AUTHORIZE THE COMMISSIONERS OF YADKIN COUNTY TO ISSUE BONDS FOR ROAD PURPOSES AND TO CREATE AND ESTABLISH A ROAD COMMISSION," SO AS TO MAKE THE BUILDING OF A BRIDGE AT OR NEAR DIXON'S HILL MANDATORY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of said act be amended by striking out the word "may" after the word "enough" and before the word "be" in line twenty-one, and insert in lieu thereof the word "shall." And that said section be further amended by striking out of lines twenty-one and twenty-two the following words, "if the board of road commissioners shall decide."

Act mandatory.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 569

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF PITT COUNTY TO FIX THE SALARIES OF COUNTY OFFICERS.

The General Assembly of North Carolina do enact:

SECTION 1. That upon receipt of a petition signed by twenty per cent of the qualified voters registered at the preceding general election in Pitt County asking that the salary or salaries of

Petition.

one or more of the county officers of said county be increased or decreased, and stating the amount of increase or decrease in such petition, the board of county commissioners of Pitt County is hereby authorized and empowered to set a day for a hearing on such increase or decrease of salary or salaries, and give ten days notice thereof in such manner as they shall deem best calculated to give the widest publicity to such petition for increase or decrease; and after a hearing, said board of commissioners shall be authorized to make such increase or decrease in the salary or salaries as it may deem just and proper: *Provided*, that any increase or decrease in salary shall be made only in those cases when, in the discretion of said board of commissioners the county revenues justify such increase or increases in salaries.

Day of hearing.

Alteration authorized.

Proviso: State of county finance.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 570

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CLEVELAND COUNTY TO ISSUE BONDS FOR BRIDGES.

Preamble.

Whereas, on account of the floods of one thousand nine hundred and sixteen a number of steel bridges in Cleveland County were washed away and destroyed, and it became necessary to rebuild same, and

Whereas, the commissioners of Cleveland County have contracted for the rebuilding of same, and

Whereas, it is imperative that other steel bridges shall be immediately built in the county of Cleveland, and

Whereas, it will be necessary for the commissioners to issue bonds to obtain the money for the purposes aforesaid; now, therefore

The General Assembly of North Carolina do enact:

Bond issue authorized.

Amount

Denominations.

Interest.

Maturity.

SECTION 1. That the board of commissioners of Cleveland County be and it is hereby authorized and directed to issue the bonds of Cleveland County to an amount not exceeding eighty thousand (\$80,000) dollars, of denominations to be determined by said board of commissioners, said bonds bearing date March first, one thousand nine hundred and seventeen, or such other date as may be fixed by the board of commissioners, and bearing interest from the date thereof at the rate of not exceeding four and one-half (4½) per cent per annum, with interest coupons attached, payable semiannually, at such times and places 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 (30) years from the date thereof, and 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, and said bonds shall be known as "Cleveland County Bridge Bonds of 1917," and shall be so designated on their face.

SEC. 2. That for the purpose of paying the accrued interest on said bonds and to provide a sinking fund for the payment of the principal thereof when due, the board of commissioners of Cleveland County, in the event that the general tax levies of said county shall be insufficient for such purpose, shall levy and cause to be collected annually, as other taxes are levied and collected, a special tax upon all subjects of taxation, sufficient in amount to pay said interest and create said sinking fund to pay the principal of said bonds at the maturity thereof.

SEC. 3. That this act shall not repeal any general provision, or law, or special act, authorizing the commissioners of Cleveland County to borrow money for the purpose of building bridges in said county, but shall be deemed to be additional and independent legislation for such purpose, and to provide an additional, or alternative, authority for the purpose of this act, and to be a complete act, not subject to any limitation or restriction contained in any other public or private law or laws.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 571

AN ACT TO AMEND CHAPTER 288, PUBLIC-LOCAL LAWS REGULAR SESSION 1913, ENTITLED "AN ACT TO FIX SALARIES FOR PUBLIC OFFICERS FOR PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four, chapter two hundred and eighty-eight, Public-Local Laws of North Carolina, regular session one thousand nine hundred and thirteen, be and the same is hereby amended as follows: by striking out the word "shall" between the words "and" and "be" in line three and insert in lieu thereof the word "may" and by striking out all of said section after the word "hire" in line four and insert in lieu thereof the following: "in the discretion of the commissioners of Pender County."

Repealing clause. 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 5th day of March, A. D. 1917.

CHAPTER 572

AN ACT AMENDING CHAPTER 287, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, ENTITLED AN ACT FIXING SALARIES OF PUBLIC OFFICERS OF HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

Allowance to clerk superior court.

SECTION 1. Section six of chapter two hundred and eighty-seven, Public-Local Laws of North Carolina, session nineteen hundred and thirteen, be amended by striking out the words "six hundred" in line four of said section and inserting in lieu thereof "seven hundred and fifty."

Allowance to register of deeds.

SEC. 2. That section seven of said act, chapter two hundred and eighty-seven, Public-Local Laws of North Carolina, session nineteen hundred and thirteen, be amended by striking out the words "fifteen hundred" in lines three and four of said section, and inserting in lieu thereof "eighteen hundred."

Repealing clause.

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 5th day of March, A. D. 1917.

CHAPTER 573

AN ACT TO PROTECT GAME BIRDS IN BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Close season for deer.

SECTION 1. That it shall be unlawful for any person to chase, capture, or kill, or in any way molest any deer running wild in the woods between the first days of February and November in each year.

Close season for feathered game.

SEC. 2. That it shall be unlawful to kill or capture any partridge, quail, dove, or wild turkey between the first days of March and November of each year or destroy the nests of any, or in any manner molest the eggs of the above named birds.

Nests and eggs protected.

SEC. 3. Any person violating any of the provisions of this act Misdemeanor. shall be guilty of a misdemeanor and upon conviction shall be Punishment. fined not less than ten dollars nor more than one hundred dollars. Application of act. This act shall apply to Beaufort County only.

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

SEC. 5. That this act shall be in force from and after its rati- fication.

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 574

AN ACT TO AMEND CHAPTER 775, PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE SHIPMENT OF LIQUOR INTO GASTON COUNTY, SO AS TO INCLUDE CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and seventy-five, Pub- Law extended. lic-Local Laws of nineteen hundred and fifteen, be and the same is hereby amended by adding at the end of section nine of said chapter the following: "and Catawba County."

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

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 575

AN ACT TO PERMIT THE COMMISSIONERS OF IREDELL COUNTY TO BORROW \$40,000 AND ISSUE SERIAL BONDS FOR THE SAME, FOR THE PURPOSE OF BUILDING BRIDGES OVER THE CATAWBA RIVER.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Iredell County are Bond issue au- hereby authorized and empowered to issue bonds for the sum of ^{thorized} Amount. forty thousand dollars, for the purpose of building bridges across Purpose. the Catawba River, jointly with the said county of Catawba— said bonds to be paid off and discharged four thousand (\$4,000) Payment. dollars annually until the entire issue is paid.

SEC. 2. That in order to pay off and discharge said bonds at Special tax. maturity, with interest at five per cent to be paid semiannually, said board of county commissioners is hereby authorized, em- Tax rate.

powered, and directed to levy a tax of five cents on each one hundred (\$100) dollars worth of property and fifteen cents on each poll.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 576

AN ACT TO REPEAL CHAPTER 145 OF THE PUBLIC-LOCAL LAWS OF 1913, IN REGARD TO THE PAY OF ROAD OVERSEERS OF UNION COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter one hundred and forty-five of the Public-Local Laws of one thousand nine hundred and thirteen, in regard to the pay of road overseers of Union 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 5th day of March, 1917.

CHAPTER 577

AN ACT TO REPEAL CHAPTER 352 OF THE PUBLIC-LOCAL LAWS OF 1915, AND AMENDING CHAPTER 190 OF THE PUBLIC-LOCAL LAWS OF 1913, FIXING THE SALARY OF THE SHERIFF OF GASTON COUNTY AND DEFINING CERTAIN OF HIS DUTIES, AND ALSO FIXING THE SALARIES OF DEPUTY CLERK OF THE COURT AND DEPUTY REGISTER OF DEEDS OF GASTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and fifty-two of the Public-Local Laws of nineteen hundred and fifteen be and the same is hereby repealed.

Salary of sheriff.

SEC. 2. That section four, chapter one hundred and ninety of the Public-Local Laws of nineteen hundred and thirteen be and the same is hereby amended by striking out the words and figures "two thousand" in lines one and two of said section and inserting in lieu thereof "twenty-five hundred."

Deputies of clerk superior court and register of deeds.

SEC. 3. That sections six and nineteen of chapter one hundred and ninety of the Public-Local Laws of nineteen hundred and thirteen be and the same are hereby amended by striking from

section nineteen in line six the words and figures "six" and inserting in lieu thereof the words and figures "nine."

SEC. 4. That the salary so fixed for the sheriff in this act shall begin on the first Monday in December, nineteen hundred and eighteen. Date for change
as to sheriff.

SEC. 5. That the salaries so fixed for the deputy clerk of court and the deputy register of deeds shall begin on March the first, nineteen hundred and seventeen. Date as to
deputies.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 578

AN ACT TO DIRECT THE COUNTY BOARD OF EDUCATION OF GRANVILLE COUNTY TO PROVIDE A SINKING FUND TO PAY OFF BONDS ISSUED IN 1917 FOR THE PURPOSE OF ERECTING HIGH SCHOOL BUILDINGS AND EQUIPING THE SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That the county board of education of Granville County shall apportion annually, beginning with the year one thousand nine hundred and seventeen, from the school building fund of the county, such an amount of money to be placed in a sinking fund, to be known as "High School Sinking Fund, one thousand nine hundred and seventeen, of Granville County," as invested at four per cent per annum will yield a sufficient amount to pay off the principal of all bonds issued by the board of commissioners of Granville County during the year one thousand nine hundred and seventeen, for the purpose of erecting high school buildings in said county and equipping the same. Annual apportion-
ment.

SEC. 2. That said county board of education of Granville County shall elect and fix the compensation of some person, firm, or corporation as commissioner of said sinking fund, who shall give bond, if required, for the proper handling of said fund, and such commissioner shall annually, on the first Monday in January, submit to the said board of education an itemized report of said sinking fund and how the same is invested, which report shall be recorded on the minutes of said board of education and published in some newspaper published in Granville County. Commissioner of
sinking fund.

Annual state-
ments.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 579

AN ACT TO REQUIRE INSTRUCTION TO BE GIVEN BEYOND THE SEVENTH GRADE IN THE PUBLIC SCHOOLS OF ROWAN COUNTY.

The General Assembly of North Carolina do enact:

Courses of instruction.

SECTION 1. That in every school district in which no public high school is maintained it shall be the duty of the county superintendent of public instruction, the board of education, and the county committeemen of such districts to provide courses of instruction up to and including the tenth grade: *Provided*, the available school funds of said districts are sufficient to provide adequate instruction in both elementary and high school subjects, and to admit to such grades all children of school age in said district.

Proviso: Sufficiency of funds.

Application of act.
Repealing clause.

SEC. 2. That this act shall apply only to Rowan 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 5th day of March, A. D. 1917.

CHAPTER 580

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

The General Assembly of North Carolina do enact:

Office abolished.

SECTION 1. That the office of county treasurer of Pamlico County be and the same is hereby abolished.

Bank as financial agent.

SEC. 2. That the board of commissioners of Pamlico County be and they are hereby authorized and empowered to appoint some bank or trust company as financial agent for said county to handle the funds of said county, and to perform all the duties heretofore performed by the county treasurer: *Provided, however*, this act shall not take effect until the present incumbent serves out his term of office, to which he was elected in the last general election.

Proviso: Present incumbent.

Repealing clause.

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 5th day of March, A. D. 1917.

CHAPTER 581

AN ACT TO INCREASE THE BOARD OF EDUCATION OF BERTIE COUNTY FROM THREE TO FIVE MEMBERS AND TO FIX THEIR TERM OF OFFICE.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of education of Bertie County be and is hereby increased from three to five members, and shall hereafter be composed of five members, all of whom shall possess the same qualifications as is now, or may hereafter be, provided by law for members of said board of education; and in addition to the two members of said board whose term of office does not expire the first Monday in July, one thousand nine hundred and seventeen, the following additional members are hereby appointed: C. W. Mitchell, Jr., Dr. Wayland Mitchell, and Thomas A. Smithwick, whose term of office shall begin on the first Monday in April, one thousand nine hundred and seventeen, and shall continue for a term of six years, or until their successors are elected and qualified.

Increase of number.

Appointments.

Term.

SEC. 2. That House Bill number three hundred and sixty-nine, Senate Bill number four hundred and four, entitled "An act to increase the members of the board of education of Bertie County from three to five, and to elect the said board by the people of said county," enacted by the General Assembly of North Carolina, session one thousand nine hundred and seventeen, ratified on the twenty-first day of February, one thousand nine hundred and seventeen, be and the same is hereby repealed and all other laws and clauses of laws in conflict with this act are hereby repealed.

Act repealed.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 582

AN ACT TO REGULATE THE FEES OF THE SHERIFF OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Forsyth County shall be allowed the following fees and expenses and none other, namely:

Executing summons or any other writ or notice, one dollar; but the board of county commissioners may fix a less sum than one dollar, but not less than fifty cents, for the service of each road order.

Fees allowed.

Summons, courts and notices.

- Arrest and bail in civil actions. Arrest of a defendant in a civil action and taking bail, including attendance to justify, and all services connected therewith, one dollar and fifty cents.
- Arrests in criminal cases. Arrest of a person indicted, including all services connected with the taking and justification of bail, one dollar and fifty cents.
- Imprisonment and release. Imprisonment of any person in a civil or criminal action, fifty cents; and release from prison, fifty cents.
- Subpoena. Executing subpoena on a witness, fifty cents.
- Prisoner to another county. Conveying a prisoner to jail to another county, ten cents per mile. For prisoner's guard, if any necessary and approved by the county commissioners, going and returning, per mile for each, five cents.
- Expense of conveyance of prisoners. Expenses of guard and all other expenses of conveying prisoner to jail, or from one jail to another for any purpose, or to any place of punishment, or to appear before a court or justice of the peace in another county, or in going to another county for a prisoner to be taxed in the bill of costs and allowed by the board of commissioners of the county in which the criminal proceedings were instituted.
- Year's allowance. For allotment of widow's year's allowance, one dollar and fifty cents.
- Claim and delivery. In claim and delivery for serving the original papers in each case, one dollar, and for taking the property claimed, one dollar and fifty cents, with the actual cost of keeping the same until discharged by law, to be paid on affidavit of the returning officer.
- Conveying prisoners to penitentiary. For conveying prisoners to the penitentiary, two dollars per day and actual necessary expenses; also one dollar a day and actual necessary expenses for each guard, not to exceed one guard for every three prisoners, as the sheriff upon affidavit before the clerk of the Superior Court of his county shall swear to be necessary for the safe conveyance of the convicts, to be paid by the State Treasurer upon the warrant of the Auditor, out of any money in the treasury not otherwise appropriated. The sheriff shall file with the Auditor the affidavit above mentioned, together with a fully itemized account to be sworn to before the Auditor, showing the number of days requisite for coming and returning and the actual expense of conveying said convict and the guard necessary for their safe keeping, and if the Auditor approves said account he shall issue his warrant on the treasurer for the amount thereof.
- Warrant and payment. any money in the treasury not otherwise appropriated. The sheriff shall file with the Auditor the affidavit above mentioned, together with a fully itemized account to be sworn to before the Auditor, showing the number of days requisite for coming and returning and the actual expense of conveying said convict and the guard necessary for their safe keeping, and if the Auditor approves said account he shall issue his warrant on the treasurer for the amount thereof.
- Maintenance of prisoners and prison. Providing prisoners in county jail with suitable beds, bed-clothing, other clothing and fuel, and keeping the prison and grounds clean, whatever sum shall be allowed by the commissioners of the county.
- Collecting fine and costs. Collecting fine and costs from convicts, five per cent on the amount collected.

Collecting executions for money in civil actions, five per cent on the amount collected; to the amount of two hundred dollars, and two and one-half per cent on the balance; and the like commissions for all moneys which may be paid to the plaintiff by the defendant while the execution is in the hands of the sheriff. Collections in civil cases.

Advertising a sale of property under execution at each public place required, twenty-five cents. Advertisement of sale.

Seizing specific property under order of a court, or executing any other order of a court or judge, not specially provided for, to be allowed by the judge or court. Seizing property.

Taking any bond or undertaking, including furnishing the blanks, one dollar. Bonds.

The actual expense of keeping all property seized under process or order of court to be allowed by the court on the affidavit of the officer in charge. Keeping property.

Summoning a grand or petit jury, for each man summoned fifty cents, and twenty-five cents for each person summoned on the special venire. Summoning jurors.

For serving any writ or other process with the aid of the county, the usual fee of one dollar and fifty cents, and the expense necessarily incurred thereby, to be adjudged by the county commissioners, and taxed as other costs. Serving process with posse.

All just fees paid to any printer for any advertisement required by law to be printed. Payments to printers.

Bringing up a prisoner upon habeas corpus to testify or answer to any court or before any judge two dollars and all actual necessary expenses for such services, and ten cents per mile by the route most usually traveled, and all expenses for any guard actually employed and necessary. Return in habeas corpus.

For summoning and qualifying appraisers, and for performing all duties in laying off homesteads and personal property exemptions, or either, three dollars, to be included in the bill of costs. Laying off exemptions.

For levying an attachment, one dollar and fifty cents. Levying attachment.

For attendance to qualify jurors to lay off dower, or commissioners to lay off year's allowance, one dollar and fifty cents; and for attendance, to qualify commissioners for any other purpose, one dollar. Qualifying jurors and commissioners.

Executing a deed for land or any interest in land sold under execution, one dollar and fifty cents, to be paid by the purchaser. Executing deed.

Service of writ of ejectment, one dollar and fifty cents. Writ of ejectment.

For every execution, either in civil or criminal cases, one dollar. Execution.

SEC. 2. That all 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 5th day of March, A. D. 1917.

CHAPTER 583

AN ACT TO FIX THE SALARIES FOR THE CLERK OF COURT
AND REGISTER OF DEEDS OF McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

- Clerk of superior court. SECTION 1. That the clerk of the Superior Court of McDowell County shall receive a salary of one thousand dollars per annum and may appoint a deputy to assist during the terms of the Superior Court, who shall receive two dollars per day during the time the court is actually in session.
- Deputy. SEC. 2. That the register of deeds of McDowell County shall receive a salary of nine hundred dollars per annum.
- Register of deeds. SEC. 3. That the premiums on the bonds of the clerk of the Superior Court and register of deeds shall be paid by the board of county commissioners out of the general county fund.
- Premium on bonds. SEC. 4. That the officers hereipbefore mentioned shall perform all the duties of their several offices imposed on them by law, and shall receive no other compensation 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 fines and penalties that may now or hereafter be provided by law for failure to perform the duties of their several offices.
- Officers to perform duties. SEC. 5. That the said 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 carefully entered itemized accounts of all fees, commissions, emoluments, and moneys collected or received by said officers, or which by law or may be kept in 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; and the said officers shall, on the first Monday in each and every month, render to the board of county commissioners an itemized statement of all moneys received or collected during the previous month, and shall settle for the same with the said board.
- Full compensation. SEC. 6. Any officer, clerk, or assistant herein mentioned who shall willfully omit, fail, or refuse to collect for fees, commissions or emoluments of any kind belonging to his office shall be guilty of a misdemeanor.
- Bonds liable. SEC. 7. The board of county commissioners shall draw county orders on the first Monday in each and every month, payable to the clerk of the Superior Court and register of deeds, for their respective previous month's salaries and allowances, payable out of the general county fund.
- Account books. SEC. 8. The board of county commissioners shall draw county orders on the first Monday in each and every month, payable to the clerk of the Superior Court and register of deeds, for their respective previous month's salaries and allowances, payable out of the general county fund.
- Books open for inspection. SEC. 9. The board of county commissioners shall draw county orders on the first Monday in each and every month, payable to the clerk of the Superior Court and register of deeds, for their respective previous month's salaries and allowances, payable out of the general county fund.
- Monthly statements. SEC. 10. The board of county commissioners shall draw county orders on the first Monday in each and every month, payable to the clerk of the Superior Court and register of deeds, for their respective previous month's salaries and allowances, payable out of the general county fund.
- Misdemeanor. SEC. 11. The board of county commissioners shall draw county orders on the first Monday in each and every month, payable to the clerk of the Superior Court and register of deeds, for their respective previous month's salaries and allowances, payable out of the general county fund.
- Payment of salaries. SEC. 12. The board of county commissioners shall draw county orders on the first Monday in each and every month, payable to the clerk of the Superior Court and register of deeds, for their respective previous month's salaries and allowances, payable out of the general county fund.

SEC. 8. That the board of county commissioners shall have Insolvent lists. discretionary power, as now or may hereafter be provided by law, to allow insolvent lists of the clerk of Superior Court.

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

SEC. 10. That this act shall be in force from and after the When act effective. first day of May, one thousand nine hundred and seventeen.

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 584

AN ACT TO PROVIDE FOR AND REGULATE THE HOLDING OF PRIMARY ELECTION IN THE COUNTY OF HYDE.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of selecting candidates for Democratic party to hold primary. county and township offices and representatives in the Legislature, and for the purpose of selecting delegates to the county convention, the Democratic Party in the county of Hyde shall hold, at the usual voting places in said county, a primary election as herein provided.

SEC. 2. The executive committee of the Democratic Party in Election officers. Hyde County, on or before the first day of July, one thousand nine hundred and eighteen, shall appoint a registrar and two managers of each voting precinct in Hyde County, who shall constitute the precinct board of managers for holding primary elections in the various precincts in Hyde County.

SEC. 3. It shall be the duty of the various registrars so appointed to revise the registration books of the various precincts so as to show the names of all qualified electors therein, and said registration books shall be kept open for ten days preceding the day for the primary election for the registration of new electors, and said books shall close at eight o'clock on the night preceding such primary elections. Registration.

SEC. 4. That it shall be the duty of said board of managers, Ballots. and they are hereby empowered and directed, to provide for their respective precincts all necessary ballots for the use of all candidates to be voted for in said primary election, also all necessary Election equipment. ballot boxes, poll books, and all other things necessary for the proper conducting of said primary election, and that upon demand of said board of managers the registration books of the various precincts of said county shall be turned over to the said board of managers for use in said primary elections.

SEC. 5. The time and the hours for holding said primary elections in said precincts, and the rules governing the same, not in- Rules governing election.

consistent with it, shall be prescribed by and carried into effect by the board of managers herein provided for.

Count and declaration of result.

Delegates to county convention.

Vote in convention.

Proviso: Change after third ballot.

Returns.

Notice of candidacy.

Entrance fees.

Vacancies in election officers.

Oath to be taken.

Pay of election officers.

SEC. 6. That at the close of said primary elections the said board of managers shall openly count and declare the result thereof and shall name delegates to the county convention, the number of whom shall not exceed the number of votes to which such precinct is entitled in said convention, and the said delegates so appointed by said board of managers shall vote in said convention in accordance with the results so declared, and each candidate shall receive his proportionate part of the vote as determined and declared in said primary election: *Provided*, that after the third ballot a majority of the delegates of any township may change the vote of such township to meet the wishes of said majority.

SEC. 7. That on the second day after holding said primary elections said board of managers shall certify and return to the chairman of the executive committee of Hyde County the result of same, together with the poll books and all other papers in connection therewith, and same shall be open to public inspection.

SEC. 8. That every candidate to be voted for in said primary elections, except candidates for justices of the peace, county commissioners, constables, coroner, and county surveyor of Hyde County, shall file with each board of managers, at least twenty days before such primary election is to be held a notice in writing of their candidacy, and shall at the same time deposit with said board of managers the sum of fifty cents each, and every candidate to be voted for for justice of the peace, county commissioners, constable, coroner, and county surveyor in said primaries, shall deposit the sum of twenty-five cents with the board of managers, to be used by said board of managers in defraying expenses of holding said elections.

SEC. 9. That in case any registrar or manager shall for any cause fail to appear on the day set for such primary elections it shall be the duty of the others who are present to name his or their successors, and said registrars and managers before entering upon their duties, shall take an oath before some justice of the peace, notary public, or other officer authorized to administer oaths, that they will honestly and fairly discharge their duties as such, and registrars and managers shall hold office for two years from June first, one thousand nine hundred and eighteen, and until their successors are appointed as herein before provided.

SEC. 10. That the registrars herein provided for shall receive as compensation for their services the sum of five cents per name for each new elector whom they may register, and the managers shall receive for their services one dollar per day each

for holding said elections, and the pay of said registrars and managers shall be paid out of the deposits herein provided.

SEC. 11. Said board of managers shall keep an itemized record of all money paid to them by the various candidates and turn over any balance, with said records, to successors in office. Record of receipts.

SEC. 12. That in all elections under the provisions of this act for county officers and for representatives in the Legislature the candidate who shall receive the majority of votes cast in such primary election shall be declared the nominee of his party for the office for which he was a candidate: *Provided*, that in case any candidate for any such offices shall fail to receive a majority of the votes cast in such primary election, then and in that event there shall be held, within twenty days from the date of the first primary, a second primary, and same shall be held under the same rules and regulations as the first primary: *Provided further* that only the two candidates receiving the greatest number of votes in the first primary shall be voted for in the second primary. Persons declared nominees.
Proviso: Second primary.
Proviso: Candidates.

SEC. 13. That the voters in any township in said county shall have the right if they so desire to vote upon and ascertain the strength of any candidate to be voted for in a coming election, not herein mentioned, under rules to be prescribed by said board of managers, and upon petition of a majority of the electors in any township it shall be the duty of said board to provide for the holding of same, and to declare and to return the result herein provided for county offices. Test vote on other offices.

SEC. 14. That this act shall apply only to the Democratic Party in the county of Hyde: *Provided*, any political party in said county, in its discretion, may hold primaries hereunder. Application of act.
Proviso: Use allowed any party.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 585

AN ACT TO AUTHORIZE DUPLIN COUNTY TO ISSUE BONDS IN THE SUM OF \$100,000 TO ERECT FENCES AROUND SAID COUNTY AND CERTAIN TERRITORIES THEREIN.

The General Assembly of North Carolina do enact:

SECTION 1. That on the seventh day of August, one thousand nine hundred and seventeen, there shall be held in Duplin County an election under the same laws, rules and regulations as provided for the election of members of the General Assembly, except that there shall be a new registration, to ascertain the Date of election.
Law governing election.
New registration.

Question to be voted on.	will of the qualified voters of Duplin County as to whether or not Duplin County shall issue bonds in the sum of one hundred thousand dollars, or so much thereof as may be necessary, to be used in the erection of a fence around Duplin County where it touches stock-law territory in other counties, and for the erection of fences around such stock-law territories in said county as were in existence in said county prior to the first day of March, one thousand nine hundred and fourteen.
Ballots.	SEC. 2. At said election those favoring the issuing of the said bonds, and levying a special tax to pay the same, shall vote a ballot on which shall be written or printed these words, "For Fence Bond Issue and Special Tax," and those opposed to said bond issue and a levying of said special tax shall vote a ballot on which shall be written or printed the words, "Against Fence Bond Issue and Special Tax"; 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 results shall be made out and certified to the register of deeds of Duplin County; and the expenses of said election shall be paid by Duplin County.
Return and canvass of votes.	
Expense of election. Bond issue.	SEC. 3. That in the event a majority of the qualified voters of Duplin County shall cast their votes at said election "For Fence Bond Issue and Special Tax" the board of commissioners of Duplin County are hereby authorized, empowered, and directed to issue bonds of Duplin County in the sum of one hundred thousand dollars, in the denomination of one thousand dollars each, five of the said bonds of one thousand dollars each maturing every year for a period of twenty years from days of issuance, said bonds bearing interest at a rate not to exceed six per centum per annum, interest payable semiannually as per coupons attached to said bonds; to sell the said bonds or so many thereof as may be necessary, and with the proceeds therefrom to erect good and sufficient fences along the boundary lines of Duplin County where it touches stock-law territory in other counties, and to erect a good and sufficient fence around all stock-law territories in Duplin County in which the stock law prevailed prior to the first day of March, one thousand nine hundred and fourteen; and upon the erection of all of the fences provided for by this act it shall be lawful for stock to run at large in all of that portion of Duplin County in which stock lawfully ran at large prior to the first day of March, one thousand nine hundred and fourteen; but that portion of the county of Duplin which was stock-law prior to and on the first day of March, one thousand nine hundred and fourteen, shall be and remain stock-law territory under the same.
Amount. Denominations. Maturity.	
Interest.	
Sale of bonds and use of proceeds.	
Stock to run at large.	
Special tax.	SEC. 4. That in the event the majority of the qualified voters at said election vote in favor of the said bond issue and special

tax, then it shall be the duty of the board of commissioners of Duplin County to levy annually a tax of not to exceed twenty-five cents on the one hundred dollars valuation of property and a tax not to exceed seventy-five cents on the poll, to pay the interest on the said bonds whenever the same is due, to maintain the said fences so erected under this act, and to create a sinking fund to pay off and discharge said bonds at maturity.

SEC. 5. In case a majority of the qualified voters of Duplin County shall cast their votes at said election "For Fence Bond Issue and Special Tax," then and in that event none of the provisions of this act shall be effective until all fence or fences shall be erected as provided by section three of this act. Act not effective until erection of fence.

SEC. 6. That for the purpose of putting the provisions of this chapter into effect and erecting the fences as herein provided, the commissioners of Duplin County shall have the same rights and powers as set out in section sixteen hundred and eighty-six of the Revisal of nineteen hundred and five of North Carolina. Rights and powers of commissioners.

SEC. 7. That chapter five hundred and twelve of the Public-Local Laws of nineteen hundred and fifteen of North Carolina be and the same is hereby repealed. Law repealed.

SEC. 8. That all actions for relief under chapter five hundred and twelve, Public-Local Laws of one thousand nine hundred and fifteen, now pending against the county commissioners of Duplin County, and Duplin County, including those of H. J. Faison and others, I. F. Faison and others, and A. J. Brinson and others, against W. G. Kornegay, W. J. Middleton, and D. H. Williams, together constituting the board of commissioners for Duplin County, and Duplin County, are hereby declared null and void. Pending actions abated.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 586

AN ACT REGARDING THE USE OF THE PUBLIC ROADS IN EDGECOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. If any person shall use any cleats, chains, or other devices on the wheels of trucks, traction engines, or road steamers on any public road in Edgecombe County he shall be guilty of a misdemeanor and shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days. Use of cleats, chains and other devices forbidden. Misdemeanor.

License for log haulers.

SEC. 2. That any person, firm, or corporation desiring to use any of the public roads of Edgecombe County for carrying on his or its business of hauling mill logs or timber or other heavy material with log wagons, log carts, and other heavy vehicles shall first obtain a license for this purpose from the board of commissioners of Edgecombe County, and shall pay an annual license tax of fifteen dollars for each wagon or cart or vehicle of the kind above described to be used, which said license tax or taxes shall be paid into the general road fund of the county and used as a part of this fund. Any person violating this section shall be guilty of a misdemeanor and shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days; but the conviction of such person in the criminal courts for violation of this section shall not be construed to relieve such person for any and all license taxes due by him for the use of said roads as above set out.

License tax.

Misdemeanor.
Punishment.

Repealing clause.

SEC. 3. All laws and clauses of laws inconsistent with the provisions of this act are hereby repealed.

Application of act.

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

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 587

AN ACT TO AMEND CHAPTER 202, PUBLIC-LOCAL LAWS, SESSION 1915, RELATING TO THE WORKING OF THE PUBLIC ROADS IN JACKSON TOWNSHIP OF NORTHAMPTON COUNTY, AND TO ISSUE ADDITIONAL BONDS FOR SUCH PURPOSE.

The General Assembly of North Carolina do enact:

Compensation of secretary.

SECTION 1. That section four (4) of chapter two hundred and two (202), Public-Local Laws, session nineteen hundred and fifteen, be amended by striking out the words, "The compensation of the secretary shall not exceed two dollars (\$2) per day for every day the board shall meet," in lines eleven, twelve, and thirteen of said section, and by substituting in lieu thereof the words, "The compensation of the secretary shall be such sum as he and said board of road commissioners shall agree upon."

SEC. 2. That section seven (7) of chapter two hundred and two (202), Public-Local Laws, session nineteen hundred and fifteen, be and the same is hereby stricken out and the following be and the same is hereby inserted in lieu thereof:

"Section 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, and for all other things and purposes necessary for the proper working and improving and establishing the public roads in said township, including interest for one year on all bonds heretofore or hereafter legally issued by said board of road commissioners, and any part of the principal of such bonds, and to create a sinking fund for the payment of such bonds, and to pay all expenses thereof and the expenses pertaining to the performance of their duties for any one year, and shall annually 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 sixty (60) 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 one dollar and eighty cents (\$1.80) on each poll for any 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 Northampton 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 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."

Estimate of expense.

Tax rate.

Report to county commissioners.

Special tax.

Collection and settlement.

SEC. 3. That section eleven (11) of chapter two hundred and two (202), Public-Local Laws, session nineteen hundred and fifteen, be amended by adding at the end thereof the following: "Provided further, that when the convicts, or any part of them, sentenced to work on the roads of said township as aforesaid shall be no longer needed to work on the roads of said township, said board of road commissioners may and they are hereby authorized and empowered to turn over any such convict or convicts to any other lawfully created road board in North Carolina which is allowed by law to work convicts on its roads, for the unexpired term or terms of such convict or convicts, and to receive from such board such compensation as the respective boards may agree upon as just.

Transfer of convicts.

SEC. 4. That section thirteen (13) of chapter two hundred and two (202), Public-Local Laws, session nineteen hundred and

Bonds.

fifteen, be amended by inserting between the words "herein provided for" and the word "and" in line eight (8) of said section the following words: "and such bonds as are authorized by this amendatory act."

Action for material.

SEC. 5. That section nineteen (19) of chapter two hundred and two (202), Public-Local Laws, session nineteen hundred and fifteen, be amended by adding thereto the following: "And if the owner of the land from which any such gravel, clay, earth, sand, or stone may be taken, or through or on which any such drain or ditch may be made, and the said board of road commissioners cannot agree as to the compensation for any damage that may be done any such land thereby, then the owner of such land may bring an action against said board of road commissioners to determine such damages, in the court of justice of the peace of said county or in the Superior Court of said county, according to the respective jurisdiction of said courts:

Proviso: Time of commencing action.

Provided, that any such action shall be commenced within twelve months from the ratification of this act as to all such acts heretofore committed and within twelve months from the commission of all such acts hereafter committed, or such claims for damages will be barred.

Additional bond issue.

SEC. 6. That section twenty-two (22) of chapter two hundred and two (202), Public-Local Laws, session nineteen hundred and fifteen, be and the same is hereby amended by adding at the end thereof the following: "That in addition to the sixteen thousand dollars (\$16,000) of bonds heretofore authorized by said section twenty-two (22) and issued by said board of road commissioners under the authority of said section twenty-two (22), said board of road commissioners shall be and is hereby authorized and empowered to issue additional bonds of said Jackson Township, to be styled "Jackson Township Road Bonds," to an amount not to exceed twelve thousand dollars (\$12,000),

Denomination.

Interest.

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 of 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 fifty years from the date thereof, and at such place or places as said board may determine. None of said bonds shall be disposed of for 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

Authentication.

Maturity.

Sale below par prohibited.

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.

Obligation of bonds.

SEC. 7. That all funds derived from the sale of any bonds hereby authorized shall be paid over to the treasurer of said board of road 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 carrying out this work.

Use of proceeds of bonds.

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 its ratification.

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 588

AN ACT TO PROTECT GAME IN STOKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to hunt with dog or gun, trap or net, or otherwise trespass upon the lands of another without the written permission from the owner of said land.

Hunting without permission of landowner.

SEC. 2. That it shall be unlawful to kill any partridge, quail, wild turkey, or other game bird between the fifteenth day of January and the fifteenth day of December in any year.

Close season for feathered game.

SEC. 3. That it shall be unlawful for any person to carry or ship any partridge, quail, wild turkey, or other game birds out of said county for the purpose of sale.

Shipping game forbidden.

SEC. 4. That it shall be unlawful to hunt with dog or gun, trap or net, or kill any fur-bearing animals from the fifteenth day of January to the first day of September of each year: *Provided*, that such fur-bearing animals may be killed by the owner of growing crops or other property, or his agent or agents duly authorized by him, when such animals are destroying growing crops or other personal property.

Close season for fur bearing animals.

Proviso: Animals destroying crops.

SEC. 5. That any person or persons violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than twenty-five dollars for each offense, in the discretion of the court.

Misdemeanor.

Punishment.

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

Application of act.

Repealing clause. 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 5th day of March, A. D. 1917.

CHAPTER 589

AN ACT TO DECLARE CERTAIN TERRITORY OF SWAIN COUNTY UNDER THE STOCK LAW.

The General Assembly of North Carolina do enact:

Stock law territory.
Meets and bounds.

SECTION 1. That the following territory in Swain County be and the same is hereby declared stock-law territory, to wit: Beginning at a point at the junction of the Tuckaseigee River with the Little Tennessee River, near Bushnell, in the Swain-Graham County line, and running with said Little Tennessee River to the junction of Little Tennessee and Nantahala rivers, thence with the Nantahala River to the Macon County line near Nantahala station; then with the Macon and Swain county line to the Jackson County line; thence with the Swain and Jackson county line to the Haywood County line; thence with the Swain and Haywood county line to the North Carolina-Tennessee State line on the Smoky Mountains; thence with the North Carolina-Tennessee State line to a point at the junction of the township lines of Charleston and Forneys Creek townships; thence with the township lines of Charleston and Forneys Creek townships to the center of the Tuckaseigee River at or near the mouth of Nolands Creek; thence down the Tuckaseigee River to the point of beginning, including the townships of Charleston, Nantahala, and Ocona Luffy.

Lawful fence.

SEC. 2. That the boundary set forth and described in section one of this act shall be deemed, and the same is hereby declared, to all intents and purposes a lawful fence, and a full compliance with section one thousand six hundred and eighty-three of the Revisal of one thousand nine hundred and five. Any live stock found running at large within said boundary may be taken up and impounded and subject to all provisions of law with respect to live stock running at large within stock-law territory as provided in chapter thirty-five, Revisal of one thousand nine hundred and five.

Law governing territory.

Repealing clause.

SEC. 3. That all laws and clauses of laws in conflict herewith be and the same are hereby repealed.

When act effective.

SEC. 4. That this act shall be in force from and after the first day of April, nineteen hundred and seventeen.

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 590

AN ACT TO PERMIT THE WORKING OF CONVICTS ON THE COUNTY FARM IN WASHINGTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in case the board of road commissioners of Washington County shall so direct, the convicts under their charge may be turned over to the board of county commissioners and by such board worked on the county farm of said county: *Authority for work on farm.*
Provided, when said convicts are worked on said farm, that the expenses are to be paid out of the general county fund. *Proviso: Expenses.*

SEC. 2. That the board of county commissioners of said county be and they are hereby authorized, in their discretion, to abolish the county chain-gang in said county, and work the prisoners heretofore sentenced to said chain-gang on the county farm, or hire such prisoners to some other county for road work or other purposes. *Abolition of chain gang. Work of convicts.*

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. *Repealing clause.*

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 591

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF GRANVILLE COUNTY TO REFUND THE BONDED INDEBTEDNESS OF CREEDMOOR PUBLIC SCHOOL SPECIAL-TAX DISTRICT, GRANVILLE COUNTY.

Whereas, by virtue of chapter forty-six of the Private Laws, extra session one thousand nine hundred and eight, and upon the vote of the majority of the qualified voters of Public School District, number nine, of Dutchville Township, Granville County, known as Creedmoor Special-tax District, the board of commissioners of Granville County during the year one thousand nine hundred and eight did issue coupon bonds of said Creedmoor Special-tax District to the amount of six thousand dollars, styled "Creedmoor Public School District Bonds," for the purpose of erecting and equipping in said district a building suitable for the purpose of a public primary and high school, payable in ten years, with the right in said commissioners to take up one-tenth part of said bonds each year until the same should have been paid in full, bearing interest at the rate of six per cent

per annum; and whereas the said Creedmoor Special-tax District has paid off only one thousand dollars of said bonds, and now wishes to refund the five thousand dollars still due on said indebtedness: Now, therefore,

The General Assembly of North Carolina do enact:

Authority for
bond issue.

SECTION 1. That for the purpose of refunding and paying off the bonded indebtedness of the said Creedmoor Special-tax District incurred for the purpose of erecting and equipping in said district a building suitable for the purpose of a public primary and high school, the board of commissioners of Granville County is hereby authorized to issue coupon bonds on behalf of said Creedmoor Special-tax District to an amount not exceeding five thousand dollars, in such denominations as the said board of commissioners may determine, payable in not more than ten years from June first, one thousand nine hundred and eighteen, and bearing interest at a rate not exceeding six per cent per annum, payable semiannually; both the principal and interest of said bonds to be payable at such time and place as may be deemed advisable by the said board of county commissioners, with the proviso that the said board of county commissioners may redeem and pay off one-tenth of the total issue of said bonds each year, beginning with the lowest number. Said bonds shall be signed by the chairman of the board of county commissioners, attested by the register of deeds with the corporate seal of said county, and countersigned by the chairman of the public school committee of said Creedmoor Public School District; the coupons for the interest on said bonds shall be signed by the chairman of the board of county commissioners, or his facsimile signature shall be printed or engraved thereon.

Amount.

Denominations.

Maturity.

Interest.

Right of redemption.

Authentication.

Deposit and sale
of bonds.

Use of proceeds.

Obligation of purchaser relieved.

Advertisement and
sale of bonds.

Record and destruction
of paid bonds.

Record of sale of
bonds.

SEC. 2. That immediately upon the execution of the said bonds as aforesaid they shall be deposited with the treasurer of Granville County, who shall hold them until sold, and the proceeds of the sale of said bonds shall be applied only to the payment of the outstanding bonds issued on behalf of said Creedmoor Public School District as aforesaid, and the interest thereon, but the purchaser of said bonds shall not be required to see to the application of the purchase money.

SEC. 3. That said bonds shall be sold by said board of county commissioners after advertisement of the time and place of sale by publication in some newspaper published in said county of Granville, for a period of twenty days, for not less than par and accrued interest.

SEC. 4. That the chairman of the board of county commissioners shall cause a record to be made of all the bonds paid off under the terms of this act, and he shall then destroy said bonds. The chairman of said board of county commissioners shall also

cause a record to be made of the sale of the bonds authorized under this act, giving the name and address of the purchaser or purchasers.

SEC. 5. That in order to meet the payment of said bonds and interest, the county board of education of Granville County is hereby authorized and directed to apportion annually for ten years after June first, one thousand nine hundred and eighteen, out of the general school fund of said county of Granville, the sum of one hundred and twenty-five dollars, to be applied to the payment in part of the one-tenth of the total issue of said bonds; and in order to meet the payment of the balance of said bonds and interest the said board of county commissioners of Granville County is hereby authorized and directed to levy a tax upon all real estate and personal property and other subjects of taxation (preserving the equation between polls and property) in said Creedmoor Public School District sufficient to meet the balance of each annual installment of the principal and interest of the said bonds, which taxes shall be collected by the sheriff as other taxes of Granville County.

Appropriation for
payment.

Special tax.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 592

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF DURHAM COUNTY TO ISSUE BONDS TO PAY ITS INDEBTEDNESS.

Whereas there is an outstanding floating indebtedness of Durham County incurred by the board of commissioners in improving roads, building bridges, and for other actual and necessary expenditures for said county; and whereas all of said amount is now due and unpaid, and the said county has no available funds to liquidate said indebtedness: Therefore,

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of funding and paying the floating indebtedness of Durham County, the board of commissioners of said county is hereby authorized and empowered to issue the bonds of the county to an amount not exceeding one hundred and twenty-five thousand dollars (\$125,000), of the denominations not to exceed one thousand dollars (\$1,000) nor less than one hundred dollars (\$100), bearing interest from the date thereof at a rate not to exceed five per centum per annum, with interest coupons attached, payable semiannually at

Authority for
bond issue.

Amount.

Denominations.

Interest.

- such time and place as may be deemed advisable by 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 twenty (20) years from date thereof, and at such place or places as the board of county commissioners may determine: *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.
- Maturity.**
- Proviso: Sale below par forbidden.**
- Authentication.** SEC. 2. Such bonds and coupons shall be numbered and shall be signed by the chairman and countersigned by the clerk of the said board of county commissioners of Durham County and shall have the corporate seal of said county of Durham impressed thereon.
- Record.** SEC. 3. A record shall be kept by the said board of commissioners, in a separate book for the purpose of all bonds sold, and to whom, the amount and date of sale, and the maturity of each bond, and its number.
- Special tax.** SEC. 4. 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 for the county of Durham are hereby empowered and authorized to levy a special tax to meet these demands. The said tax shall be levied and collected as the 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: *Provided*, there shall not be at any time levied in the county of Durham for the purposes of this act a tax in excess of five cents on the one hundred dollars of property.
- Levy and collection.**
- Proviso: Limit of rate.**
- Taxes kept separate. Exclusive use.** 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 it was collected.
- Investment of sinking fund.** SEC. 6. It shall be the duty of the said board of county commissioners to cause to be invested any and all moneys of the sinking fund in the purchase of bonds issued under this act, if said bonds can be secured at a price deemed advantageous to the county by the said board of commissioners; but in case said bonds cannot be purchased as aforesaid, the board of commissioners shall invest said sinking fund upon approved security and upon terms deemed advantageous to the county, or they may deposit the said sinking fund or any part thereof from time to time in any banking institution or trust company in North Carolina of undoubted solvency, at the prevailing rate of interest for such deposits. The interest that shall accrue on the sinking fund shall be invested in like manner as the principal and shall become a part of the sinking fund. The purchases, investments, and deposits directed by this section shall be made

by the treasurer of Durham County, under the directions of the board of county commissioners.

SEC. 7. The treasurer of Durham County shall keep a separate account of the said sinking fund, which said fund shall be kept separate and apart from all other funds or money. Accounts of sinking fund.

SEC. 8. It shall further be the duty of the said treasurer to keep an account with each bond, showing what coupons and what bonds have been paid, and to whom and when. Accounts with bond.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 593

AN ACT TO AMEND SECTION 9 OF CHAPTER 694 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1915, RELATING TO PROHIBITION FOR RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section nine of chapter six hundred and ninety-four of the Public-Local Laws of North Carolina of one thousand nine hundred and fifteen by striking out the period after the word "county" in line one and add the words "and Rutherford County." Law extended.

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

SEC. 3. This act shall be in force from and after the first day of April one thousand nine hundred and seventeen.

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 594

AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF RICHMOND COUNTY TO ISSUE BONDS FOR THE PAYMENT OF A SITE AND ERECTING OF BUILDINGS FOR A COUNTY HOME FOR THE AGED AND INFIRM.

The General Assembly of North Carolina do enact:

SECTION 1. That in order to provide funds for the payment of the purchase price of a site for a county home for the aged and infirm of the county of Richmond, 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 afore- Purpose of bond issue.

Authority for issue.	said, the board of commissioners of Richmond County is hereby authorized and empowered to issue and sell coupon bonds of said county of Richmond to an amount not exceeding fifteen 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 semiannually until said bonds are paid, both principal and interest payable 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.
Amount.	
Denomination.	
Interest.	
Maturity.	
Authentication.	The said bonds shall be signed by the chairman of board of commissioners of said county and shall be countersigned by the clerk of said board, and shall have affixed thereto the corporate seal 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 other such evidence of identity as said board of commissioners shall prescribe, and the coupons attached to said bonds shall have the facsimile signatures of the chairman and clerk of said board of commissioners lithographed upon each coupon.
Sale below par forbidden.	SEC. 2. No bond issued under the provisions of this act shall be sold or otherwise disposed of for less than its par value.
Record of bonds.	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.
Record of payments.	
Sale.	SEC. 4. That the board of commissioners of Richmond County are authorized and empowered to issue and sell said bonds in such manner and upon such advertising as in their discretion may be deemed most expedient and for the best interest of said county.
Specific appropriation.	SEC. 5. 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 arising from the sale of said bonds shall be paid to the board of commissioners of Richmond County and the said board of commissioners shall immediately deposit the proceeds from the sale of said bonds in the county depository, and the depository bond of said depository shall be liable for any misappropriation thereof by said depository.
Deposit of proceeds of bonds.	
Special tax.	SEC. 6. That in order to pay the interest on said bonds as it may accrue, and provide a sinking fund to pay said bonds as

they severally mature, the said board of commissioners of said county is hereby authorized and empowered to levy a special tax annually on all taxable property and taxable polls in the county of Richmond, not exceeding two cents on every one hundred dollars worth of 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 respectively 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 Richmond 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 Richmond 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.

Collection and settlement.

Proviso: Payment from general funds.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 595

AN ACT TO FIX THE TERM OF OFFICE OF THE BOARD OF EDUCATION OF GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the terms of office of all three of the members of the board of education of Guilford County shall expire two years hence, or when their successors are chosen as provided by the general law of the State adopted at this session of the General Assembly; and none of the terms of said members shall expire until such successors are so chosen.

Terms to expire.

SEC. 2. That, as provided in said general law of the State, two years hence three members of said board of education shall be chosen, one for two years, one for four years, and one for six years; and, therefore, every two years one shall be chosen for six years, as provided by said general law of the State.

Terms of future boards.

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

Repealing clause.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 596

AN ACT TO APPOINT MEMBERS OF THE HIGHWAY COMMISSION FOR THE COUNTY OF WAYNE.

The General Assembly of North Carolina do enact:

Highway commis-
sion appointed.

SECTION 1. That James Parks, L. R. B. Combs, Bright Thompson, and W. B. Fort be and they are hereby appointed members of the highway commission for the county of Wayne for a term of six years beginning the first Monday in June, one thousand nine hundred and seventeen.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 597

AN ACT TO REGULATE SALES ON SUNDAY IN FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Sales forbidden.

SECTION 1. No person, firm, or corporation in Forsyth County shall expose for sale, sell or offer for sale on Sunday, any goods, wares, or merchandise within one mile of the corporate limits of any incorporated town or city; and no store, shop, or other place of business in which goods, wares, or merchandise of any kind are kept for sale shall keep open doors from twelve o'clock Saturday night until twelve o'clock Sunday night: *Provided*, that this act shall not be construed to apply to hotels or boarding-houses, or to restaurants or cafés furnishing meals to actual guests, where the same are not otherwise prohibited by law from keeping open on Sunday: *Provided further*, that drug stores, with licensed pharmacists, may be kept open for the sale of goods to be used for medical or surgical purposes, and for the sale of cigars, tobacco; and cigar stands and news stands may sell cigars, tobacco, and newspapers: *Provided further*, that ice dealers and dairies may remain open for the sale and delivery of ice and dairy products. Nothing in this act shall be construed to prohibit livery stables or garages from operating on Sunday or to prohibit publication and sale of newspapers.

Stores to be
closed.

Proviso: Excep-
tions.

Proviso: Further
exceptions.

Proviso: Further
exceptions.

Livery stables,
garages and news-
papers.

Misdemeanor.

SEC. 1a. 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, in the discretion of the court.

SEC. 2. All acts or parts of acts in conflict herewith are hereby repealed. Repealing clause.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 598

AN ACT TO PROTECT GAME AND REGULATE HUNTING IN GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to hunt with gun and dog any quail or partridge, turkeys, squirrels, rabbits, or deer, or any foxes with gun or dog, between the first day of February and the thirty-first day of October in any year hereafter; and if any person is found traveling about with gun and dog, other than on his own premises or some public highway, it shall be *prima facie* evidence that said person is hunting within the meaning of this act. Close season.
Prima facie evidence.

SEC. 2. That it shall be unlawful for any person to catch or snare any quail or partridge by means of traps or other devices. Trapping forbidden.

SEC. 3. That it shall be unlawful for any person to sell or offer for sale any quail or partridge killed in said county of Granville.

SEC. 4. That any person who shall violate any of the provisions of this act shall be fined not less than five dollars nor more than twenty dollars, and one-half of said fine shall be paid to the person securing said conviction. Punishment.

SEC. 5. That this act shall apply to Granville County only. Application of act.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 599

AN ACT TO REGULATE OYSTER DREDGING IN PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to dredge for oysters in Neuse River above a line running from the mouth of Pierce's Creek on the north side of said river to Sandy Point on the south of said river. Dredging forbidden.

Misdemeanor.
Punishment.

SEC. 2. That 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 be imprisoned not exceeding thirty days, in the discretion of the court.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 600

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

The General Assembly of North Carolina do enact:

Purpose of tax.
Levy authorized.

SECTION 1. That for the purpose of meeting the general county expenses of Pamlico County, the board of commissioners of said county be and they are hereby authorized and empowered to levy a special tax for the years one thousand nine hundred and seventeen and one thousand nine hundred and eighteen, not exceeding ten cents on the hundred dollars worth of taxable property in said county and thirty cents on each taxable poll, the constitutional equation being observed in said levies.

Term.
Limit of rate.

Constitutional equation.

Collection.

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.

Repealing clause.

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 5th day of March, A. D. 1917.

CHAPTER 601

AN ACT TO AMEND CHAPTER 174 OF THE PUBLIC-LOCAL LAWS OF 1915, WITH RESPECT TO THE PUBLIC ROADS IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

Board of road commissioners dissolved.

SECTION 1. That the body corporate known as the board of road commissioners of Avery County created by chapter one hundred and seventy-four of the Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby dissolved and abolished, and that the powers and duties imposed upon the

Powers and duties devolved on county commissioners.

said board of road commissioners by the said act be and they are hereby transferred to the board of county commissioners of Avery County. It is to be understood that all the provisions of the said chapter one hundred and seventy-four of the Public-Local Laws of one thousand nine hundred and fifteen remain in full force and effect except that wherever the board of road commissioners of Avery County is mentioned or referred to in the said act the board of county commissioners of Avery County is to be substituted. Effect of previous act.

SEC. 2. That the provisions of House bill two hundred and seventy-one, Senate bill three, passed at this session of the General Assembly and ratified on the ninth day of January, one thousand nine hundred and seventeen, in so far as they conflict with the provisions of this act, be and they are hereby repealed. Repealing clause.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 602

AN ACT TO AUTHORIZE NEWTON GROVE TOWNSHIP IN THE COUNTY OF SAMPSON TO ISSUE BONDS TO AID IN THE CONSTRUCTION OF A RAILROAD IN SAID TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That upon the presentation of a petition to the board of commissioners for the county of Sampson, signed by one-fifth of the male freeholders residing in Newton Grove Township, Sampson County, requesting that an election be held for said township to ascertain whether or not said township shall issue bonds in an amount to be set forth in said petition, said amount not to exceed twenty-five thousand dollars, said bonds to bear interest at the rate of six per cent, payable semiannually, and specifying in said petition the date or dates of maturity of said bonds, no bond to run for a longer time than twenty years from the date that the same shall be issued, the said bonds to be used as a donation to aid in the construction of a standard-gauge railroad, carrying freight and passengers for hire and chartered under the laws of the State of North Carolina, said railroad to extend from some point on the Atlantic Coast Line Railroad between the towns of Faison and Warsaw in Duplin County in a northwestern direction, through the counties of Duplin and Sampson to a point in said Newton Grove Township, it shall be the duty of the said board of commissioners for the county of Petition for election. Amount. Interest. Maturity. Purpose of issue. Order for election.

Sampson to call an election to present to the qualified voters of said township the question of issuing said bonds for said purpose.

Law governing election.

SEC. 2. That said election shall be held, as near as may be, under the same rules and regulations and laws governing the election of members of the General Assembly: *Provided*, that there shall be a new registration and that the said board of commissioners shall appoint the registrar and judges of election, and shall set the time and place for said election in said township, and give notice thereof by posting notices at three public places in said township and at the courthouse door in Clinton, said county, for as much as thirty days prior to said election, and by publishing a copy of the said notice once a week for four successive weeks prior to the date of said election in some newspaper published in Sampson County; and at the close of the polls the registrar and judges of election shall count the ballots which were cast at said election and at once certify the result under their hands to the board of commissioner for the county of Sampson, who at their next monthly meeting shall canvass said returns and record the same upon their minutes, and no other declaration of the result shall be necessary.

Proviso: New registration.

Election officers.

Notice of election.

Count and return of votes.

Canvass and record.

Ballots.

SEC. 3. That at the said election the qualified voters favoring said bond issue shall cast a written or printed ballot bearing the words, "For Railroad," and those opposing the said bond issue shall cast a ballot written or printed bearing the words, "Against Railroad."

County commissioners to issue bonds.

SEC. 4. That in the event that a majority of the qualified voters in said election are for bond issue, then it shall be the duty of the board of commissioners for the county of Sampson to issue bonds as provided by this act, and in the denomination, amount, and maturing as set out in the petition, with interest-bearing coupons as provided by his act, numbered consecutively and payable at the office of the treasurer of Sampson County, the said bonds to be styled "Newton Grove Township Railroad Bonds," and the said bonds shall be signed on behalf of said township by the chairman of the board of commissioners for the county of Sampson and countersigned by the register of deeds of said county and shall have impressed upon them the official seal of the said board of commissioners for the county of Sampson, but the coupons may be signed with the facsimile signatures of the said chairman of the board and the said register of deeds.

Entitlement of bonds.

Authentication.

Use of bonds.

SEC. 5. The said bonds shall be used by the said board of commissioners for the county of Sampson for the purpose herein set out, to wit: Upon any railroad, as provided in this act, putting into operation a regularly chartered railroad, chartered under the laws of the State of North Carolina as a carrier of freight and passengers for hire, and operating from the point described and set out in section one of this act to some point in

Newton Grove Township, to be agreed upon by said board of commissioners and said railroad company, with such service, construction and equipment as may be agreed upon between said board of commissioners and said railroad company, which said agreement shall be made before said railroad is begun or before it is completed and put in operation, then upon the said railroad's performing its part of the contract and putting said road in operation, then it shall be the duty of the said board of commissioners, and they are authorized, empowered, and directed, to deliver to said railroad company said bonds as a donation from Newton Grove Township in consideration of the benefits accruing to said township and its people from the said railroad as a public convenience and utility.

Consideration.

SEC. 6. That it shall be the duty of the said board of commissioners to levy annually a special tax on all the property and polls in said Newton Grove Township sufficient to pay the interest on said bonds, and to establish a sinking fund to pay the said bonds as they become due, to be collected as other taxes are collected by the sheriff of Sampson County, the said sinking fund to be deposited in some good bank at the highest rate of interest obtainable, or to be loaned on real estate in Newton Grove Township at not more than its tax valuation.

Special tax

Deposit of sinking fund.

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

Repealing clause.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 603

AN ACT FOR THE PROTECTION OF OAKDALE CHURCH IN TATOM'S TOWNSHIP, COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to give away, sell or otherwise dispose of for gain or profit any intoxicating liquors, wine, beer, beerine, cider, or bitters within five miles of Oakdale Church in Tatom's Township, and Western Prong Baptist Church, Columbus County. That any person who violates the provisions of this section shall, upon conviction, be guilty of a misdemeanor, and shall be fined not exceeding fifty dollars or be imprisoned for not more than thirty days.

Prohibition.

Misdemeanor.

Punishment.

SEC. 2. That any person found drunk or disorderly within one mile of said churches shall be guilty of a misdemeanor, and upon

Drunkenness and disorderly conduct misdemeanor.

- Punishment. conviction shall be fined not exceeding fifty dollars or imprisoned for not more than thirty days.
- Repealing clause. SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act be and the same are hereby repealed.
- SEC. 4. That this act shall be in force from and after its ratification.
- Ratified this the 5th day of March, A. D. 1917.

CHAPTER 604

AN ACT TO AUTHORIZE NUMBER EIGHT (8) TOWNSHIP AND THE TOWN OF MOUNT PLEASANT IN CABARRUS COUNTY, TO ISSUE BONDS FOR CERTAIN PURPOSES AND TO PROVIDE FOR AN ELECTION THEREFOR.

The General Assembly of North Carolina do enact:

- Donation to railroad. SECTION 1. That Number Eight (8) Township or the town of Mount Pleasant, both in Cabarrus County, are empowered and authorized to make a donation of money or its equivalent in real or personal property to any corporation that may hereafter be incorporated to build and construct a line of railroad from within the town of Mount Pleasant, Cabarrus County, North Carolina, southward to Stanfield, in Stanly County, North Carolina, or any other point in any direction from Mount Pleasant, for carrying passengers and freight, for the purpose of aiding in the building and construction of said road; or to make a subscription to the capital stock of said corporation or for bonds issued by it, in the following manner: Upon the presentation of a petition signed by not less than fifty (50) freeholders and resident taxpayers of said township to the board of county commissioners of Cabarrus County, or upon a presentation of a petition signed by not less than fifty (50) freeholders and resident taxpayers of the town of Mount Pleasant to the proper governing authorities of said town, requesting them to submit to the qualified voters of the township or town where said petitioners may reside a proposition to donate to said corporation in money or its equivalent a definite sum, not to exceed fifty thousand dollars, for the purpose of aiding in the building and construction of said road, said sum to be named in the petition, or a proposition to subscribe to the capital stock or bonds of said corporation a definite sum, not to exceed fifty thousand dollars, to be named in the petition, the board of commissioners of said county or the proper authorities of said town
- Subscription to stock. may in their discretion order a new registration of voters, and shall within thirty days thereafter order an election to be held in such township or town, to submit to the qualified voters
- Petition for election. Amount. Order for election.

therein the question of making said donation to the said corporation or making said subscription to the said capital stock or bonds of said corporation; at which election all those qualified to vote who are in favor of such donation or subscription shall vote a ballot on which shall be written or printed the words "For Donation" or "For Subscription," and those opposed to such donation or subscription shall vote a ballot on which shall be written or printed the words "Against Donation" or "Against Subscription"; and the election for this purpose shall be conducted in the same manner and subject to the same rules and regulations as are provided for the election of county officers by the general election laws of the State of North Carolina, except as herein modified. Such election shall be held after thirty days notice thereof shall have been given, specifying the amount of the proposed donation or subscription, posted at the mayor's office of the town of Mount Pleasant and at every polling place of said township or town where the election shall take place; and the returns thereof shall be made to the board of commissioners of said county or to the proper authorities of said town, who shall canvass said returns and judicially determine and promulgate the result of said election; and if the result of said election shall be "Against Donation" or "Against Subscription" the power to hold elections granted under this act shall not be exhausted as to such township or town, and future elections may be held in the same manner as is provided herein for the first election.

SEC. 2. If a majority of the qualified voters vote "For Donation" or "For Subscription," then the board of commissioners of said county, or the proper authorities of said town, shall immediately make such donation or subscription as the election shall order, and shall issue coupon bonds of said township or town, as the election shall order, to the amount of said donation or subscription in order to pay the same. They shall be in a denomination of not less than one hundred dollars and not more than one thousand dollars each and shall run for such number of years and bear such rate of interest as the petition and order of election shall indicate.

SEC. 3. Upon the issuing of said bonds the commissioners of said county, if the election shall order the issue of township bonds, or the governing body of said town, if the election shall order the issuing of the bonds of the town, shall compute and levy each year at the time of levying other taxes a sufficient tax upon the property and polls in said township or town, as the case may be, to pay for the interest on the bonds issued on account of such township or town, as the case may be; and shall also levy a sufficient tax to create a sinking fund to provide for payment of said bonds at maturity. The taxes levied as above shall be annually collected as other taxes by the proper officer, and when so

Ballots.

Law governing election.

Notice of election.

Returns.

Canvass of returns.

Further elections.

Donation or subscription.

Bond issue.

Denomination.

Maturity and interest.

Special taxes.

Collection and settlement.

Taxes kept separate. Specific appropriation. Investment of sinking fund.

collected by him shall be paid to the treasurer of the county or town, as the case may be; and the taxes levied and collected for this purpose shall be kept distinct from all other taxes and shall be used for the purposes for which they were levied and collected, and for no other purposes. The sinking fund shall be invested as may be directed by the board of commissioners of said county or by the proper authorities of such town issuing said bonds.

Extension of railroad.

SEC. 4. The extension of the railroad from within the town of Mount Pleasant to any other point north, east, or west of said town, and the extension of said railroad from Stanfield to any other point south, east, or west of the said town shall in no wise impair or affect the validity of the bonds that may be issued under the authority of this act, for the purposes of donation or for subscription to stock or bonds of said corporation.

Time for organization.

SEC. 5. No donation or subscription shall be made under the provisions of this act to any corporation unless the same shall be chartered and organized before the first day of January, one thousand nine hundred and nineteen.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 605

AN ACT TO PLACE THE OFFICERS OF SURRY COUNTY ON A SALARY.

The General Assembly of North Carolina do enact:

Officers to collect and account for fees. Monthly settlements.

SECTION 1. That the sheriff, clerk of the Superior Court, and register of deeds of Surry 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 Monday of each calendar month into the treasury of Surry County, except as hereinafter provided, and they shall be responsible 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.

Collection of all emoluments.

SEC. 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 pay over the same as herein provided. And they shall receive as compensation for their services only such salary, compensation, and allowances as is hereinafter provided.

Salary. Account books.

SEC. 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 an itemized account 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 on demand, and said books shall be safely and securely kept so as to prevent loss or destruction by theft, fire, or any accident.

Books open to inspection.

SEC. 4. That on the first Monday of each month a true and accurate transcript shall be transmitted by each of the officers of Surry 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 filing the same.

Monthly reports.

SEC. 5. The sheriff of Surry County shall receive a salary of three thousand five hundred dollars per annum as full compensation for his services and the services of such deputies as the business of his office and the public good may require; and he shall be allowed no further compensation, except he shall receive and retain for his services the fees allowed by law for the service of all summons, warrants, notices, subpoenas, and all other legal process issuing from the Superior, recorders', and justices' courts. He shall receive and be allowed the amount of his actual expenses for conveying prisoners from the place of trial to jail or from jail to the place of trial; for conveying prisoners to or from other counties, or from the State's Prison; for taking insane persons to and from the State Hospital; and it shall be the duty of the sheriff to render to the board of county commissioners monthly a statement of expenses herein provided for, showing the amount of the expense, the date and purpose for which it was incurred, and if satisfied that the amount is correct, the said commissioners shall pay the same by order upon the treasurer; and the costs of conveying prisoners, where it may be recovered, shall be taxed in the bill of costs by the court; and the sheriff shall also be allowed such fees as are allowed by law for the seizure and destruction of illicit distilleries.

Salary of sheriff.

Fees retained.

Allowance for expenses.

Accounts for expenses.

Seizure and destruction of stills.

SEC. 6. That nothing herein shall prevent the sheriff from acting in the capacity of jailer and receiving the compensation allowed by the county commissioners for keeping such jail. The sheriff may appoint a jailer, who shall receive the compensation allowed for keeping the jail, which shall be paid from the county funds as provided by law.

Jailer.

SEC. 7. That the clerk of the Superior Court of Surry County shall receive a salary of three thousand dollars per annum, and shall not receive any other sum whatsoever.

Clerk of superior court.

SEC. 8. That the register of deeds of Surry County shall receive a salary of one thousand and eight hundred dollars per

Salary of register.

- Allowances. annum, the further sum of six hundred dollars per annum for clerk hire, and the further sum of six hundred dollars for making out tax books. That all fees and sums of money incident to this office shall be collected by the register and a daily account thereof kept by him. And the treasurer shall receive a salary of one thousand dollars per annum in full compensation for all his services, of whatsoever kind or nature.
- Salary of treasurer. SEC. 9. All moneys left to the credit of the "salary fund" at the end of the year shall be transferred to the general county fund.
- Balance to general fund. SEC. 10. That the salaries herein provided for shall be paid by the county treasurer of Surry County to the persons entitled to receive the same, in monthly installments or otherwise, upon warrants drawn by the board of county commissioners of said county and countersigned by the chairman and the clerk of the said board of commissioners. Said warrant to be drawn on "salary fund" herein provided, and if at any time said "salary fund" shall be exhausted, then in that event the board of commissioners shall order the deficiency paid out of the general county fund.
- Payment of salaries. SEC. 11. Any officers 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.
- Warrants on salary fund. SEC. 12. That the sheriff of Surry County shall on the first Monday of each and every calendar month after he receives his tax books for collection of taxes, and until he makes final settlement with the board of county commissioners and treasurer, make a written report to the board of county commissioners, 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 information of the board of commissioners.
- Misdemeanor. SEC. 13. The treasurer of Surry County shall keep a record of the amount of moneys due the general county fund, the school fund, and any and all special funds, and shall not use the moneys to the credit of either one of these funds to pay a voucher that should properly be paid by moneys belonging to either of the other funds.
- Monthly report of tax collections. SEC. 14. The treasurer of Surry County 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 the last settlement, also the amount on hand to the credit of the county fund and the school fund.
- Accounts of treasurer. SEC. 15. That the board of county commissioners of Surry County are hereby authorized to set aside and place to the credit of the "salary fund," each and every year, all commissions heretofore allowed the sheriff for the collection of taxes; and all
- Monthly report of treasurer. Commissions credited to salary fund.

such fees or commissions as have heretofore been allowed the treasurer of Surry County, to be disposed of as herein set forth.

SEC. 16. That all laws and clauses of laws in conflict with the Repealing clause. provisions of this act are hereby repealed.

SEC. 17. That this act shall be in force from and after the first When act effective. Monday in December, one thousand nine hundred and eighteen.

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 606

AN ACT TO PROVIDE THE AUSTRALIAN BALLOT.

The General Assembly of North Carolina do enact:

SECTION 1. All ballots cast in any election in this State, gen- Printing and dis-
eral, special, or primary, or in any vote upon a constitutional tribution of
amendment or question submitted to the people, whether it be a ballots.
State, district, county, township, or municipal election or vote, shall be prepared, printed, and distributed in the manner hereinafter set forth, and in no other.

SEC. 2. There shall be eight kinds of ballots, called, respect- Kinds of ballots.
ively: official ballot for presidential electors; official general ballot; official township ballot; official city ballot; official ballot on constitutional amendment (or proposition submitted); official ballot on city proposition; official general primary ballot; official township primary ballot. They shall be used for the purposes Use.
for which their names severally indicate, and not otherwise.

SEC. 3. On the official ballot for presidential electors the names Ballot for presi-
of the candidates for presidential electors of each party, and of dential electors.
each group of independent candidates, if any, shall be printed in one column, indicating, first, the candidates for electors at large, whose names shall be printed in the alphabetical order of the surnames, and, second, the candidates for electors of each district arranged in the numerical order of their districts. The columns shall be parallel to each other and shall be separated by heavy black lines. In addition to the party and group columns Blank columns.
a blank column with lines for writing shall also be provided in which voters may write the names of candidates for presidential electors not printed on the ballot, and which shall be sufficient to contain as many names as there are electors to be chosen. It shall be designated as the blank column, and shall contain no voting squares. At the head of each party column shall be Specifications.
printed the party emblem; below this a blank circle three-quarters ($\frac{3}{4}$) of an inch in diameter; below this the party

- name in large type; below this the names of the candidates of that party for President and Vice President; below this a heavy line; below this the words, "Presidential Electors;" and below this the names of the candidates in the order prescribed above. The names of the candidates shall be printed in spaces one-quarter ($\frac{1}{4}$) of an inch in depth, except that the first space containing also the words "Presidential Electors" shall be one-half ($\frac{1}{2}$) of an inch in depth. The spaces shall be separated from each other by light horizontal lines. At the left of the name of each elector shall be printed a voting space one-quarter ($\frac{1}{4}$) of an inch square, except the space opposite the first name, which shall be one-half ($\frac{1}{2}$) of an inch in depth and one-quarter ($\frac{1}{4}$) of an inch in width. All the voting squares in each column shall be printed in the same perpendicular line. Each party circle shall be surrounded by the following instructions plainly printed: "For a straight ticket, mark within this circle." The columns for independent candidates shall be similar to the party columns, except that above the emblem in each column shall be printed the words "Independent Candidates." In the blank column the space occupied by the emblem and voting circle in the other columns shall be occupied by the following instructions plainly printed: "In the column below the voter may write the name of any person for whom he desires to vote whose name is not printed on the ballot." In the blank column, as in the other columns, below the line dividing the heading from the blank spaces shall be printed the words, "Presidential Electors." The columns shall be arranged upon the ballots as directed by the State Board of Elections, whose duty it shall be to give precedence to the several parties according to the number of votes cast for Governor at the last preceding gubernatorial election.
- Voting squares.
- Columns for independent candidates.
- Blank columns.
- Arrangement of columns.
- Instructions.
- On the face of the ballot, at the top, shall be printed in heavy black type the following instructions:
1. To vote for all the electors of any one party make a cross (X) mark in the circle above the party column.
 2. To vote for some but not all the electors of one party make a cross (X) mark in the square at the left of the name of every candidate printed on the ballot for whom you wish to vote. If you mark any one elector you must mark all for whom you wish to vote. A mark in the circle will not be counted if any one elector is marked.
 3. To vote for any candidate not on the ballot write his name in the blank space provided therefor.
 4. Mark only with a pencil having black lead.
 5. Any other mark or erasure or tear on the ballot renders it void.
 6. If you tear or deface or wrongly mark this ballot, return it and obtain another.

On the back of the ballot just to the right of the center and outside when the ballot is folded shall be printed the following endorsement, the blanks being properly filled: Endorsement.

OFFICIAL BALLOT FOR PRESIDENTIAL ELECTORS

COUNTY OF
 (Date of election)

(Facsimile of signature of Chairman of County Board of Elections.)

SEC. 4. On the official general ballot shall be printed the names of all candidates for public office except candidates for presidential electors, township and city offices. Each ballot shall be printed in sections in which the candidates' names, the emblems, names of parties, and the voting squares and other requisite matter shall be boxed in by heavy black lines, the perpendicular lines not less than one-sixteenth (1-16) of an inch wide. The squares or spaces shall be set in a perpendicular column or columns, except that in the section containing the names of candidates for Governor, when a candidate for Governor shall have been nominated by more than one party, the voting squares shall be arranged horizontally under the emblems. No voting squares shall be provided in the blank spaces for written names. The names of all candidates for any one office shall be printed in a separate section and the sections shall be arranged in the customary order of the offices. The names of the candidates shall be printed in their appropriate section in such order as the State Board of Elections shall direct, precedence, however, being given to the candidate of the party which polled the highest number of votes for Governor at the last preceding election for Governor, and so on. At the top of each section shall be printed on one line the title of the office and a direction as to the number of candidates for whom a vote may be cast, unless there shall not be room for the direction, in which case it shall be printed directly below the title. If two or more candidates are nominated for the same office for different terms the term for which each is nominated shall be printed as a part of the title of the office. At the bottom of each section as many separate spaces as there are officers to be elected shall be left blank, in which the voter may write the names of any candidates not on the ballot. On each line below the top there shall be printed in the following order from the left to right: the emblem or emblems; the voting square or space; the candidate's name; the name or names of the party or parties nominating him. The width of the inclosure to the right of the voting square, containing the candidate's name and party, shall

General ballot.
 Order of arrangement.
 Directions.
 Blanks.
 Further details.

be three and one-half (3½) inches. The voting squares or spaces and the spaces containing the party emblems shall each be five-sixteenths (5-16) of an inch square: *Provided* that when a candidate for the office of Governor shall be nominated by more than one party then in the section containing the names of the candidates for Governor, the voting squares shall be directly under the emblems, one square under each emblem, and arranged to the left of the candidate's name, in which case the space containing the candidate's name and parties shall have a depth of five-eighths (5-8) of an inch. The final letter of the party name or names shall be close to the right-hand perpendicular line of the section, and any space between a candidate's name and his party name or names shall be filled with dotted or waved lines.

Proviso: Candidates of more than one party.

Instructions.

On the top of the face of the ballot shall be printed the following instructions:

1. To vote for a candidate on this ballot make a cross (X) mark in one of the squares or in the space at the left of his name.
2. To vote for a candidate not on this ballot write his name in the blank space under the candidates for that office.
3. Mark only with a pencil having black lead.
4. Any other mark, erasure, or tear on this ballot renders it void.
5. If you tear or deface or wrongly mark this ballot, return it and get another.

Endorsement.

On the back of the ballot, just to the right of the center and outside when the ballot is folded, shall be printed the following indorsement, the blanks being properly filled:

OFFICIAL GENERAL BALLOT

COUNTY OF
 (Date of election)

 (*Facsimile of signature of Chairman of County Board of Elections.*)

Township ballots.

SEC. 5. On the official township ballot shall be printed the names of all candidates for township offices. It shall conform as nearly as possible to the rules prescribed for printing the official general ballot. But on the back thereof shall be printed:

Endorsement.

OFFICIAL TOWNSHIP BALLOT

COUNTY OF
 TOWNSHIP
 (Date of election)
 (*Facsimile of signature of Chairman of County Board of Elections.*)

SEC. 6. On the official city ballot shall be printed the names of all candidates for city or town offices. It shall conform as nearly as possible to the rules prescribed for printing the official general ballot. But on the back thereof shall be printed:

City ballots.
Endorsement.

OFFICIAL CITY BALLOT

CITY (OR TOWN) OF.....
..... (Date of election)
.....
(Facsimile of signature of City Clerk.)

Provided, however, that if such city or town elections are or shall be nonpartisan no party names or emblems shall appear upon such ballot.

Proviso: Non-partisan elections.

SEC. 7. On the official ballot on constitutional amendment (or proposition submitted) shall be printed each amendment or proposition submitted, in the form laid down by the Legislature, county commission, convention, or other body submitting such amendment or proposition. Each amendment or proposition shall be printed in a separate section and the sections shall be numbered consecutively if there be more than one. At the left of each question shall be printed two voting squares, one above the other, each at least one-half (1/2) inch square. At the left of the upper square shall be printed the word "Yes" and at the left of the lower square shall be printed the word "No." At the top of the ballot shall be printed the following instructions:

Ballots on constitutional amendments.

Propositions printed.

Instructions.

1. To vote "Yes" on any question make a cross (X) mark in the square to the left of the word "Yes."
2. To vote "No" on any question make a cross (X) mark in the square to the left of the word "No."
3. Mark only with a pencil having black lead.
4. Any other mark, erasure, or tear on the ballot renders it void.
5. If you tear or deface or wrongly mark this ballot, return it and get another.

On the back of each ballot shall be printed:

Endorsement.

OFFICIAL BALLOT ON CONSTITUTIONAL AMENDMENT

(or Proposition Submitted)

COUNTY OF
..... (Date of election)
.....
(Facsimile of signature of Chairman of County Board of Elections.)

SEC. 8. On the official ballot on city proposition shall be printed any proposition to be submitted to the people of any city or town, in the form prescribed by the authority submitting the

Ballots on city propositions.

proposition. It shall conform as nearly as possible to the rules prescribed for the official ballot on constitutional amendment. But on the back of each ballot shall be printed:

Endorsement.

OFFICIAL BALLOT ON CITY PROPOSITION

CITY OF
..... (Date of election)
.....
(Facsimile of signature of City Clerk.)

Official primary ballots.

Candidates for president.

Color of ballots.

Voting squares.

Details.

Divisions.

SEC. 9. There shall be one form of official general primary ballot for each political party, upon which shall be printed the names of all candidates for nomination by that political party who are or may be required by law to be nominated in the official primaries, except the names of candidates for township or city offices. There shall also be printed on such ballots the names of any candidate for such party's nomination for the office of President of the United States whose name shall be filed with the State Board of Elections at least six weeks prior to the time for holding the primary elections, accompanied by a petition signed by one hundred legal voters of the State that such name be printed upon the ballot. The ballots of no two parties shall be of the same color; the State Board of Elections shall designate the color of ballots for each party; each ballot shall be printed in sections in which the candidates' names with the voting squares shall be boxed in by heavy black lines. The sections may be printed in as many columns as may be necessary. Voting squares shall be bounded by heavy black lines, the perpendicular lines not less than one-sixteenth (1-16) of an inch wide. The voting squares shall be set in a perpendicular line. No voting squares shall be provided in the blank spaces for written names. The names of all candidates for any one office shall be printed in a separate section and the sections shall be in the same order as upon the official general ballot except that the sections containing the names of candidates for nomination as President of the United States shall be given precedence of other sections. The names of candidates shall be printed in their appropriate sections in such order as the State Board of Elections shall direct as to National, State, and district offices, and as the county board of elections shall direct as to other offices. But in determining such order the State Board shall divide the State or district, as the case may be, into as many divisions as there may be names to go on the ballot in the group under consideration, such division to be based upon voting population and the divisions to be as nearly equal as may be without dividing any one county, and shall place one name at the head of the list in the first division, another in the second division, and so on, so that every candidate shall be at

the head of the list in one division and second in another division, and so on. The county board shall follow the same system for candidates for county and township offices, using the townships and precincts as the units in making the division. At the top of each section shall be printed in one line the title of the office and a direction as to the number of candidates for whom a vote may be cast, unless there shall not be room for the direction, in which case it shall be printed directly under the title. If the same office is to be filled by two or more candidates, but for different terms, the term for which each is to be nominated shall be printed as a part of the title of the office. At the bottom of each section as many separate spaces as there are candidates to be nominated shall be left blank. On each line below the top there shall be printed in the following order from left to right: the voting square; the candidate's name. The width of the inclosure to the right of the voting square containing the candidates' name shall be three and one-half (3½) inches. The voting squares and spaces shall be five-sixteenths (5/16) of an inch square. On the top of the face of the ballot shall be printed the following instructions:

Directions.

1. To vote for a candidate on this ballot make a cross (X) mark in the square at the left of his name.
2. To vote for a candidate not on this ballot write his name in the blank space under the candidates for that office.
3. Mark only with a pencil having black lead.
4. Any other mark, erasure, or tear on this ballot renders it void.
5. If you tear or deface or wrongly mark this ballot, return it and get another.

Instructions.

Immediately under the instructions shall be printed the following:

OFFICIAL GENERAL PRIMARY BALLOT FOR PRIMARY ELECTION OF THEPARTY

(the blank being properly filled in.)

On the back of the ballot shall be printed the following:

Endorsement.

..... Party
(Party emblem.)

OFFICIAL GENERAL PRIMARY BALLOT.

COUNTY OF
 (Date of primary.)

(Facsimile of signature of Chairman of County Board of Elections.)

Township primary ballots.

SEC. 10. The official township primary ballot shall be printed in the same form as the official general primary ballot and in the same colors, except that the title shall be changed on the face of the ballot, and on the back thereof to read "Official township primary ballot," and on the back the words ".....Township" shall be substituted for "County of....."

City and town primaries.

SEC. 11. In all city and town primaries, if there be such under present or future provisions of law, a ballot shall be used conforming as nearly as possible to the rules prescribed for the official general primary ballot, or if the primary be nonpartisan, a ballot conforming as nearly as possible to the rules prescribed for the official city ballot. The governing board of the city or town shall prescribe the form for such ballots and shall have power to make such changes in the form thereof as conditions may require.

Questions submitted to subdivisions.

SEC. 12. If any questions or propositions shall be submitted to the people of any township, district, or other political subdivision, a ballot shall be used conforming as nearly as possible to the rules prescribed for the official ballot on constitutional amendment. The county board shall prescribe the rules therefor if it be a question submitted to a township or subdivision within a county, and the State Board if it be a question submitted to a subdivision covering all or a part of more than one county.

Specifications for printing and paper.

SEC. 13. All official ballots shall be printed with black ink on book paper of good quality through which the printing and writing cannot be read, which paper, except in the case of partisan primary ballots, shall be white. They shall be rectangular in shape, not less than eight inches in length and twelve inches in length, and shall have a margin of at least one inch extending beyond any printing thereon upon all four sides. All ballots of the same kind for the same polling place shall be of precisely the same size, quality, and shade of paper, and of precisely the same kind and arrangement of type and tint of ink. A different but in each case uniform kind of type shall be used for printing the names of candidates, the titles of offices, party names or political designations, and the reading form of constitutional amendments or other questions submitted. The names of candidates shall be printed in capital letters in blackfaced type not less than one-eighth (1-8) nor more than three-sixteenths (3-16) of an inch in height.

Shape and size.

Uniformity.

Type.

Names of candidates.

Distribution of forms.

SEC. 14. Not less than twenty (20) days before any State-wide or district-wide election or vote upon any constitutional amendment or proposition, the State Board of Elections shall transmit to the county board of elections of each county in which any of the electors may by law vote upon any of the candidates, amendments, or propositions, a form to be used in printing the ballots

to be used in such election or vote, which form shall be as herein prescribed. The State Board shall upon such form exhibit the names of all candidates whose names are entitled to appear upon the ballot in the order in which they should appear, including the names of all such nominees as are upon the records of the State Board and leaving blanks arranged in the proper order to be filled in by the county board with such names as are upon the records of the county board. Or if the vote be upon a constitutional amendment or question submitted, they shall upon such form exhibit the form of the amendment or question as prescribed by the proper authority. The State Board of Elections shall at the same time prescribe and transmit to the county boards of elections such other rules as are necessary to carry out the provisions of this act. In case a nomination shall be made in accordance with law, either to fill a vacancy or otherwise, after such form shall have been transmitted, the State Board of Elections shall as soon as possible transmit such corrections as may be necessary.

Exhibit of names.

Rules.

Corrections.

SEC. 15. All nominations for public office, whether to fill vacancies or original nominations, made in accordance with law otherwise than through the official primaries shall be by the body or persons making such nominations immediately certified to the State Board of Elections in the case of National, State, or district offices, and to the county board of elections of the proper county in the case of all other offices, except city or town offices, which shall be certified to the governing board of such city or town.

Nominations certified to board of elections.

SEC. 16. It shall be the duty of the State Committee of each political party to select some simple device or emblem to designate and distinguish the candidates of the party. Such device or emblem shall be shown by a representation thereof upon a certificate signed and duly executed by the chairman and secretary of such State Committee, which shall be filed with the State Board of Elections, and when so filed shall be used by no other party. An independent nominee shall likewise file with the State Board of Elections, if he be a candidate for any National, State, or district office, or with the county board of elections of the proper county if he be a candidate for a county or township office, or with the governing board of the proper city or town if he be a candidate for a city or town office, a representation of an emblem to be likewise used. The device or emblem so chosen when filed shall be used as the emblem of such party or independent candidate whenever such party emblem is prescribed to appear upon a ballot anywhere in this State, until changed by the State Committee or independent candidate choosing such emblem. The emblem may be a star, anchor, or any other simple device, but neither the coat of arms nor seal of any State or of the

Selection of party emblems.

Certificate.

Emblems of independent nominees.

Use of emblems.

Prohibited devices.

Selection by boards of election.

Conflicts decided by State board.

Substitute for emblems.

Preparation, printing and distribution of ballots.

Convictions.

Distribution to precincts.

Packages.

Receipts.

United States, nor any National or State flag, nor any religious symbol, nor the portrait of any person, nor the representation of any coin or of the currency of the United States. If any party or independent candidate shall fail to select and file such emblem within six weeks prior to any election the State Board of Elections or the county board of elections, as the case may be, shall supply such emblem for use at such election only. Any conflict in names or emblems of parties or candidates shall be decided by the State Board of Elections. If for any reason it should be impossible to secure the printing of emblems in any county, the space which should be occupied by such emblems shall be filled with the initial letters of the party names and such single letters as any independent candidates may select, and any conflict of letters shall be settled by the county board of elections of such county; but no symbols or emblems shall be printed on any ballot unless an emblem for each party or independent candidate is likewise printed.

SEC. 17. The county board of elections in each county shall be charged with the duty of preparing, printing, and distributing all ballots for general, special, and primary elections, and all ballots for constitutional amendments or propositions submitted, except ballots for city or town elections or votes. The governing body of each city or town shall be charged with the duty of preparing, printing, and distributing the ballots for such city or town elections or votes. But the county board of elections and the city or town governing bodies shall in all respects conform to the rules laid down in this act and to the rules prescribed as authorized by this act by the State Board of Elections.

SEC. 18. Whenever corrections in the ballot shall become necessary after the ballots shall have been printed, and it shall not be practicable to reprint, changes may be made by the county board of elections or the city governing board either by affixing pasters or stamping or writing new matter upon each ballot. But all such changes shall be made upon each and every ballot and in like manner upon each before it shall be delivered to the voter.

SEC. 19. The county board of elections or city governing board, as the case may be, shall cause to be delivered to either of the judges of election not less than twelve hours before the time fixed for opening the polls one hundred twenty-five (125) ballots of each kind to be used in his precinct for every one hundred voters entitled to vote at such precinct. Such ballots shall be put in separate sealed packages of fifty (50) ballots each, plainly marked on the outside to indicate the polling place for which they are intended, and the number of ballots, and the kind of ballots inclosed, and receipts therefor shall be given by the

judge of election to whom they are delivered, which receipt shall be preserved by the county board of elections or city governing board.

SEC. 20. The county board of elections or city governing board shall in every case provide for each polling place sample ballots of each kind equal in number to twenty-five per centum of the number of official ballots provided therefor. Such sample ballots shall be printed on paper of a different color from any of the official ballots, but shall in all other respects be precisely similar to the official ballots. One of each kind of such sample ballots shall at any time on the day of election be furnished upon application to any voter entitled to vote at that polling place, and may be taken by him away from such polling place before receiving his official ballot or ballots. Such sample ballots shall be delivered to the judge of election at the same time with the official ballots, and shall be inclosed in similar packages of fifty each, plainly marked on the outside, and a receipt therefor shall likewise be given and preserved.

Sample ballots.

Samples to voters.

Delivery.

Receipts.

SEC. 21. The county board of elections or city governing board shall provide separate ballot boxes for each kind of official ballots and one additional box in which shall be deposited all defective, spoiled and mutilated ballots. Each shall be distinctly and appropriately marked. Each box shall be supplied with a sufficient lock and key and with an opening in the top large enough to allow a single folded ballot to be easily passed through but no larger. These ballot boxes shall be delivered to either of the judges of election at the time when the official ballots are required to be delivered, and a receipt therefor shall likewise be given and preserved.

Ballot boxes.

Specifications.

SEC. 22. The county board of elections or city governing board shall provide in each polling place during each election or vote a sufficient number of voting booths, not less than one for every one hundred (100) registered voters. Each such booth shall be at least three feet square, shall have four sides inclosed each at least six feet high, and the one in front shall open and shut by a door swinging outward or be inclosed with a curtain, which door or curtain shall extend within two feet of the floor. Each such booth shall contain a shelf at least one foot wide extending across one side of the booth at a convenient height for writing. Each booth shall be furnished with such supplies and conveniences, including pencils having black lead only, as will enable the voters conveniently to prepare their ballots for voting. Each booth shall be kept clearly lighted by candle or other artificial light if necessary. A guard rail shall be placed at each polling place at least six feet from the ballot boxes and the booths, and no ballot box or booth shall be placed within six foot of such rail. Each guard-rail shall be provided with a place for entrance and exit. The

Voting booths.

Specifications.

Supplies and conveniences.

Lights.

Guard rails.

Arrangement.

- arrangement shall be such that the booths can only be reached by passing within the guard-rail, and that the booths, ballot boxes, election officers, and every part of the polling place except the inside of the booths shall be in plain view of the election officers and the persons just outside the guard-rail. Such booths shall be so arranged that there shall be no access to intending voters to the booth through any door, window, or opening except by the door in front of the booth.
- Arrangement of booths.
- Arrangements for election.
- Ballot boxes and supplies.
- Examination of boxes.
- Opening boxes and deposit of ballots.
- Delivery and receipt of ballots.
- Officers to qualify.
- Proclamation.
- Care of boxes and ballots.
- Admission within guard-rail.
- Proviso: Canvass of votes.
- Appointment of watchers.
- SEC. 23. The judges of election and registrar of each precinct shall meet at the polling place therein at least one half-hour before the time set for opening the polls at each election for which official ballots are required, and shall proceed to arrange the space within the guard-rail and booths for the orderly and legal conduct of the election. They shall then and there have the ballot boxes, the sealed packages of official and sample ballots, the registration books, the polling book, and the required stationery and supplies. They shall see that the voting booths are supplied with pencils having black lead only, unlock the ballot boxes, see that they are empty, allow the authorized watchers present to examine them, and shall lock them again while empty. After such boxes are relocked they shall not be unlocked or opened until the closing of the polls, and, except as authorized by law, no ballots or other matter shall be placed in them. They shall by lot select one of the judges of election to deliver the ballots to the voters, and the other to receive them and deposit them in the ballot boxes. They shall then take the oaths hereinafter prescribed. Thereupon they shall open the sealed packages of ballots and one of the judges shall make proclamation that the polls are open and of the time when they will be closed.
- SEC. 24. From the time of the opening of the polls until the announcement of the result of the canvass of the votes and the signing of the official returns the boxes and all the official and sample ballots except such sample ballots as are delivered to voters shall be kept within the guard-rail. No person shall be admitted within the guard-rail during such period except the registrar and judges of election, duly authorized watchers, persons admitted by the judges of election to preserve order and enforce the law, and persons duly admitted for the purpose of voting: *Provided, however,* that candidates voted for at such polling place may be present at the canvass of the votes.
- SEC. 25. Each political party or independent candidate named on the ballot may, by a writing signed by the chairman of the county committee of such party or by the independent candidate or his manager, filed with one of the judges of election, appoint two watchers to attend each polling place, and at any vote upon a constitutional amendment or proposition submitted the judges of election and registrar shall appoint one watcher who

is for and one who is against such amendment or proposition. Such watchers shall serve also as challengers: *Provided*, that no person shall be appointed as a watcher who is not of good moral character, and the judges of election and registrar may reject an appointee and require that another be appointed.

Challengers.
Proviso: Quali-
fications for
watchers.

SEC. 26. No person shall, while the polls are open at any polling place, loiter about or do any electioneering within such polling place or within one hundred feet thereof, and no political banner, poster, or placard shall be allowed in or upon such polling place during the day of the election or vote.

Loitering around
polls.

Banners, posters
and placards.

SEC. 27. While the polls are open the voters entitled to vote and who have not previously voted thereat may enter within the guard-rail for the purpose of voting, in such order that there shall not be at any time within the guard-rail for the purpose of voting more than twice as many voters as there are voting booths. The voter shall enter through the entrance provided, and shall forthwith give to the judges of election his name and residence. One of the judges shall thereupon announce the name and residence of the voter in a loud and distinct tone of voice. The registrar shall at once announce whether the name of such voter is duly registered. If he be registered, and be not challenged, or if he be challenged and the challenge be decided in his favor, or if he take the requisite oath and be lawfully entitled to vote, the proper judge of election shall prepare for him one official ballot of each kind, folded by such judge in the proper manner for voting, which is: first, bring the bottom of the ballot up to the margin of the printing at the top of the ballot, allowing the margin to overlap; and, second, fold both sides to the center, so that when folded the face of the ballot, except the one inch margin at the top thereof, shall be concealed, and so that the ballot shall be not more than four inches wide. Such judge shall then instruct the voter to refold the ballot in the same creases when he has marked it. Such judge shall then with pen and ink mark upon the top margin of the face thereof the number of the voter upon the polling list and the initials of such judge's name, and shall thereupon deliver the ballot or ballots to the voter. No person other than such designated judge shall assume to deliver to any voter any ballot.

Entrance for
voting.

Details of voting.

Manner of fold-
ing ballots.

Instructions for
refolding.
Delivery of ballots.

SEC. 28. On receiving his ballot or ballots the voter shall forthwith, and without leaving the inclosed space, retire alone, unless he be one that is entitled to assistance as hereinafter provided, to one of the voting booths, and without undue delay unfold and mark his ballots. No voter shall be allowed to occupy a booth already occupied by another, or to occupy a booth more than five minutes in case all the booths are in use and voters are waiting. It shall be unlawful to deface or tear an official ballot in any manner, or to erase any name or mark written

Marking ballots.

Occupation of
booths.

Defacements,
tears and eras-
ures.

- Duplicate ballots. thereon by a voter. If a voter wrongly mark, deface, or tear a ballot he may obtain others successively one at a time, but not more than three of any one kind, upon returning to the judge each ballot so spoiled.
- Method of marking. SEC. 29. The voter shall mark his ballot with a pencil having black lead only, as follows and not otherwise:
- For presidential electors. (a) To vote for an entire group of presidential electors of any party by means of a single mark, he shall make a cross (X) mark in the circle above the party column.
- For other candidates. (b) To vote for any candidate on any ballot, except for an entire group of presidential electors, he shall make a cross (X) mark in the voting square at the left of the candidate's name.
- Split votes. (c) If a voter makes a cross (X) mark in the circle above a party column and also makes a cross (X) mark in one or more voting squares at the left of the names of one or more presidential electors, or writes in a name or names, he shall be deemed to have voted for the electors whose names are thus specially indicated and also for all the electors whose names are in the column so marked in the circle except those whose names are opposite to the names so specially indicated.
- For candidates not on ballot. (d) To vote for any candidate not on the ballot he shall write the candidate's name on a line left blank in the appropriate place.
- On constitutional amendments and other questions. (e) To vote on any constitutional amendment or question submitted he shall make a cross (X) mark in the appropriate voting square at the left of the question as printed on the ballot.
- Cross marks defined. (f) A cross (X) mark shall consist of any straight line crossing any other straight line at any angle within a voting circle or square. Any mark other than a cross mark or any erasure of any kind shall make the ballot void; but no ballot shall be declared void because a cross (X) mark thereon is irregular in character. Any ballot which is defaced or torn by the voter shall be void.
- Enclosures to void ballot. (g) If a voter shall do any act extrinsic to the ballot itself, such as inclosing any paper or other article in the folded ballot, such ballot shall be void.
- Other void ballots. (h) If the voter marks more names than there are persons to be elected to an office, or if for any other reason it is impossible to determine the elector's choice, his vote shall not be counted for such office, but shall be returned as a blank vote for such office.
- Candidates of more than one party. (i) Where in the case of a candidate for Governor the candidate is nominated by more than one party and the voter makes a cross mark in two or more voting squares, his vote for such candidate shall be counted, but he shall not be counted as voting with any particular party.

SEC. 30. When the voter shall have prepared his ballot or ballots he shall leave the voting booth with his ballot folded so as to conceal the face of the ballot, and keeping it so folded, shall proceed at once to the judge of election designated to receive ballots and shall offer it to such judge. If a voter shall come out from a booth with a ballot not so folded as to conceal the face thereof his ballot shall be deposited in the box for spoiled ballots, and he shall be given another ballot and allowed again to enter the booth and prepare his ballot, but in no event shall any voter be given more than three ballots of any one kind. When the voter shall offer his ballot to the judge such judge shall announce the name of the voter and the number written on its margin in a loud and distinct tone of voice. If such voter be not challenged, or if challenged and the challenge be decided in his favor, or if he takes the requisite oath and be then and there lawfully entitled to vote, and if his ballot or ballots are properly folded and have no mark or tear visible on the outside thereof, except the number written on the margin of the face thereof by the judge of election who delivered to him his ballot, together with the initials of such judge, and if such number is the same as his number on the polling book, and if the initials and number are apparently the same, without alteration, as those put upon the ballot by such judge, such judge shall receive such ballot or ballots and shall with a pair of scissors clip from the margin the written number and initials in plain view of the voter and without removing any other part of the ballot or in any way effacing any part of the face thereof below the margin, and shall deposit each ballot in the proper ballot box: *Provided, however,* that if the voter shall have been challenged the number shall not be clipped from the ballot. The number so clipped from the ballot shall be carefully deposited in a receptacle prepared for the purpose and shall immediately upon the closing of the polls be totally destroyed without being examined or handled by any person whatever except the judges of election. After voting the voter shall forthwith pass outside the guard-rail, unless he be one of the persons authorized to remain for purposes other than voting. No ballots except official ballots bearing the official indorsement shall be allowed to be deposited in the ballot boxes or to be counted, except as hereinafter provided. No official ballot folded shall be unfolded outside the voting booth until it is to be counted. No person to whom any official ballot shall be delivered shall leave the space within the guard-rail until after he shall have delivered back all such ballots received by him. When a person shall have received an official ballot from the judge he shall be deemed to have begun the act of voting, and if he leave the guard-rail before the deposit of his ballot in the box he shall

Deposit of ballots.

Proviso: Challenged voters.

Numbers destroyed.

Official ballots only.

Ballots not to be unfolded.

Return of ballots.

not be entitled to pass again within the guard-rail for the purpose of voting.

Use of unofficial ballots.

SEC. 31. If for any cause the official ballots shall not be provided as required by law at any polling place upon the opening of the polls, or if the supply of official ballots shall be exhausted before the polls are closed, unofficial ballots, printed or written, made as nearly as possible in the form of the official ballot, may be used, and shall be counted and treated as if official ballots.

Voters allowed assistance.

SEC. 32. Any voter who is obviously unable to enter the booth without assistance or to mark his ballot, or who shall make oath that he cannot, through physical disability or through illiteracy, do so, may choose one of the judges of election, who shall thereupon select some other person of good moral character of a different political faith from that of such judge, and the two shall conduct the voter to the booth, and if necessary enter with him

Duty of assistants.

and assist in preparing his ballot. Such judge or other person assisting shall not in any manner request or seek to persuade or induce any such voter to vote in any particular way, and shall not make or keep any memorandum of anything occurring within such booth, and shall not directly or indirectly reveal to any other person how in any particular such voter marked his ballot, unless he or they be called upon to testify in a judicial proceeding for a violation of the election laws. Each judge of election and registrar shall before the opening of the polls make oath that he will not in any manner request or seek to persuade or induce any voter to vote for or against any particular candidate or proposition, and that he will not keep or make any memorandum of anything occurring within the booth except he be called upon to testify in a judicial proceeding for a violation of the election laws of this State. This oath shall be administered at the time hereinbefore prescribed by the registrar to the two judges of election and by one of them to the registrar.

Oaths of judges and registrars.

Oath by assistants.

The same oath shall be taken before the judge who is to accompany him by every person rendering such assistance. No voter shall otherwise than as herein provided ask or receive assistance from any person within the polling place in the preparation of his ballot or divulge to any one within the polling place how he intends to vote or has voted.

Canvass of votes.

SEC. 33. As soon as the polls are closed the judges of election and registrar shall publicly canvass and ascertain the votes, and shall not adjourn or postpone the canvass until it shall be fully completed. The room in which the canvass is made shall be

Lights.

clearly lighted and such canvass shall be made in plain view of the public. It shall not be lawful during the canvass to close the main entrance into the room in such manner as to

Canvass made publicly.

prevent ingress or egress thereby. They shall before opening the ballot boxes count all unused ballots of each kind and make

Count and preservation of unused ballots.

and preserve an itemized record thereof; shall securely tie up all unused ballots and preserve them, to be returned to the county board of elections or city governing board, as the case may be, for which returned ballots a receipt shall be taken and preserved. They shall then open the box for spoiled ballots, shall assort, count, and make and preserve a record of the number of each kind, and shall then tie up separately and distinctly mark or label each package, all of which shall then be returned to the box, which shall then be relocked. They shall then and not till then open and canvass the ballot boxes one at a time, completing the canvass of one before opening another. They shall first count the ballots in each box when opened, without unfolding them except so far as to ascertain that each ballot is single and shall compare the number of ballots with the number shown by the polling book to have been deposited therein. If the ballots found in any box shall be more than the number of ballots shown by the polling book to have been deposited therein, such ballots shall all be replaced without being unfolded in the box from which they were taken and shall be thoroughly mingled therein, and one of the judges designated by lot shall without seeing the ballots and with his back to the box publicly draw out as many ballots as shall be equal to the excess, and, without unfolding them, forthwith inclose them in an envelope, which he shall then and there seal and indorse: "Excess ballots from the ballot box for.....," signing his name thereto, and such envelope with the excess ballots in it shall be placed in the box for spoiled ballots, and a record of the number shall be made and preserved, with the record of unused and spoiled ballots. If two or more ballots shall be found in the box so folded together as to present the appearance of a single ballot, and if there is in such box an excess of ballots, they or enough of them to reduce the ballots to the proper number, selection to be made without examination of any voting mark thereon, shall similarly be inclosed, sealed, indorsed, and placed with the spoiled ballots. If, however, there be lawfully more than one ballot box for the reception of ballots voted at the polling place, no ballot found in the wrong ballot box shall for that reason be rejected, but shall be placed in its proper box upon the count of the ballots in such box before the canvass, but it shall not be placed in such proper box until the count of such box shall have been made; and if by placing it in such box there will be created an excess in that box, it shall not be placed therein, but inclosed, sealed, indorsed, and placed with the spoiled ballots, and a record thereof made and preserved.

Count and record of spoiled ballots.

Opening of boxes and canvass of votes.

Excess ballots.

Ballots folded.

Ballots in wrong box.

SEC. 34. If objection is taken to the counting of any ballot, the judges and registrar shall forthwith rule upon such objection; and if the objection is sustained or is insisted upon after the

Objection to ballots.

- ruling a memorandum of the objection, the ruling, and the reasons therefor, shall be written with ink upon the back of each such ballot. All ballots which are not counted shall be inclosed in an envelope, which shall be sealed and indorsed, "Not counted," and a record shall be made upon the returns of the number of such ballots not counted. All ballots objected to but counted shall be likewise inclosed in an envelope, which shall be indorsed, "Objected to but counted," and a record shall be made upon the returns of the number of such ballots. All ballots which are wholly blank shall likewise be inclosed, sealed, and indorsed, "Wholly blank," and the number recorded upon the returns. All ballots which shall have been challenged but deposited in the box shall likewise be inclosed, sealed, and indorsed, "Challenged," and the number recorded upon the returns. All the other ballots shall after being canvassed be securely tied together and replaced in the box from which they were taken. The envelopes containing the ballots "Not counted," "Objected to but counted," "Wholly blank," and "Challenged," shall be likewise returned to the same box, which shall then be again securely locked.
- SEC. 35.** It shall be the duty of each of the judges of election and the registrar to object to the counting of any ballot which is not official, except when permitted to be used as hereinbefore provided, or to any ballot marked otherwise than as required by law, or which does not in all respects conform to the requirements of law. The ballots shall at all times during the canvass be kept on top of the table in plain view of all who are entitled to examine them, until they have been replaced in the box as required. If requested by any person entitled to be present, the judges and registrar shall during the canvass of any ballot exhibit to him the ballot then being canvassed, fully opened, but shall not allow any ballot to be taken from their hands or touched by any person but themselves.
- SEC. 36.** After the boxes shall have been all canvassed and relocked, they shall be deposited at once with the county board of elections or the city governing board, as the case may be, and shall be preserved inviolate for six months after the election, except that they may be opened for a recount in accordance with law; but after such recount the contents of each box shall be returned thereto and the box again locked and kept inviolate for the remainder of the period of six months. If a contest involving any box shall be in progress at the expiration of such six months, such box shall be preserved until such contest shall have been completed.
- SEC. 37.** The registrar and judges of election of each township, ward, or precinct shall attend the meeting of the board of county canvassers or the city canvassing board, as the case may
- "Not counted" ballots.
- Ballots objected to but counted.
- Wholly blank ballots.
- Challenged ballots.
- Ballots replaced in box.
- Election officers to enter objections.
- Ballots kept in view.
- Exhibition of ballots.
- Deposit and preservation of ballots.
- Preservation pending contest.
- County and municipal canvassing boards.

be, as members thereof, and they shall deliver to such board the original returns and statements of the election in such township, ward, or precinct. They shall constitute such county board of canvassers, or city canvassing board, as the case may be, and a majority of them shall constitute a quorum.

SEC. 38. The State Board of Elections may prescribe forms to be used for tally sheets and returns, and if they fail to do so, any county board of elections or city governing board may prescribe such forms for use in their own county or city. But any form prescribed or used shall be so framed as to allow all the records to be made and preserved that are herein required to be made and preserved. Any form used shall also be so framed as to show the number of votes cast for Governor by each political party, and in case a candidate for Governor shall be nominated by more than one political party the canvass shall be so made and the form used be so framed as to show the number of voters using each of the several party voting squares prescribed to appear upon the official ballot opposite the name of such candidate for Governor.

Forms of tally sheets and returns.

Votes of parties.

SEC. 39. The expense of doing those things herein prescribed to be done by the State Board of Elections shall be paid for by the State. The expenses of doing those things prescribed to be done by the county board of elections shall be paid by the county. The expenses of doing those things prescribed to be done by the city governing board shall be paid by the city or town.

Payment of expenses.

SEC. 40. Any person who shall make, use, circulate, or cause to be made, used, or circulated any imitation of any official ballot or the sample ballots, or any paper made in resemblance thereto, or who shall willfully destroy or deface any official ballot or sample ballot, shall be guilty of a felony, and upon conviction be punished by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) or by imprisonment in the penitentiary for not less than one year nor more than five years, or by both such fine and imprisonment, at the discretion of the court.

Acts declared felony.

Punishment.

SEC. 41. Any public officer upon whom a duty is imposed by this act who shall willfully neglect to perform such duties or shall willfully perform it in such way as to hinder the object of this act; or who shall disclose to any one except as authorized hereby the contents of any ballot, as to the manner in which it may have been voted, shall be guilty of a felony, and upon conviction shall be punished by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), or by imprisonment in the penitentiary for not less than one year nor more than five years, or by both such fine and imprisonment, at the discretion of the court.

Acts done by officers declared felony.

Punishment.

Acts declared misdemeanors.

SEC. 42. Any person who shall, except as herein otherwise provided, mark or fold his ballot so that it can be distinguished, or allow his ballot to be seen with apparent intention of letting it be known how he has voted or is about to vote, or who shall make a false statement as to his ability to mark his ballot, or who shall interfere with, hinder, or oppose any voter, or electioneer or solicit votes on election day while within one hundred feet of the polling place, or shall induce any voter to reveal how he has voted or is about to vote, or who shall place upon or induce any person to place upon any ballot any character or mark for the purpose of identifying such ballot, or who shall willfully hinder the delivery of any ballot, or destroy or delay the delivery of any of the supplies or apparatus provided for any polling place, or shall in any way obstruct the carrying out of any of the provisions of this act, or attempt to do or cause to be done any of the things above enumerated, or violate any other provision of this act, shall be guilty of a misdemeanor, and shall upon conviction be punished at the discretion of the court.

Punishment.

"Political party" defined.

SEC. 43. The term "political party" as used in this act shall include all political parties which had candidates for State offices who were voted for at last preceding general election, and in addition any political party which may be declared to be such by a declaration signed by ten thousand (10,000) legal voters and filed with the State Board of Elections thirty days before the time fixed for candidates for State offices to file notice of their candidacy with such board.

Proviso: Application of act.

Proviso: Exceptions.

SEC. 43a. *Provided*, that this act shall only apply to the counties of Buncombe, Henderson, and Madison: *Provided*, the provisions of this act shall not apply to any public graded high school, farm-life school, or other school election, but that the present laws providing for such elections shall remain in full force and effect.

Repealing clause.

SEC. 44. All laws or clauses of laws in conflict with this act are hereby repealed.

SEC. 45. This act shall be in force from and after its ratification.

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 607

AN ACT TO REGULATE KILLING OF SQUIRRELS IN CATAWBA SPRINGS TOWNSHIP, LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Killing authorized.

SECTION 1. That it shall not be unlawful for any person to hunt or kill squirrels at any season of the year on his own premises, or on the premises of another with the permission of the owner.

SEC. 2. That this act shall apply to Catawba Springs Town-Application of act.
ship in Lincoln County only.

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

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 608

AN ACT TO AMEND CHAPTER 749 OF THE PUBLIC-LOCAL
LAWS OF 1915, ENTITLED "AN ACT TO INCREASE THE
MEMBERSHIP OF THE BOARD OF COMMISSIONERS OF
CLEVELAND COUNTY," ETC., AND RATIFYING THE CON-
TRACTS OF THE COMMISSIONERS OF CLEVELAND
COUNTY FOR THE ERECTION OF NEW BRIDGES, AND
PERMITTING SAID COMMISSIONERS TO INCUR INDEBT-
EDNESS IN THE BUILDING OF NEW BRIDGES.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter seven hundred and Exception to
forty-nine of the Public-Local Laws of North Carolina, session limitation.
one thousand nine hundred and fifteen, be and the same is hereby
amended as follows: Insert in line four of section three, after
the comma following the word "dollars" and before the word
"unless," the following words: "except for the purpose of build-
ing new bridges"; and by striking out the words "new bridges,"
in line sixteen of said section three, and by inserting in line
seventeen of said section three, after the comma following the
word "improvements" and before the word "even," the follow-
ing words: "except for the erection of new bridges."

Further exception.

SEC. 2. That all contracts heretofore made by the commission- Contracts vali-
ers of Cleveland County for the purpose of erecting new bridges dated.
in said county, or repairing the bridges injured by the floods,
are hereby legalized and ratified.

SEC. 3. That the commissioners of Cleveland County, when in Contracts and
their judgment it is for the best interest of the public that new indebtedness au-
bridges shall be erected in the county of Cleveland, are authorized thorized.
to contract for the building of same, and to incur indebtedness
therefor, and to provide for the payment thereof by issuing the
notes or bonds of the county of Cleveland.

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

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 609

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 JACKSON, CHEROKEE, CLAY, AND GRAHAM COUNTIES.

The General Assembly of North Carolina do enact:

- Prohibition. SECTION 1. That it shall be unlawful for any person, persons, firm, or corporation to offer for sale or sell or otherwise dispose of, or to deliver to any person, persons, firm, or corporation any spirituous, vinous, or malt liquors, or intoxicating liquors or bitters, or by whatsoever name called, if intoxicating, within the counties of Jackson, Cherokee, Clay, and Graham: *Provided*, that the provisions of this act shall not apply to the territory embraced within the corporate limits of the town of Murphy, North Carolina.
- Proviso: Excep- tion. Place of delivery, place of sale. SEC. 2. That the place of delivery of any spirituous, vinous, or malt liquors or intoxicating liquors or bitters within said counties shall be so construed as to be and mean a place of sale within the intent and purposes of this act, and that any station or other place within the aforesaid counties to which any person, firm, or corporation shall carry, convey, or deliver any spirituous, vinous, or malt liquors or other intoxicating liquors or 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, or any officer, agent, or servant thereof, 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 liquors or bitters to any person, firm, or corporation, at any place within the limits of said counties, shall be guilty of making a sale of such liquor, spirituous, vinous, or intoxicating liquors or bitters within said counties, and shall, upon conviction hereunder of offering for sale or selling or aiding or abetting, as aforesaid, in selling or carrying or delivering, as aforesaid, within said counties of Jackson, Cherokee, Clay, and Graham, any spirituous, vinous, malt, liquors or intoxicating liquors or bitters, be guilty, for the first such offense, of a misdemeanor, and shall be fined or imprisoned, or both, in the discretion of the court; and for the second and each succeeding offense hereunder shall be guilty of a felony, and upon conviction be punished as is provided in section three thousand two hundred and ninety-two of the Re- visal of nineteen hundred and five: *Provided*, that nothing herein shall be construed to prevent the sale and delivery of
- Persons declared sellers.
- First offense; mis- demeanor.
- Punishment.
- Succeeding offens- es felony.
- Punishment.
- Proviso: Excep- tions.

alcohols and alcoholic fluids and substances, or any denatured alcohol or other denatured spirits for industrial, chemical, scientific, artistic, or manufacturing purposes, or wines for sacramental purposes: *Provided*, that any person, persons, firm, or corporation desiring to purchase and have such alcohols delivered shall, as a condition precedent to the right to purchase and the right to have the same delivered, comply strictly with the requirements of section ten to thirteen, inclusive, of chapter ninety-seven of the Public Laws of the General Assembly of nineteen hundred and fifteen, by obtaining a permit, duly authenticated by the certificate and official seal of the clerk of the court of said counties of Jackson, Cherokee, Clay, and Graham, and which said sections of said chapter are hereby adopted and made a part of this act, and for the purposes herein hereby reenacted as a part hereof.

SEC. 3. That it shall be unlawful for any person, firm, or corporation, or any agent, officer, or employee thereof to ship, transport, or carry, in any manner or by any means whatsoever, for hire or other compensation or charge, act, in or to any point of said counties for the purpose of delivering the same to any person, firm, or corporation, at any point within said counties of Jackson, Cherokee, Clay, and Graham, any spirituous or vinous liquors or intoxicating bitters in any quantity whatsoever, and shall, upon conviction of the first offense, be guilty of felony, and punished as aforesaid: *Provided*, nothing herein shall forbid the carrying of such spirituous, vinous liquors or intoxicating bitters through, across, or beyond said counties to points where it may be lawful to deliver the same.

SEC. 4. That it shall be unlawful for any person, persons, firm, or corporation to make or manufacture any spirituous, vinous, fermented or malt liquors or intoxicating bitters within the counties of Jackson, Cherokee, Clay, and Graham, or to have in his or their possession any still or apparatus for manufacturing the same, or for any person or persons, firm or corporation to aid and abet, knowingly, in such manufacture or in helping to keep or secrete any such still, and shall upon conviction be guilty of a misdemeanor.

SEC. 5. The general laws of search and seizure and inquisition are not impaired or repealed hereby, but shall apply in full force and effect to said counties of Jackson, Cherokee, Clay, and Graham.

SEC. 6. That all laws and parts of laws in conflict herewith are hereby repealed.

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

Ratified this the 5th day of March, A. D. 1917.

Proviso: Permits.

Shipment or transportation felony.

Punishment.

Proviso: Shipment across territory.

Manufacture of liquors.

Possession of apparatus.

Aiding, abetting or secreting. Misdemeanor.

Search and seizure law.

Repealing clause.

CHAPTER 610

AN ACT TO AMEND CHAPTER 561 OF THE PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO PLACE THE OFFICERS OF NEW HANOVER COUNTY UPON A SALARY BASIS."

The General Assembly of North Carolina do enact:

Office deputy.

SECTION 1. That chapter five hundred and sixty-one of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows: In section seven, line three, strike out the word "twelve" and insert the word "fifteen"; in section seven, line five, strike out the words "nine hundred" and insert in lieu thereof the words "one thousand"; in section ten, line five, strike out the words "six hundred" and insert in lieu thereof the words "seven hundred and twenty;" in section ten and one-half, line two, strike out the words "seven hundred and twenty" and insert in lieu thereof the words "one thousand and eighty."

Field deputies.

Second clerk to clerk superior court.
Constable.

SEC. 2. That chapter two hundred and forty-eight of the Public-Local Laws of one thousand nine hundred and fifteen, amendatory of the act herein referred to, be and the same is hereby amended as follows: In section one, strike out subsection A. That section seven of said chapter five hundred and sixty-one of the Public-Local Laws of one thousand nine hundred and thirteen, as amended herein, be and the same is hereby reenacted.

Salary of sheriff.

Application of act.

SEC. 3. That this act shall apply to New Hanover County only.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 611

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE PUBLIC ROADS OF JERUSALEM TOWNSHIP, DAVIE COUNTY, AND TO AUTHORIZE THE ISSUANCE OF BONDS TO PAY THE EXPENSES THEREOF.

The General Assembly of North Carolina do enact:

Highway commissioners named.

SECTION 1. That J. W. Zachary, Charles Alexander, W. K. Clement, F. H. Beall, J. D. Goings, and J. A. Miller be and they are hereby appointed and constituted the highway commissioners of Jerusalem Township; that immediately after the ratification of this act the members thereof shall meet and organize by electing one of their members chairman of the board, one secre-

Meeting and organization.

tary, and one treasurer. The term of office of said officers shall be until December, one thousand nine hundred and twenty, at the time of the expiration of other officers' terms in Davie County, and at this election, held in one thousand nine hundred and twenty, their successors shall be chosen by the qualified voters of the township, and their successors chosen every two years thereafter in like manner, and be sworn in at the time the county officers are sworn in.

Terms of office.

Election of successors.

SEC. 2. That the said J. W. Zachary, Charles Alexander, W. K. Clement, F. H. Beall, J. D. Goings, and J. A. Miller, highway commissioners of Jerusalem Township, and their successors in office, be and they hereby are constituted a body corporate under and by virtue of the laws of North Carolina and by this act, under the name of the "Highway Commission of Jerusalem Township," and shall have all powers and authority granted corporations 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, including the right and power to condemn land for the construction, widening, or changing any road in the township, and such other powers as are necessary to carry out the provisions of this act.

Incorporation.

Corporate name.

Corporate powers.

SEC. 3. That the said highway commissioners of Jerusalem Township, at its first meeting or any subsequent meeting, shall make such rules and regulations and pass such by-laws for the government and conduct of its body as a majority of the above named highway commissioners, or their successors, shall deem expedient; and such by-laws, rules and regulations shall be the permanent rules of corporate action.

Rules, regulations and by-laws.

SEC. 4. That it shall be the duty of the said highway commission of Jerusalem Township to take charge of the working, the repairing, maintaining, altering, and construction of any and all roads in Jerusalem Township, and it is hereby vested with all powers, rights, and authorities now vested in the board of county commissioners of Davie County, or other boards, or general supervision of the road of said county, and for the construction and repair thereof; and the said highway commission of Jerusalem Township is hereby authorized and empowered to issue bonds of said township for the construction and repair of roads in said county, not to exceed the sum of forty thousand dollars (\$40,000). The bonds so issued shall be styled "Jerusalem Township Highway Improvement Bonds," and the same shall be of such denominations 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

Duties.

Powers and rights vested.

Bond issue authorized.

Amount.

Entitlement.

Denominations.

Interest.

Approval and authentication.	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 highway commission and signed by the chairman thereof, and countersigned by its secretary; such bonds to be in such form and tenor, and transferable, and the principal payable and redeemable at such time or times as the said highway commission may fix, not exceeding thirty years from date thereof. 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 amount as may be deemed best in the opinion of the commission to meet the needs of the township in the construction and repair of its roads. The highway commission shall adopt a corporate seal, and any bonds issued under this act shall have the corporate seal of the board attached thereto.
Maturity. Sale below par forbidden. Issue of bonds.	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 Davie County. The bonds issued under and by virtue of this act shall be as valid in law and the same liability for the payment thereof imposed as if the same had been issued by the county commissioners of Davie County under the same law, power, and authority.
Corporate seal.	
Obligation of bonds.	
Validity.	
Special tax.	SEC. 5. 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 Davie 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 time or 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 Jerusalem Township, as in the case of other taxes for general county purposes, of not more than fifty 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 of the highway commission of Jerusalem Township. The taxes so collected by the sheriff shall likewise be turned over to the treasurer of said highway commission, 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 road.
Limit of tax rate.	The exact amount of levy to be made by the county commissioners, as above, is to be determined and levied as directed by the said highway commission.
Collection.	
Payment to treasurer of highway commission.	
Apportionment of taxes.	
Determination of levy.	

SEC. 6. That for the purpose of construction and repair of the roads in said county, the highway commission may employ and appoint a road superintendent and such subordinates thereto as it may deem 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 treasurer shall have in charge all the county road funds resulting from the bond issue by this board or otherwise. The treasurer so elected shall enter into a bond payable to the highway commission, 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 Davie County, selecting for that purpose the solvent bank or banks which will pay the highest rate of interest on daily balances.

Road superintendent and assistants.

Salaries.

Delegation of powers.

Bond of treasurer.

Deposit of funds.

SEC. 7. That the highway 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, maintain, 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.

Advertisement and sale of bonds.

Proviso: Obligation of purchasers released.

SEC. 8. In the event of a subsequent bond issue by Davie County, under the general law or by special act, one-seventh of any amount of bonds hereafter so issued by Davie County, or the proceeds from the sale thereof, shall be used to take up and redeem any or all of the outstanding bonds authorized and issued under this act; and for this purpose the county treasurer or other officer authorized to receive the proceeds from the sale of any such bonds is hereby directed to pay over to the treasurer of the highway commission of Jerusalem Township one-seventh of the total funds so received from the sale of any such bonds upon delivery to him of Jerusalem Township highway improvement bonds of equal value.

Redemption by county.

SEC. 9. The said highway commission shall use the funds arising from the sale of said bonds to construct, improve, and maintain public highways of said township, 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 said purpose.

Use of proceeds of bonds.

Equipment and labor.

SEC. 10. The highways to be made, opened, built, or improved under the provisions of this act shall from time to time be designated by said commission. To this end the said commission is 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.

Highways to be designated.

Road engineer.

- Width of roads. SEC. 11. The highways of said township constructed or improved shall have a right of way of not less than forty feet, except where the highway commission may deem it impracticable, and in such cases it shall be not less than twenty feet. The alignment of the road shall be as straight as practicable, with no grade over four and one-half per cent, except as such grade is considered impracticable by the road engineer or commission.
- Alignment and grades.
- Entry on lands. SEC. 12. In opening new highways, widening and straightening old roads, and repairing the same, the said highway commission, through its agents, is hereby authorized and empowered to enter upon any land 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 road, together with free ingress and egress from said road for the transportation of said material; and they are hereby authorized and empowered to enter upon the said lands adjacent and lying near road in order to make such drain or ditches through the same as may be deemed necessary for the betterment of the said roads, and to cut timber and trees therefrom: *Provided*, that no ornamental trees shall be destroyed. If the highway commission and the owner or owners of said land cannot agree as to the damages, if any, the highway commission 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*, 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.
- Drains or ditches.
- Timber.
- Assessment of damages.
- Proviso: Time for instituting suit.
- State and Federal aid. SEC. 13. The highway commission of Jerusalem Township is hereby authorized and empowered to avail itself of the privileges and benefits of any acts of the State or Federal Government now in force or that may hereafter be passed for the purpose of assisting counties in the construction and improvement of roads.
- Fraudulent act misdemeanor.
- Punishment. SEC. 14. Any member of the highway commission making or causing to be made any fraudulent statement or order whereby money is paid out of said highway fund, or any treasurer knowingly paying any fraudulent debt, shall be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court.
- Funds to be turned over to roads. SEC. 15. That any moneys on hand in Jerusalem Township or in Davie County to the credit of the road fund of Jerusalem Township at the time this act becomes effective shall be turned over

to the treasurer of the highway commission of Jerusalem Township, to be expended under the authority of the highway commission.

SEC. 16. The treasurer of the highway commission herein provided for shall quarterly publish in some newspaper published in Davie County an itemized statement of the receipts and disbursements by him made of moneys received and paid out under the provisions of this act. Publication of statements.

SEC. 17. The members of the highway commission shall receive for their services not exceeding two dollars per day during the time they are actually employed in the discharge of the duties assigned them by this act. They shall be allowed all necessary expenses and postage, stationery, and attorney's fees, and such other and additional expenses as may be incurred by them in the discharge of their duties. Pay of commissioners.
Allowances.

SEC. 18. 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, or taking of necessary timber, or other material, he shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days. Obstruction of officers, misdemeanor.
Punishment.

SEC. 19. 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 such presentment it shall be the duty of the commission to set a day not earlier than sixty days after the removal of such timber or material for the purpose of hearing 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 cases. Presentation and hearing of claims.
Right of appeal.

SEC. 20. That all road taxes of Jerusalem Township, except such as are collected for the purpose of providing a sinking fund and interest on the present bond issue of Davie County, shall be paid by the county treasurer to the treasurer of the highway commission, and all road taxes hereafter collected by the sheriff belonging to the Jerusalem Township shall likewise be paid to the treasurer of the highway commission, and all road taxes shall be expended by the highway commission in such way and at such time as it may determine. Taxes paid to road treasurer.

SEC. 21. That upon the organization of the highway commission of Jerusalem Township the entire jurisdiction, supervision, and control of the public roads of Jerusalem Township shall vest in the said commission created by this act, and any person having in his possession or control special road taxes shall account to said commission therefor and pay over the same to the treasurer thereof, and likewise all road machinery, tools, equipment, and stock now in use or authorized to be used in said township shall be turned over to the said highway commission. Jurisdiction and control vested.
Delivery of funds and equipment.

Act submitted to election. SEC. 22. The provisions of this act shall be submitted to the qualified voters of Jerusalem Township, Davie County, on Saturday, May the twenty-sixth, of the year one thousand nine hundred and seventeen, and under the same rules and regulations as members of the General Assembly of North Carolina are elected; and at the said election all voters who favor the provisions of this act shall vote ballots on which is written or printed, "For Good Roads," and all opposed shall vote a ballot on which is written or printed "Against Good Roads"; and if a majority of the votes cast in said election shall be for good roads, then the provisions of this act shall be in full force and effect from and after the first day of June, one thousand nine hundred and seventeen. The said election shall be held under the laws applying to general elections for members of the General Assembly and county officers.

Date. SEC. 23. This act shall be in force from and after its ratification.

Law governing election. Ratified this the 5th day of March, A. D. 1917.

Ballots.

When act effective.

CHAPTER 612

AN ACT EMPOWERING THE BOARD OF COMMISSIONERS OF HYDE COUNTY TO ISSUE BONDS TO PAY OFF THE INDEBTEDNESS OF THE COUNTY AND TO LEVY A SPECIAL TAX TO PAY SAID BONDS.

The General Assembly of North Carolina do enact:

Purpose of bond issue. SECTION 1. That for the purpose of paying the floating debt of Hyde County due the first Monday in December, one thousand nine hundred and sixteen, and for the further purpose of repairing and improving the courthouse, the county jail, and paying other necessary expenses to be incurred in the administration of the county government, the board of commissioners of Hyde County are hereby authorized and empowered to issue bonds for an amount not to exceed twenty-five thousand dollars, in denominations of not less than one hundred dollars and not more than one thousand dollars each, the coupons attached for the annual interest, which shall not exceed six per cent per annum on the principal of each bond, said interest to be due and payable annually from the date of issuing said bonds.

Issue authorized.

Amount. SEC. 2. Said bonds and coupons attached shall be numbered consecutively beginning with one, and the coupons attached and issued shall bear the number of the bonds to which they are attached. The first bond shall be due three years after the date of issue, and one shall be due each year thereafter until all are

Denominations.

Interest.

Numbers.

Maturity.

due and paid. Said bonds shall be signed by the chairman of the board of commissioners and countersigned by the register of deeds, and the said bonds shall have upon them the seal of said county. The said register of deeds shall keep a book in which he shall keep an accurate account of the number of bonds issued, the 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 paid or otherwise canceled, so that by inspection of said book the true state of the bonded debt herein provided for may be easily ascertained. Said book shall at all times be open to the inspection of any taxpayer in the county, and any register of deeds who fails to keep said book as herein provided for shall be guilty of a misdemeanor.

Authentication.

Record of bonds.

Record open to inspection.
Misdemeanor.

SEC. 3. That for the purpose of paying said coupons and bonds as they fall due, the board of county commissioners Hyde County are hereby authorized and empowered to levy a special tax each year. Said 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 fall due on the presentation of the same at his office.

Special tax.

Collection and settlement.

SEC. 4. That said bonds shall not be sold for less than their par value.

Sales below par forbidden.

SEC. 5. That on paying any of the coupons or bonds, the county treasurer shall immediately report the same to the register of deeds, in order that the register of deeds may comply with this act.

Report of payments.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 613

AN ACT TO AUTHORIZE THE COMMISSIONERS OF PITT COUNTY TO LEVY A SPECIAL TAX, AND TO ISSUE BONDS IN THE SUM OF \$50,000 FOR THE CONSTRUCTION OF BRIDGES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Pitt County are hereby authorized and empowered, when conditions require and justify it, to levy a special tax of ten cents on all property in said county, under the same conditions and provisions as provided in the acts of one thousand nine hundred and fifteen.

Levy authorized.

Rate.

SEC. 2. That whereas the general bridge fund of Pitt County has been expended in excess of the proceeds of the taxes for the

Bond issue authorized.

Term.
Amount and in-
terest.

said county, collected for this purpose, the board of commissioners are hereby authorized to issue thirty-year bonds, not to exceed fifty thousand dollars, bearing interest at five per cent per annum, payable semiannually, for the purpose of reimbursing the said fund and providing for the completion and construction of bridges now under construction and contemplated.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 614

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF HOUSE BILL 443, SENATE BILL 45, ENTITLED "AN ACT TO AUTHORIZE THE TOWNSHIPS IN RUTHERFORD COUNTY TO ISSUE BONDS AND TO IMPROVE THE HIGHWAYS THEREIN," RATIFIED JANUARY 9, 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That House bill four hundred and forty-three, Senate bill forty-five, entitled "An act to authorize the townships in Rutherford County to issue bonds and to improve the highways therein," ratified January the ninth, one thousand and nine hundred and seventeen, be and the same is hereby amended as follows: In section eight, line nine (typewritten copy), strike out the word "March" and insert the word "April"; in lines thirty-one to thirty-three, inclusive, (typewritten copy), after the words "for road bonds," strike out the following: "then the provisions of this act shall be inoperative, and if a majority of votes cast in any township are against road bonds"; in lines thirty-six and thirty-seven (typewritten copy) strike out the words, "upon a petition signed by at least thirty per cent of voters in township"; after the words "road bonds" in line fifty-three (typewritten copy), strike out the following words "and petitions the county commissioners to appoint a township supervisor. Any township that does not vote road bonds and that does not petition the county commissioners of Rutherford County to appoint a township supervisor shall be under the county road law now existing and the same shall be in full force and effect in said township and shall not be repealed in regard to such township."

Time for filing
petition.

Subsequent elec-
tions.

Townships under
general law.

When act effective.

SEC. 2. That section twenty of said act be and the same is hereby amended to read as follows: "That this act shall be in full force and effect from and after April first, one thousand nine hundred and seventeen."

SEC. 3. That all laws and clauses of laws in conflict with the Repealing clause. 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 5th day of March, A. D. 1917.

CHAPTER 615

AN ACT TO AUTHORIZE AND PERMIT THE BOARD OF COMMISSIONERS OF PITT COUNTY TO LEVY AN ADDITIONAL TAX.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Pitt County are hereby authorized and permitted 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. Additional tax authorized. Rate. To use of general fund.

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. 1917.

CHAPTER 616

AN ACT TO AMEND CHAPTER 587, PUBLIC-LOCAL LAWS OF 1911, RELATIVE TO THE FINANCE COMMITTEE AND AUDITING THE BOOKS OF WILKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and eighty-seven of the Public-Local Laws of one thousand nine hundred and eleven be amended by striking out sections five, six, seven, eight, and nine of said chapter. Finance committee abolished.

SEC. 2. That it shall be the duty of the county commissioners to employ annually a competent and experienced auditor, who has had experience in auditing county books, to audit all the books and records of the county. That said auditor, when so appointed, shall have authority to examine all books and records and it shall be the duty of the custodians of such books and records to assist and render assistance to said auditor in his work and to allow examination of all books, papers, and records by him. Employment of auditor. Authority.

- Employment and compensation.** SEC. 3. That the county commissioners are hereby authorized and empowered to employ such an auditor to audit the books and to fix his compensation, not to exceed the sum of two hundred dollars.
- Extent of audit.** SEC. 4. That such auditing the books shall include the books and records in the office of the clerk of the Superior Court, in the office of register of deeds, in the sheriff's office, in the treasurer's office, the proceedings, records, and minutes of the county commissioners, the county board of education, and good roads commissioners of Wilkes County.
- Report.** SEC. 5. That said auditor, when so employed, shall file a written report with the county commissioners and make such recommendations as he may see fit.
- Misdemeanor.** SEC. 6. That any person refusing to allow the auditor to examine such books and records as he may demand from time to time or refuse to give him assistance when called upon to do so, shall be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court.
- Punishment.**
- Repealing clause.** 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. 1917.

CHAPTER 617

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF LENOIR, GREENE, JONES, ONSLOW, CRAVEN, RUTHERFORD, YANCEY, HYDE, TRANSYLVANIA, PITT, CLAY, BUNCOMBE, SCOTLAND, GUILFORD, FORSYTH, MACON, NORTHAMPTON, GASTON, WATAUGA, POLK, PERQUIMANS, PERSON, GRANVILLE, CLEVELAND, JOHNSTON, CHATHAM, PAMLICO, VANCE, WARREN, CASWELL, CHOWAN, WAKE, BERTIE, LEE, BEAUFORT, ANSON, AND CARTERET TO CONTRIBUTE TRANSPORTATION EXPENSES TO CONFEDERATE SOLDIERS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Lenoir, Greene, Jones, Onslow, Craven, Rutherford, Yancey, Hyde, Transylvania, Pitt, Clay, Buncombe, Scotland, Guilford, Forsyth, Macon, Northampton, Gaston, Watauga, Polk, Perquimans, Person, Granville, Cleveland, Johnston, Chatham, Pamlico, Vance, Warren, Caswell, Chowan, Wake, Bertie, Lee, Beaufort, Anson, and Carteret be and they are hereby authorized and empowered,

Payments authorized.

in their discretion, to pay from the county fund the railroad expenses of Confederate soldiers residing in their respective counties to and from the reunions of the United Confederate Veterans to be held in Washington, D. C., in the year nineteen hundred and seventeen, and to and from the subsequent reunions, both State and general, to be held by the United Confederate Veterans.

SEC. 2. That all 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 5th day of March, A. D. 1917.

CHAPTER 618

AN ACT TO DEFINE THE DUTIES OF THE COUNTY SOLICITOR OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the duties now required by law to be performed by the county solicitor of New Hanover County, the following duties shall also be performed by him: Additional duties.

a. It shall be the duty of such solicitor to attend at his office at least one hour before the opening of court. Attendance at office.

b. All State witnesses subpoenaed by said court, and all witnesses for the State recognized or subpoenaed to appear before said court by any inferior court, shall appear at the office of said solicitor for examination at the time of the opening thereof, and not depart therefrom without leave of said solicitor, the purpose of such attendance being to facilitate the administration of the business of said court, and so that the solicitor shall, upon the convening of said court, give notice of those cases in which continuance may be necessary, and likewise the cases in which he will ask permission to be allowed to enter a *nol. pros.* It shall be unlawful for any other person, without the consent of said solicitor, to interview or communicate with the witnesses herein referred to on behalf of the State in any case pending in said court. Appearance of witnesses for examination.
Interviewing witnesses forbidden.

c. That warrants issued from said court shall be signed by the solicitor only. Warrants.

SEC. 2. That said court shall convene at ten o'clock a. m. daily, Sundays and legal holidays excepted. Session of court.

SEC. 3. That the recorder of said court shall not be permitted to act as recorder and justice of the peace at the same time. Recorder not to act as justice of the peace.

SEC. 4. That it shall be the duty of the board of county commissioners to provide the county solicitor with an office in the Office to be provided.

courthouse, or at some other convenient place, which office shall be suitably furnished and equipped for the use of said solicitor.

Repealing clause.

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 5th day of March, A. D. 1917.

CHAPTER 619

AN ACT TO AMEND CHAPTER 634 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO RECORDERS' COURTS IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and thirty-four of the Public-Local Laws of one thousand nine hundred and fifteen, relating to recorders' courts in Robeson County, be and the same is hereby amended as follows: In section one, subsection (b), line eighteen, strike out all of said subsection after the word "printed" and insert the following: "on a separate ballot, and separate ballot boxes shall be provided at each polling place in said county, 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 each of the districts mentioned in subsection (a) of this act. The votes for such recorders shall be counted, tabulated, and returned by and to the same officers in the same manner that returns are made for county officers, and the candidates receiving a majority of the votes cast in the whole county shall be declared the duly elected recorders for said districts."

Ballots and ballot boxes.

Qualified voters.

Count and return of votes.

Candidates declared elected.

Repealing clause.

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 5th day of March, A. D. 1917.

CHAPTER 620

AN ACT TO ENCOURAGE THE DEVELOPMENT OF WESTERN NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Purpose of board.

SECTION 1. That for the purpose of assisting in the development of that area of western North Carolina embraced by the counties of Buncombe, Henderson, Haywood, Transylvania, Polk,

Jackson, Macon, Swain, Graham, Cherokee, and Clay counties, by encouraging the construction of good roads, preservation of forests, utilization of forest products, development of water-powers, installation of electric power and light plants, telephone systems, cattle raising, trucking, and other industries, and by taking such other steps and means as may tend to open up and improve the condition of said area, so as to bring about the best and most far-reaching results, there is hereby created a board of trustees of said area which shall be known as the board of trustees of the Southwestern North Carolina Mountain Counties, which board shall be composed of three members from each of the counties mentioned above in this section; and the first trustees for each county and their terms of office shall be as follows:

Buncombe County—H. A. Coggins for two years; W. Vance Brown for four years; Rufus Weaver for six years. Board created.
Title.
Members.
First trustees.

Haywood County—Dr. R. L. Allen for two years; W. S. Martin for four years; T. L. Gwynn for six years.

Henderson County—S. T. Hodges for two years; D. S. Pace for four years; J. W. Bailey for six years.

Transylvania County—J. M. Allison for two years; J. A. Miller, Jr., for four years; C. M. Taylor for six years.

Jackson County—A. C. Reynolds for two years; Coleman C. Cowan for four years; G. W. Sutton for six years.

Macon County—J. E. Rickman for two years; Dr. S. H. Lyle for four years; J. Frank Ray for six years.

Swain County—S. W. Black for two years; Gola P. Ferguson for four years; Kelly E. Bennett for six years.

Graham County—G. W. Shuler for two years; R. L. Phillips for four years; P. M. Sawyer for six years.

Cherokee County—J. W. S. Davis for two years; R. S. Parker for four years; A. G. Deweese for six years.

Clay County—O. L. Anderson for two years; G. H. Haigler for four years; N. N. Rogers for six years.

SEC. 2. The trustees named in this act shall run for the time indicated and their successors shall be appointed by the boards of county commissioners of the several counties in which the trustees reside, but by and with the approval of the Geological Board. One such appointment shall be made biennially at the regular meeting of the board of county commissioners at their regular meeting in April. Appointment of
successors.

SEC. 3. The trustees provided for in this act shall meet at Bryson City, North Carolina, within sixty days after the passage of this act, at the call of the State Geologist, who shall preside at the first meeting and assist in the organization. The trustees shall elect one of their number chairman, another secretary, and another treasurer, who shall hold office for two years and until their successors are elected and qualified. When said officers are Call for meeting.
Organization.
Incorporation.

- elected, the said board of trustees 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 Trustees of the Southwestern North Carolina Mountain Counties, 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. In case any of the persons appointed as trustees by this act refuse to act, then the board of county commissioners of the county in which the said person resides shall, when so notified by the State Geologist of such refusal, appoint at its next regular meeting some suitable person of the county to fill the vacancy. In case of any other vacancy caused by death, resignation, or otherwise of any member of said board of trustees, such vacancy shall be filled by the board of county commissioners for the unexpired term, as provided above for regular appointment.
- Corporate name.**
- Corporate powers.**
- Vacancies.**
- Annual and other meetings.** SEC. 4. The members of the board of trustees are herewith authorized to attend an annual meeting of said board and such other meetings as may be called by the State Geologist or the chairman of the board: *Provided, however,* that the members of said board of trustees shall not be entitled to receive compensation and mileage for more than two meetings in any one year.
- Proviso: Limitation.**
- Called meetings.** SEC. 5. Upon the request of the Geological Board or upon request of ten members of the board, the chairman of the board shall call a meeting of the members of the board at the place and time stated in the request.
- Rules, regulations and by-laws.** SEC. 6. That said board of trustees are herewith authorized to make such rules and regulations and by-laws to govern their action as they may deem necessary to carry out the purposes of this act.
- Expenditures.** SEC. 7. That said board of trustees shall not incur any expenses beyond their per diem and mileage hereinbefore provided for which can become a charge against the county, except that when the said board of trustees have collected any moneys for carrying out the provisions of this act they shall have the authority to expend such moneys and in such manner as they may deem best: *Provided,* that the treasurer of the board of trustees shall each six months, on or before the fifteen day of January and of July of each year, send to the chairman of the board of county commissioners of each county which has trustees on said board an itemized statement of receipts and expenditures for the preceding six months ending December thirty-first and June thirtieth of each year.
- Statements rendered counties.**
- Subscriptions.** SEC. 8. That the board of trustees are authorized to solicit subscriptions of moneys, lands, supplies, and other materials which

they can use in carrying out the provisions of the act, to arrange Expositions.
for or assist in arranging for expositions to be held in Western
North Carolina in counties not in this act, at which to exhibit
resources of Western North Carolina; to make or assist in making
exhibits at expositions or fairs held in other counties or States.

SEC. 9. The board of county commissioners of the several Contributions by
counties and mun-
icipalities.
counties mentioned in this act, and the board of aldermen of the
several cities and towns in said counties, are herewith authorized
to contribute to the board of trustees created by this act for the
general fund of the county or city or town such sums of money
as they may deem advisable to assist the said board of trustees
in carrying out the purposes of this act.

SEC. 10. The various State departments are herewith author- Coöperation of
State departments.
ized to coöperate in every way possible with the said board of
trustees in carrying out the purposes of this act, and at the re-
quest of the chairman of said board of trustees shall furnish said
chairman with copies of the publications of their department in
so far as they shall be available.

SEC. 11. This act shall be in force from and after its ratifi-
cation.

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 621

AN ACT TO ALLOW THE COUNTY COMMISSIONERS TO FURNISH SCHOOL BOOKS FREE TO DEPENDENT SCHOOL CHILDREN IN RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners shall be required to Commissioners
required to fur-
nish books.
furnish free of cost to dependent children entitled under the law
to attend the public schools of said county such text-books as may
be required for their use while attending said schools and receiv-
ing instruction in the grades from the first to the seventh, in-
clusive.

SEC. 2. That dependent children under the provisions of this Dependent chil-
dren defined.
act shall be construed to mean all such children as have no estate
or other means with which to supply themselves with the neces-
sary books, and whose parents, guardian, or other person stand-
ing in the relation of parent have not the means to supply them
with said books.

SEC. 3. That every dependent child, or the parents, guardian, Application.
or other person standing the relation of parent to such dependent
child applying for the benefits of this act, shall be required to

- make application in writing to the board of county commissioners, stating the name and age of such dependent child, the school district wherein the child resides and desires to attend school, and said application shall be accompanied by a certificate signed by a majority of the members of the school board of such school district, stating that after investigation they are of the opinion that the relief asked for should be granted. The commissioners shall, when they have determined that any child is dependent and should be supplied with school books free of cost, certify the name to the board of education, and the said board shall purchase the necessary books and direct that the bill, when approved, be sent to the board of commissioners, which board shall pay the same.
- Certificate from school committee. SEC. 4. That the parents or guardian, or other person standing in the relation of parent to any child receiving the benefits of the act, shall be required to use due diligence in seeing that said books are not willfully abused or destroyed by the children under their charge, and that said books are delivered to the superintendent of public instruction at the end of the school term, or within a reasonable time after such child shall die or for any other reason discontinue attending school during the term.
- Certificate to board of education. SEC. 5. That all books purchased under the provisions of this act shall be paid for out of the general fund of Randolph County.
- Purchase and payment. SEC. 6. That this act shall apply only to Randolph County.
- Care and return of books. SEC. 7. That this act shall be in force from and after its ratification.
- Payment from general fund. Ratified this the 6th day of March, A. D. 1917.
- Application of act.

CHAPTER 622

AN ACT DIRECTING THE BOARD OF EDUCATION OF THE COUNTY OF NASH TO APPOINT WOMEN AS MEMBERS OF THE SCHOOL BOARD.

The General Assembly of North Carolina do enact:

Appointment directed.

SECTION 1. That the members of the board of education of the county of Nash are directed and empowered to appoint not less than two women as members of the school committee or as school trustees for the district comprised by the township of Nashville in said Nash County, as authorized by chapter one hundred and seventy of the 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. 1917.

CHAPTER 623

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE WATER AND HARBOR FRONTS OF INCORPORATED OR CHARTERED CITIES AND TOWNS SITUATED ON NAVIGABLE WATERWAYS WITHIN THE STATE OF NORTH CAROLINA; FOR THE ACQUIREMENT, CONSTRUCTION, MAINTENANCE, AND OPERATION OF PUBLIC DOCKS, AND FOR THE ACQUIREMENT BY CONDEMNATION OR OTHERWISE OF LANDS FOR SAME; TO CREATE A BOARD TO CARRY ON SUCH WORK, AND TO REGULATE AND CONTROL THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF BELT RAILWAYS, WHARVES, DOCKS, SLIPS, PIERS, BASINS, OTHER WATER-FRONT LANDS, AND OF ALL STRUCTURES, EQUIPMENT, AND APPARATUS THEREON IN SAID CITIES AND TOWNS; TO AUTHORIZE THE ISSUANCE AND SALE OF BONDS, AND TO LEVY A TAX AS MAY BE NECESSARY FOR CARRYING OUT THE ABOVE PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. Each incorporated or chartered city and town situated on navigable waterways or on a navigable water within the State of North Carolina is hereby authorized to create a commission known as the "Department of Public Docks."

SEC. 2. The department of all public docks shall be administered by a dock board composed of three members who shall be elected by the board of aldermen. Whenever any town or city shall decide to avail itself of the provisions of this act, the board of aldermen shall elect three persons who are qualified voters and who at the time of their appointment must be prominently identified with the commerce or business interests of the municipality and who have been at least three years residents of such city or town, members of the dock board. Such persons shall determine by lot among themselves the length of their terms of office for one, two, or three years respectively. On the expiration of the term of any member his successor, with the same qualifications required of the members first elected, shall be elected by the board of aldermen for a term of three years. Resignations when made shall be addressed to and accepted by the board of aldermen and vacancies filled by said board by appointment for the unexpired term. The members shall serve without salary compensation or remuneration of any nature, and shall not directly or indirectly trade with the said board. Within ten days after their election the members shall meet and take an oath to faithfully perform the duties of the office and organize the

Department of public docks.

Dock board.

Election and eligibility.

Terms of office.

Election of successors.

Resignations and vacancies.

To serve without pay.

Qualification and organization.

board by the election of a president and a secretary out of their own number, and by making provisions for stated meetings.

Powers of board.

SEC. 3. The board shall have power and it shall be its duty for and in behalf of the municipality:

Plans for improvements.

(a) To cause to be prepared a comprehensive plan for the improvement of its harbor and water-front, making provisions for the needs of commerce and shipping, and providing for the construction of such docks, basins, piers, slips, wharves, warehouses, belt railway connecting with all lines within the municipality, and such cranes, dock apparatus and machinery equipment as it may deem necessary for the convenient and economical accommodation and handling of water craft of all kinds, and of freight and passengers and the free interchange of traffic between the waterway and the railways and railway and the waterway; and it may modify such plan from time to time as the requirements of commerce and shipping and the advance of knowledge and information on the subject may suggest.

Purchase of lands.

(b) To purchase or acquire by expropriation or condemnation as hereinafter provided, or by other lawful means, such lands or rights or interest therein as may be necessary for use in the construction of a belt railway, or in the construction of any public owned dock, basin, pier, slip, wharf, warehouses, or other structures as may be provided for in such plan. If the board shall deem it proper and expedient that the municipality should acquire possession of such wharf property or land, and if no price can be agreed upon between the board and the owner thereof, the board may direct the municipal attorney to take legal proceedings to acquire the same for the municipality in the same manner as land is condemned for the purpose of parks, or as is or may be provided by the general laws of the State of North Carolina in the case of corporations having the right of eminent domain. The title to all lands acquired by the board shall be taken in the name of the municipality. If any acquired by the board shall become unavailable for the purposes for which they were acquired, they shall become the property of the municipality, free from any restrictions upon the passing by the board of a resolution so declaring as to such lands; the board may exchange or otherwise dispose of same in the discharge of its duties as hereinafter set forth.

Condemnation of land.

Titles.

Property of municipality.

Charge and control of property.

(c) The board shall have exclusive charge and control of the wharf property belonging to the municipality, including belt railway, all the wharves, piers, bulkheads and structures thereon and waters adjacent thereto, and all the slips, basins, land under water, docks, water-fronts, and the structures thereon, and the appurtenances, easements, uses, reversions and rights belonging thereto, which are now owned or possessed by the municipality, or to which the municipality is or may become entitled, or which

the municipality may acquire under the provisions hereof or otherwise. The board shall have the exclusive charge and control of the building, rebuilding, alteration, repairing, operation, and leasing of said property and every part thereof, and all the cleaning, grading, paving, dredging, and deepening necessary in and about the same.

Charge and control of improvements and repairs.

(d) The board is also vested with exclusive government and control of the harbor and of all wharf property, belt railway, wharves, piers, bulkheads, structures and equipment thereon and waters adjacent thereto, and all the basins, slips, docks, and land under water belonging to the municipality, with the right to collect dockage, wharfage, sheddage, storage, crannage, fees, and tolls thereon, as hereinafter provided.

Control of harbor and of all wharf property.

(e) In the construction of docks, wharves, and their appurtenances, or in the performance of other work, the board shall proceed only after public notice asking for proposals based upon the plans and specifications previously submitted and filed with the board by its engineer and approved by it: *Provided*, that when in the judgment of the board the bids received are excessive or otherwise unsuitable, the board may proceed to do the work directly. The board shall in all cases have the right to reject any and all bids. In the event that it shall perform the work directly, it shall make no purchase of materials in amount exceeding five hundred dollars (\$500) except by public letting, or except in case of failure to receive satisfactory bids after reasonable published notice, or except in cases of emergency where delay of public letting might cause serious loss or injury to the work.

Contracts on competitive bids.

Proviso: Alternative.

Right to reject bids.
Purchase of material.

(f) The board shall have power to make general rules and regulations for the carrying out of the plans prepared by it for the building, rebuilding, repairing, alteration, maintenance, and operation of all structures, erections, or artificial constructions upon or adjacent to the water-front of the municipality, and, except as provided by the general rules of the board, no new structures or repairs upon or along said water-front shall be undertaken except upon application to the board and under permit by it and in accordance with the general plan of the board and in pursuance of specifications submitted to the board and approved by it upon such application. The general rules and regulations of the board shall be embodied in the form of ordinances, and certified copies shall forthwith, upon their passage, be transmitted to the municipal auditor, who shall cause the same to be transcribed at length in a book kept for that purpose, and the same shall be included in any publication or compilation of the ordinances of the municipality.

Rules and regulations.

Permits for buildings.

Record of rules.

Publication.

(g) The board shall have the power to fix and regulate from time to time, and from time to time to alter the tolls, dockage,

Regulation of charges.

wharfage, crannage, sheddage, storage, and other charges for all public-owned docks, belted railway, piers, slips, basins, wharves, and their equipment, and a schedule of such charges and regulations shall be enacted in the form of ordinance and a certified copy thereof shall be transmitted to the municipal auditor in like manner as other ordinances of the board before the same shall go into or be in effect.

Powers as to streets and alleys.

(h) The power and authority over that part of the streets and alleys of the municipality which abut upon or intersect its navigable waters, lying between the harbor line and the first intersecting street measuring backward from high-water mark, is hereby conferred upon and vested in the dock board, to the extent only that may be necessary or requisite in carrying out the powers elsewhere vested in it by this act; and it is hereby declared that such power shall include the right to build retaining or sea-walls, docks, wharves, piers, or other constructions, including belt railway, across and upon such alleys, and to grade, fill, and pave the same to conform to the general level of the wharf: *Provided only*, that access be provided to the public at the shoreward end thereof.

Officers, employees and agents.

(i) The board shall have the power to employ such officers, employees, and agents as may be necessary in the efficient and economical carrying out of its duties, and to fix and provide for their compensation. All officers, places, and employments in the permanent service of the board shall be provided for by ordinance duly passed by the board, and the same shall be transmitted to the municipal auditor as provided for other ordinances of the board.

Issue of bonds.

(j). For the purpose of raising funds for carrying on its work, which is hereby declared a necessary purpose, the dock board is hereby authorized and empowered, under the name and corporate seal of the municipality, to issue and dispose of bonds, to an extent not exceeding the estimated cost of the work undertaken, bearing not to exceed five per cent per annum interest, payable semiannually. Such bonds may be issued in series as the necessity for the expenditure of money in the progress of the work of the board may arise. Such bonds shall be drawn payable to bearer and shall be styled "Dock Bonds" of the municipality issuing them. They shall be of such denomination as the board may determine, payable in lawful money of the United States, with semiannual interest coupons attached, on July first and January first. They shall be signed by the mayor and countersigned by the auditor of the municipality. They shall be sold in open session after thirty days advertisement to the highest responsible bidder; but the board may reject any and all bids and proceed to readvertise when bids are not satisfactory. The bonds may contain such provisions for their redemption as the board

Interest.

Entitlement.

Denomination.

Authentication.
Sale.

Sinking fund.

may prescribe, but not less than two per cent of the principal thereof shall be annually set aside as a sinking fund and invested in income-bearing securities, such securities in no case to have a date of maturity subsequent to that of the bonds for the payment of which they are to provide. The treasurer of the municipality shall have the care and custody of all moneys received from the sale of said bonds, and shall pay out the same on the authorized warrants of the board, signed by its president and countersigned by its secretary, and not otherwise. The proceeds from the sale of said bonds shall be expended by the board, first, in payment of the expense of the issuance of the bonds; second, for the preparation of the plan provided for in section three of this act; third, for the purchase of lands and docks in pursuance of expropriation or condemnation proceedings; and, fourth, in the construction of retaining sea-walls, docks, basins, piers, slips, wharves, warehouses, and equipment, cranes, belt railway, all other structures and appliances, and in the maintenance, operation, and management of the same, and in the exercise of the general powers of the board: *Provided*, that said issue of bonds shall first be authorized by the board of aldermen and approved by the board of audit and finance.

Treasurer.

Expenditure of proceeds.

Proviso: Authority for and approval of bond issue.

(k) The principal and interest of said bonds shall be paid by preference from the revenues of the dock board of the municipality issuing them, and the net revenue collected by the board, after paying operating expenses, is hereby pledged to secure the principal and interest of said bonds.

Payment of bonds.

(l) The board shall annually make to the board of aldermen of the municipality a full report of its doing for the year, including an itemized account of its receipts and expenditures, and of its estimated expenditures for the ensuing year. Such report shall be made at the same time as reports of the other departments of the municipality are submitted. Such report shall also include a careful estimate of the amount necessary, if any, over and above the net estimated receipts of the board to pay interest and provide for the sinking fund on its bonded indebtedness then outstanding, and to provide for the necessary expenses of the board in the maintenance and operation of dock property. Whereupon a tax levy sufficient to raise the amount named in said estimate of the board shall be made by the municipal council in such manner and at such times as other taxes are levied. The amount of such tax shall in no case exceed one mill upon the assessed valuation of the municipality in addition to the tax necessary to pay the interest and sinking fund on the outstanding bonds of the board.

Annual reports.

Estimates.

Special tax.

Limit of tax rate.

(m) All moneys received by the board shall be paid to the municipal treasurer and by him kept in a separate fund to be known as the "Dock Fund." Disbursements shall be made by the

Dock fund.

Disbursements.

- Audit of books. treasurer on warrants signed by the president and countersigned by the secretary of the board in pursuance of its general purposes and after express authority or ordinance, or resolution of the board. The books of the board shall be audited at least once a year by the municipal auditor, under the direction of the board of aldermen, in such manner and at such times as the board of aldermen may direct or prescribe, and the board of aldermen shall make publication in some newspaper of the county of the receipts and disbursements of the said commission.
- Publication.
- Application. SEC. 4. That this act shall apply to Cumberland County only.
- Repealing clause. SEC. 5. All laws in conflict with this act are hereby repealed.
- SEC. 6. This act shall be in force and effect from and after its ratification.
- Ratified this the 6th day of March, A. D. 1917.

CHAPTER 624

AN ACT TO AMEND CHAPTER 597 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1911, RELATIVE TO CERTAIN CHURCHES IN JOHNSTON, HARNETT, AND SAMPSON COUNTIES.

The General Assembly of North Carolina do enact:

Churches protected.

SECTION 1. That section four of chapter five hundred and ninety-seven of the Public-Local Laws of the session of one thousand nine hundred and eleven be amended by adding after the word "Bethsaida" and before the word "Primitive," in line two thereof, the words, "and Primitive Zion," and by adding at the end of said section four the following: "or any other churches of the same faith and order that may be added or become a member of the Seven Mile Association."

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 625

AN ACT TO AMEND CHAPTER 61, PUBLIC-LOCAL LAWS OF NORTH CAROLINA 1915.

The General Assembly of North Carolina do enact:

Penalties stricken out.

SECTION 1. That section eighteen of chapter sixty-one, Public-Local Laws of North Carolina, be amended by striking out all after the word "county" in line three, down to the word "provided" in line fifteen of said section.

SEC. 2. That this act shall be in force from and after July ^{When act effective.} first, one thousand nine hundred and seventeen.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 626

AN ACT TO REPEAL CHAPTER 636 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1915, ENTITLED "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 chapter six hundred and thirty-six of the ^{Law repealed.} Public-Local Laws of North Carolina for the year one thousand nine hundred and fifteen, entitled "An act to create a recorder's court for the city of Kinston, Lenoir County, North Carolina," be and the same is hereby repealed.

SEC. 2. That this act shall be in force from and after the first ^{When act effective.} Monday in May, one thousand nine hundred and seventeen.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 627

AN ACT TO RELIEVE CITIZENS OF FARMVILLE TOWNSHIP, PITT COUNTY, OF PERSONAL ROAD SERVICE WITHIN THE MEANING OF THE REVISAL, SECTIONS 2715 AND 2726.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after the first day of July, nineteen ^{Road duty abolished.} hundred and seventeen, the citizens of Farmville Township shall not be liable for personal road service within the meaning of section two thousand seven hundred and fifteen and two thousand seven hundred and twenty-six of the Revisal of nineteen hundred and five.

SEC. 2. That sections two thousand seven hundred and fifteen ^{Specific repeal.} and two thousand seven hundred and twenty-six of the Revisal of nineteen hundred and five, in so far as they require personal road service in Farmville Township, Pitt County, are hereby repealed.

SEC. 3. That all laws and clauses of laws in conflict with the ^{General repealing clause.} 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. 1917.

CHAPTER 628

AN ACT TO AMEND SECTION 1, CHAPTER 789 OF THE PUBLIC-LOCAL LAWS OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, SESSION 1913, ENTITLED "AN ACT TO PROMOTE THE TEACHING OF AGRICULTURE AND DOMESTIC SCIENCE IN THE PUBLIC SCHOOLS OF ROCKINGHAM COUNTY."

The General Assembly of North Carolina do enact:

Board of education to establish schools.

SECTION 1. That section one of chapter two hundred and eighty-nine of the Public-Local Laws of the General Assembly of North Carolina, session of nineteen hundred and thirteen, be and the same is hereby amended by striking out the word "commissioners" where it appears partly in the latter part of line two and partly in the beginning of line three in said section one, and insert in lieu thereof the word "education."

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 629

AN ACT TO AMEND CHAPTER 415 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO RECORDER'S COURT OF LEAKSVILLE TOWNSHIP IN THE COUNTY OF ROCKINGHAM.

The General Assembly of North Carolina do enact:

Salary of recorder.

SECTION 1. That section four of chapter four hundred and fifteen of the Public-Local Laws of nineteen hundred and fifteen be and the same is hereby amended by striking out said section four and inserting in lieu thereof the following: "The salary of the recorder shall be fixed and determined by the board of county commissioners, and said salary shall be paid out of the special recorder's court fund of Leaksville Township, as provided in section seven, subsection E, of this chapter, upon order drawn by the recorder in accordance with the provisions made for same by the board of county commissioners. In each case disposed of by the recorder, whether defendant is convicted or pleads guilty, there shall, in addition to other lawful costs, be allowed the following fees for trial and judgment, to be taxed as part of the costs against the defendant, viz.: In all cases within the jurisdiction allowed justices of the peace, both civil and criminal, one dollar and fifty cents; and in all cases above the jurisdiction

Trial fees.

of the justices of the peace and within the jurisdiction of the said recorder's court, two dollars and fifty cents. For preliminary trials in cases above the jurisdiction of the recorder's court, two dollars: *Provided further*, that fees collected as herein provided shall be paid to the clerk of the Superior Court, to be deposited in the special recorder's court fund of Leaksville Township. It is further provided that costs 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 the Superior Court upon order drawn by the recorder, in each case such order to be accompanied by an itemized statement of expenditures covered by the order."

Proviso: Recorder's court fund.

Books and stationery.

SEC. 2. That section seven, subsection C, be and the same is hereby amended by striking out subsection C, in section seven, and inserting in lieu thereof the following: "The board of county commissioners shall, on the first Monday in May, one thousand nine hundred and seventeen, and in the odd years of the calendar thereafter, appoint a prosecuting attorney for the said recorder's court, who shall serve for two years or until his successor be appointed. The prosecuting attorney shall receive the following fees in case of trial and conviction or plea of guilty: The sum of one dollar and fifty cents in all cases within the jurisdiction of justices of the peace, the sum of two dollars and fifty cents in all cases above the jurisdiction of justices of the peace and within the jurisdiction of the said recorder's court, and the sum of two dollars in the preliminary trials in cases above the jurisdiction of the recorder's court, provided the defendant is convicted in the Superior Court: *Provided further*, that no fee shall be allowed the prosecuting attorney in cases that come under the juvenile clause of this bill. That all such fees shall be collected in the same manner as other costs and paid over to the prosecuting attorney by the recorder."

Prosecuting attorney.

Fees.

Proviso: Juvenile cases.

SEC. 3. That section eleven, subsection B, be and the same is hereby amended by adding at the end of subsection B the following: "*Provided*, in case of acquittal the jury tax, in case of jury trial, shall be paid out of the special recorder's court fund of Leaksville Township, by order drawn by the recorder."

Proviso: Jury tax on acquittals.

SEC. 4. That section sixteen be and the same is hereby amended by adding after the word "necessary," in line four, the following: "Such officers so appointed by said recorder shall serve for the period of time indicated by the recorder at the time of appointment, such authority to be in writing: *Provided, however*, such appointment shall not extend beyond the expiration of said recorder's term of office."

Term of appointive officers.

Proviso: Limit.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 630

AN ACT TO REPEAL CHAPTER 185 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915.

The General Assembly of North Carolina do enact:

- Specific repeal. SECTION 1. That chapter one hundred and eighty-five of the Public-Local Laws of North Carolina be and the same is hereby repealed.
- Width of wagon tires. SEC. 2. That the board of county commissioners of Montgomery County may regulate the width of wagon tires to be operated upon the public roads of said county and may make such other and further regulations relative to wagons and wagon tires as to them may seem necessary for the protection of the public roads of said county.
- Misdemeanor. SEC. 3. That any person, firm, or corporation violating any of the provisions enacted by the board of county commissioners of Montgomery County under the authority contained in 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. SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.
- Repealing clause. SEC. 5. That this act shall be in full force from and after its ratification.
- Ratified this the 6th day of March, A. D. 1917.

CHAPTER 631

AN ACT TO ESTABLISH A COUNTY INDUSTRIAL HOME FOR GIRLS AND WOMEN IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

- Incorporation and corporate names. SECTION 1. That a corporation to be known and designated as The County Industrial Home for Girls and Women be and the same is hereby created, and as such corporation it is authorized and empowered to accept and use donations and appropriations and to do all things necessary and requisite to be done in furtherance of the purposes of its organization and existence as hereinafter set forth.
- Corporate powers. SEC. 2. That said institution shall be under the control and management of a board of seven managers, one of whom shall be a practicing physician of experience and especially qualified for the work required to be performed by the physician of this institution, three of whom shall be women, and the remainder of
- Board of managers.

said board shall be composed of men, and all of said managers shall be appointed by the governing body of the county of Buncombe and the governing body of the city of Asheville jointly, and shall hold their term of office as follows: two members of the board to be appointed for two years; two members of the board to be appointed for four years; three members of the board to be appointed for six years; and that all vacancies shall be filled by the city and county commissioners jointly.

Appointment and terms of office.

SEC. 3. Said board of managers shall decide upon the location of the institution and secure necessary real estate for the same, with the money or other property which the corporation may have received for that purpose either by donations from individuals or appropriations from the county of Buncombe and city of Asheville. Said board of managers shall, after having secured the land, proceed to erect on said real estate buildings suitable for carrying out the purpose for which the corporation is created.

Location.

Purchase of land.

Erection of buildings.

SEC. 4. That the board of managers shall have the general superintendence, management, and control of the said institution; of the grounds and buildings, offices, and employees thereof; of the inmates therein and all matters relating to the government, discipline, contracts, and fiscal concerns thereof, and may make such rules and regulations as may seem to them necessary for carrying out the purposes of the institution. And the board shall have the right to keep, restrain, and control the inmates of the institution until such time as the board may deem proper for their discharge under such proper and humane rules and regulations as the board may adopt. The board shall endeavor, as far as possible, to classify the inmates and keep the different classes in separate wards or divisions, so as to produce the best results in the reformatory work. The board of managers shall constitute a board of parole of the institution, and shall have the power to parole and discharge the inmates under such rules and regulations as the board may prescribe; that no person shall be admitted or discharged from said institution except upon the certificate of the physician as to her mental and physical condition. It is provided, however, that both white and colored shall be taken care of in said institution, but the races shall be kept separate and apart.

Management and control of institution.

Restraint and control of inmates.

Classification of inmates

Board of parole.

Mental and physical condition.

Care and segregation of races.

SEC. 5. The board of managers shall appoint from among its members a president, a secretary, and a treasurer, who shall hold office for one year from the date of the appointment; and if the board deem it proper to do so, the office of secretary and treasurer may be combined in one. The board shall also appoint a superintendent, who shall be a woman of experience and scientific training. The board shall fix the compensation of the superintendent and all officers and employees of the institution, and shall prescribe the duties of each one. The board shall further

Organization.

Superintendent.

Compensation.

By-laws.

adopt such by-laws as in the judgment of the board may be necessary, fixing the time and place of the meeting of the board and making such provisions as may be necessary for the proper management of the institution.

Persons to be sentenced.

SEC. 6. Any female who may come before or who may be brought before any court of Buncombe County or police court of the city of Asheville, and may either have confessed herself guilty or have been convicted of being an habitual drunkard, or being a common prostitute, or of frequenting disorderly houses or houses of prostitution, or vagrancy in any of its phases wherein it is made a violation of the law, or any other misdemeanor wherein there is any immorality or immoral conduct in any way connected with said misdemeanor, may be committed by such court for confinement in the institution aforesaid; and *Provided*, that before sentencing such female to confinement in said institution the court shall ascertain whether the institution is in a position to care for such person, and it shall be at all times within the discretion of the board of directors as to whether the board will receive any female in the institution. No commitment shall be for any definite term, but any female so committed may be paroled or discharged at any time after her commitment by the board of managers, but no inmate shall be in any case detained longer than three years. When any female shall come before any court for the purpose of confessing guilt or for trial, the court shall, as far as feasible and as far as consistent with public policy, give a private hearing and in all respects avoid unnecessary publicity in connection with the proceedings before the court.

Receipt of females discretionary.

Indeterminate sentences. Parole or discharge.

Limit of detention. Private hearings.

Voluntary inmates.

SEC. 7. In addition to caring for such females as may be committed to said institution by the order of court, the board of managers may, in the discretion of the board, receive into the institution any female over the age of twenty-one who may have in writing confessed herself guilty of any offense or any wayward conduct and may in writing express her desire to become an inmate of such institution; but the board shall not admit any such female unless upon examination of such female, freely and voluntarily held under the direction of the board, the board shall conclude that confinement in said institution will probably aid in the reformation of such female. Any female becoming an inmate of the institution under the provisions of this section shall be subject to the same rules and regulations as those who have been committed by order of the courts and shall be detained for such time as the board in its judgment may deem best, not exceeding, however, the term of three years.

Examination before admission.

Detention of voluntary inmates.

Juvenile delinquents.

SEC. 8. That the provisions of chapter two hundred and twenty-two of the Public Laws of one thousand nine hundred and fifteen, or any amendments thereto, pertaining to the reclamation

and training of juvenile delinquents, shall apply to young girls and any court before whom a young girl is brought, pursuant to the provisions of said chapter, may be by order of the courts placed in the institution herein established, and shall be subject to all the provisions of law relating thereto.

SEC. 9. The board of managers may conditionally discharge any female at any time, and if any such female shall violate any condition of her parole, or shall violate any condition upon which she has been discharged, or if any inmate escape from the institution, the board of managers may cause any such female to be rearrested and returned to the institution and be detained therein for the unexpired portion of her term, dating from the time of her parole, conditional discharge, or escape. The board of managers is empowered to issue to any such person designated by the board of commitment, signed by the president and attested by the secretary, and having attached thereto the common seal of the corporation, by the terms of which commitment such person may be authorized and empowered to apprehend any female who may have violated her parole or any condition of her discharge, or that may have escaped, and carry such person back to said institution. Such commitment shall briefly state the reason for the issuance of the same, and the person designated to execute the same may execute it in any county of the State: *Provided*, that nothing herein shall be construed to allow any judge of any court to commit to said institution any virtuous female.

Conditional discharges.

Re-arrests.

Commitments issued by boards.

Proviso: Virtuous females.

SEC. 10. The board of managers of the institution is authorized and empowered to establish and maintain within said institution an industrial school, and shall provide for the safe-keeping and employment of the inmates for the purpose of teaching each of them a useful trade or profession and improving her mental and moral condition. If the board of managers sees fit, the board may pay each inmate reasonable compensation for labor performed, after deducting such sum of money as the board may deem reasonable for necessary expenses of maintenance and discipline. To secure the safe-keeping, obedience, and good order of the inmates, the superintendent shall have the same power as to such inmates as keepers of jails and other penal institutions possess as to persons committed to their custody.

Industrial school.

Pay of inmates.

Powers of superintendent.

SEC. 11. That the county commissioners of Buncombe County and the city commissioners of the city of Asheville are hereby empowered to appropriate, for the purchase of a site for said institution and for erecting said buildings and improvements on said property, the sum of five thousand dollars each; and said board of county commissioners and city commissioners are jointly empowered and required to equally contribute to the

Appropriations authorized.

maintenance and expense of running said institution. Said board of directors are authorized to take said money so appropriated or whatever may be necessary, and properly equip said institution, and are authorized and empowered to receive from outside gifts or donations, any sum or sums of money or property, together with the sum appropriated by the county of Buncombe and the city of Asheville, shall purchase, erect, and equip necessary buildings as herein provided; and should there be any surplus, said surplus shall be expended from time to time as may be necessary in defraying the expenses of said institution. The money appropriated and donated shall be paid to the treasurer for the institution when the board of commissioners of Buncombe County and the governing body of the city of Asheville shall have ascertained that the preliminary requirements of this act have been complied with in respect to the appointment and organization of this board of managers. The joint board of commissioners shall, within sixty days after the ratification of this act, appoint the board of managers herein provided, and said board of managers shall immediately organize and begin its work.

Outside gifts.

Surplus.

Payment of appropriation.

Time of appointment and organization of managers.

SEC. 12. This act shall be in force from and after the date of its ratification.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 632

AN ACT RELATING TO THE SALARIES OF THE COUNTY OFFICERS OF VANCE COUNTY.

The General Assembly of North Carolina do enact:

Salary of deputy sheriff.

SECTION 1. That chapter seven hundred and seventy-one of the Public-Local Laws of one thousand nine hundred and fifteen be amended as follows: In lines two and three of section five of said chapter strike out the words "and he shall be allowed one deputy at a salary of seven hundred and fifty dollars per annum," and insert in lieu thereof the words, "and the said sheriff may appoint one deputy at a salary to be fixed by the board of county commissioners at a sum not to exceed nine hundred dollars per annum; the salary so fixed to be paid to the said deputy monthly."

Salary of jailer.

SEC. 2. That section five (a) of said chapter seven hundred and seventy-one be amended by inserting after the word "commissioners" and before the comma in line three the following words: "not to exceed six hundred dollars per annum."

SEC. 3. That section six of chapter seven hundred and seventy-one of the Public-Local Laws of one thousand nine hundred and fifteen be stricken out and the following substituted therefor:

"Sec. 6. That the clerk of the Superior Court of Vance County shall receive a salary of eighteen hundred dollars (\$1,800) per annum as full compensation for his services as clerk of said Superior Court and as clerk of the recorder's court of said county." Clerk of superior court.

SEC. 4. That section seven of chapter seven hundred and seventy-one of said Public-Local Laws of one thousand nine hundred and fifteen be stricken out and the following substituted therefor:

"Sec. 7. That 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. In the event that the county commissioners do not elect a county auditor, as authorized by chapter seven hundred and seventy-one of said Public-Local Laws of one thousand nine hundred and fifteen, the register of deeds may appoint a deputy register of deeds, whose compensation shall be fixed by said commissioners at a sum not to exceed nine hundred dollars (\$900) per annum. And it shall be the duty of the register and his deputy, in addition to other duties incident upon their offices, to make out the tax sheets or books of the county, without extra compensation: *Provided*, that in the event the register of deeds finds it necessary to employ extra help in making up the tax books, the county commissioners are hereby authorized to fix the compensation of such extra clerks or assistants as the said register may find it necessary to employ, but in no event shall more than two hundred dollars be allowed annually for this extra help." Register of deeds.
Deputy.
Proviso: Assist-
ance on tax
books.

SEC. 5. That the following section be added after section seventeen of said chapter seven hundred and seventy-one:

"Sec. 17a. That the county commissioners shall require of all deputy sheriffs and deputy clerks such bonds as they may deem necessary, where such bonds are not already required by law. Said commissioners may, in their discretion, order the payment of the actual cost of the bonds of all county officers and their deputies out of the county salary fund. But the said commissioners are expressly forbidden to pay out of the public funds any salary or fees to the sheriff, register of deeds, clerk of court, or their deputies, except such salaries or fees as are specifically provided for by chapter seven hundred and seventy-one of the Public-Local Laws of one thousand nine hundred and fifteen and the amendments thereto provided for in this act: *Provided*, that where a deputy had already been appointed by the sheriff or register of deeds prior to March first, one thousand nine hundred and seventeen, the salary provided for in this act may be Deputies to give
bonds.
Extra allowances
forbidden.
Proviso: Deputies
heretofore ap-
pointed.

Receipt of extra
compensation for-
bidden.

paid to said deputy as of date of his appointment and actual service. And said county officers and their deputies are expressly forbidden to receive from the public funds of the county or from fees which by law are paid into their respective offices any other compensation for the work required of their offices other than such as is specifically provided by chapter seven hundred and seventy-one of the Public-Local Laws of one thousand nine hundred and fifteen and the amendments thereto provided for in this act."

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

Ratified this 6th day of March, A. D. 1917.

CHAPTER 633

AN ACT TO PROVIDE FOR THE SAFETY OF THE ROADS OF MCDOWELL COUNTY.

The General Assembly of North Carolina do enact:

Means to insure
safety.

SECTION 1. That the road officials of the several townships of McDowell County are hereby authorized and directed to provide suitable means to insure the safety of the public traveling over the roads of such townships by erecting, where necessary, substantial railings, walls, or other suitable structures for this purpose: *Provided*, that if the road officials of any township, then upon petition of twenty-five freeholders of the county, who are patrons of the road in question, the said road officials shall within thirty days begin to erect such satisfactory railings, walls, or other suitable structures for this purpose; that if any of said road officials shall violate the provisions of this act he or they shall be guilty of a misdemeanor, and, upon conviction, fined not exceeding ten dollars.

Proviso: Time for
beginning work.

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. 1917.

CHAPTER 634

AN ACT TO AMEND CHAPTER 639, PUBLIC-LOCAL LAWS, SESSION 1915.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That chapter six hundred and thirty-nine be amended as follows: by striking out the word "February" in line three and insert in lieu thereof the word "January."

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

SEC. 3. That this act shall be in force from and after the first When act effective. day of February, one thousand nine hundred and seventeen.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 635

AN ACT TO APPOINT TWO MEMBERS OF THE ROAD COMMISSION FOR UPPER FORK TOWNSHIP IN BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Willie Mace and W. A. Cook be and they are Appointments. hereby appointed members of the road commission for Upper Fork Township in Burke County for a term of two years from Term. and after April first, one thousand nine hundred and seventeen.

SEC. 2. That all laws and clauses of laws in conflict with this Repealing clause. 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. 1917.

CHAPTER 636

AN ACT TO ESTABLISH THE OFFICE OF PUBLIC DEFENDER OF NEW HANOVER COUNTY AND TO PRESCRIBE THE DUTIES THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That in order to provide legal assistance and Office created. proper defense for impecunious and indigent persons, who are unable by reason of their poverty to employ counsel, and who stand charged with the commission of crime and violation of the criminal law before the several criminal courts inferior to the Superior Court, in New Hanover County, the office of public defender of New Hanover County is hereby created and established.

The incumbent of said office shall be an attorney at law practicing in the courts of New Hanover County and a citizen of said county; and the term of office of said public defender shall be for two years and until his successor is elected and qualified as provided in this act: *Provided*, the attorney herein appointed public defender shall hold said office until the first Monday in December, one thousand nine hundred and eighteen, and until his suc-

Qualification and term.

Proviso: Term of first incumbent.

Election of successor.

cessor, who shall be elected in the next general election of New Hanover County, shall qualify.

Information to
be furnished.

SEC. 2. That it shall be the duty of the recorder, the several justices of the peace, and other presiding officers of the various courts having criminal jurisdiction in New Hanover County, inferior to the Superior Court, to furnish the said public defender with the name or names of indigent and impecunious defendants brought to trial in their respective courts, the crimes with which said defendants are charged, and the time and place of trial: *Provided*, it shall be the duty of the recorder, justice, or other presiding officer of said criminal courts, before furnishing the name or names of indigent defendants to the said public defender, to first ascertain, by oath, affirmation, or otherwise, to his satisfaction, that such defendant or defendants are indigent, impecunious, and unable by reason of poverty to employ counsel to conduct their defense, and that said defendants are in need of legal advice and assistance in the conduct of their trial.

Provide: Investi-
gation.

Duty of defender.

SEC. 3. That upon receipt of a certificate from the recorder, justice, or other presiding officer of any criminal court, inferior to the Superior Court, of New Hanover County, setting forth the name of any indigent person appearing as defendant in said courts, the crime with which such defendant stands charged and the time and place of trial, as provided in section two hereof, it shall be the duty of the public defender to immediately interview the said defendant or defendants, cause necessary witnesses for the defense to be summoned, take such proper and needful steps as he may deem necessary toward furthering the administration of justice, and shall appear at the trial, examine witnesses, and conduct the defense of such indigent defendants, to the end that complete justice may be done and a fair and impartial trial had according to law.

Appearance as
prosecutor and
receipt of fees
forbidden.

SEC. 4. It shall be unlawful for the public defender to appear as prosecutor in any criminal hearing before any court, inferior to the Superior Court, exercising criminal jurisdiction in New Hanover County, or to receive, directly or indirectly, any fee or reward, other than the salary herein provided, for his services as public defender or as counsel for any person or persons who may be charged before said inferior courts with violation of the criminal law of this State.

Salary.

SEC. 5. That the public defender herein provided for shall receive as full compensation for his services an annual salary of not less than six hundred dollars and not more than twelve hundred dollars, payable in equal monthly installments, and the amount of said salary, within said limits, shall be fixed by the board of commissioners of New Hanover County. The salary herein provided shall be paid by the treasurer of New Hanover County to said public defender in equal monthly installments,

Payment of salary.

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 general fund of New Hanover County and shall be paid out of such general county fund.

SEC. 6. That W. F. Jones, a practicing attorney of New Han- Appointment.
over County, is hereby appointed public defender, and he shall Oath of office.
qualify by subscribing to an oath, before the clerk of the Superior Court of New Hanover County, to support the Constitution of the United States, the Constitution and laws of North Carolina, and to perform the duties herein defined to the best of his ability, and he shall hold office until the first Monday in December, one Term.
thousand nine hundred and eighteen, and until his successor is elected and duly qualified; that at the general election of one Elections.
thousand nine hundred and eighteen in said county, and every two years thereafter, a suitable person shall be elected public defender by the qualified voters of said county, at the same time, in the same manner, and for the same term as is provided by law for the election of the county solicitor of New Hanover County. In the event that the public defender herein appointed, or his Vacancies.
successors, shall fail to qualify, or are unable for any reason to discharge the duties of said office, it shall be the duty of the board of commissioners of New Hanover to appoint some suitable person to fill out the unexpired term.

SEC. 7. That any willful violation of section four hereof shall Misdemeanor.
constitute a misdemeanor, and upon conviction thereof the party Punishment.
so convicted shall be fined not less than fifty dollars and not more than one hundred dollars, and shall forthwith be removed from office by the county commissioners.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 637

AN ACT TO FIX THE PAY OF THE TREASURER OF ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the treasurer of the county of Alexander Annual salary.
shall receive for his services in lieu of commissions the sum of three hundred and fifty dollars annually, the said sum to be retained by said treasurer in his annual settlement, and he shall receive no further compensation for his services as such treasurer.

When act effective. SEC. 2. That this act shall be in force from and after the first Monday in December, one thousand nine hundred and eighteen, but shall not apply to the incumbent's present term.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 638

AN ACT REPEALING CHAPTER 631, PUBLIC-LOCAL LAWS 1911, AND ALSO CHAPTER 388, PUBLIC LAWS 1903, BEING SPECIAL ROAD LAWS FOR ROCKINGHAM COUNTY ONLY.

The General Assembly of North Carolina do enact:

Laws repealed.

SECTION 1. That chapter six hundred and thirty-one, Public-Local Laws nineteen hundred and eleven, North Carolina, together with the amendments thereto, in so far as applies to Rockingham County, be and they are hereby repealed.

Laws repealed.

SEC. 2. That chapter three hundred and eighty-eight, Public Laws of nineteen hundred and three (1903), together with all amendments thereto, so far as they relate to Rockingham County, be and they are hereby repealed.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 639

AN ACT TO AMEND HOUSE BILL 133, SENATE BILL 152, PASSED BY THE GENERAL ASSEMBLY 1917, RELATING TO MAINTENANCE OF ROADS IN ORANGE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That House bill one hundred and thirty-three, Senate bill one hundred and fifty-two, passed by the General Assembly of one thousand nine hundred and seventeen, and ratified on the eighth day of January, one thousand nine hundred and seventeen, is herewith amended by adding after section seven the following:

Modification by county commissioners.

"Sec. 7. The provisions of this act in regard to the maintenance of the highway leading from the Durham line via Hillsboro to Alamance County line, from the Durham line via Chapel Hill to Alamance County line, may, at the discretion of the board of county commissioners, be modified in such way as they may deem wise to enable them to obtain the assistance of the State

Highway Commission or the Federal Government in the maintenance of these two highways.”

And further amend by adding at the end of section five of said act the following: “*Provided*, the said board may, in their discretion, appoint two inspectors for Chapel Hill Township, and apportion the territory between the two inspectors.” Proviso: Inspectors.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 640

AN ACT TO REPEAL SECTION 2 OF THE ROAD LAW OF WAKE COUNTY, PASSED BY THE GENERAL ASSEMBLY OF 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate bill eighty-five, House bill four hundred and eighty-four, and Senate bill five hundred and four, House bill two hundred and thirty-nine, passed by the General Assembly, session one thousand nine hundred and seventeen, be and the same are hereby amended by striking out of each of said bills section two thereof. Laws amended.

SEC. 2. That section six, chapter four hundred and thirty-nine of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby reënacted. Control and discipline of convicts.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 641

AN ACT TO AUTHORIZE THE AUDITING OF THE BOOKS OF THE VARIOUS COUNTY OFFICERS OF DAVIE COUNTY AND THE FLOOD MONEY GIVEN OUT DURING THE YEAR 1916.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Davie County are authorized, empowered and directed to employ a competent auditor to audit the books of the various county officers of Davie County, including the board of education and the county superintendent of schools, going back as far as one thousand nine hundred and nine, and farther if they see fit, and the flood money given out during the year one thousand nine hundred and six- Employment of auditor directed. Extent of audit.

Limit of expense. teen, and they shall expend therefor a sum not exceeding five
 Time of beginning hundred dollars (\$500). The commissioners shall have the work
 work. begun within six months from ratification.

Selection of au- SEC. 2. That the said auditor shall be chosen by the chairman
 ditor. of the board of county commissioners, and he, the said chairman,
 Payments author- shall have three dollars (\$3) per day and mileage for time
 ized. actually engaged in looking after the work of the auditor; and
 when the auditor's work is complete he shall go over it with him.

Statement of find- When the said auditor has completed his work he shall file a
 ings. verified statement of his findings, which statement shall be
 spread upon the minutes of the said board of county commis-
 sioners, when approved by them, and become permanent record of
 this office open to the general public every time the county com-
 missioners meet.

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. 1917.

CHAPTER 642

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
 OF THE TOWN OF STANTONSBURG TO ISSUE BONDS IN
 THE SUM OF \$10,000 FOR THE CONSTRUCTION AND
 MAINTENANCE OF A WATER AND SEWERAGE SYSTEM;
 TO ISSUE BONDS IN THE SUM OF \$10,000 FOR STREET
 IMPROVEMENTS, AND TO ISSUE BONDS IN THE SUM OF
 \$5,000 FOR THE IMPROVEMENT AND MAINTENANCE OF
 AN ELECTRIC LIGHT PLANT IN SAID TOWN.

Preamble. Whereas the town of Stantonburg in the county of Wilson is
 without proper water and sewer facilities, and is likewise in need
 of street improvements and improvements and maintenance of
 its present electric light plant, all of which are public necessities
 to said town: Now, therefore,

The General Assembly of North Carolina do enact:

Bond issue au- SECTION 1. That the board of commissioners of the town of
 thorized. Stantonburg be and it is hereby authorized, empowered and di-
 Total amount. rected to issue, to a total amount not exceeding twenty-five
 Bonds for water- thousand dollars, certain bonds, as follows: Bonds in the sum
 works and sewer- of ten thousand dollars to establish and operate a system of
 age. waterworks and sewerage; bonds in the sum of ten thousand
 Bonds for street dollars for street improvements; and bonds in the sum of five
 improvements. thousand dollars for improvement of its present electric light
 Bonds for electric plant, all of which bonds are to be used to establish, construct,
 light plant. purchase, improve, or otherwise secure and maintain a system

of waterworks and sewerage, electric lights, and street improvements in and for the said town. The said bonds are to be in the name of the said town and in such denominations and in such form as said board of commissioners may determine. Denominations.

SEC. 2. That the said bonds shall be payable or redeemable at such place or places and at such time or times as may be determined on by the said board of commissioners, not exceeding twenty-five years from the date thereof. Maturity.

SEC. 3. That said bonds shall bear interest at a rate of not to exceed six per cent per annum from the date thereof, with interest coupons attached, payable semiannually, at such place or places as may be deemed advisable by the said board of commissioners. Interest.

SEC. 4. That none of the bonds authorized by this act shall be disposed of, either by sale, exchange, or otherwise, for a less price than their par value, nor shall said bonds or their proceeds be used for any other purpose than those declared in section one of this act. Sale below par forbidden.
Specific appropriation.

SEC. 5. That the said board of commissioners shall issue bonds not exceeding said amount of ten thousand dollars for waterworks and sewerage, ten thousand dollars for street improvements, and five thousand dollars for electric lights, which said bonds shall be signed by the mayor, attested by the town clerk, and sealed with the corporate seal of said town, and the signature of the said mayor and town clerk printed or lithographed with the coupons attached to said bonds, and the said bonds and coupons shall become exempt from town taxes until they shall become due and tender of payment shall have been made; and the said bonds shall be receivable in payment of town taxes or any other debt due said town. Issue of bonds.
Authentication.
Exemption from town tax.
Receivable for debts to town.

SEC. 6. That the clerk of the town of Stantonsburg shall provide a record in his office in which shall be entered and kept the names of all purchasers of the said bonds and the number and amount of the bonds purchased, and also a record of any and all bonds redeemed, together with the date of their redemption. Record of bonds.

SEC. 7. That for the purpose of providing for the payment of said principal and the coupons attached to said bonds as the same shall become due, the said board of commissioners of said town is hereby authorized and empowered to levy and cause to be collected annually, as other municipal taxes are collected, a tax not to exceed sixty cents on the one hundred dollars assessed valuation on all the property, real and personal and mixed, choses in action and solvent credits, and not to exceed one dollar and eighty cents on all taxable polls in said town; and also, before the maturity of the principal of said bonds and for a sufficient length of time prior thereto, it shall be the duty of the board of commissioners of said town to set apart such proportion of the Special tax.
Sinking fund.

- foregoing levy each year as may be necessary to pay off said principal at its maturity, and under such levy the constitutional equation between polls and property shall be preserved, and the taxes so collected and levied shall be kept separate from all other taxes, and shall be used for no other purpose than for the establishment, construction, purchase, and maintenance of a system of waterworks and sewerage, street improvements and improvements and maintenance of the present electric light plant for said town.
- SEC. 8. That the board of commissioners of said town shall have the authority to establish, construct, purchase, and equip, operate, and at all times maintain such system of waterworks and sewerage and make said street improvements within said town, as well as to improve, equip, operate, and maintain the present electric light plant in and near the said town, including all machinery and appliances necessary and pertinent to the same; and it shall have full power to purchase and condemn real estate for the said purpose, and to hold such real estate and personal property, and to acquire all such rights and privileges as may be deemed right to enable it to build, erect, equip, establish, and operate and maintain such system of waterworks and sewerage, together with improvements on the present electric light plant and also the streets of the said town in such manner as to secure full benefit thereof to said town and to its customers within or near said town.
- SEC. 9. That the board of commissioners of said town are authorized to charge its inhabitants for the use of said waterworks and sewerage and electric lights, each or all, by private persons in said town, a uniform rate, to be prescribed by the board of commissioners, and the receipts arising from said rental shall be kept by the treasurer of said town and shall be applied to the payment of the operating expenses thereof and interest on said bonds, and to provide a sinking fund for the payment of the principal of said bonds.
- SEC. 10. That for the purposes aforesaid the said board of commissioners shall have the right to enter upon the land of all persons, firms, and corporations within or without the limits of said town of Stantonsburg for the purpose of making surveys, laying and putting down pipe drains and appliances, erecting poles and hanging wires for the purpose of constructing and maintaining said system of waterworks and sewerage and electric light plant, and for the purpose of erecting any reservoir or any necessary building or doing any other act necessary to be done in the erection and maintenance of said system, and may condemn such real estate, easement, or interest in land that may be necessary to properly and effectively carry out the purposes of this act.
- Constitutional equation.
Taxes kept separate.
Specific appropriation.
- Establishment and maintenance of plants.
- Purchase of real estate.
- Easements.
- Water, sewerage and light rates.
- Application of receipts.
- Entry on lands.
- Right of condemnation.

SEC. 11. That when any person or persons whose lands are taken, used, and condemned under the provisions of this act claim damages therefor, such person shall within thirty days of the time when same is so taken apply in writing to the board of aldermen of the town of Stantonsburg for the payment of damage claimed therefor. In the event the claimant and the board of commissioners are unable to agree upon the amount of said damage, then the said board of commissioners and the claimant shall each select an arbitrator who shall be a freeholder and citizen of the said town, which arbitrators shall select a third person to act as umpire, who shall likewise be a freeholder of said town, and the three shall, after notice to the claimant and said board of commissioners, examine the lands condemned, and ascertain the damage sustained, and the special benefits, if any, accruing to the owner in consequence of the taking of his land for the purposes aforesaid, which special benefit shall be deducted from the damages, and shall make their report in writing to the said board of commissioners, assessing the amount to be paid such claimant, if any. The award shall be paid by said commissioners out of the funds provided for the erection and operation of said system. That each party shall be bound by the said arbitration.

Presentation of claims.

Assessment by arbitration.

Payment of award.

Arbitration final.

Obligation of purchasers relieved.

SEC. 12. That nothing in this act shall be construed to require the purchasers of said bonds to see that the purchase money paid therefor is applied for the purposes prescribed in this act.

SEC. 13. That before selling any of said bonds the board of commissioners of the town of Stantonsburg shall advertise the same for thirty days immediately preceding the day of sale in some newspaper published in Wilson County, and such other papers as in its discretion it may deem best, giving the time and place where bids will be opened for the sale of said bonds and the terms upon which said bonds are issued: *Provided*, that the said board of commissioners shall have the right in its discretion to reject any and all bids for said bonds.

Advertisement and sale of bonds.

Proviso: Right to reject bids.

SEC. 14. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 643

AN ACT TO ABOLISH THE RECORDER'S COURT OF HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after December first, one thousand nine hundred and eighteen, the court known as recorder's court

Court abolished.

Transfer of pending cases.

in Hyde County shall be abolished and all matters therein pending be transferred to the Superior Court of said county.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 644

AN ACT FOR THE LEVYING OF A SPECIAL TAX FOR MAINTAINING AND BUILDING BRIDGES IN CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

Special tax authorized.

SECTION 1. That the board of county commissioners of Chatham County are hereby authorized and empowered to levy a special tax, at the time for levying the other taxes for said county, and annually thereafter, not to exceed fifteen cents on the one hundred dollars worth of taxable property in said county for the purpose of constructing, repairing, and maintaining bridges in said county.

Limit of rate.

Purpose.

Collection.

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 6th day of March, A. D. 1917.

CHAPTER 645

AN ACT TO AMEND CHAPTER 46, PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE ROAD LAW FOR LENOIR COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter forty-six Public-Local Laws of North Carolina, which said chapter is an act entitled "An act to revise and amend the road law of Lenoir County, for the better maintenance and more permanent construction of public roads of said county," be and it is hereby amended in the following manner, to wit: That the word "thirty cents" in line seven in said section be stricken out and the words "forty cents" be substituted therefor. And further, that the words "ninety

Tax rate.

cents" in line nine of said section be stricken out and the words "one dollar and twenty cents" be substituted therefor.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 646

AN ACT RELATIVE TO ISSUING BONDS FOR BRIDGES IN CLEVELAND COUNTY, IT BEING HOUSE BILL 529, SENATE BILL 13, RATIFIED THE 5TH DAY OF MARCH, 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That nothing contained in House bill five hundred and twenty-nine, Senate bill thirteen, it being an act relative to issuing bonds in Cleveland County and which act was ratified the fifth day of March, one thousand nine hundred and seventeen, shall in any way repeal or affect any provision of a former bill relative to the issue of bonds for bridges in Cleveland County, it being House bill one thousand four hundred and eleven, Senate bill one thousand three hundred and fifty, ratified the fifth day of March, one thousand nine hundred and seventeen. Effect of act.

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. 1917.

CHAPTER 647

AN ACT TO PROVIDE FOR THE WORKING OF PUBLIC ROADS IN CHATHAM COUNTY AND THE ISSUE OF BONDS FOR THE SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That upon a petition in writing presented by not less than twenty per cent of the qualified voters of any township, estimated on the basis of the votes cast for Governor at the last general election, to the board of county commissioners of Chatham County, asking for an election to be held in such township to submit to the qualified voters thereof the question whether there shall be an increase in the levy of taxes for road purposes, whether road bonds shall be issued and taxes levied to pay the interest thereon and for their redemption, or whether there shall be a road district and commission established for such township, it shall be and is hereby declared to be the duty Petition for election.
Call for election.

of the board of county commissioners to call an election to be held in such township within sixty days from the time such petition is presented.

Object of election. SEC. 2. The petition may ask for the submission of any one or more of the three questions above stated, and shall state the object or objects of the election. If the petition includes the submission of the question of an increase in the levy of taxes for road purposes, it shall state the rates of the taxes on property and polls, the constitutional equation being observed. If the petition includes the submission of the question of a bond issue, it shall state the amount of bonds and the term they are to run, which shall not exceed fifty years nor exceed the sum of fifty thousand dollars at any one time in any one township. And if the petition includes the submission of the question of the establishment of a road district and commission, it shall state whether the commission shall consist of three or five members.

Petition for tax levy.

Petition for bonds.

Petition for road districts.

Law governing elections. SEC. 3. An election called under the conditions prescribed by sections one and two of this act shall be conducted in the manner and be subject to the same rules and regulations as are or may be provided for the election of township officers by the general election laws, unless in any manner otherwise provided for in this act. Such election shall be held after thirty days notice thereof, specifying the rates of the special taxes for road purposes proposed, the amount of the proposed bond issue, and the number of road commissioners to compose the board proposed, as the case may be, which notice shall be posted at the courthouse and at every precinct in the township where said election shall be held, and be published in four issues of some newspaper published in the county, if the board of county commissioners so order. And at such election, at each precinct, a ballot box shall be provided labeled "Road Election," into which any qualified voter favoring the purpose of the petition may cast a written or printed ballot with the words "For Taxation," "For Bonds," or "For Road Commission" thereon; and those of a contrary opinion shall cast a written or printed ballot with the words "Against Taxation," "Against Bonds," or "Against Road Commission," according to the question or questions submitted at such election.

Notice of election.

Ballot box.

Ballots.

Effect of election favoring tax levy. SEC. 4. If at such election the question of an increase in the levy of taxes for road purposes be submitted, and a majority of the qualified voters of the township vote "For Taxation," it shall then be the duty of the board of county commissioners, at the regular time for levying taxes, to levy annually a special tax at the rates stated in the petition, on which such election was held, which taxes shall be collected in the same way and manner as other taxes are collected; and if there be no road commission for such township established under the provisions of this act,

or under some law hereafter enacted, the board of county commissioners shall keep such taxes as a separate fund for road purposes in such township.

SEC. 5. If at such election the question of an issue of road bonds is submitted, and a majority of the qualified voters of the township vote "For Bonds," it shall then be the duty of the board of county commissioners of Chatham County to issue bonds to the amount stated in the petition. Such bonds may be in the denomination of five hundred or of one thousand dollars, as the board of commissioners may determine, shall be serial bonds finally redeemable within the time stated in the petition, shall bear interest not exceeding six per cent, shall not be sold below par, and shall be sold only at public sale and after due advertisement. Such bonds shall be issued and sold only as the funds are needed in the township for the purposes indicated herein. In the event of such issue of bonds, it shall be the duty of the board of county commissioners to levy annually in the township for which such bonds were issued and sold a tax at such rates on property and polls, observing the constitutional equation, as will produce sufficient revenue to pay the interest on outstanding bonds and to provide a sinking fund for the redemption of such bonds from time to time as they shall fall due.

Effect of election favoring bonds.

Denomination of bonds.

Interest.

Sale below par forbidden.

Issue and sale.

Special tax.

SEC. 6. That the board of county commissioners so issuing bonds shall provide a record which shall be kept by their clerk, in which shall be entered the name of every purchaser of a bond, the number of the bond purchased, the date of issue, when due, rate of interest, the township on account of which the bond is issued, and the amount received for said bond. They shall also cause to be kept a record of all proceedings and elections, as well as a record of the bonds redeemable annually; and the bonds when redeemed and recorded shall be destroyed by fire in the presence of the board of commissioners and that fact recorded: *Provided*, the record of bonds for each township shall be kept separate.

Record of bonds.

SEC. 7. If there be no road commission for such township established under the provisions of this act, or under some law hereafter enacted, then the board of county commissioners may hold the proceeds of the sale of such bonds and the taxes collected for the payment of interest thereon and their redemption as a separate fund to be used by them for the purposes expressed in this act, and for the township for which such bonds were issued. To this end the board of county commissioners may appoint the county treasurer, or other financial agent of the county, or any suitable person or corporation, as treasurer or custodian of the fund for such township, allowing such compensation, if any, as they may deem proper. The person or corporation so appointed shall give bond in such amount and with

Funds held by county commissioners.

Custodian of funds.

Official bond.

such security as the board of county commissioners may deem proper for the safe custody of such fund.

Effect of election favoring road commission.

SEC. 8. If at such election the question of the establishment of a road district in and a road commission for such township be submitted, and a majority of the qualified voters of the township vote "For Road Commission," it shall then be the duty of the board of county commissioners, at their next monthly meeting, to appoint three or five persons, according to the number stated in the petition and notice of election, as road commissioners for such township, who shall hold their offices until the first Monday in December following the next general election.

Election of road commissioners.

SEC. 9. In each and every township in which a road district and commission has been established under the provisions of this act, and at every general election held for the establishment of such road commission, there shall be elected in such township, as other township officers are elected, three or five persons, according to the number constituting such board, as members of the board of road commissioners for such township, who shall hold their offices from and after the first Monday in December following their election, and for a term of two years.

Commissioners to qualify.

SEC. 10. Before entering upon the performance of the duties of their offices each person appointed or elected a member of the board of road commissioners shall qualify by taking the oaths required of township officers, and shall serve without compensation. In the event of any vacancy caused by the failure of any person so appointed or elected to qualify within the calendar month following the appointment or election, or by death, resignation, or otherwise, such vacancy shall be filled by appointment by the board of county commissioners at the next regular meeting of the board.

Vacancies.

Commission to organize.

SEC. 11. Upon the establishment of such road district and commission, and upon the due qualification of the members appointed or elected, the said board shall organize by the election of a chairman and secretary. The board of road commissioners shall have and exercise all the powers and duties with respect to the public roads and highways, which by general laws are now or may hereafter be vested in the board of county commissioners and the township supervisors and overseers, and upon the collection of any taxes levied for road purposes in such township, or the sale of bonds for roads for such township under this or any other act, the taxes so collected and the proceeds of the sale of such bonds shall be transferred to and held by the person or corporation designated by the board of road commissioners as treasurer or custodian of such funds. Before any of such funds shall be so transferred to such person or corporation by or under the authority of the board of county commissioners, such person or corporation shall give bond in such amount and with such

Powers and duties vested.

Transfer of funds.

Bond for safe-keeping.

security as the board of county commissioners and the board of road commissioners of the township may deem proper for the safe custody of such funds. And the treasurer or custodian of such funds shall pay them out only upon orders issued by the board of road commissioners, signed by the chairman and secretary of said board.

SEC. 12. That this act shall apply only to Chatham County. Application of act.

SEC. 13. That this act shall go into effect from and after its ratification.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 648

AN ACT RELATIVE TO BOND OF FINANCIAL AGENT OF PERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Person County be and they are hereby authorized and empowered, in their discretion, to pay any and all necessary premium or premiums on the bond or bonds of any bank or banks appointed as financial agent or agents for said county. Premium on official bonds.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 649

AN ACT FOR THE BETTER ENFORCEMENT OF THE GAME LAWS IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Guilford County is hereby constituted game protection commission for the better protection and preservation of game in the said county, and to secure the better enforcement of the game law of said county. Game protection commission.

SEC. 2. The said game protection commission shall prescribe the form of license for nonresident hunters, and shall furnish to the clerk of the Superior Court all licenses and blanks required under the game law, and shall also furnish to the clerk of the Superior Court a bound book for the purpose of keeping the record of all hunters' licenses that may be issued. Form of license. Licenses and blanks. Record of licenses.

Application for
and issue of
license.

Tax.

Clerk's fee.

Term of license.

Fund for enforce-
ing game law.

Appointment and
term of chief
game warden.

Duty of commis-
sion and warden.

Deputy game war-
dens.

Oath of office.

Duty of warden
and deputies.

Tax fees on con-
victions.

Other compensa-
tion.

SEC. 3. Any nonresident who desires to hunt, shoot, or trap birds or animals in Guilford County shall make application to the clerk of the Superior Court of said county, who shall issue such a license upon payment of a tax of ten dollars (\$10) and the clerk's fees amounting to fifty cents (50c). The license shall expire at the termination of the hunting season as fixed for said county. The license shall entitle the owner to hunt in said county in the manner provided by law.

SEC. 4. The license tax herein provided for shall be turned over to the county treasurer, and all of it shall be used by the game protection commission in enforcing the game law of such county.

SEC. 5. That the board of county commissioners on the first Monday in May, one thousand nine hundred and seventeen, and biennially thereafter, shall appoint a chief game warden for the county, who shall hold office for a term of two years, and it shall be the duty of such commission and of said game warden to diligently enforce the game law of the county, and also the law in regard to the taxing of dogs.

SEC. 6. That the said game warden, or the said game protection commissioners, shall appoint such deputy game wardens as either the game warden or the commission think best. That the said game warden shall take an oath for the faithful discharge of his duty; and it shall be the duty of the game warden and deputy game wardens to assist in every way possible in enforcing the dog law of the county and the game law; and it shall be the duty of the game warden and the deputy game wardens to have persons violating either or any of said laws prosecuted, and to kill dogs upon which the tax has not been paid.

SEC. 7. That in every trial resulting in conviction in any court in the county, where the offense is the violation of this act, either by hunting without license as required in this act or by hunting contrary to law as provided by the law of the State, or for the violation of any of the provisions of the laws relating to Guilford County regarding the keeping of dogs without license or allowing them to run at large as prohibited by law, that in all such cases, the sum of two dollars (\$2) for each case for the game warden or deputy game warden, as the case may be, which cost shall be, in addition to the other costs allowed by law, and it shall be paid to the said game warden or deputy game warden, as the case may be.

SEC. 8. That the game protection commission shall provide such other compensation to the said game warden and deputy game wardens as to the commission may seem right and proper, in addition to the fees allowed herein, said additional compensation to be paid out of the fund of the nonresident license tax as hereinbefore provided.

SEC. 9. That the said warden and deputy wardens shall have all the powers given to similar officers and to sheriff and constables by the general laws of this State, and especially as given in sections one thousand eight hundred and sixty-nine and one thousand nine hundred and seventy of the Revisal of one thousand nine hundred and five. Powers of warden and deputies.

SEC. 10. That any person guilty of violating any provision of this act, or the game laws of the State applying to Guilford County, shall be guilty of a misdemeanor and fined not exceeding fifty dollars (\$50) or imprisoned not exceeding thirty days, or both. Misdemeanor. Punishment.

SEC. 11. That all laws and clauses of laws in conflict herewith are hereby repealed. Repealing clause.

SEC. 12. That this act shall be in force from and after May the first, one thousand nine hundred and seventeen. When act effective.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 650

AN ACT RELATING TO LOCAL IMPROVEMENTS IN THE COUNTIES OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of any county in the State may, whenever a petition shall be filed with them, signed by a majority of the resident landowners in a proposed road district, or by owners of three-fifths of all the land affected by or to be assessed for the expense of any proposed road construction, improvement, or maintenance, establish by a majority vote of said board a road assessment district. Petition for and establishment of road assessment districts.

SEC. 2. The petition filed shall set forth the boundaries of the proposed road district, the public road or roads to be constructed, improved, or maintained, and the character of the improvement, construction, or maintenance desired. Specifications of petition.

SEC. 3. Upon the filing of said petition with the board of county commissioners they shall give notice of the same by advertisement in some newspaper of general circulation in the county for four (4) weeks, giving the boundaries of said proposed road district and the character of the proposed construction, improvement, or maintenance. Notice of petition.

SEC. 4. After due advertisement as set forth herein the board shall consider said petition at a regular meeting of the said board, and if they decide to establish said special road district they shall record said petition, together with a copy of the advertisement made, in their minutes, and shall make an order appointing a competent surveyor to make a survey of the pro- Consideration of petition. Record. Surveyor.

- Report of surveyor. posed road district. Said surveyor shall make a report in writing thereafter to the board, giving a map of said road district showing its boundaries, the names of the property owners, and the number of acres of land owned by each, the length of the road or roads to be constructed, improved, or maintained, and an estimated cost of the work to be done.
- Order for construction. SEC. 5. If upon the consideration of the report of said surveyor the board shall decide that said construction, improvement, or maintenance is for the public good and should be made, they shall order the work to be done, either by the county with its road construction force or by special contract, and said board shall determine the proportion of the costs thereof to be paid by the property owners of said road district and the proportion of the costs thereof to be paid by the county: *Provided*, the costs to be paid by the property owners shall not be less than one-fourth nor greater than one-half of the total costs.
- Method of work. shall order the work to be done, either by the county with its road construction force or by special contract, and said board shall determine the proportion of the costs thereof to be paid by the property owners of said road district and the proportion of the costs thereof to be paid by the county: *Provided*, the costs to be paid by the property owners shall not be less than one-fourth nor greater than one-half of the total costs.
- Apportionment of cost. shall order the work to be done, either by the county with its road construction force or by special contract, and said board shall determine the proportion of the costs thereof to be paid by the property owners of said road district and the proportion of the costs thereof to be paid by the county: *Provided*, the costs to be paid by the property owners shall not be less than one-fourth nor greater than one-half of the total costs.
- Proviso: Proportion to land owners. shall order the work to be done, either by the county with its road construction force or by special contract, and said board shall determine the proportion of the costs thereof to be paid by the property owners of said road district and the proportion of the costs thereof to be paid by the county: *Provided*, the costs to be paid by the property owners shall not be less than one-fourth nor greater than one-half of the total costs.
- Record of cost. SEC. 6. If said construction, improvement, or maintenance shall be done by the county with its road construction force, then an accurate account shall be kept of the expenditures necessary to do said work, and shall be spread upon the minutes of said board; and if said construction, improvement, or maintenance shall be by special contract a copy of said contract shall be spread upon the minutes of the said board, together with a verified statement of the contractor of the total costs of said work under the terms of said contract.
- Board of road tax assessors. SEC. 7. Upon the completion and acceptance by the board of the work as completed they shall appoint three disinterested freeholders of the county, nonresidents of the proposed district, who own no real estate therein, who shall constitute a board of road tax assessors for said district.
- Assessors to qualify. SEC. 8. After their appointment the members of said board of tax assessors shall take and subscribe to an oath that they will faithfully and impartially perform the duties imposed upon them by the terms of this act.
- Lands examined and classified. SEC. 9. Said board of assessors as soon as practicable after their appointment shall, in company with the surveyor, view and examine the lands embraced in said road district and classify them with reference to the benefit each tract will receive from the construction, improvement, or maintenance of the road or roads of said district. The land benefited shall be separated in three classes: that receiving the highest benefit shall be marked Class "A;" that receiving the next highest benefit, Class "B," and that receiving the smallest benefit Class "C." After classifying said land they shall take into consideration such special benefits or damages as may accrue to or be sustained by any tract, and shall assess against each tract its proportionate part of the total costs of said construction, improvement, and main-
- Special benefits or damage.
- Assessment.

tenance ordered to be assessed against said road district by the board of county commissioners.

SEC. 10. Said board of assessors, upon the completion of their work, shall make a report in writing to the board of county commissioners at the next regular meeting of said board, giving the name or names of the owners of each tract of land, their place of residence, if known, the class to which each tract has been allotted by them, the special benefits and damages, and the amount of the proportionate part of the costs in dollars and cents assessed by them against each tract. ^{Report of assessors.}

SEC. 11. Upon the filing of this report in writing it shall be received by the board of county commissioners and spread upon the minutes of said board and an order made by said board that advertisement be made in some newspaper published in the county, notifying all owners of land against which assessments have been made that they may appear before said board at its next regular meeting to show cause, if any they have, why said report shall not be confirmed by the board. ^{Report recorded.}

SEC. 12. The board of county commissioners upon the hearing at its next regular meeting shall have the right to confirm said report or to change and reapportion the amounts assessed against the various tracts of land, as in their judgment shall be just to all the property owners. ^{Notice to land owners.}

SEC. 13. The board of county commissioners shall spread upon their minutes their action with regard to the report of said board of assessors and shall assess against each tract of land and the owner or owners thereof its proportionate part in dollars and cents of the costs of said construction, improvement, or maintenance. ^{Action on report.}

SEC. 14. That said assessment when made by the board of county commissioners shall become a lien upon the lands against which it is made, superior to all other liens except State and county taxes, and a copy of said assessment shall be delivered to the sheriff and the amounts thereon shall be collected by him from the owners of the lands under the laws provided for the collection of other taxes upon real estate. ^{Record of action.}

SEC. 15. That the owner or owners of any tract of land against which assessment has been made by the board of assessors may appeal to the Superior Court from the decision of the board as to the amount to be assessed against his or their property by giving notice thereof in writing within ten days from the date of the order making said assessment, and paying the clerk of said board for a transcript of the record. The fees to be charged by the clerk of said board to be the same allowed by law to the register of deeds for copies of records in his office. ^{Assessments.}

SEC. 16. That upon the payment to the clerk of said board of the fees for the said transcript of record said clerk shall deliver ^{Collection of assessments.}

SEC. 15. That the owner or owners of any tract of land against which assessment has been made by the board of assessors may appeal to the Superior Court from the decision of the board as to the amount to be assessed against his or their property by giving notice thereof in writing within ten days from the date of the order making said assessment, and paying the clerk of said board for a transcript of the record. The fees to be charged by the clerk of said board to be the same allowed by law to the register of deeds for copies of records in his office. ^{Right of appeal.}

SEC. 16. That upon the payment to the clerk of said board of the fees for the said transcript of record said clerk shall deliver ^{Fees of clerk.}

SEC. 16. That upon the payment to the clerk of said board of the fees for the said transcript of record said clerk shall deliver ^{Case on appeal.}

the same to the clerk of the Superior Court of said county, and said case shall be docketed by him as other actions in said Superior Court.

Change of assessment.

SEC. 17. That if upon appeal to the Superior Court by the owner or owners of the land the amount of the assessment shall be changed by a judgment of said court, then the board of county commissioners shall give to the sheriff of the county authority in writing to change the assessment to conform to the judgment of the Superior Court.

Application of act.

SEC. 18. This act shall apply only to the counties of Guilford, Wake, Perquimans, Pasquotank, Currituck, Alamance, New Hanover, Brunswick, and Rowan.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 651

AN ACT TO INCORPORATE THE TOECANE BAPTIST CHURCH IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Acts declared unlawful.

SECTION 1. That it shall be unlawful for any one to engage in boisterous conduct; to be found in a state of intoxication; to fire a pistol or gun upon a public highway or in any public place to shoot a firecracker; or explode dynamite except in bona fide work where such use of dynamite is necessary within one mile of the Toecane Baptist Church in Mitchell County.

Locality.

Misdemeanor.

SEC. 2. That any person or persons violating the provisions of this act shall be guilty of a misdemeanor and shall be fined not less than ten dollars nor more than twenty dollars.

Punishment.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 652

AN ACT TO REGULATE THE FEES OF CONSTABLES.

The General Assembly of North Carolina do enact:

Fees for attendance upon court.

SECTION 1. That every constable, in addition to the fees of sixty cents already provided for serving summons in civil actions, shall be entitled to an additional sum of forty cents for his attendance upon court for each and every case in which said constable serves the summons in courts of justices of the peace.

SEC. 2. That this act shall apply to the following counties: Application of act. Pitt, Halifax.

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

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 653

AN ACT TO AMEND CHAPTER 11 OF THE PUBLIC-LOCAL LAWS OF 1911, CHAPTER 400 OF THE PUBLIC LAWS OF 1909, AND CHAPTER 352 OF THE PUBLIC-LOCAL LAWS OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1: That chapter eleven of the Public-Local Laws of session of nineteen hundred and eleven, chapter four hundred of the Public Laws of nineteen hundred and nine, and chapter three hundred and fifty-two of the Public-Local Laws of nineteen hundred and thirteen, be and the same are hereby amended by adding at the end of section one of each of the said chapters the following: "Provided, that the said stenographer so employed by the judge shall be appointed by the clerk of the Superior Court of each county upon a written recommendation of a majority of the licensed practicing attorneys of the county in which the said court is held."

Proviso: Appointment of stenographer.

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 6th day of March, A. D. 1917.

CHAPTER 654

AN ACT TO AMEND SENATE BILL 38, HOUSE BILL 370, THE SAME BEING AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF McDOWELL COUNTY TO APPOINT AN AUDITOR FOR SAID COUNTY.

The General Assembly of North Carolina do enact.

SECTION 1. That Senate bill four hundred and nine (409), House bill three hundred and seventy-one (371), the same being an act to authorize the board of commissioners of McDowell

County to appoint an auditor for said county, passed at this session of the General Assembly and ratified on the ninth day of January, one thousand nine hundred and seventeen, be and the same is hereby amended by adding to the duties imposed upon the auditor of McDowell County by section two of said act the following: "That the said auditor shall be the clerk *ex officio* of the board of county commissioners of McDowell County; that he shall make out the tax books and receipts for the county commissioners; shall fill out all tax reports to be made out for the State Tax Commission; and shall perform such other duties pertinent to the work of auditing and examining the county offices as the board of commissioners may require."

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 655

AN ACT TO PROTECT DEER IN HATTERAS TOWNSHIP, DARE COUNTY.

The General Assembly of North Carolina do enact:

Full protection.

SECTION 1. That it shall be unlawful to hunt, shoot, or in any manner kill deer in Hatteras Township, Dare County, for a period of five years from and after 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 be fined not less than five dollars nor more than fifty dollars, or be imprisoned not exceeding thirty days.

Repealing clause.

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 7th day of March, A. D. 1917.

CHAPTER 656

AN ACT TO PROHIBIT THE SALE OF INTOXICANTS WITHIN THREE MILES OF SMITH'S PRESBYTERIAN CHURCH IN SMITH'S TOWNSHIP, DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Prohibition.

SECTION 1. That it shall be unlawful for any person to sell, give away, or assist any one in obtaining cider, wine, or any

other intoxicant whatsoever, within three miles of Smith's Territory. Presbyterian Church in Smith's Township, Duplin County.

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 one hundred dollars or imprisoned not more than six months. Misdemeanor.
Punishment.

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 its ratification.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 657

AN ACT TO PROHIBIT THE USE OF NETS IN VARIOUS CREEKS IN CHATHAM AND LEE COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to use gill nets, hoop nets, or other kinds of nets in Buckhorn Creek, Goss Creek, Bush Creek, Lick Creek, the lakes between Bush Creek and Lick Creek, or from the dam near Buckhorn Creek to the power house in Chatham and Lee counties. Prohibition.
Localities.

SEC. 2. Any person or persons violating the provisions of this act shall be guilty of a misdemeanor and punished by fine not exceeding fifty dollars (\$50) or by imprisonment not exceeding thirty days. Misdemeanor.
Punishment.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 658

AN ACT TO PROTECT GAME IN BUNCOMBE COUNTY, AND TO AMEND CHAPTER 877, SECTION 9, OF THE PUBLIC LAWS OF 1907.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to shoot, kill, capture, or destroy any quail, partridge, pheasant, squirrel, wild turkey, grouse, or dove in the county of Buncombe, except between the fourteenth day of November and the fifteenth day of January of each year. Open season for
feathered game.

Open season for foxes.

SEC. 2. That it shall be unlawful for any person or persons to run with dogs, shoot, kill, capture, or destroy any foxes in Buncombe County, except between the first day of September and the first day of March of each year.

Open season for deer.

SEC. 3. That it shall be unlawful for any person or persons to run with dogs, shoot, kill, capture, or destroy deer in Buncombe County except between the fifteenth day of October and the fifteenth day of January of each year.

Permission for hunting.

SEC. 4. Amend section nine, chapter eight hundred and seventy-seven of the Public Laws of one thousand nine hundred and seventeen, by striking out the word "written" in line two of said section.

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 7th day of March, A. D. 1917.

CHAPTER 659

AN ACT TO FURTHER RESTRICT THE SALE OF SEED COTTON IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Purchasers to obtain license.

SECTION 1. That it shall be unlawful for any person, firm, or corporation in the county of Cumberland, in the State of North Carolina, to purchase seed cotton of any person, firm, or corporation, except that such person, firm, or corporation intending to purchase seed cotton first secure from the sheriff of the county a license or permit, and pay therefor the sum of twenty-five dollars, which license shall be registered in a record in the clerk's office provided by the clerk for such purpose.

License fee.

License to be registered.

Record of purchases.

SEC. 2. That it shall be the duty of such person, firm, or corporation purchasing seed cotton to keep a record of all purchases made as now prescribed by law, and it shall be the further duty of all such persons, firms, or corporations to file with the clerk of the court a report on or before the fifth day of every month setting out in such report such facts as are now required to be kept on record by the purchaser of seed cotton in this State.

Report of sales.

Misdemeanor.

Punishment.

SEC. 3. 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 twenty-five dollars nor more than two hundred dollars, in the discretion of the judge presiding.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 660

AN ACT TO FIX THE SALARIES FOR THE COUNTY OFFICERS OF CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Chatham County shall receive a salary of two thousand dollars in lieu of tax collections and treasurer's commissions, and in addition to such salary he shall be allowed the sum of five hundred dollars per annum for clerk or office deputy hire, and may retain the fees for serving summons, subpoenas, notices, and processes of all kinds, and the fees and commissions made and collected from executions, as now or hereafter may be provided by law, and also shall be allowed such compensation as now or may hereafter be authorized by law for necessary deputies for holding the Superior Courts. The sheriff shall continue to appoint a deputy for each township as is now or may hereafter be authorized or required by law. In addition to the salary and fees above provided for, the county commissioners may, in their discretion, allow any sum not exceeding five hundred dollars for deputies to collect the taxes in the various townships after the sheriff has made his usual round required by law.

Salary of sheriff.

Allowance for office deputy.

Fees retained.

Court deputies.

Township deputies.

Allowance for deputies collecting taxes.

SEC. 2. That the sheriff shall appoint a jailer, who shall receive compensation as is now or may hereafter be provided by law.

Appointment and compensation of jailer.

SEC. 3. That the clerk of the Superior Court and the register of deeds shall faithfully collect, account for, and turn over to the treasurer of said county 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 office.

Officers required to collect and pay over fees.

SEC. 4. That the clerk of the Superior Court shall receive a salary of fifteen hundred dollars per annum, and may appoint a deputy to assist during the terms of the Superior Court, who shall receive two dollars per day during the time the court is actually in session. Such clerk shall also be allowed the sum of one hundred dollars per annum for additional clerical assistance.

Salary of clerk of superior court. Deputies during courts.

Additional clerical assistance.

SEC. 5. That the register of deeds shall receive a salary of fifteen hundred dollars per annum, and in addition thereto shall be allowed the sum of three hundred dollars per annum for clerical assistance, it being understood that it is part of the duties of the register of deeds to make up the tax books and receipts without extra compensation.

Salary of register of deeds.

Clerical assistance.

Tax books and receipts.

SEC. 6. That the premiums on the bonds of the sheriff, clerk of the Superior Court, and register of deeds shall be paid by the board of county commissioners out of the general county fund.

Premiums on bonds.

- Officers to perform duties. SEC. 7. 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 service rendered to the county, State, or other Government agency, and they and their several bonds shall be liable to all the fines and penalties that may now or hereafter be provided by law for failure to perform the duties of their several offices.
- No other compensation. SEC. 8. 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, permissions, emoluments, and moneys collected or received by said officers, or which by law are and may be kept in 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, and the said officer shall, on the first Monday in each and every month, render to the board of county commissioners an itemized statement of all moneys received or collected during the previous months, and shall settle for the same with the said board.
- Liable on bonds. SEC. 9. That the sheriff, as treasurer of the county, shall keep a separate account of all moneys received and collected by the clerk of the Superior Court and register of deeds, and accounted for by such officers to the board of county commissioners, and shall pay the same into the general county fund. The board of county commissioners shall draw county orders on the first Monday in each and every month, payable to the clerk of the Superior Court and register of deeds for their respective previous month salaries, payable out of the general county fund, and the board of commissioners shall draw county orders on the first Monday in each and every month, payable to the sheriff for his previous month's salary and allowances, payable out of the general county and the county school funds in proportion to the amount of taxes collected and paid into such funds respectively, on the basis of the proportions for the previous year.
- Account books. SEC. 10. The board of county commissioners shall have discretionary power, as now or may hereafter be provided by law, to allow insolvent lists of the sheriff and clerk of court.
- Books open for inspection. SEC. 11. That it shall be the duty of the board of county commissioners to employ an expert accountant at least once a year, to examine the books of any of the county officers whose duty it is to receive and account for or disburse public money.
- Monthly statements. SEC. 12. That at the general election to be held in November, one thousand nine hundred and eighteen, the county board of elections of Chatham County shall submit to the qualified voters of Chatham County the question as to whether the officers re-
- Fees paid into general fund.
- Payment of salaries.
- Insolvent lists.
- Annual audit.
- Question submitted to vote.

ferred to in this act shall receive compensation by salaries as herein provided.

SEC. 13. That for this purpose the county board of elections of Chatham County shall print or cause to be printed at the expense of the county, and distribute to the registrars of the several voting precincts with the official ballots of the candidates for county offices, ballots containing the words "For Salaries" and other ballots containing the words "Against Salaries." The said county board of elections shall also provide a separate box for each voting precinct labeled "For Fees of Salaries," into which those persons desiring to vote for salaries shall cast a printed ballot with the words "For Salaries" thereon; and those with a contrary opinion may cast a printed ballot with the words "Against Salaries" thereon.

Ballots.

Ballot box.

SEC. 14. That the said election shall be held and the votes returned, compared, counted, and canvassed, and the result announced under the same rules and regulations as are in force at the same general election for returning, comparing, counting, and canvassing the votes for the representatives in the General Assembly; and if the majority of votes cast be "For Salaries," then this act shall be in full force and effect from and after the first Monday in December, one thousand nine hundred and eighteen.

Law governing election.

Act effective.

SEC. 15. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 661

AN ACT TO CHANGE THE BOUNDARIES OF BOLTON RECORDER DISTRICT IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the boundaries of Bolton Recorder District in Columbus County be so amended as to include therein all the territory lying on the east side of Slap Swamp that has heretofore been included in Bogue Recorder District in Columbus County.

Extension of district.

SEC. 2. That the recorder of Bolton District, Columbus County, shall have jurisdiction to try and determine all cases arising in that territory lying on the east side of Slap Swamp in said county of Columbus, as designated in section one of this act, and shall have all the powers and jurisdiction over said territory

Jurisdiction.

as is prescribed for recorders in chapter three hundred and seventy-two, Public-Local Laws of one thousand nine hundred and fifteen.

Repealing clause. 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 7th day of March, A. D. 1917.

CHAPTER 662

AN ACT TO AMEND SECTION 1681 OF THE REVISAL OF NORTH CAROLINA, DEFINING THE WORD "STOCK."

The General Assembly of North Carolina do enact:

Definition.

SECTION 1. That section sixteen hundred and eighty-one of the Revisal of North Carolina, defining the word "stock" in chapter thirty-five of the Revisal of North Carolina, be and the same is hereby amended as follows: By adding after the word "geese" in line three of said section one thousand six hundred and eighty-one the words "chickens or other domestic fowls."

Application of act.

SEC. 2. That this act shall apply only to Robeson County.

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

Ratified this he 7th day of March, A. D. 1917.

CHAPTER 663

AN ACT TO AMEND CHAPTER 775 OF THE PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO PROHIBIT DISORDERLY CONDUCT, PREVENT PUBLIC DRUNKENNESS, AND PROTECT CERTAIN CHURCHES AND ASSOCIATIONS."

The General Assembly of North Carolina do enact:

Locality.

SECTION 1. That chapter seven hundred and seventy-five of the Public-Local Laws of one thousand nine hundred and thirteen, entitled "An act to prohibit disorderly conduct, prevent public drunkenness, and protect certain churches and associations," be and the same is hereby amended as follows: In section four, line two, after the word "highways" insert the words, "or on any railway train;" in line five of said section strike out the word "fifteen" and insert the word "fifty"; also in line five strike out the word "fifty" and insert the words "one hundred"; in line

Punishment.

six strike out the word "five" and insert the word "thirty"; also in line six strike out the word "thirty" and insert the word "sixty." This act shall apply only to Yancey County.

Application of act.

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 7th day of March, A. D. 1917.

CHAPTER 664

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY TO APPOINT RURAL POLICEMEN FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Mecklenburg County shall have power and they are hereby authorized to appoint one or more rural policemen for said county. Any policeman so appointed shall be an able-bodied man of good habits and known as a man who is not addicted to the use of alcoholic liquors and a man of good moral character. 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 a policeman appointed under this act caused by use of alcoholic liquors is hereby declared to be a sufficient cause for removal.

Appointment authorized.

Qualifications.

Removal for cause.

Intoxication cause for removal.

SEC. 2. That the powers and duties not herein specially enumerated and the terms of office and compensation of such rural policemen shall be fixed by the board of county commissioners of said county.

Duties, terms of office and compensation.

SEC. 3. That 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 county; to detect and prevent the violation of the criminal laws of any and every kind; to make arrests upon his own initiative as well as upon information or complaint; to report his acts and all known or suspected violations of the criminal laws to the sheriff of the county; to obtain warrants for arrests for and prosecute all persons who have violated any of the criminal laws; and he 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.

Schedule of duties.

SEC. 4. That the said policemen shall frequent railroad depots, stores, public gatherings of any and every kind where violations

Places for special supervision.

of the law are likely to occur, places where vagrants may be loafing or alcoholic liquors may be 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 highways or at any public place or gathering, carrying concealed weapons, gambling, violations of the game and dog laws, cruelty to animals, violation of the fire laws and the road laws, and for the violation of any and every law which is detrimental to the peace, good order and morals of the said county.

Subjects of special attention.

Arrests without warrant.

Speedy trial.

Bond of policeman.

Oath of office.

Oath and bond filed.

Badges.

SEC. 5. That said policemen shall have authority for any freshly committed crime, whether a witness to the commission thereof or having 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.

SEC. 6. That the board of county commissioners shall require a good and sufficient bond from said policeman so appointed before he shall enter upon the discharge of his duties; said bond to be not less than two hundred dollars, conditioned upon the faithful performance of all duties imposed upon him and for the payment to the county or to any person or corporation all such damages as may be sustained by reason of his malfeasance in office or his abusing the authority and discretion given him by law.

SEC. 7. That before entering upon the discharge of his duties the said policeman shall take and subscribe to the following oath: "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 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 the said policeman, shall be filed with the clerk of the Superior Court of said county, together with a bond provided for in this act.

SEC. 8. That it shall be the duty of the commissioners of said county to furnish to the said rural policeman a metal badge bearing the following inscription: "Rural Policeman, Mecklenburg County"; and it shall be the duty of the said policeman to wear the said badge on his person while discharging the duties of his office.

SEC. 9. That the said rural policeman shall have the power and authority, such as deputy sheriffs now have, to execute anywhere within the said county civil processes delivered to him by the sheriff or directed to the sheriff or other lawful officer of Mecklenburg County, and the said rural policeman shall be required to serve all criminal processes and indictments issued by any lawful authority and placed in his hands for service. Powers as deputy sheriffs.

SEC. 10. That the said board of county commissioners shall fix the salary of said policeman and order the same paid out of the general county fund; and that all cases and matters in which the said rural policeman 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. In all matters which are determined before a justice of the peace in which any fee or fees are charged for service performed by said rural policeman, it shall be the duty of the said rural policeman to collect such fees and on the first day of each month to pay the same to the treasurer of Mecklenburg County, and to furnish a verified written statement to the said treasurer, showing all amounts collected by him during the preceding month. The said fees paid to the treasurer of said county under this section shall go into the fund out of which the salary of the said policeman is paid: *Provided, however,* that if the said board of county commissioners deem it wise, they may allow said policeman to collect the usual fees prescribed by law for serving such processes as may come into his hands and retain the same in lieu of all or a part of his compensation. Salary.
Fees.
Fees to be collected and paid over.
Monthly settlements.
Proviso: Payment by fees.

SEC. 11. In all matters which are determined before any court in the county of Mecklenburg, other than the courts of justices of the peace, and in which fees are charged for services performed by the said rural policeman, it shall be the duty of the clerk of said court to collect the said fees and pay the same to the treasurer of Mecklenburg County, which said fees shall go into the fund from which the salary of said policeman shall be paid. Collections by court.

SEC. 12. That the board of county commissioners of Mecklenburg County shall not be liable individually or in their corporate capacity for any tort or wrong committed by any such rural policeman as provided for in this act, while in the discharge of his duties. Liability of county and county commissioners released.

SEC. 13. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. Repealing clause.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 665

AN ACT TO PROHIBIT FISHING IN ROCK FISH CREEK AND NORTH EAST RIVER IN DUPLIN AND PENDER COUNTIES.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That it shall be unlawful for any person or persons to fish for Robin Redbreast Perch in the waters of Rockfish Creek and the Northeast River between the fifteenth day of May and the first day of August of each and every year with hook and line, gill nets, gun or rifle, or in any other manner whatsoever: *Provided*, this act shall not apply to fishing in deep waters with a seine not less than forty-five yards in length and ten feet in depth.

Proviso; Fishing with seines.

Punishment.

SEC. 2. That any person violating the provisions of this law shall upon conviction be fined not more than fifty dollars or imprisoned not more than thirty days.

Repealing clause.

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 7th day of March, A. D. 1917.

CHAPTER 666

AN ACT TO ALLOW CERTAIN VOTERS IN FAISON TOWNSHIP TO VOTE AT WARSAW PRECINCT.

The General Assembly of North Carolina do enact:

Voters at Warsaw precinct.

SECTION 1. That all voters living within the territory herein embraced that now vote at Faison's in Faison Township, Duplin County, shall hereafter vote at Warsaw Precinct in Warsaw Township, Duplin County: Beginning on the Bowden and Kenansville public road at a point where a road known as the Boyett road enters the same, and runs thence the Boyett road eastwardly by R. W. Boyett's house to the Kenansville and Faison public road; thence northwardly to the said Kenansville and Faison public road to a point where the Swinson road enters the same; thence with the Swinson road by John P. James' house to the run of Goshen; thence down the run of Goshen to the mouth of Nahunga Swamp; thence up the run of Nahunga Swamp to the public road at Cooper's Mill; thence the public road northwest to the beginning.

Boundary.

SEC. 2. The board of elections of Duplin County shall furnish to the registrar and pollholders of Faison and Warsaw precincts, at the next election to be held therein, a copy of this act. Copy of act for election officers.

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 7th day of March A. D. 1917.

CHAPTER 667

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF DURHAM COUNTY TO MAKE DONATION TO PUBLIC LIBRARIES.

Whereas it is the desire of the governing authorities of the county of Durham to encourage public education; and whereas the establishment of public libraries tends to promote public education in all of its branches: Now, therefore, Preamble.
Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Durham County be and they are hereby authorized to make such donations for the maintenance and support of the Durham Public Library, or such other public library as may be established in the county of Durham, as they may in their judgment deem proper and expedient. Said donation to be paid out of the general county fund and paid to the governing authorities of said public library or libraries at such time as the commissioners of Durham County may designate. Donation authorized.
Payment from general fund.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 668

AN ACT TO PROTECT DEER IN DUPLIN AND ONSLOW COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to hunt with gun, chase with dog or dogs, kill, trap, or destroy or carry out of the State any deer between the first day of January and the first day of October of each and every year. Close season.

SEC. 2. That this act shall apply only to the county of Duplin and to all of that portion of Onslow County not embraced in sec- Application of act.

Territory fully
protected.

tion one thousand eight hundred and eighty-one of the Revisal of one thousand nine hundred and eight. And it shall be unlawful for any person to hunt deer with gun or dogs, or to chase with dogs or trap any deer within one hundred yards of New River in Onslow County at any time.

Misdemeanor.
Punishment.

SEC. 3. That any person violating this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five nor more than fifty dollars or imprisoned not more than thirty days.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 669

AN ACT TO AMEND SECTION 1395 OF PELL'S REVISAL OF 1908 OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand three hundred and ninety-five of the Revisal of nineteen hundred and five of North Carolina be and the same is hereby amended as follows, to wit: Strike out the "period" at the end of said section one thousand three hundred and ninety-five and insert in lieu thereof a "colon," and add to said section: "*Provided*, that this section one thousand three hundred and ninety-five shall not apply to Columbus County."

Proviso: Excep-
tion.

Repealing clause.

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

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 670

AN ACT TO AMEND CHAPTER 101, PUBLIC LAWS OF NORTH CAROLINA, SESSION 1915, RELATIVE TO PRIMARY ELECTIONS IN BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and one of the Public Laws of North Carolina, session one thousand nine hundred and fifteen, entitled "An act to provide for primary elections throughout the State," be and the same is hereby amended by adding

after section "seventeen" of said act another section to be numbered "seventeen and a half," as follows:

"Sec. 17½. That in all primary elections to be held in Bertie County for the selection of candidates for county offices and members of the General Assembly, including State Senator, any registered candidate may provide and furnish his own ticket or tickets with his name printed thereon alone, or he may have his name printed on tickets or ballots with any other candidate or candidates for any of said offices, and such tickets or ballots shall be received and counted in said primary elections in the same manner as the official ballots provided for in this act; and any voter may vote a single ticket upon which is a single name for any such county office or member of the General Assembly in said county, or he may vote a ticket upon which there are names of more than one candidate for different offices, and the official ballot provided for in this act need not be used by any voter in such primary elections in said county who may desire to use the ticket or ballot provided for in this section for such county offices and members of the the General Assembly; and any voter may vote for any number of candidates for different offices he may desire in said primary elections, but in no event shall he vote for more than one candidate for the same office."

Candidates may furnish tickets.

Tickets received and counted.

Single tickets.

Official ballots.

SEC. 2. That this act shall only apply to Bertie County, and all provisions of law inconsistent therewith are hereby repealed.

Application of act.

Repealing clause.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 671

AN ACT TO REGULATE THE USE OF FREE LABOR ON THE PUBLIC ROADS IN CERTAIN COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That in any county or township which has heretofore or may hereafter issue bonds for the purpose of building roads the provisions of the Revisal of one thousand nine hundred and five or any special act requiring free labor on the public roads of such county or township shall not apply: *Provided*, that a petition for such relief signed by fifty per cent of the qualified voters of such county or township shall be presented to the board of county commissioners of such county.

Free labor abolished.

Proviso: Petition for relief.

SEC. 2. That this act shall apply only to the counties of Pitt and Caswell.

Application of act.

Repealing clause. 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 7th day of March, A. D. 1917.

CHAPTER 672

AN ACT TO EMPOWER THE COMMISSIONERS OF HARNETT COUNTY TO PAY RAILROAD FARE TO STATE AND GENERAL REUNIONS OF UNITED CONFEDERATE VETERANS.

The General Assembly of North Carolina do enact:

Payment authorized.

SECTION 1. That the commissioners of Harnett County be and they are hereby authorized and empowered and may, in their discretion, pay the actual railroad fare of the United Confederate Veterans of Harnett County to the State and general reunions.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 673

AN ACT TO PROTECT FOXES IN CERTAIN COUNTIES OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That it shall be unlawful for any person to hunt foxes with gun, or dog, or trap, or carry out of the State any fox between the fifteenth day of February and the fifteenth day of September of each and every year: *Provided*, that this act shall not prevent any person from killing foxes when the same are committing depredation upon his property.

Proviso: Foxes depre-
dinating.

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 fifty dollars, or imprisoned not more than thirty days.

Application of act.

SEC. 3. That this act shall apply only to Lenoir, Onslow, Wayne, Sampson, and New Hanover counties.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 674

AN ACT TO AMEND CHAPTER 301 OF THE PUBLIC-LOCAL LAWS OF 1913 AND CHAPTER 37 OF THE PUBLIC-LOCAL LAWS OF THE SPECIAL SESSION OF 1913, WITH RESPECT TO WORKING THE PUBLIC ROADS OF RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the position of the superintendent of the roads of Rutherford County, which the board of county commissioners was required to create by chapter three hundred and one of the Public-Local Laws of one thousand nine hundred and thirteen, and the body politic and corporate known as the "Road Commissioners of Rutherford County," created by chapter thirty-seven of the Public-Local Laws of the special session of one thousand nine hundred and thirteen, be and the same are hereby abolished, and that all the duties and powers imposed upon the said superintendent of roads and the road commissioners of Rutherford County by the said act be and the same are hereby transferred and imposed upon the board of county commissioners of Rutherford County.

Offices of road superintendent and road commissioners abolished.

Duties and powers transferred.

SEC. 2. That the duties imposed upon the board of county commissioners by section one of this act heretofore performed by the superintendent of roads and the road commissioners of Rutherford County, under the acts above mentioned, shall be performed by the board of county commissioners as near as can be by and through the township superintendent provided in the act passed at this session of the General Assembly known as House bill number four hundred and forty-three and Senate bill number forty-five.

Township superintendents.

SEC. 3. That this act shall be in full force and effect from and after the first day of April, one thousand nine hundred and seventeen.

When act effective.

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 675

AN ACT TO PROHIBIT DISORDERLY CONDUCT AND TO REGULATE POOLROOMS AND BILLIARD PARLORS OUTSIDE CORPORATE LIMITS IN CRAVEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to use profane or vulgar language in a loud and boisterous manner, or to be drunk and down, or drunk and disorderly, on or near

Profanity and drunkenness forbidden.

a public highway, or in or near a street or alley in an unincorporated town or village, or in or near any public place.

Pool and billiard rooms to be licensed.	SEC. 2. That it shall be unlawful for any person or persons to open or operate a pool or billiard room outside any incorporated city or town without first obtaining license from the board of county commissioners, on the granting of which the applicant shall pay a fee of twenty-five dollars annually, in advance, to the general county fund. Said license be issued by the sheriff upon the order of the commissioners on payment of the said license fee.
License fee.	
Issue of license.	
Application.	On making application, the applicant shall satisfy the board of county commissioners that he is a person of good character and a suitable and fit person to run and operate a pool room or billiard parlor. Said board of commissioners may revoke any license when it is made to appear that a pool or billiard room operated thereunder is carried on in a disorderly manner or that violations of the law are permitted therein.
Revocation of license.	
Misdemeanor.	SEC. 3. That any person violating the provisions of this act shall be guilty of a misdemeanor and punished by a fine of not exceeding fifty dollars or be imprisoned not exceeding thirty days.
Punishment.	
Application of act.	SEC. 4. That this act shall apply to Craven County only.
When act effective.	SEC. 5. That this act shall be in force from and after the first Monday in May, one thousand nine hundred and seventeen.
	Ratified this the 7th day of March, A. D. 1917.

CHAPTER 676

AN ACT IMPOSING A LICENSE TAX ON MOTOR VEHICLES USED AND OPERATED IN GASTON COUNTY.

The General Assembly of North Carolina do enact:

Motor vehicles.	SECTION 1. That all persons, firms, or corporations operating motor vehicles in Gaston County shall pay a license tax as follows: On each automobile of not more than thirty horse-power, two dollars; On each automobile of more than thirty horse-power and up to forty horse-power, two dollars and fifty cents; On each automobile of more than forty horse-power and up to fifty horse-power, three dollars and fifty cents; On each automobile of more than fifty horse-power, five dollars;
Automobile trucks.	On all automobile trucks as follows: As much as one ton capacity, five dollars; More than one ton capacity and as much as two tons capacity, ten dollars;

More than two tons capacity and as much as three tons capacity, twenty-five dollars;

More than three tons capacity and as much as four tons capacity, fifty dollars;

All over four tons capacity, seventy-five dollars.

On all motorcycles as follows:

Motor cycles.

On each and every motorcycle, two dollars.

SEC. 2. That every person, firm, or corporation desiring to operate any such motor vehicle within the limits of Gaston County shall apply to the sheriff of such county for a license for such privilege on or before the first day in July of each and every year, and the sheriff of Gaston County, upon the payment of the required license tax, shall issue a license to the said applicant for such privilege, which license shall be countersigned by the register of deeds of Gaston County.

Application for and issue of license.

SEC. 3. That all such license tax so collected as aforesaid shall be applied to the road fund of Gaston County in the building and improving its roads.

License tax to road fund.

SEC. 4. That the provisions of this act shall not apply to any automobile or motorcycle belonging to any nonresident of Gaston County and which is not used or operated for hire or gain in said county.

Exceptions.

SEC. 5. That if any person, firm, or corporation shall fail to pay the aforesaid license tax when the same becomes due it shall be the duty of the sheriff of Gaston County to seize such motor vehicle upon which the license has not been paid as aforesaid, and sell the same to the highest bidder for cash at the courthouse door after advertising the same for ten days at the courthouse door and three other public places in Gaston County, and after collecting the said amount of such license tax and two dollars for the costs of such sale on all motor vehicles other than motorcycles, and one dollar for motorcycles, shall pay the surplus to the owner of such motor vehicles.

Seizure and sale for tax.

SEC. 6. That no person, firm, or corporation shall operate any traction engine within the limits of Gaston County with lugs on wheel or wheels of any such traction engine.

Certain traction engines prohibited.

SEC. 7. Any person, firm, or corporation violating any of the provisions of the foregoing act shall be guilty of a misdemeanor and shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Misdemeanor.

Punishment.

SEC. 8. That this act shall be in force from and after the first day in July, one thousand nine hundred and seventeen, on which date the first license shall be issued under the provisions of this act for the privilege of operating motor vehicles as aforesaid.

When act effective.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 677

AN ACT TO PROHIBIT THE SALE OF PARTRIDGES IN
NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Sale forbidden.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to sell, offer for sale, or have in possession for sale any quail, partridge, bob white, snipe, woodcock, or other game bird.

Application of act.

SEC. 2. That this act shall apply to New Hanover and Forsyth counties only.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 678

AN ACT TO AMEND HOUSE BILL 640, SENATE BILL 1055 OF
THE SESSION OF 1917, RATIFIED FEBRUARY 27, 1917.

The General Assembly of North Carolina do enact:

Name corrected.

SECTION 1. That House bill six hundred and forty, Senate bill one thousand and fifty-five, ratified February twenty-seventh, one thousand nine hundred and seventeen, of the session of one thousand nine hundred and seventeen, be and the same is hereby amended by inserting in line four of section one of said act, and after the word "years" and before the name "J. R. Parker" the word "Doctor" so that the same when amended will read: "For a term of six years—Doctor J. R. Parker."

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 7th day of March, A. D. 1917.

CHAPTER 679

AN ACT TO ENCOURAGE PROMPT PAYMENT OF TAXES IN
ONSLow COUNTY.

The General Assembly of North Carolina do enact:

Penalties for
delayed payment.

SECTION 1. That upon all county taxes paid to the sheriff of Onslow County after the first day of January of any year there

shall be collected a penalty of one per cent; after February first of any year there shall be collected a penalty of one and one-half per cent; after March first of any year there shall be collected a penalty of two per cent.

SEC. 2. That this act shall be left within the discretion of the county commissioners. Discretionary power.

SEC. 3. That this act shall apply to Onslow County only. Application of act.

SEC. 4. 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. 5. That this act shall be in force from and after its ratification.

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 680

AN ACT TO AMEND SECTION 2775 OF THE REVISAL OF 1905, RELATING TO THE FEES OF CORONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand seven hundred and seventy-five of the Revisal of one thousand nine hundred and five, relating to fees of coroners, be and the same is hereby amended as follows: In line five, after the word "dollars," insert: "for viewing each dead body where no inquest is held, two dollars and all actual expenses incurred: *Provided*, said expenses shall not exceed one dollar." View of body without inquest.

SEC. 2. That this act shall apply to New Hanover and Brunswick counties only. Application of act.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 681

AN ACT TO CORRECT A TYPOGRAPHICAL ERROR IN HOUSE BILL NO. 284, SENATE BILL NO. 289, LAWS OF 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of House bill number two hundred and eighty four, Senate bill number two hundred and eighty-nine be amended by striking out the word "a" after the word purchase and before the word pure, in line two of said section, and inserting in lieu thereof the words "one or more." Amendment.

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

Ratified this the 7th day of March A. D. 1917.

CHAPTER 682

AN ACT TO VALIDATE CERTAIN INDEBTEDNESS OF LINCOLN COUNTY AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Laws repealed.

SECTION 1. That all laws and clauses of laws that by implication or otherwise impair or restrict the right of the board of county commissioners of Lincoln County to borrow money for public necessity and to issue the county obligation therefor, to the extent that they have the effect stated, and fix date and time of payment of same, are hereby repealed. It being the intent and meaning of this act to remove such restrictions and to enable the county authorities of Lincoln County or any municipal government therein to issue bonds as authorized and declared by the Constitution and chapter one hundred and thirty-one, Public Laws one thousand nine hundred and fifteen.

Construction of act.

Obligations validated.

SEC. 2. That nothing in this act shall impair or affect the validity of any bond or bonds or evidence of municipal indebtedness issued by the county of Lincoln, or any town or municipal government therein, pursuant to law, but all such bonds, indebtedness, and so forth are hereby validated.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 683

AN ACT TO REQUIRE THE COUNTY BOARD OF EDUCATION OF GATES COUNTY TO HAVE ALL SCHOOL ACCOUNTS IN SAID COUNTY PROPERLY AUDITED AND DETAILED STATEMENT OF SAME PUBLISHED ANNUALLY.

The General Assembly of North Carolina do enact:

Annual audits.

SECTION 1. That it shall be the duty of the board of education of Gates County to have made on the first Monday in April, nineteen hundred and seventeen, and annually thereafter during the month of each July, an audit for the preceding year of all public school accounts, including all special-tax school districts not incorporated by special acts of the General Assembly, which audit shall cover all amounts expended or disbursed by said board of education or by the county superintendent, for any and all purposes during the twelve months next prior thereto; and to have the audit of said accounts properly made, they are hereby authorized and empowered to employ a competent accountant for

Employment and pay of accountant.

that purpose, who shall receive for his services such amount as said board of education may deem necessary, not to exceed the sum of five dollars per day and traveling expenses for the time actually spent in making and reporting said audit and inspection.

SEC. 2. That it shall be the duty of the chairman of the board of education of Gates County to cause to be published in some newspaper circulating in the county the full report of such auditor or accountant within ten days after the report is filed with said board, which publication shall contain a detailed statement of all amounts expended or disbursed in each school district, and all amounts received and expended or disbursed by said board of education, or by the county superintendent, for any and all purposes during the twelve months next prior thereto, and stating to whom and for what said amounts were so expended.

Publication of accounts.

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

Application of act.

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

Repealing clause.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 684

AN ACT TO REVISE AND REARRANGE THE LISTS OF DELINQUENT TAXES IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county board of commissioners of Wake County be and they are duly authorized and empowered to have the tax lists of Wake County for all the years prior to the year one thousand nine hundred and seventeen revised with the view to having the names of delinquent taxpayers, property on which taxes are unpaid, amounts due, the years in which taxes fell due, with penalties indicated, if any, in one book, the said list of delinquent taxpayers to be arranged in alphabetical order, and the county board of commissioners may have the tax lists of all delinquent taxpayers revised annually hereafter.

Lists of delinquents.

Lists revised annually.

SEC. 2. That such lists, when approved by the county board of commissioners of Wake County, shall be notice, and the only notice, of the lien of the county or State for taxes for the years included in said list.

Notice of lien.

SEC. 3. That the said county board of commissioners be and they are hereby authorized and empowered to expend from the general county fund of Wake County an amount sufficient to re-

Expenditure authorized.

wise, rearrange, bring forward, and make complete an up-to-date book of delinquent taxable property and polls of Wake County as set forth above.

Supervision of work.

SEC. 4. That this work shall be done under the supervision of the auditor of Wake County, and such employees engaged in such work shall be at the command of said auditor, and shall report to him for services, and he shall be furnished sufficient help to do said work.

Help to be furnished.

Repealing clause.

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 7th day of March, A. D. 1917.

CHAPTER 685

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF POLK COUNTY TO INCREASE JAIL FEES IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Jail fees.

SECTION 1. That the county commissioners of Polk County be and the same are hereby authorized to pay the jailer of said county a sum not to exceed fifty cents per day for furnishing and attending each prisoner, as specified in section two thousand seven hundred and ninety-nine of the Revisal of one thousand nine hundred and five.

Repealing clause.

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 7th day of March, A. D. 1917.

CHAPTER 686

AN ACT FOR THE PROTECTION OF FISH IN WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

Use of explosives and seines.

SECTION 1. That it shall be unlawful to use any dynamite or other explosives for the purpose of killing or stunning, or in any other manner taking fish, or to use a seine in catching fish, in any of the rivers or creeks of Watauga County.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than twenty-five dollars for each offense. Misdemeanor.
Punishment.

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

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 687

AN ACT TO REPEAL CHAPTER 753 AND TO AMEND CHAPTER 126 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA FOR 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That all of chapter seven hundred and fifty-three of the Public-Local Laws of one thousand nine hundred and fifteen, which was ratified on the ninth day of March, one thousand nine hundred and fifteen, be and the same is hereby repealed. Law repealed.

SEC. 2. That section thirteen of chapter one hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and fifteen be amended by striking out all after section thirteen down to and including the words, "of the courts," in the thirteenth line of said section. Drainage regulations.

SEC. 3. That section fourteen of said chapter one hundred and twenty-six, Public-Local Laws of one thousand nine hundred and fifteen be amended by adding at the end of said section after the words "public road" the following: "first consulting the owner, and if he cannot make reasonable terms, then it shall have authority to remove the said trees by paying to the owner thereof a fair value for the same, to be ascertained by petitions filed before the clerk of the Superior Court of Pasquotank County to condemn the same, and to assess their value, and either party being dissatisfied with the assessment may, upon ten days notice, appeal to the Superior Court of Pasquotank County." Removal of trees.

SEC. 4. That there shall be added to chapter one hundred and twenty-six, Public Local Laws of one thousand nine hundred and fifteen the following:

"Sec. 31a. That in all cases where the highway commission has gone upon the land abutting on the road and has cut trees, and where the owner has made demand for damages, they shall have a right of appeal, provided they have given notice of same within twenty days after their claim has been declined or the Right of appeal.

board has refused to consider the same, and all appeals that have been taken from the ruling of the board in failing to allow compensation, either by declining to pay it or refusal to consider it, shall be allowed; and this shall apply to all suits now pending."

Repealing clause.

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 7th day of March, A. D. 1917.

CHAPTER 688

AN ACT TO AMEND HOUSE BILL 301, SENATE BILL 295, BEING AN ACT TO AMEND CHAPTER 383 OF THE PUBLIC-LOCAL LAWS OF 1915, ENTITLED "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:

Law extended.

SECTION 1. That House bill three hundred and one, Senate bill two hundred and ninety-five of the General Assembly of North Carolina, session of one thousand nine hundred and seventeen, is hereby amended by adding after the word "Robeson" the words "Hoke and Cumberland."

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 689

AN ACT TO AMEND CHAPTER 336 OF THE PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO PROVIDE FOR GOOD ROADS IN PENDER COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and thirty-six of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows: In section five, line four, after the word "township" strike out to the end of said section: "Provided, before any township shall have the right to the benefit of this act a petition shall be filed with the commissioners of Pender County, signed by a majority of the qualified

Proviso: Petition
for enforcement
of act.

voters of the township requesting the benefit of the same, which petition shall state that they favor the tax levy for roads and in addition thereto favor the working of all persons subject to road duty in the respective township: *Provided further*, that no person under twenty-one years of age shall be worked as a result of the provisions of this act.

Proviso: Age limit.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 690

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF CALDWELL COUNTY TO APPOINT A COUNTY MANAGER.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners in Caldwell County be and they are hereby authorized to appoint a suitable person to act as county manager, who shall hold such position at the will of the board of commissioners and at such compensation as they may fix. Such county manager may be a member of the board of county commissioners.

Appointment authorized.

Term and compensation.

May be a member of board.

Sec. 2. That such county manager shall perform such duties as may be imposed on him by the board of commissioners, which may include the following:

Duties prescribed by commissioners.

(1) He shall see that within the county the regulations, resolutions, and orders of the board of commissioners are duly observed and executed.

Enforcement of orders of board.

(2) He shall have supervision, under the control of the board of commissioners, of the roads and bridges of the county, which are not by statute placed under the supervision and control of a board of road commissioners or trustees.

Supervision of roads and bridges.

(3) He shall receive and investigate all claims and matters presented at the next meeting of the board of commissioners, in order that he may be in a position to inform the board with respect thereto.

Investigation of claims and other matters.

(4) He shall attend all meetings of the board of commissioners, inform the board with respect to claims and matters, present recommendations for adopting such measures as he shall deem expedient, may report from time to time upon the affairs of the county and keep the board fully advised of the county's financial condition and its future financial needs, but shall not have any vote or power to act as member of the board unless he be a member of the board, except that he may act as the repre-

Attendance on commissioners meetings.

sentative of the board, when the board is not in session, with respect to all matters intrusted by the board to his supervision. He may also be required to audit the books of the various county offices.

County treasurer.

(5) In the event that the office of county treasurer shall be abolished, the county manager may perform the duties of county treasurer, and if required to perform such duties he shall give the bonds required by statute to be given by a county treasurer.

Order fixing duties and authority.

SEC. 3. Upon appointing a county manager, the board of county commissioners shall enter or cause to be entered upon the minutes of the board an order stating in detail the duties such county manager is required to perform and the authority he may exercise, which may include all or any of the powers and duties set forth in section two of this act, as well as such others as the board may see fit to impose.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 691

AN ACT TO AMEND HOUSE BILL 395, SENATE BILL 21, THE SAME BEING AN ACT WITH REGARD TO THE PUBLIC ROADS AND BRIDGES OF ROBESON COUNTY PASSED AT THIS SESSION OF THE GENERAL ASSEMBLY AND RATIFIED ON THE 9TH DAY OF JANUARY, 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of House bill three hundred and ninety-five, Senate bill twenty-one, the same being an act with regard to the public roads and bridges of Robeson County, passed at this session of the General Assembly and ratified on the ninth day of January, one thousand nine hundred and seventeen, be and the same is hereby amended by striking therefrom the part of said section appointing certain persons as members of the road commission of Robeson County, beginning, "and until the general election," to the end of said section, and in lieu thereof insert the following: "and on the first Monday in May, one thousand nine hundred and seventeen, at the same time and place as has been provided by law for a bond election for Robeson County, and under the general law governing such elections there shall be one of said road commission for each of said districts elected to serve until the first Monday in December, one thousand nine hundred and eighteen, or until their successors, to be elected at the general election in one thousand nine hundred and

Election of road commissioner.

eighteen, have qualified. That if there be more than two candidates in any one district at the election on the first Monday in May, one thousand nine hundred and seventeen, and no one of such candidates receives a majority of the votes cast in his district, the one receiving a plurality of the votes cast shall be declared the duly elected commissioner from that district.”

SEC. 2. That at the end of section fifty of said act there shall be added the following: “*Provided still further*, that if at the election to be held on the first Monday in May under a statute passed at this session of the General Assembly, the voters do not authorize the road bond issue to the amount of five hundred thousand dollars (\$500,000), then the amount of taxes which may be asked for by the board of road commissioners and levied by the board of county commissioners may be in amounts not exceeding twenty-five cents on the one hundred dollars assessed valuation of property and seventy-five cents on each taxable poll.”

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 692

AN ACT TO AMEND SECTION 2024 OF THE REVISAL OF 1905 OF NORTH CAROLINA, RELATING TO THE COLLECTION OF THE PRICE OF SEASON IN ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand and twenty-four of the Revisal of one thousand nine hundred and five of North Carolina be amended by adding at the end of said section the following: “In Alamance County, whenever the owner of such mare, jennet, or cow shall desire to dispose of the same before the time of the birth of the colt or calf, or before the price of the season is paid, such owner shall at the time of the disposition of such mare, jennet, or cow make known to the person, firm, or corporation receiving same the fact that the season has not been paid and the name and postoffice address of the person, firm, or corporation to whom same is due or to become due; and such owner of a mare, jennet, or cow shall also within five days after he has disposed of same notify the owner of the studhorse, jack, or bull of such disposition, giving the name and postoffice address of the person, firm, or corporation that has received such mare, jennet, or cow. All persons who fail or omit to comply with the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall pay a fine of fifteen dollars: *Provided*, that this

Person declared elected.

Tax rate if bonds are defeated.

Notice to be given by seller.

Notice to owner of sire.

Misdemeanor.

Punishment.

Proviso: Construction of act.

act shall not be construed so as to repeal as to said Alamance County any part of sections two thousand and twenty-four and two thousand and twenty-five of said Revisal of one thousand nine hundred and five, creating a lien on calves and colts for the price charged for the season."

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

When act effective. SEC. 3. That this act shall be in full force and effect from and after April first, one thousand nine hundred and seventeen.

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 693

AN ACT TO REQUIRE CERTAIN COUNTY BOARDS OF EDUCATION TO HAVE ALL SCHOOL ACCOUNTS IN SAID COUNTIES PROPERLY AUDITED AND DETAILED STATEMENT OF SAME PUBLISHED ANNUALLY.

The General Assembly of North Carolina do enact:

Annual audits. SECTION 1. That it shall be the duty of the board of education in each of the counties hereinafter named to have made, annually

Extent of audit. during the month of each July hereafter, an audit of all public school accounts in each of said counties, including all special-

Employment and compensation of accountant. tax school districts not incorporated by special acts of the General Assembly, which audit shall cover all amounts expended or disbursed in each school district, and all amounts received and expended or disbursed by said board of education or by the county superintendent for any and all purposes during the twelve months next prior thereto; and to have the audit of said accounts properly made, they are hereby authorized and empowered to employ a competent accountant for that purpose, who shall receive for his services such amount as said board of education may deem necessary, not to exceed the sum of five dollars per day and traveling expenses for the time actually spent in making and reporting said audit and inspection.

Publication of report. SEC. 2. That it shall be the duty of the chairman of the board of education in each of said counties to cause to be published in some newspaper published in the county the full report of such auditor or accountant within sixty days after the report is filed with said board, which publication shall contain a detailed statement of all amounts expended or disbursed in each school district, and all amounts received and expended or disbursed by said board of education or by the county superintendent for any and all purposes during the twelve months next prior thereto, and stating to whom and for what said amounts were so expended.

Details of publication. with said board, which publication shall contain a detailed statement of all amounts expended or disbursed in each school district, and all amounts received and expended or disbursed by said board of education or by the county superintendent for any and all purposes during the twelve months next prior thereto, and stating to whom and for what said amounts were so expended.

SEC. 3. That this act shall apply only to the counties of Bertie and Hertford. Application of act.

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

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 694

AN ACT TO AMEND CHAPTER 1 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That the road commissioners mentioned in Chapter one of the Public-Local Laws of one thousand nine hundred and thirteen are hereby abolished, and the powers, duties, and rights of said officers transferred to the board of county commissioners, and the said board of county commissioners shall have the power to exercise all the duties and powers that the board of road commissioners is given in the said act, to wit, chapter one of the Public-Local Laws of one thousand nine hundred and thirteen, except the provision in there giving them the right to meet at the courthouse in the town of Mocksville, North Carolina, on Tuesday after the first Monday in July, September, November, January, and March of each and every year, to transact such business as may come before it pertaining to the roads and highways of Davie County. That the board of county commissioners shall attend to the duties mentioned in said act on the regular meeting days. Road commission abolished. Transfer of powers and duties. Duties to be discharged by county commissioners.

SEC. 2. It shall be the duty of the road supervisors to meet the county commissioners at the regular meetings provided by general law instead of meeting as provided in chapter one of the Public-Local Laws of one thousand nine hundred and thirteen, which is abolished in section one of this act. Road supervisors.

SEC. 3. The provisions of this act shall be submitted to the voters of Davie County at the time for holding the general primary for the nomination of State officers and Congressmen in the year nineteen hundred and eighteen, and at said election all voters who favor the provisions of this act shall vote ballots on which is written or printed "Against Road Commissioners," and all opposed shall vote ballots on which is written or printed "For Road Commissioners"; and if a majority of the votes cast in said election shall be "Against Road Commissioners," then the provisions of this act shall be in full force and effect from and Act submitted to voters. Ballots. Effect of election.

Law governing
election.

after the first day of December, nineteen hundred and eighteen. The said election shall be held and conducted under the laws applying to general elections.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 695

AN ACT TO AMEND CHAPTER 332 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, AUTHORIZING THE COMMISSIONERS OF CARTERET COUNTY TO ISSUE BONDS FOR ROADS, ETC.

The General Assembly of North Carolina do enact:

Reports to be
made and pub-
lished biennially.

SECTION 1. That chapter three hundred and thirty-two of the Public-Local Laws of the session of one thousand nine hundred and thirteen be and the same is hereby amended by adding at the end of section sixteen the following: "The treasurers of the several township highway commissions of Carteret County created by virtue of this act, are hereby expressly required every two years to file with the board of county commissioners a report in detail of receipts and expenditures for the months immediately preceding, and in addition thereto to post at three of the most public places in said township a copy of said report. The board of county commissioners are hereby delegated with discretionary power to have said reports published in the several newspapers of the county as often as they may deem necessary."

Discretionary
powers.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 696

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF WAYNE COUNTY TO EXEMPT THE GOLDSBORO ELECTRIC RAILWAY COMPANY FROM TAXES.

Preamble.

Whereas the Goldsboro Electric Railway Company, a street and railway corporation of Goldsboro, in Goldsboro Township, is a local community proposition, a large part of the stock of said company being owned by the city of Goldsboro and practically all of the balance of said stock owned by residents of Goldsboro Township; and whereas said company is a benefit to the commu-

Preamble.

nity in which it operates, and being yet in its infancy, it is desirable that Goldsboro Township encourage said company as far as is consistent: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Wayne County is hereby authorized, if it deems advisable, to exempt the property of the Goldsboro Electric Railway Company and such bonds or notes as said company may issue from general county and local taxation in Goldsboro Township; said board may make such exemption apply for the year nineteen hundred and sixteen and continue such exemption until and for such time or times as said board may deem advisable. Exemption authorized.

SEC. 2. That all laws, clauses or parts of law 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 7th day of March, A. D. 1917.

CHAPTER 697

AN ACT SUPPLEMENTAL TO AN ACT ENTITLED "AN ACT TO ABOLISH THE ONSLOW COUNTY COURT," IT BEING HOUSE BILL 212, SENATE BILL 200, RATIFIED MARCH 9 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That House bill two hundred and twelve, Senate bill two hundred, entitled "An act to abolish Onslow County Court," ratified on January ninth, one thousand nine hundred and seventeen, be and the same is hereby amended as follows: By striking out in line three of section two the word "March" and inserting in lieu thereof the word "December," and by striking out in line four of section two the word "seventeen" and inserting in lieu thereof the word "eighteen." Dates changed.

SEC. 2. That said act be further amended by striking out all of section three and inserting in lieu thereof the following:

"Sec. 3. That this act shall be in force from and after the first day of December, one thousand nine hundred and eighteen: When act effective.

Provided, that at the legalized primary election held in one thousand nine hundred and eighteen, there shall be submitted to the qualified voters of Onslow County the question as to whether or not said court shall be abolished. The county board of election of Onslow County shall provide a separate ballot box at said election, and those in favor of abolishing said court shall

Proviso: Act submitted to voters.

Ballot boxes.

Ballots.

deposit a ballot on which shall be printed 'For Abolishment of County Court,' and those who oppose the abolishment of said court shall vote a ballot on which shall be printed 'Against Abolishment of County Court.' That if a majority of the votes be cast 'For Abolishment of County Court,' then this act shall become effective as herein provided for, and if a majority of the votes cast be 'Against Abolishment of County Court,' then said county court shall continue in existence as provided by chapter one hundred and forty, Public-Local Laws of the special session of one thousand nine hundred and thirteen, and chapter three hundred and eighty-eight, Public-Local Laws, session one thousand nine hundred and fifteen."

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 698

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF AN ACT PASSED AT THE PRESENT SESSION OF THE GENERAL ASSEMBLY REPEALING THE RECORDER'S COURT ACT OF THE CITY OF KINSTON.

The General Assembly of North Carolina do enact:

Construction of act.

SECTION 1. That the act passed at the present session of the General Assembly repealing chapter six hundred and thirty-six of the Public-Local Laws of one thousand nine hundred and fifteen, establishing a recorder's court for the city of Kinston, shall be construed and have the effect further of restoring to the mayor of the city of Kinston the judicial powers and functions theretofore possessed and exercised by that officer.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 699

AN ACT TO AMEND CHAPTER 731 OF THE PUBLIC-LOCAL LAWS OF 1911.

The General Assembly of North Carolina do enact:

Salary of sheriff.

SECTION 1 That the words "thirty-five" in the first line of section two of the chapter seven hundred and thirty-one of the Public-Local Laws of one thousand nine hundred and eleven be stricken out and the word "forty" be inserted in lieu thereof.

SEC. 2. That section six of chapter seven hundred and thirty-one of the Public-Local Laws of one thousand nine hundred and eleven be amended by adding the following words to said section: "Provided, however, that the board of county commissioners of Lenoir County may in its discretion allow the register of deeds of said county an additional compensation of five hundred dollars per annum if such additional amount does not exceed, when added to his present compensation, the gross proceeds of his office."

Proviso: Additional allowance.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 700

AN ACT REQUIRING THE APPOINTMENT OF A COUNTY AUDITOR AND EX-OFFICIO CLERK OF THE RECORDER'S COURT OF CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Cumberland County be and they are hereby empowered and directed to appoint a county auditor, who shall be *ex officio* clerk of the recorder's court of Cumberland County and who shall receive a compensation of twelve hundred dollars per annum. He shall perform all the duties of the positions of auditor of Cumberland County and clerk of recorder's court heretofore required by law.

Appointment directed.

Compensation. Duties.

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

Laws repealed.

SEC. 3. That this act shall go into effect on the first Monday in December, nineteen hundred and eighteen.

When act effective.

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 701

AN ACT TO RESTRICT THE ADJUSTMENT OF CASES BY THE MAYOR IN THE CITY OF FAYETTEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for the mayor of the city of Fayetteville to hear, try, adjust, or dispose of in any manner any case against any defendant charged with the violation of any city ordinance of the city of Fayetteville, Cumberland County, or statute.

Trials by mayor forbidden.

- Issue and return of process. SEC. 2. That it shall be the duty of the mayor of the city of Fayetteville to sign warrants and other processes in criminal actions and make them returnable before the recorder.
- Misdemeanor. SEC. 3. Any person violating the provisions of this act shall be guilty of a misdemeanor, and punishable in the discretion of the court.
- Punishment.
- Repealing clause. 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 7th day of March, A. D. 1917.

CHAPTER 702

AN ACT TO AMEND SECTION 1395, OF CHAPTER 26 OF THE REVISAL OF 1905 OF NORTH CAROLINA BY EXEMPTING CHEROKEE COUNTY FROM THE PROVISIONS OF SAID SECTION.

The General Assembly of North Carolina do enact:

- Exemption. SECTION 1. That section one thousand three hundred and ninety-five of chapter twenty-six of the Revisal of one thousand nine hundred and five of North Carolina be amended by adding after the word "treasurer," at the end of said section, the words, "that Cherokee County shall be exempted from the provisions of this section."
- Repealing clause. 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 7th day of March, A. D. 1917.

CHAPTER 703

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF HOUSE BILL 16, SENATE BILL 157, RATIFIED JANUARY 9, 1917, ENTITLED "AN ACT TO PROVIDE BETTER ROADS FOR ANSON COUNTY," AND TO EXEMPT THE SALE OF BONDS PROVIDED FOR IN SAID ACT FROM THE PROVISIONS OF SENATE BILL NO. 67, HOUSE BILL 700, RATIFIED MARCH 5, 1917.

- Preamble. Whereas the indebtedness provided for in said act entitled "An act to provide better roads for Anson County," ratified the ninth day of January, one thousand nine hundred and seven-

teen, was designated as "certificates of indebtedness," instead of "bonds"; and whereas the sale of the indebtedness provided for in said act entitled "An act to provide better roads for Anson County" were advertised for sale prior to the passage and ratification of Senate bill three hundred and sixty-seven, House bill seven hundred, entitled "An act to prohibit the sale of public bonds without notice," ratified March fifth, one thousand nine hundred and seventeen: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That said act entitled "An act to provide better roads for Anson County" be amended by striking out the words "certificates of indebtedness" wherever they appear in said act and insert in lieu thereof the word "bonds." Verbal amend-
ment.

SEC. 2. That the sale of the said bonds shall be exempt from the provisions of the act to prohibit sales of public bonds without notice, ratified the fifth day of March, one thousand nine hundred and seventeen, entitled "An act to prohibit the sale of public bonds without notice." Sale of bonds.

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 its ratification.

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 704

AN ACT TO ALLOW THE COMMISSIONERS OF VANCE COUNTY TO TAX DOGS.

The General Assembly of North Carolina do enact:

SECTION 1. That any person owning or keeping an open female dog more than three months old, capable of bearing young, shall pay annually on each female dog so owned or kept a license or privilege tax of three dollars (\$3). Tax on open
bitches.

SEC. 2. That any person owning or keeping a male dog or female dog other than the kind specified in section one of this act shall pay annually on each dog so owned or kept a license or privilege tax of one dollar (\$1). Tax on other dogs.

SEC. 3. That it shall be the duty of every person owning or keeping a dog to list the same for such tax at the same time and place as personal property is listed. Any dog so listed for tax shall be held to be property, and shall be the subject of larceny. Dogs to be listed.
Listed dogs
property.

- Collection of tax. SEC. 4. That the taxes hereunder shall be paid to and collected by the sheriff in the same manner as provided for the payment and collection of other taxes.
- Use of tax. SEC. 5. That the net proceeds raised from the collection of said taxes shall be turned over to the treasurer or financial agent of the county school fund, and shall be a part of the "building fund."
- Failure to list dogs misdemeanor. Punishment. SEC. 6. 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 more than ten dollars (\$10) or imprisoned not more than ten days.
- Levy on dogs for tax. SEC. 7. That in the event any person listing a dog for taxation under the provisions of this act shall fail to pay said tax prior to December thirty-first of each year, and the sheriff shall be unable to find other property of such person subject to levy, it shall be his duty to levy upon the dog or dogs of such person, and, unless such tax and cost of levy are paid, to cause the dog or dogs to be killed.
- Ratification by county commissioners. SEC. 8. That the foregoing sections of this act shall not take effect unless and until ratified and approved by the board of commissioners of Vance County at a regular meeting of said board held on or before the first Monday of July, one thousand nine hundred and seventeen, such ratification and approval to appear in the minutes of the meeting of said board: *Provided*, that in the event said board of commissioners do not ratify the foregoing sections of this act at said meeting in one thousand nine hundred and seventeen the said board of commissioners shall consider this act again at their regular meeting in April, one thousand nine hundred and eighteen, with full power to ratify said act. When the foregoing sections are so ratified and approved by said board of commissioners the foregoing sections shall be in full force and effect in Vance County.
- Proviso: Further consideration. SEC. 9. That this act shall apply to Vance County only.
- Act effective. SEC. 10. That this act shall be in force and effect from and after its ratification.
- Application of act. Ratified this the 7th day of March, A. D. 1917.

CHAPTER 705

AN ACT TO AMEND CHAPTER 372, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915.

The General Assembly of North Carolina do enact:

- Exception of jurisdiction. SECTION 1. That subsection (a) of section six, Public-Local Laws of North Carolina, chapter three hundred and seventy-two,

session one thousand nine hundred and fifteen, be and the same is hereby amended by striking out the words "town of Chadbourn" in line four, and striking out the words "town of Tabor" in line five of said subsection (a), section six, chapter three hundred and seventy-two.

SEC. 2. That subsection (c), section six, chapter three hundred and seventy-two of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, be amended as follows: By inserting the words "and exclusive" between the word "original" in line two and the word "jurisdiction" in lines two and three in said subsection (c) of said section six, chapter three hundred and seventy-two of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen. Exclusive jurisdiction.

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 its ratification.

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 706

AN ACT TO REPEAL CERTAIN SECTIONS OF CHAPTER 679 OF PUBLIC-LOCAL LAWS OF 1915, IT BEING AN ACT CREATING A HIGHWAY COMMISSION FOR THE COUNTY OF WAYNE.

The General Assembly of North Carolina do enact:

SECTION 1. That sections twenty-six and thirty of chapter six hundred and seventy-nine of the Public-Local Laws of one thousand nine hundred and fifteen be and the same are hereby repealed. Power to borrow money.
Attorney.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 707

AN ACT TO AMEND SENATE BILL 1221, HOUSE BILL 1559, RELATING TO REFERENDUM IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend Senate bill one thousand two hundred and twenty-one, House bill one thousand five hundred and fifty-nine, by inserting after the word "eighteen" and before the word "in" Alternative date.

in line four, section one, the words, "or at any other time deemed best in the discretion of the county commissioners."

SEC. 2. Amend Senate bill one thousand two hundred and twenty-one, House bill one thousand five hundred and fifty-nine, by adding after the word "system" at the end of line nine, section one, the words, "*Provided*, that in the event the election is at a time other than at the general primary, the cost of such election to the county shall not exceed the sum of thirty-one dollars and fifty cents (\$31.50).

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 708

AN ACT TO CORRECT A TYPOGRAPHICAL ERROR IN LAWS OF 1917.

The General Assembly of North Carolina do enact:

Verbal correction. SECTION 1. That House bill number two hundred and eighty-five, Senate bill number three hundred and twenty-three, Laws of one thousand nine hundred and seventeen, be amended so that wherever the words "county commissioners" appear it shall be amended so as to read "road commissioners" of Mitchell County.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 709

AN ACT TO PROHIBIT THE SALE OF WINE, CIDER AND OTHER INTOXICATING DRINKS IN BERTIE, BLADEN, AND HERTFORD COUNTIES.

The General Assembly of North Carolina do enact:

Prohibition. SECTION 1. That it shall be unlawful for any person or persons, firm or corporation to sell or offer for sale, barter or exchange any wine, cider, or other intoxicating drinks, or any flavoring extracts, patent or proprietary medicine or preparations, for beverage purposes, in the counties of Bertie, Bladen, and Hertford, North Carolina: *Provided*, this act shall not be construed to prevent the sale of cider for vinegar nor of wine for sacramental wine.

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

SEC. 3. That this act shall be in full force and effect from and after the first day of April, one thousand nine hundred and seventeen. When act effective.

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 710

AN ACT FOR THE PROTECTION OF CHURCHES AND SCHOOLHOUSES IN HOKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, association, or corporation to sell any wine or cider within three miles of any church or schoolhouse in Hoke and Cumberland counties. Prohibition.
Locality.

SEC. 2. That any person, firm, association, or corporation violating the provisions of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than five dollars nor more than twenty-five dollars, or be imprisoned not exceeding thirty days. Misdemeanor.
Punishment.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 711

AN ACT TO AMEND CHAPTER 452 OF THE PUBLIC-LOCAL LAWS OF 1911, WITH RESPECT TO THE COMPENSATION OF THE DEPUTY SHERIFFS OF WAKE COUNTY FOR THE SERVICE OF PROCESSES.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter four hundred and fifty-two of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby amended by striking out from line three thereof the words "one-half" and from line four thereof the words "by them."

SEC. 2. That this act shall go into effect from and after its ratification.

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 712

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY TO APPOINT A COTTON WEIGHER FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

Appointment authorized.

SECTION 1. That the board of county commissioners of Cumberland County be and they are hereby authorized and empowered to appoint some suitable and competent person as cotton weigher for said county. Before entering upon the discharge of the duties of his office such cotton weigher shall take the oaths prescribed by law and enter into bond in the sum of one thousand dollars, payable to the State of North Carolina, conditioned upon the faithful and honest discharge of the duties of his office.

Qualification and bond.

Cotton to be weighed.

SEC. 2. That all the cotton sold in bales in the city of Fayetteville shall be weighed by such cotton weigher, who shall be paid for such services the sum of ten cents per bale, of which amount the seller shall pay five cents and the purchaser five cents. All fees collected from this source shall be paid monthly into the hands of the county treasurer of Cumberland County. The board of commissioners of said county are hereby authorized to pay said cotton weigher a salary which shall not exceed twelve hundred dollars per annum.

Fees collected and paid over.

Salary.

Records.

SEC. 3. That it shall be the duty of said cotton weigher to keep a record of the cotton belonging to different purchasers and weighed by him, so that cotton belonging to different buyers shall not become mixed on the yard or platform where the weighing is done. He shall also keep a record of all cotton weighed by him, showing the names of both sellers and buyers.

Cotton platform.

SEC. 4. That the board of county commissioners are also authorized and empowered, in their discretion, to erect a cotton platform for the convenience of persons selling and handling cotton in said town.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 713

AN ACT TO AMEND CHAPTER 372, PUBLIC LAWS OF 1901.

The General Assembly of North Carolina do enact:

Columbus county stricken from law.

SECTION 1. That chapter three hundred and seventy-two, Public Laws of one thousand nine hundred and one, be and the same

is hereby amended by striking out all of said chapter that applies to any waters in Columbus County, so that said chapter three hundred and seventy-two of the Public Laws of nineteen hundred and one nor any part thereof shall in any manner apply to Columbus County.

SEC. 2. That chapter six hundred and ninety-eight of the Public Laws of North Carolina, session nineteen hundred and three, relating to fishing in Columbus County, be and the same is hereby repealed. Law repealed.

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

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 714

AN ACT TO PROVIDE FOR THE PURCHASE OF LAND FOR AGRICULTURAL PURPOSES, FOR THE MAINTENANCE OF THE COUNTY POOR, AND FOR THE ESTABLISHMENT OF A REFORMATORY FOR WOMEN AND YOUTHS IN THE COUNTY OF CRAVEN.

The General Assembly of North Carolina do enact:

SECTION 1. That the county of Craven be and the same is hereby authorized and empowered to establish and maintain a reformatory for women and for youthful criminals and delinquent juveniles of both sexes and both races, from the ages of seven to eighteen years, inclusive. Establishment authorized.

SEC. 2. That for the purpose expressed in section one of this act, for agricultural purposes, for the maintenance and support of the county poor, aged and infirmed, the support of the county convict force, and for such other county purposes as the board of commissioners may determine, the board of county commissioners of Craven County may purchase a suitable farm. If such property be purchased for the aforesaid purposes, there shall be maintained thereon a building for boys, with separate accommodations for white and colored boys, and a building for girls, with separate accommodations for white and colored girls: *Provided*, that females above eighteen years of age may be kept separate and apart from younger inmates. The board of commissioners may employ a superintendent, and such other assistants as may be deemed necessary to manage and control the farm and institution under such rules as shall be established by such board: *Provided*, that the superintendent employed by the said board Purchase of farm.
Building for boys.
Building for girls.
Proviso: Separation by ages.
Superintendent and assistants.
Proviso: Authority of superintendent.

shall have the right and is hereby authorized to require obedience from all of the inmates of said reformatory, and is hereby intrusted with the authority to correct and punish any inmate thereof under eighteen years of age to the same extent as a parent may, under the law, impose upon his own child.

Work required.

SEC. 3. That any and all of the inmates may be required to work from time to time at light work on the farm, and in such shop or shops as may be established on the property, the object being to provide regular, light, suitable and humane employment, to teach the inmates good moral character, how to work and to be industrious.

Bond issue authorized.

SEC. 4. That in order to provide for the purchase of property and the erection of buildings and equipping the same, as provided in section two of this act, the board of commissioners are hereby authorized and empowered to issue coupon bonds bearing interest, payable annually or semiannually, at a rate not exceeding six per cent per annum, to such an amount as the board of commissioners may determine, not exceeding the sum of fifty thousand dollars in such denomination as the board of commissioners may determine, payable not more than twenty years from the date of issue. Said bonds shall be signed by the chairman of the board of county commissioners and countersigned by the county treasurer, and the coupons of said bonds shall bear the engraved or lithographed signature of the treasurer and shall be made payable, both principal and interest, at such place or places as the board may determine. Said bonds shall be sold at public sale, after due notice, and the proceeds thereof shall be applied for the purposes herein set out, and no other.

Interest.

Amount.

Maturity.

Authentication.

Sale of bonds.

Use of proceeds.

Special tax.

SEC. 5. That the board of county commissioners, in order to provide for the payment of said bonds and coupons, are hereby authorized and empowered to levy a special tax of not more than five cents on the one hundred dollars worth of property and fifteen cents on the poll, observing the constitutional equation in the levy thereof. And the said board of commissioners are hereby authorized and empowered to purchase and retire one or more of said bonds annually, as the proceeds of the special tax may be found sufficient for that purpose, and without regard to the date of maturity of the particular bond or bonds; such bond or bonds, however, to be purchased and retired in the order of the date of their maturity.

Constitutional equation.
Purchase and retirement of bonds.

Approval of voters.

SEC. 6. That the provisions of this act shall not become operative and effective unless and until approved by a majority of the qualified voters of Craven County. If at any meeting of the board of commissioners of Craven County a majority of the board are in favor of holding an election to submit to the people the question whether such land shall be purchased and said reformatory established, the said board shall make an order call-

Order calling election.

ing the election, in which order shall be stated the time for holding such election, the amount of bonds to be issued and the interest thereon, and the tax rate which may be levied to take care of the bond issue. Such order shall be posted at the court-house door and at the usual polling place in each and every voting precinct in Craven County for not less than thirty days preceding the date of election. Such election, if called, shall be held in accordance with the general laws governing general elections.

Notice of election.

Law governing election.

SEC. 7. That at such election those who favor the adoption of the provisions of this act shall vote ballots with the words "For Reformatory" written or printed thereon, and those opposed thereto shall vote ballots with the words "Against Reformatory" written or printed thereon. And if at said election a majority of the registered voters of said county shall vote ballots with the words "For Reformatory" written or printed thereon, then the provisions of this act shall become operative and effective.

Ballots.

Effect of election.

SEC. 8. That in the event such farm is purchased and reformatory established, any court in Craven County having before it for final decision a case within its final jurisdiction of a child within the ages specified in section one of this act, found guilty of any criminal offense, or found to be a juvenile delinquent under chapter two hundred and twenty-two of the Public Laws of one thousand nine hundred and fifteen, may sentence such child to the custody of the superintendent of the reformatory. The sentence shall be for a term within that prescribed by law for the offense of which the child has been convicted or has confessed guilt, or in the case of a juvenile delinquent, for a probation period and under the conditions prescribed by chapter two hundred and twenty-two of the Public Laws of one thousand nine hundred and fifteen.

Sentences to reformatory.

Term of sentence.

SEC. 9. That all females above the age of eighteen years convicted in the courts of Craven County of any offense the punishment for which does not exceed imprisonment for more than ten years, may be sentenced by the court to imprisonment on said farm. The sentence shall be for the term within that prescribed by law for the offense of which the person has been convicted or confessed guilt.

Women sentenced to reformatory.

Term of sentence.

SEC. 10. In the event that it shall appear to the board of commissioners that any inmate of said reformatory has sufficiently reformed to be released, or that it would be for the best interests of such inmate and the county, they may certify the same to the Governor of the State, and he may release or parole said inmate upon such terms and conditions as may seem to him just and proper.

Releases on parole.

SEC. 11. In the event that it shall appear to the board of commissioners that any inmate of the said reformatory is or becomes ungovernable and is exerting an unwelcome influence

Transfer of ungovernable prisoners.

over any other inmate, or that it is for the best interests of the county, it shall be their duty to certify the same to the Governor of the State, and he may order such inmate to the State's Prison or to the jail or chain-gang in the county where such person shall serve out his or her unexpired term.

Escape a misdemeanor.

SEC. 12. That any one escaping from said farm and reformatory shall be guilty of a misdemeanor.

SEC. 13. That this act shall be in force from and after its ratification.

Ratified this the 7th day of March, A. D. 1917.

STATE OF NORTH CAROLINA,
OFFICE OF SECRETARY OF STATE.

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

In witness whereof, I have hereunto set my hand and affixed my official seal.
Done in office at Raleigh, this 18th day of May, in the year of our Lord 1917.

J. BRYAN GRIMES,
Secretary of State.

[Official Seal]

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NORTH CAROLINA

PRIVATE LAWS

PASSED BY THE

GENERAL ASSEMBLY

AT ITS

SESSION OF 1917

BEGUN AND HELD IN THE CITY OF RALEIGH

ON

WEDNESDAY, THE THIRD DAY OF JANUARY, A. D. 1917

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OF THE

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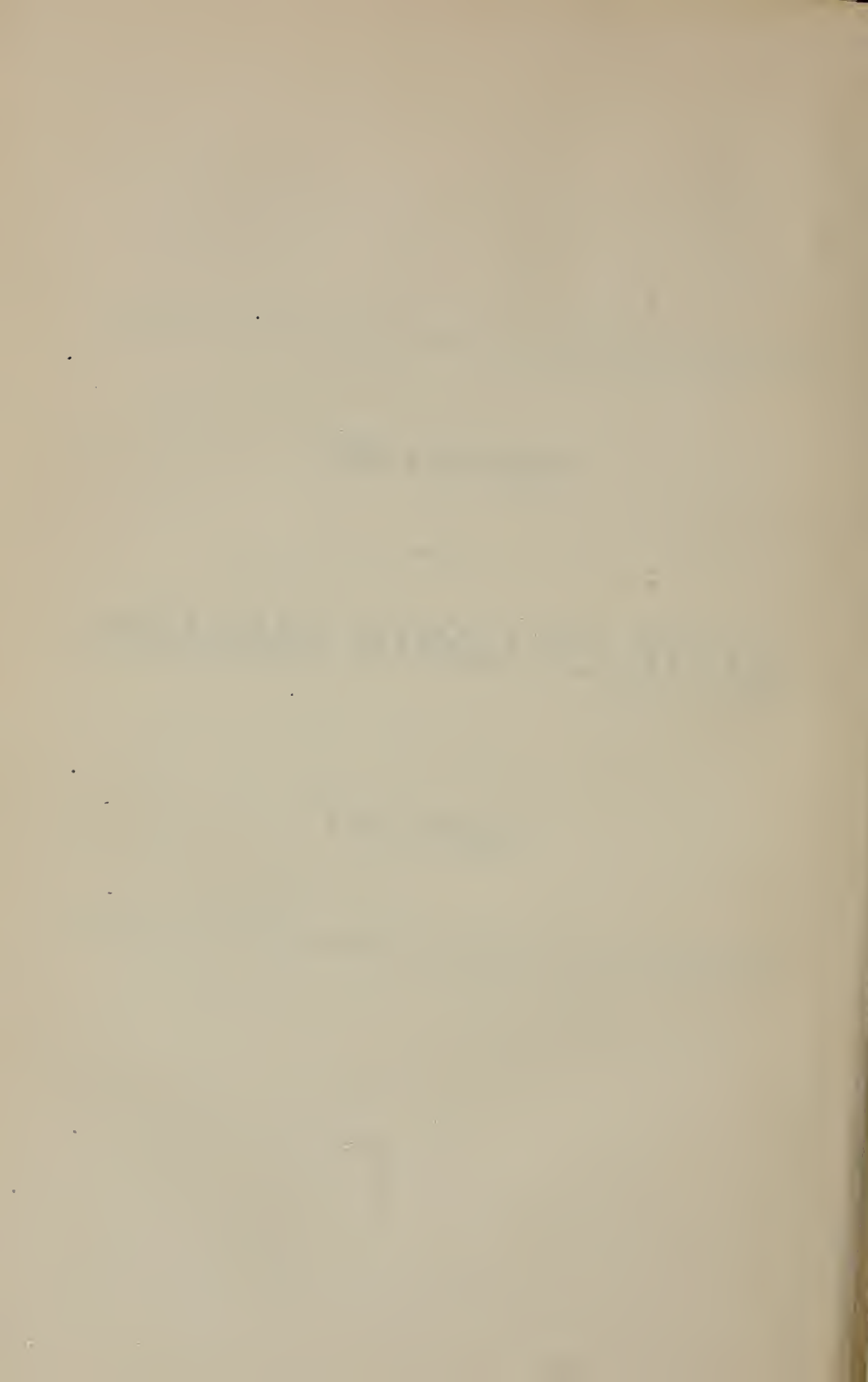
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PRIVATE LAWS

OF THE

STATE OF NORTH CAROLINA

SESSION 1917



PRIVATE LAWS
OF THE
STATE OF NORTH CAROLINA
SESSION 1917

CHAPTER 1

AN ACT TO FACILITATE THE COLLECTION OF TAXES
DUE AND UNPAID TO THE CITY OF WILMINGTON.

The General Assembly of North Carolina do enact:

SECTION 1. That the governing body of the city of Wilmington be and is hereby authorized and directed to have prepared, under its direction, a correct and complete record or transcript of all taxes now due and unpaid to said city, which record or transcript, when prepared and verified to the satisfaction of said governing body, shall be adopted by formal resolution or ordinance of said body, and shall thereupon be and constitute the official record of said city as to all taxes due and unpaid as aforesaid, and, as such, shall be *prima facie* evidence of its contents in any and all courts of the State.

Record of unpaid taxes.

Record made official.

SEC. 2. That hereafter, and annually, and as soon as practicable after the first day of May in each and every year, the governing body of said city shall cause to be added in appropriate manner to said record or transcript a true and correct record of all taxes due and unpaid to said city for the preceding tax year, and such additions so made shall thereupon become and be a part of the original record or transcript provided to be made in section one of this act.

Annual additions to records.

SEC. 3. No suit, action, or other proceeding shall be brought or maintained by, for, or on behalf of said city for the enforcement or collection of any taxes due to said city as ascertained from the transcript or record provided to be made by section one of this act unless such suit, action, or other proceeding shall have been brought, instituted, or commenced within five years from and after the date of the adoption of said transcript or record as provided in section one of this act. No suit, action, or other proceeding shall be brought to enforce payment or collection of any taxes hereafter levied and assessed by, for, or on behalf of said city, and added to said transcript or record as provided

Limitation on suits.

Further limitations.

in section two of this act, unless such suit, action, or proceeding shall have been brought, instituted, or commenced within five years from and after the first day of October of the year in or for which such taxes shall have been levied and assessed.

Repealing clause. SEC. 4. All laws or parts of laws in conflict with this act, to the extent only of such conflict, are hereby repealed.

SEC. 5. This act shall be in effect from and after its passage. Ratified this the 8th day of January, A. D. 1917.

CHAPTER 2

AN ACT TO EXTEND, AMEND, ENLARGE, AND CONSOLIDATE THE CHARTER OF THE BRANCH BANKING AND TRUST COMPANY.

Preamble: Com-
pany chartered. Whereas, by chapter one hundred and twenty-two of the Private Laws of one thousand eight hundred and eighty-nine, and the several subsequent amendatory acts thereto, The Branch Banking and Trust Company was duly chartered and incorporated to do and conduct a general banking and trust business in the town of Wilson, Wilson County, North Carolina; and whereas the stockholders of said bank in annual meeting on the twelfth day of December, one thousand nine hundred and sixteen, adopted a resolution declaring that an extension, amendment, enlargement, and consolidation of its charter is advisable and necessary: Now, therefore,

Preamble: Resolu-
tion of stock-
holders.

The General Assembly of North Carolina do enact:

Action ratified. SECTION 1. That the action of the stockholders of The Branch Banking and Trust Company is hereby ratified and confirmed.

Charter perpetual
and unlimited. SEC. 2. That the charter of The Branch Banking and Trust Company shall be perpetual and unlimited.

Capital stock. SEC. 3. That the capital stock of The Branch Banking and Trust Company shall be one hundred thousand dollars, divided into one thousand shares of the par value of one hundred

Shares. dollars per share; but the directors of said bank are hereby authorized and empowered to increase the capital stock of said

Power in directors
to increase. bank to two hundred thousand dollars divided into two thousand

Shares. shares of the par value of one hundred dollars per share, when-

Power in directors
to increase. ever they shall deem said increase necessary and for the best

Notice of increase. interest of the stockholders of said bank, upon proper action by said board of directors in meeting assembled for such purpose

Notice of increase. and upon having given, previous thereto, at least thirty days notice of such purpose to increase said capital stock to all known stockholders of record.

SEC. 4. That the principal office or place of business of the Principal office. said The Branch Banking and Trust Company shall be in Wil- son, Wilson County, North Carolina, but it may have and main- Branch offices. tain branch offices, banks and places of business in such other towns and cities as its board of directors may authorize and establish, not inconsistent with such rules and regulations as may be prescribed by law governing banks and trust companies in North Carolina.

SEC. 5. The Branch Banking and Trust Company shall have Corporate powers. and possess the capacity and power to sue and be sued, to maintain and defend actions in its corporate capacity; shall have and adopt a common seal; may take, hold, buy, sell, and convey real and personal property; conduct, transact, and carry on in its fullest scope and import a general banking and trust business, with all the rights, privileges, immunities, and powers incident to or appertaining thereto, permitted or accorded to banks and trust companies by the laws of the State of North Carolina.

SEC. 6. The said The Branch Banking and Trust Company Powers in fiduciary capacities. shall have and possess the right, power, and authority to act as agent, factor, financial agent, or trustee for any State, county, municipality, firm, corporation, company, or individual on such terms and conditions and for such objects and purposes as may be agreed upon by said parties and not inconsistent with the laws of the State of North Carolina, and for such services, acts, and deeds may take and receive such fees, commissions and charges as may be agreed upon by said parties.

SEC. 7. The said The Branch Banking and Trust Company Deposits for safe keeping. shall have the right, power, and authority to receive personal property of any kind or nature in trust for safe-keeping and to take and receive pay therefor; to become and act as executor, ad- Powers as trust company. ministrator, trustee, assignee, or receiver of estates and properties; to act as guardian of minors and lunatics and their properties and estates; to accept and execute any other trust that may be committed to it by any court, person, corporation, company, association, or partnership; to accept and hold by devise or bequest real or personal property in trust and to execute the trust in the manner prescribed.

SEC. 8. That in all cases where application shall or may be Courts may appoint as fiduciary. made to any court of this State for the appointment of a receiver, trustee, administrator, executor, guardian, assignee, or commissioner it shall be lawful for such court, if it shall see proper to so do, to appoint The Branch Banking and Trust Company such fiduciary in lieu of a natural person, and when so appointed the said The Branch Banking and Trust Company shall make and render all such accounts, schedules, reports, and settlements as would a natural person in such capacity, and shall be entitled to Compensation. and receive as compensation the same fees, costs, and allowances

Proviso: Oath by officer of bank. as would be allowed to a natural person in such fiduciary capacity: *Provided*, that any oath required by law to be taken for the qualification to any one of the offices or trusts herein mentioned may be taken by the trust officer of said bank or by any one of its officers in his absence.

Bonds as fiduciary. SEC. 9. That upon The Branch Banking and Trust Company's compliance with the provisions of sections four thousand seven hundred and ninety-nine, four thousand eight hundred *et seq.* of the Revisal of one thousand nine hundred and five, and being duly authorized to do business as provided by said sections by the Insurance Commissioner, the said The Branch Banking and Trust Company shall not be required to give nor execute any bond whatsoever in order to qualify in any fiduciary capacity whatsoever, and any law contrary to this provision heretofore enacted and relating to the said The Branch Banking and Trust Company is hereby expressly repealed and to be inoperative whenever the said bank complies with the provisions of sections four thousand seven hundred and ninety-nine, four thousand eight hundred *et seq.* of the Revisal of one thousand nine hundred and five.

By-laws. SEC. 10. The board of directors of The Branch Banking and Trust Company shall have the right and authority to make and adopt such by-laws for the management of the said bank and its officers and employees as they shall deem necessary and proper, and shall have the right and authority to amend, alter, and rescind said by-laws at their pleasure and will.

Directors named. SEC. 11. That until their successors and others are duly elected the following shall be and constitute the board of directors of said The Branch Banking and Trust Company, to wit: S. G. Mewborn, H. D. Bateman, S. H. Anderson, F. L. Carr, D. S. Boykin, J. G. Raper, W. D. P. Sharp, C. E. Moore, W. G. Carr, E. A. Darden, H. B. Lane, J. B. Deans, F. N. Bridges and John T. Barnes.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 3

AN ACT TO REPEAL CHAPTER 331 OF THE PRIVATE LAWS OF 1915.

The General Assembly of North Carolina do enact:

Law repealed. SECTION 1. That chapter three hundred and thirty-one (three hundred and thirty-three) of the Private Laws of one thousand

nine hundred and fifteen, entitled "An act to empower the board of aldermen or other governing authority of the city of Durham to call an election for the purpose of voting bonds for streets and sidewalks improvements," providing for holding an election in the city of Durham for street bonds, be and the same is hereby repealed.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 4

AN ACT TO AMEND THE CHARTER OF WELDON AND ROANOKE RAPIDS ELECTRIC RAILWAY COMPANY, AND CHANGING ITS NAME TO CAROLINA AND NORTHEASTERN RAILROAD COMPANY AND GRANTING IT PERPETUAL EXISTENCE AND AUTHORIZING AN INCREASE OF ITS CAPITAL STOCK AND AUTHORIZING THE CREATION OF TWO CLASSES OF STOCK; AUTHORIZING A BASIS FOR ISSUANCE AND PAYMENT FOR THE SAME; AND AUTHORIZING THE PURCHASE BY SAID COMPANY OF THE FRANCHISES AND PROPERTY OF NORTHAMPTON AND HERTFORD RAILWAY COMPANY AND WELLINGTON AND POWELLSVILLE RAILROAD COMPANY, EITHER OR BOTH, AND AUTHORIZING THE MERGER OR CONSOLIDATION OF EITHER OR BOTH OF SAID COMPANIES WITH SAID CAROLINA AND NORTHEASTERN RAILROAD COMPANY; AND AUTHORIZING THE SALE BY SAID NORTHAMPTON AND HERTFORD RAILWAY COMPANY AND WELLINGTON AND POWELLSVILLE RAILROAD COMPANY, EITHER OR BOTH, OF THEIR FRANCHISES AND PROPERTY TO SAID CAROLINA AND NORTHEASTERN RAILROAD COMPANY; PROVIDING FOR THE DETERMINATION OF THE VALUE OF THE STOCK OF ANY STOCKHOLDER OF EITHER COMPANY WHO DISSENTS FROM SUCH SALE, PURCHASE, CONSOLIDATION, OR MERGER AND FOR THE PAYMENT THEREOF; ENLARGING THE TERRITORY THROUGH WHICH ITS RAILROAD MAY EXTEND AND CONFERRING CERTAIN OTHER PRIVILEGES AND POWERS.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and ninety-nine of the Acts amended. Private Laws of one thousand nine hundred and seven, being an act entitled "An act to incorporate the Weldon and Roanoke

Rapids Electric Railway Company," ratified on the fifth day of March, one thousand nine hundred and seven, as amended by chapter two hundred and sixty-eight of the Private Laws of one thousand nine hundred and eleven, being an act entitled "An act to extend the time of the organization of the Weldon and Roanoke Rapids Electric Railway Company," ratified the third day of March, one thousand nine hundred and eleven, and as further amended by chapter three hundred and ten of the Private Laws of one thousand nine hundred and fifteen, being an act entitled "An act to amend the charter of the Weldon and Roanoke Rapids Electric Railway Company," ratified the eighth day of March, one thousand nine hundred and fifteen, be and the same is hereby amended as follows:

Name changed.

(a) That the name of the said company shall be changed from the "Weldon and Roanoke Rapids Electric Railway Company" to the "Carolina and Northeastern Railroad Company," and that the said several acts above mentioned be amended by striking out the name of Weldon and Roanoke Rapids Electric Railway Company, wherever it occurs in said acts or either of them, whether in the title or body, and inserting therein in lieu thereof the name of the "Carolina and Northeastern Railroad Company."

Corporate existence.

(b) Amend section one of said chapter two hundred and ninety-nine by striking out in said section one the words, "and by that name shall exist for ninety-nine years," and insert in lieu thereof, "and by that name shall have perpetual existence."

Capital stock.
Shares.

(c) That section two of said chapter two hundred and ninety-nine, as amended by said chapter two hundred and sixty-eight, and as further amended by said chapter three hundred and ten, above recited and set out, be and the same is hereby stricken out and the following inserted in lieu thereof: "That the capital stock of said company shall be fifty thousand dollars, divided into shares of the par value of one hundred dollars each, to be created by subscription, contribution, or donation by individuals, townships, municipal or other corporations, and such subscriptions may be paid in money, labor, land, material, stocks, bonds, or other securities, or any other property or property rights whatsoever, as may be stipulated between the company and the subscribers; and the valuation which may be placed by the board of directors of said company on said labor, land, materials, stocks, bonds, or other securities, or any other property or property rights whatsoever, as above specified, as a basis for the issuance of its stock, bonds, notes, and other securities by the said company, shall be conclusive, in the absence of actual fraud participated in by both parties to the transaction. The said company may, by concurrence of two-thirds in value of all of its stock, increase its capital stock from time to time to an amount not exceeding five million dollars. And the power and authority is hereby

Payment of subscriptions.

Valuation on properties received for subscription.

Increase of capital.

Common and preferred stock.

given to a majority of the stockholders present at any duly constituted stockholders' meeting of the company, called for that purpose, to divide the said authorized capital stock, or any part thereof, into common and preferred stock, in such amounts, of each class, as they may by resolutions from time to time direct, and, in creating preferred stock, to issue same on such terms and at such callable price, and give the same such preference over the common stock, either as to assets and dividends or both, as in their discretion they may deem proper and desirable; and said power and authority to create and divide said two classes of stock and the preference to be given the preferred stock over the common stock, the terms of the issuance of the same and the callable price thereof, may be conferred upon the directors by the stockholders, by resolution, from time to time, but nothing herein contained shall be construed to make it obligatory on said stockholders or directors to authorize the creation of preferred stock: *Provided, however,* that such increase of the capital stock shall be null and void until the amount of such increase shall be certified to the Secretary of State and the taxes prescribed therefor by law be paid. Any increase of the capital stock may be paid for in the same manner as the original subscription."

Preferred stock.

Powers may be delegated to directors.

Proviso: Certificate of and tax on increase.

Payment for stock.

SEC. 2. The said company shall have authority to purchase and acquire all of the franchises, property and property rights of the Northampton and Hertford Railway Company, and the Northampton and Hertford Railway Company is hereby given the right to sell and convey unto this company all of its franchises, rights, privileges, and property, upon such terms as the directors of the said Northampton and Hertford Railway Company may approve, when such action of the directors is ratified by the holder or holders of sixty per cent (60%) in par value of the outstanding stock of the Northampton and Hertford Railway Company.

Northampton and Hertford Railway Company.

SEC. 3. That the said company is hereby given authority and power to acquire and purchase, upon such terms as its directors may approve, the franchises and property of the Wellington and Powellsville Railroad Company, and the Wellington and Powellsville Railroad Company is hereby given authority and power to sell and convey unto the said company all of its franchises, rights, and property upon such terms as may be approved by the directors of the said Wellington and Powellsville Railroad Company, and upon the ratification thereof by the holders of sixty per cent (60%) in par value of the outstanding stock of said Wellington and Powellsville Railroad Company.

Wellington and Powellsville Railroad Company.

SEC. 4. The said company is also hereby given the right to consolidate or merge with the Northampton and Hertford Railway Company and the Wellington and Powellsville Railroad Company, either or both; and the Northampton and Hertford Railway

Power of consolidation and merger.

Company and the Wellington and Powellsville Railroad Company, either or both, are hereby given the right to consolidate or merge with this company upon such terms as may be agreed upon by the stockholders of the several companies, or the stockholders of this company and the stockholders of any one or both of the other companies above named.

Name of consolidated company.

The consolidated or merged company may select any name it desires.

Approval of stockholders.

Such consolidation, merger, or purchase as in this act authorized may and shall be made, with the approval of sixty per cent (60%) in amount of the stockholders of each of the companies so consolidating, merging, or selling its stock, franchises, and property, to be given at any annual meeting or special meeting called for that purpose, of which meeting ten days notice shall be given by mailing a notice to the last known address of each stockholder of record.

Action in completing merger.

The company may make and carry out such contracts of merger, consolidation, or purchase of the stock, franchise, or property of the Northampton and Hertford Railway Company or the Wellington and Powellsville Railroad Company, or both of them, as may be agreed upon by the stockholders of the companies uniting therein.

Franchise of consolidated company.

Such consolidated or merged company shall have all the franchises of the constituent companies.

Copy of contract to be filed.

In all consolidation, merger, or sale a copy of the contract or agreement thereof shall be filed in the office of the Secretary of State, and a certified copy thereof shall be evidence of such consolidation, merger, or sale.

Home corporation.

The consolidated company shall always be and remain a corporation of North Carolina.

Payment to dissenting stockholders.

Any stockholder of either company who dissents from any such sale, purchase, consolidation, or merger may within sixty days thereafter apply by petition to the Superior Court of Northampton County or any county in this State of which the dissenting stockholder was a resident at the date of the ratification of this act, to determine the value of his stock, and shall be entitled to receive from said consolidated, merged, or purchasing corporation the value as thus determined of such stock; such value shall be assessed by a jury trial if the same be requested by either party, and if the owner of such stock shall be a nonresident of this State the application by such owner to the United States Court having jurisdiction in the premises shall be equivalent to the application to the said Superior Court.

Assessment of value.

Non-resident stockholders.

Territory extended.

SEC. 5. That said chapter two hundred and ninety-nine, as amended by chapter two hundred and sixty-eight, and as further amended by said chapter three hundred and ten, be and the same is hereby amended by striking out the words "one hundred and

fifty miles" wherever the same may appear in section five thereof and inserting in lieu of said words, the words "five hundred miles."

SEC. 6. That said chapter two hundred and ninety-nine, as amended by said chapter two hundred and sixty-eight, and as further amended by said chapter three hundred and ten, be and the same is hereby amended by striking out section eight thereof and inserting in lieu of said section the following section: "The said company or its successors may from time to time borrow money in such amounts as it may deem expedient, and issue bonds or other evidences of indebtedness therefor, and may secure the same by mortgage or deed of trust upon any or all of its property and franchises, and may issue, sell, hypothecate, or exchange the same at such prices and upon such terms as the board of directors may determine."

Power to borrow money, issue bonds and execute mortgage.

SEC. 7. That said chapter two hundred and ninety-nine, as amended by said chapter two hundred and sixty-eight, and as further amended by chapter three hundred and ten, be and the same is hereby amended by striking out section thirteen thereof and inserting in lieu of said section the following section: "That the stockholders shall not be individually or personally liable for any of the contracts, obligations, indebtedness, defaults, or acts of the corporation, and no stockholder shall be liable to pay for more stock than he has subscribed for, and there shall be no individual or personal liability on any subscriber beyond the obligation to comply with such terms as he may have agreed to in his contract of subscription, and the company may adopt such plans of financial organization and may dispose of its stocks, bonds, or other securities for the purpose of its incorporation and business at such price, for such considerations, and on such terms and conditions as it may see proper."

Liability of stockholders.

Financial organization.

SEC. 8. That said company is hereby given power and authority to construct, purchase, and operate boats by steam or any other motive power in connection with its said railroad, or any part thereof, over any and all of the inland waters of the State of North Carolina, within the radius of distance mentioned in section five of its charter.

Powers as navigation company.

SEC. 9. That the board of county commissioners of any county through which the said railroad may run may grant unto the said railroad company a right of way through any lands owned by said county upon such terms as they may deem proper.

Right of way through county lands.

SEC. 10. That this act shall be in force from and after ratification.

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 5

AN ACT TO AMEND CHAPTER 66 OF THE PRIVATE LAWS OF 1909, RELATIVE TO THE GRADED SCHOOL DISTRICT OF THE TOWN OF FRANKLIN, PLACING G. N. PENLAND, JACOB WALDROOP, JR., MARGIA WALDROOP, AND VIRGINIA WALDROOP IN ANY OTHER SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

Boundary re-
vised.

SECTION 1. That chapter sixty-six of the Private Laws of one thousand nine hundred and nine be and the same is hereby amended by striking out all the last six lines in section one of said chapter after the words "G. N. Penland's line" in line six from the end of said section, and by inserting in their place the following: "thence down the branch to the river; and thence up the river with the meandering of the same to the beginning."

Territory in-
cluded in ninth
district.

SEC. 2. That the farm west of the town of Franklin formerly owned by the late J. S. Waldroop, Sr., but now owned by Jacob Waldroop, Jr., Margia Waldroop, and Virginia Waldroop, be and the same is hereby placed in the Ninth School District of Macon County.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 6

AN ACT TO AUTHORIZE THE CITY OF KINSTON TO ESTABLISH AND CONTROL PUBLIC PARKS, WHARVES AND DOCKS, AND TO PURCHASE, ACCEPT DONATIONS, AND CONDEMN PROPERTY FOR SUCH PURPOSES.

The General Assembly of North Carolina do enact:

Power of estab-
lishment and regu-
lation.

SECTION 1. That the board of aldermen of the city of Kinston shall have full power and authority to establish, lay out, manage, regulate, and control public parks, wharves and docks within said city or within three miles of the corporate limits of said city, under such rules, regulations, and ordinances as said board may prescribe, and shall in the name of the said city have power to purchase and hold property and take gifts or donations for such purposes.

To purchase prop-
erty and receive
donations.

Power to condemn
land.

SEC. 2. That if in the opinion of the said board of aldermen suitable lands cannot be acquired at a reasonable price by purchase for the creation and establishment of public parks, wharves and docks, in or within three miles of the corporate limits of said city, then in such case power is hereby conferred upon said

board of aldermen to exercise in the name of said city the right of eminent domain and to condemn property situate in said city or within three miles of the corporate limits of said city for such purposes: *Provided*, in case condemnation proceedings be necessary, such proceedings shall be conducted as near as may be in the manner prescribed by sections two thousand five hundred and seventy-five to two thousand five hundred and ninety-six, both inclusive, of the Revisal of one thousand nine hundred and five, and amendments thereto.

Proviso: Procedure for condemnation.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 7

AN ACT TO AMEND SECTION 1 OF CHAPTER 104, PRIVATE LAWS, EXTRA SESSION OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and four of the Private Laws of North Carolina, extra session, one thousand nine hundred and thirteen, be and the same is hereby amended to read as follows, to wit: "That the territory embraced in the following boundaries in Harnett County, to wit, beginning at the Wake County line, in the path south of W. R. Page's residence, and runs thence about south down the path by F. G. Collins' residence to Angier and Smithfield road; thence in an easterly direction with said road to C. R. Young's fish-pond dam; thence a straight line to a stake in path, Adams Branch; thence down the channel of said branch to Mill Branch; thence down the channel of Mill Branch to the run of Black River; thence up the run of Black River to the mouth of Wolf Branch; thence a straight line to a stake in the path, southeast corner of C. W. Flowers' home place; thence a straight line to a stake in the road in front of J. T. Nordan's residence; thence in a westerly direction with a path to the Neil Jones road; thence in a northerly direction with said Jones road to where the same enters the Angier and Lillington road at an old sawdust pile and a head of a small branch; thence down the various courses of said branch to where the same enters Kennis Creek; thence up the run of said creek to the mouth of Long Branch; thence up the channel of said branch to the mouth of White Oak Branch to the Wake County line; thence with said county line in an easterly direction to the beginning station, the same being a high school and special-tax district, now known and designated as School District Number

Boundary of school district.

Incorporation.
Corporate name.

Four of Black River Township, be and the same is hereby continued as a high school and special-tax district, and that the same be and is hereby incorporated under the name and style of 'The Angier High School District.'"

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

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 8

AN ACT TO AMEND THE CHARTER OF THE TOWN OF MORGANTON.

The General Assembly of North Carolina do enact:

Town divided into wards.

SECTION 1. That the territory embraced within the corporate limits of the town of Morganton, as set out in section three (3) of chapter one hundred and four (104) of the Private Laws of one thousand nine hundred and thirteen (1913) of North Carolina, shall be divided into four wards, to be known as Ward Number One, Ward Number Two, Ward Number Three, and Ward Number Four. Ward Number One shall contain the territory within the following boundaries, to wit: Beginning at the center of Union Street where intersected by Sterling Street and running thence along Sterling Street, in a northwestern direction to the street in front of the First Presbyterian Church, and thence with the street in front of said church, passing the residence of Hugh Howard, to Green Street, and thence in the same direction as Green Street runs to the McDowell Ford road, and thence with the McDowell Ford road to the corporation line; thence in an easterly direction, with the corporation line as it meanders to Union or East Union Street; thence an easterly course, with said Union Street to the beginning.

Ward Number One.

Ward Number Two.

Ward Number Two shall contain the territory within the following boundaries, to wit: Beginning at the center of Union Street where intersected by Sterling Street, and running thence along Sterling Street, a southeastwardly direction, to the tracks of the Southern Railway Company, thence with the road leading to the State Hospital for the Insane to the corporation line. thence a northwardly direction with the corporation line as it meanders to Union or East Union Street, thence with said Union Street to the beginning.

Ward Number Three.

Ward Number Three shall contain the territory within the following boundaries, to wit: Beginning at the center of Union

Street where intersected by Sterling Street, and running thence along Sterling Street, a southeastwardly direction, to the tracks of the Southern Railway Company, thence with their road leading to the State Hospital for the Insane to the corporation line, thence up Hunting Creek and with the corporation line as it meanders to the old Asheville road, thence with said road to Union or West Union Street, thence with said street to the beginning.

Ward Number Four shall contain the territory within the following boundaries, to wit: Beginning at the center of Union Street where intersected with Sterling Street, and running thence up Union or West Union Street, as it meanders, to the old Asheville road, thence with said road to the corporation line, thence with the corporation line as it meanders to and including Neill Caldwell's house on the road above McDowell Ford, thence with the McDowell Ford road to Green Street, thence with Green Street to the street leading by the residence of Hugh Howard and passing in front of the First Presbyterian Church, to Sterling Street, thence with Sterling Street to the beginning.

Ward Number
Four.

SEC. 2. That there shall be held on the first Monday in April, one thousand nine hundred and seventeen (1917), and every two years thereafter, an election for said town, at which election there shall be elected a mayor and four aldermen, whose term of office shall begin on Monday following the election and who shall hold office until their successors are qualified, and said election shall be held in accordance with the provisions of chapter one hundred and four (104) of the Private Laws of one thousand nine hundred and thirteen of North Carolina.

Town elections.
Officers to be
elected.
Term of office.

Law governing
election.

SEC. 3. That each of said wards set out in section one shall be entitled to one alderman, to be elected by themselves therein respectively. The mayor shall be elected by the qualified voters of the said town. The mayor and alderman when so elected and qualified shall be and constitute the town council and shall be vested with all the powers and charged with all the duties prescribed and given to the town council by chapter one hundred and four (104) of the Private Laws of one thousand nine hundred and thirteen (1913) of North Carolina, not inconsistent with this act.

Election of aldermen.

Election of mayor.

Town council.

Powers and
duties.

SEC. 4. That the mayor of said town is hereby constituted an inferior court, and as such shall, within the corporate limits of said town, have all the power, jurisdiction, and authority of a justice of the peace to preserve and keep the peace, to issue process, to hear and determine all causes of action which may arise upon the ordinances and regulations of the town; to enforce penalties by issuing executions upon any adjudged violations thereof, and to execute the by-laws, regulations, and ordinances

Mayor's court.
Jurisdiction.

- Mayor a special court. Jurisdiction. made by the town council. The mayor shall further be a special court, within the corporate limits of the town, to cause to be arrested all persons who are charged with a misdemeanor for violating any of the ordinances of the town, and, if the accused be found guilty of the offense charged, shall be fined in the discretion of the court, not exceeding the amount specified in the ordinance or ordinances violated, from which judgment the accused may appeal to the Superior Court in like cases and manner as is provided by law for appeals from justice of the peace. That the mayor may issue his precepts to the chief of police, or any member of the police force, or to any officer to whom a justice of the peace may issue his precepts, and any officer to whom such precept may be directed may execute the same anywhere in Burke County, and the mayor may indorse on such precepts the names of the witnesses to be subpoenaed, and such indorsement may be authority and direction to the officer to execute the same. The mayor shall keep a record of all precepts issued by him and of all his judicial proceedings. But the mayor shall not exercise the powers and duties given and prescribed by this section until on and after the second Monday in April, one thousand nine hundred and seventeen (1917).
- Right of appeal.
- Issue and execution of precepts.
- Subpoena of witnesses.
- Record of precepts and proceedings. Time for exercise of duties.
- Salary of mayor and aldermen. SEC. 5. That the mayor shall be paid an annual salary of three hundred dollars, which shall be in full for all services rendered by him, and the aldermen of said town shall each receive two dollars for each and every regular meeting of the town council attended by them.
- Law repealed. SEC. 6. That chapter two hundred and forty-six (246) of the Public-Local Laws of one thousand nine hundred and fifteen (1915) of North Carolina be and the same is hereby repealed, to take effect the tenth day of April, one thousand nine hundred and seventeen (1917). All cases on the docket of the Morganton Township recorders' court at said time of which the Superior Court of Burke County has jurisdiction shall be certified to said court for trial and final disposition, and all cases of which the mayor of Morganton has jurisdiction shall be certified to said mayor's court for trial and final disposition, and the transfer of said cases shall be made by the trial judge of said recorder's court.
- Transfer of causes. SEC. 7. That upon the ratification of this act the Secretary of State is authorized and directed to send a certified copy of the same to the mayor of Morganton, who shall, as soon as practicable after receiving it, cause the same to be published in some newspaper published in the town of Morganton.
- Act to be certified and published. SEC. 8. That all laws and clauses of law in conflict with this act are hereby repealed.
- Repealing clause. SEC. 9. That this act shall be in full force and effect from and after its ratification.
- Ratified this the 8th day of January, A. D. 1917.

CHAPTER 9

AN ACT TO AMEND CHAPTER 189, PRIVATE LAWS OF 1915,
EXCLUDING CERTAIN FARMS AND PROPERTY FROM
THE CORPORATE LIMITS OF THE TOWN OF FRANKLIN.

The General Assembly of North Carolina do enact:

SECTION 1. That the corporate limits of the town of Franklin, Corporate limits. Macon County, shall be and the same are hereby changed so as to exclude the following farms and property from said corporate limits: The farms of Mr. and Mrs. R. A. Jacobs, John Thomas, Property excluded. Jonathan Phillips, Charles A. Cabe, Charles Jacobs, D. A. Jacobs, John Wilkes, James Williams, Ira Gibson, Ed. Mingus, N. L. Barnard, George Bryson's land on the Georgia road, J. L. Robinson heirs' land on Georgia road, Luther Hoosier, Dudley Stewart, Miss Hattie Wood and sisters, Sials and Bob Womack, Love and Charles Hoosier, Mack Boston, W. B. McGuire's Sprinkles' place west of Hawkin's Branch, J. E. Rogers, P. Campbell's Ladd place, Mrs. Rebecca Harrison, J. T. Moore, John Burleson and Charles Cabe farm below bridge across the Tennessee River east of Franklin.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 10

AN ACT TO AMEND CHAPTER 301 OF THE PRIVATE LAWS
OF THE GENERAL ASSEMBLY OF 1915, KNOWN AS THE
CHARTER OF THE CITY OF THOMASVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by inserting after the word "street" and before the word "nine" in line five of said section the words "three thousand." Boundary corrected.

SEC. 2. That section four of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the words "of each year" in line two and inserting in lieu thereof the words "one thousand nine hundred and seventeen, and biennially thereafter on the first Monday of May"; that said section be further amended by striking out the word "one" in line four and inserting in lieu thereof the word "two." Elections held biennially.

Power to issue bonds.

SEC. 3. That section twenty-nine of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the twenty-seventh paragraph (being the last paragraph on page eight hundred and seventy-two of the printed laws), relating to the issuance of bonds by order of voters, and inserting in lieu thereof: "The city council shall not issue bonds without the vote of the people, except for necessary expenses, and then only to the amount of not over ten per cent of the assessed valuation on the tax books."

Assessment on abutting property for improvements.

SEC. 4. That section twenty-nine of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen (being the first paragraph on page eight hundred and seventy-three of the printed laws) relating to sidewalks and street improvement, be and the same is hereby amended by striking out the entire section and the following inserted in lieu thereof: "That all persons, firms, or corporations owning lots or property in the city of Thomasville which shall front or abut the streets and sidewalks that may be macadamized, graded, paved, or otherwise improved by the city council, shall pay respectively one-half of the expense of grading, paving, or otherwise improving such streets and sidewalks which shall be adjoining and immediately in front of said lots or property respectively. Said one-half cost of streets or sidewalk improvement shall be specially assessed upon the lots and parcels of land abutting directly on the improvement according to the extent of their respective frontage thereon, by an equal rate per foot of such frontage. The cost of that part of street improvement required to be borne by a railroad or street railway company shall be assessed against said company, and shall be collected in the same manner as assessments are collected from abutting property owners, and such assessment shall be a direct lien on all franchises and property of such railroad and railway company. One-half cost of said street or sidewalk improvement assessed abutting property shall be a lien on the property superior to all other liens and encumbrances. After said assessments are made, a copy of the same must be delivered to the tax collector, who shall proceed to collect the same in the same manner, at the same time provided for collection of other such taxes. No land in the municipality shall be exempted from the local assessments hereinbefore set out."

Ratio of assessment.

Assessment on railway companies.

Lien on franchise and property.

Lien on property.

Collection.

Limitation on debt.

SEC. 5. That section thirty of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the entire section.

Tax for interest and sinking fund.

SEC. 6. That section thirty-three of chapter three hundred and one of the Private Laws of one thousand nine hundred and fif-

teer be and the same is hereby amended by striking out the following words of said section: "and the payment of the interest on its bonded debt and the creation of a fund to meet the principal of that debt when due," in lines two, three, and four of said section.

SEC. 7. That section forty-two of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the word "March" in line fifteen of said section and inserting in lieu thereof the word "January"; that the said section be further amended by inserting after the word "treasurer" in line sixteen the following: "The city council, in its discretion, may allow a discount of one and one-half per cent discount on all taxes paid on or before the first of November of the year in which they are laid; a discount of one per cent on or before the first day of December; a discount of one-half per cent on or before the first day of January; and par on or before the first day of May of each year next ensuing the laying of the same."

Time for collection of taxes.

Discount for prompt payment.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 11

AN ACT TO AMEND THE CHARTER OF THE TOWN OF LUMBERTON.

The General Assembly of North Carolina do enact:

SECTION 1. That the officers of the town of Lumberton shall consist of a mayor and four commissioners, to be elected by the qualified voters of the town of Lumberton, as is hereinafter provided: *Provided, however,* that until the regular election in the month of May, one thousand nine hundred and seventeen, there shall be six commissioners, as now existing. At the regular primary and election of one thousand nine hundred and seventeen one commissioner shall be elected for a term of one year and at the regular primary and election of one thousand nine hundred and eighteen four commissioners shall be elected, two for a term of one year and two for a term of two years, and in said election the ballots cast for said commissioners shall designate which of the said commissioners shall serve for one year and which shall serve for two years. At every election after said elections, which shall be held annually on the first Monday in May, two commissioners shall be elected to serve for a term of two years and until their successors shall be

Mayor and commissioners.

Proviso: Current term to be filled.

Election for 1917.

Election for 1918.

Further elections.

- Quorum. elected and qualified. Three of said commissioners shall constitute a quorum, and at any meeting in which only three are present two shall constitute a legal majority of said board; otherwise three.
- Election wards. SEC. 2. The town of Lumberton shall be divided into four
 First ward. election wards, as follows: All persons residing west of Pine Street and south of Seventh Street shall be residents of the First Ward; all persons residing east of Pine Street and south of Seventh Street shall be residents of the Second Ward; all persons residing each of Elm Street and north of Seventh Street shall be residents of the Third Ward, and all persons residing west of Elm Street and north of Seventh Street shall be residents of the Fourth Ward. The four commissioners shall be elected, one from each ward, by the qualified voters residing in his own ward, whose duties shall be, beside the others imposed upon him by the charter of the town of Lumberton, to look especially to the needs and demands of the residents of his ward and to report to the board of commissioners from his ward.
- Second ward.
 Third ward.
 Fourth ward.
- Commissioners elected by and to represent ward. SEC. 3. At the regular primary, instead of one box for the ballots for commissioners, there shall at the regular polling place in said town be four boxes, and each box shall be marked plainly designating the ward votes which it is to receive, and only the qualified voters residing in the First Ward shall vote in the First Ward box, and for a commissioner from the First Ward only, and the like for each of the four wards. Prior to twenty days preceding the regular election in one thousand nine hundred and eighteen the registrar shall revise the registration books of the town of Lumberton and each voter's name shall be transcribed upon a separate list for each ward, listing each voter under the ward in which he is a resident, and as new voters register they shall be registered upon the list of the ward in which they are residents. In case of vacancy in the office of commissioner, the remaining members of the board shall fill said vacancy by selecting an elector from the unrepresented ward.
- Ballot boxes.
 Vote by wards.
 Registration.
- Vacancies. SEC. 4. The same rules and regulations now existing in regard to primaries and elections, not in conflict with this act, shall continue to exist under this act.
- Law governing primary and elections.
 Election of chief of police. SEC. 5. That the board of commissioners of the town of Lumberton, at the first meeting after its election, shall select some one to act as chief of police of said town, whose duties shall be all the duties imposed upon town constables and policemen under the general laws of North Carolina and the additional duties hereinafter conferred, who shall serve at the pleasure of the board and until his successor is appointed and qualified. In case of removal, another shall be employed by said board to take his place, who shall be subject to all the provisions of this act
- Duties.
 Term. relative to the chief of police. Before entering upon the dis-
- Chief of police to qualify.

charge of his duties he shall take the oath prescribed by the laws of North Carolina for public officers and shall enter into a bond payable to the town of Lumberton in the sum of one thousand dollars for the faithful performance of his duties as such officer, and he shall also enter into a further bond, duly verified, with solvent sureties to be approved by the board of commissioners, conditioned upon the faithful collection of and accounting for all taxes required to be collected in said town, the said bond to be in such sum as the board of commissioners may designate, not to exceed the amount of taxes to be collected. Both bonds shall be executed by some reliable surety company and the premium thereof shall be paid by the town of Lumberton.

Official bond.

Bond as tax collector.

SEC. 6. The said commissioners shall appoint and provide for such a number of additional policemen and watchmen for said town as in their judgment may be necessary to efficiently carry out and enforce the ordinances and regulations thereof and the criminal laws of the State of North Carolina in said town. The said additional policemen and watchmen, when appointed, shall be qualified in the manner provided for the chief of police as set forth herein, and shall, in the enforcement of the general laws of the State and the ordinances and regulations of said town, have all the powers conferred on the chief of police by the provisions of this act and the general laws of the State and such as have heretofore been provided in the charter of the town of Lumberton and amendments thereto, except as are repealed by this act. They may, at the option of the board of commissioners, be required to give a bond for the faithful discharge of their duties, in such sums and under such regulations as the board of commissioners may fix.

Additional policemen.

Policemen to qualify.

Powers.

Commissioners may require bond.

SEC. 7. The chief of police and other policemen and watchmen of said town shall receive such salaries as may be allowed by the board of commissioners of said town as in their opinion they may deem just and adequate.

Salaries.

SEC. 8. That all taxes levied by the commissioners of said town, except license and privilege taxes, shall be due and payable at the office of the clerk and treasurer, on the first day of October of each year, to the clerk and treasurer, chief of police, or tax collector of said town, and after that time may be collected by distraining any personal property of the taxpayer to be found within said town. A discount of two per centum shall be allowed by said town to all taxpayers who shall pay the full amount of their town taxes before the first day of December of each year: *Provided*, payment shall be made at the office of the clerk and treasurer, and not at the solicitation of the tax collector. On December first of each year the tax collector of said town shall proceed immediately to distrain any personal property of all taxpayers to be found within said town who have not paid their

Taxes due.

Collection by distress.

Discount.

Proviso: Payment voluntary.
Distrain after 1st December.

taxes, and shall continue from said date, diligently, strictly, and without delay, to enforce every legal authority necessary to collect same.

Taxes to use of sinking fund.

SEC. 9. All moneys received from all taxes levied and collected or to be levied and collected from time to time for the payment of interest on and redemption of bonds heretofore issued or which may hereafter be issued, shall upon collection be turned immediately over to the commissioner of the sinking fund by the clerk and treasurer of the town of Lumberton, and it shall be the duty of the said commissioner to forthwith take charge and control of said interest and sinking fund moneys, and upon any interest on bonds becoming due it shall be his duty to pay said interest direct to the place at which said coupons are payable, and to keep an accurate and complete record of said interest account, and to invest the sinking fund as required by law.

Commissioner of sinking fund.

Investment of sinking fund.
Tax lists to show total bond tax.

SEC. 10. In the preparation of the tax lists for collection, the clerk and treasurer may not be required to provide upon the tax books and receipts separate statement showing the tax upon each bond issue, but may prepare the tax lists and receipts of the town taxes showing the total bond tax; but he shall keep upon the records of the town provided for that purpose complete record of each bond issue, and the amount of levy provided to take care of said issue, as heretofore kept, which shall be open to the inspection of the taxpayers of the town at all times.

Record of bond issues and tax levies.

Laws repealed.

SEC. 11. That sections eight, ten, thirteen, twenty-one hundred and seven, one hundred and nine, the first twelve lines of section ninety-five of chapter three hundred and forty-three of the Private Acts of North Carolina, one thousand nine hundred and seven, and the whole of chapter three hundred and forty-five of Private Acts of one thousand nine hundred and fifteen and any and all other laws or clauses of laws heretofore passed as conflict with this act or any part thereof be and the same are hereby repealed.

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

Ratified this the 8th day of January, A. D. 1917.

CHAPTER 12

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CANTON, HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Chapter 90 Private Laws 1907 amended.

SECTION 1. That chapter ninety of the Private Laws of North Carolina of one thousand nine hundred and seven, entitled "An act to amend the charter of the town of Canton, Haywood County," as amended by chapter one hundred and seventy-eight

of the Private Laws of one thousand nine hundred and eleven, be further amended by adding thereto the following sections:

SEC. 2. That the mayor and board of commissioners of the town of Canton shall have full power and authority, and it is hereby made their duty, to grade, pave, macadamize, gutter, curb, and otherwise improve for travel and drainage the streets, sidewalks, and alleys of said town, and put down crossings, curbing, and cross-drains, and otherwise properly improve them: *Provided, however*, that the nature and kind of material used in such improvement shall be left absolutely to the discretion of the said board of commissioners in all cases.

Power of commissioners to contract for paving.

Paving material.

SEC. 3. Whenever any street in the said town of Canton shall have been graded, in whole or in part, including the sidewalks, it shall be incumbent upon the owner or owners of land along said street, or part thereof, to pave, repave, or repair, whenever in the opinion of the said board it may be necessary, the sidewalk on their own side respectively, the full width of said sidewalk as designated by said board of commissioners across their respective fronts with such material and in such manner as the board of commissioners of said town shall direct. When such land corners on two or more streets, the owner or owners thereof shall pave, repave, or repair the sidewalks on such streets along his front and side, which the board of commissioners may direct, at his own cost: *Provided, however*, the town shall in no wise be held chargeable with or responsible for any part of the cost of paving, repaving, or repairing the sidewalk along any corner lot except for a depth or side of fifty feet; the board of commissioners being hereby invested, for the purpose of this proviso, with the power of determining in any case upon what street any such corner lot fronts. Whenever any street shall have been graded, the board of commissioners of said city shall, through the tax collector, notify the owner or owners of the land fronting or cornering thereon to at once pave, repave, or repair, as may be required, the sidewalks thereof as hereinbefore provided, and should such owner or owners fail for fifteen days after such notice to comply therewith, the said board of commissioners, unless it shall extend the time therefor, shall cause said sidewalk to be built, repaved, or repaired and charge the cost thereof against such lots respectively, and cause the same to be entered by the tax collector in a book to be kept by him for that purpose, immediately, and said tax collector shall forthwith proceed to collect the same and account therefor in the same manner as for taxes of said city. The amounts of such charges shall be and constitute, from the commencement of the work for which they are charged, liens on the respective lots upon which they are so charged, and if any of them is not paid on demand, so much of the lot upon which it is charged as may be sufficient to pay the same, with interest and costs, for the whole of such lot, shall be

Property owners to pave sidewalks.

Liability of property owners for sidewalks on two or more streets.

Proviso: Town not responsible for cost of paving, except for a depth of fifty feet.

Notification to property owners.

Failure of property owners to comply.

City to proceed to pave and assess cost against property.

Assessments lien on property.

Sale of property for failure to pay assessments.

advertised and sold by the tax collector of said city for the payment of the same under the same rules and regulations and rights of redemption and in the same manner as are prescribed in this act for the sale of real estate for failure to pay street assessments as provided for in section six of this act.

Apportionment
of cost of paving.

SEC. 4. The said mayor and board of commissioners shall assess two-thirds of the cost of the grading, paving, macadamizing, constructing cross-drains, side-drains, curbs, gutters, and all other necessary drains and crossings, and laying down any water or sewer pipes in any street, or otherwise improving said roadways or streets proper on the real estate abutting on such street, alley, or roadway, or portion thereof so improved or repaired, assessing one-third of such improvement on the real estate abutting on each side of the street or part thereof so improved or repaired, or in which a sewer or water line has been laid.

One-third to each
owner of abutting
property.

Equalization of
assessments.

SEC. 5. That to equalize the assessments on real estate for the purposes described in section four of this act, the said mayor and board of 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 thereof so improved, or in which a sewer or water line has been laid, 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-third of the cost of such improvement

Subdivision of
property in case
of sale.

made under the provisions of this act: *Provided, however,* in order to avoid obstructing landowners in subdividing 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 tax collector a plat or subdivision, making the lots fronting on the streets so paved or improved or in which a sewer or water line has been laid, of any desired frontage, but not less than seventy-

Plat to be filed in
office of tax col-
lector.

Frontage and
depth.

five feet in depth, and the assessments made and the liens created by virtue hereof for street improvements, or sewer or water line, shall hereafter affect and attach to such front lots only, not less than seventy-five 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. Wherever the said mayor and board of commissioners shall order paving or other improvements to be made, or sewer or water line to be laid, on any street or any part thereof in said city, they shall have the same accurately surveyed and a permanent grade thereof established, and cause an accurate map to be made of the various lots and properties abutting on said street or the portion thereof so proposed to be improved, showing the exact frontage of each lot,

Assessment on
front lots only.

Survey of pro-
posed improve-
ments.

and also the subdivisions, if any, and the said map shall be filed in the office of the tax collector, 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 tax collector shall write upon the said map the amount assessed upon the same, and he shall keep a properly indexed record book showing such assessments, liens, and date and amount of all payments made on any of said assessments and liens.

Map of proposed improvement to be filed in office of tax collector.

Map to show assessments.
Record of assessments.

SEC. 6. That the amount of the assessments for such street improvements as herein provided, being estimated on each piece of real estate as above directed, shall be a lien on such real estate, and the said mayor and board of commissioners shall cause the city engineer to make a survey and a report of the amount of the work done and the cost thereof, upon what streets or portion thereof, showing the name of each abutting 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 such report the liens authorized thereon 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 such streets as aforesaid shall become due and payable as follows to wit: one-third in thirty days after the adoption of said report and the balance in two equal annual payments, which deferred payments shall bear interest at the rate of six per centum per annum from the date of the approval of the said report until paid; and upon the filing of said report the said mayor and board of commissioners shall cause ten days notice to be given by publication in some newspaper published in the town of Canton, stating that such report has been filed in the office of the tax collector, and that at the first regular meeting of the board of commissioners to be held after the expiration of the 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 or 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 town 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 and approval of said report shall state in said objections, in writing, what part, if any, of said assessment he admits to be lawfully chargeable to his said lands, and what part thereof he

Assessments to be lien.

Report of cost of work by city engineer.

Liens operative upon approval of city engineer's report.

Payment of assessments.

Interest on deferred payments.

Notice of filing of report.

Report to be adopted after hearing of interested parties by commissioners.
Manner of filing objections.

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 of commissioners, and not after that time, to appeal from the decision of the said board of commissioners to the next term of the Superior Court of Haywood County, North Carolina, by serving upon said town notice in writing of his intention of so doing, and specify 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 Haywood County a written undertaking in at least the sum of two hundred dollars (\$200), with sufficient sureties, to be justified before and approved by said clerk, to the effect that the said appellant shall pay to the said town 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 same was approved by the mayor and board of commissioners, a copy of the objection of the appellant thereto and of said notice duly certified by the tax collector, shall constitute the record on appeal, and when filed in the office of the clerk of the Superior Court of Haywood County the same shall be docketed on the civil issue docket in the name of the person taking such appeal against the town of Canton as "an appeal from an assessment," and the cause shall then be deemed to be at issue without any further plea on the part of said town, but said town shall have the right to file a further answer or defense thereto, if it be so advised, and said cause shall stand for trial at the next term of 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 said 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 town of Canton to any amount, and if it be thereby ascertained that the appellant is due to the said town any amount by virtue of the matters therein referred to, or that said land is subject to a lien for said assessment, or any part thereof, then the amount so found in favor of the town of Canton, with interest thereon, together with costs thereon accrued, which costs shall be assessed as costs in other

Appeal from decision of commissioners.

Form of appeal.

Bond.

Copies of report and objection to be filed with clerk superior court.

Proviso: Failure to appeal within ten days.

Finding of issues by court.

Costs.

Judgment and costs to be a lien on property.

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 the said board of commissioners, and shall be collected by the tax collector. The adoption and approval of said report of the town engineer by the said mayor and 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 be due and payable as aforesaid; and in case of a failure to pay either of the assessments or any installment thereon within thirty days after maturity, then the whole thereof shall become immediately due and payable, and an execution shall be issued by the city clerk to the tax collector of said town, 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 under the provision of the charter of said town, and shall sell the said land, or a portion thereof, at the door of the town hall in the town of Canton, North Carolina, in the same manner as he is required to sell real estate in said town in case of failure to pay the taxes due 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 within which to redeem the said lands from such sale by paying to the tax collector of said town the amounts for which the said lands were sold, together with twenty per centum per annum additional thereto. In making such sale the tax collector shall set up and offer for sale the whole of the real estate to be sold, and the same, or the smallest interest thereof, shall be struck off to the person 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 or month except Sunday or legal holidays, and he shall be deemed the highest bidder who will pay such assessments and expenses of sale for the smallest interest in said real estate, and if no person shall bid enough to pay such assessments and expenses, said tax collector shall bid on behalf of the town of Canton the amount of such assessments and expenses, and if no higher bid shall be made, the same shall be struck off to the said town of Canton; and in all cases where

Property to be sold upon failure of owner to pay first installment of assessment for 30 days after maturity.

Advertisement of sale.

Receipt to purchasers.

Redemption by owner within twelve months.

Sale of property in whole or in part.

Expense of advertising.
Sale to highest bidder.

Tax collector to bid in for town in absence of private bids.

Report of tax collector.

real estate shall be struck off to the said town, as herein provided, the same shall belong to the town in fee simple unless redeemed in the manner prescribed by law, and said tax collector shall immediately thereafter make a return to the board of commissioners of said town, by filing with the clerk of the said town a statement of the proceedings showing the purchaser or purchasers of said real estate, and the amount or interest in such real estate or each part thereof that was sold, which shall be entered by the town clerk upon the minute books of the said board of commissioners. If the lands so sold as aforesaid are not redeemed within twelve months, then the tax collector of the said town shall make to the purchaser or purchasers a deed in fee simple for the said lands, or the interest so sold as aforesaid, and the deed shall operate to convey to the purchaser and his heirs the title to the said land in fee simple: *Provided, however,* that the owner of any land 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 upon such payment the said liens shall be released and discharged.

Deed to purchaser for unredeemed property.

Payment of assessments before maturity.

Mayor and commissioners to have exclusive control of paving.

SEC. 7. That the mayor and board of commissioners of the said town by their proper officers shall have the exclusive control and management of the work of improving of said streets, and the costs thereof shall be paid out of any funds belonging to the said town of Canton that may be available for such purpose, the said town itself being liable for one-third of the costs and expenses of improving the street or roadway, or laying of the sewer or water line, assuming the liability hereinbefore created.

Payment of costs.

Powers of commissioners to assign liens.

SEC. 8. That the said mayor and board of commissioners are hereby authorized and empowered to assign, sell, and transfer the said liens created herein and all sums owing thereon, either absolutely or upon condition, to any person or persons in order to enable them to raise moneys to carry into effect the provisions hereof, and if any such liens shall be transferred as aforesaid and shall not be paid to the owner when due, they shall be collected by the tax collector of said town in the same manner as other assessments hereinbefore provided for, and the amount thereof, when collected, shall be paid by the said tax collector to the owner or owners of said liens, less two per centum of the amount actually collected by him, which shall be paid to the town treasurer to cover the costs of such collection.

Laws repealed.

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 9th day of January, A. D. 1917.

CHAPTER 13

AN ACT TO AMEND CHAPTER 340 OF THE PRIVATE
LAWS OF 1911.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter three hundred and forty of the Private Laws of one thousand nine hundred and eleven, be amended by adding at the end of said section: "upon the same Terms of hire. chapter one hundred and fifty-nine, of the Private Laws of one thousand nine hundred and seven; to be used in the work of Work specified. grading and constructing said railway from Murphy, Cherokee County, to Peach Tree Valley, Cherokee County, to connect with the section of said road built from Hayesville, North Carolina."

SEC. 2. That section two of said chapter three hundred and forty of the Private Laws of one thousand nine hundred and eleven be amended by inserting after the word "convicts" and before the word "Provided," in the fifth line of said section, the words: "Upon delivery of said certificate of stock so issued to the State Treasurer, credit shall be given to the board of directors of the North Carolina State's Prison upon the books of the State Treasurer for the par value of the stock represented by such certificates." State's prison to be credited on books of treasurer.

SEC. 3. That where the word "railroad" occurs in said chapter three hundred and forty, strike same out and insert "railway."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 14

AN ACT TO EXCLUDE CERTAIN TERRITORY FROM THE
POWELLSVILLE GRADED SCHOOL DISTRICT IN BERTIE
COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the territory within the following boundaries be and is hereby excluded from and taken out of the Powellsville Graded School District in Bertie County, to wit: Begin- Boundary. ning at Piney Woods Chapel Church on the Windsor and Powellsville public road, thence running along said road towards Powellsville to the Joe Bunch residence, thence turning to the left and running a straight line through the woods to the foot of the

avenue leading from the road to J. E. Jordan's "Oakland" farm, thence along said avenue to J. E. Jordan's line, thence turning to the left and running along said J. E. Jordan's line to Loosing Swamp, thence up said swamp to the bridge at the J. W. Mitchell farm, thence along the line around the said J. W. Mitchell farm, its various courses, to the aforesaid Powellsville and Windsor public road at the Mitchell and Ruffin corner, thence along said public road to the place of beginning; and that the territory within the foregoing boundaries shall no longer be a part of said Powellsville Graded School District.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 15

AN ACT TO PERMIT FUQUAY SPRINGS CONSOLIDATED GRADED SCHOOL DISTRICT IN WAKE COUNTY TO VOTE \$15,000 OF BONDS.

The General Assembly of North Carolina do enact:

Petition by trustees.

SECTION 1. That a majority of the trustees of the Fuquay Springs Consolidated Graded School District in Wake County, North Carolina, be and is hereby authorized and empowered to petition the board of county commissioners of Wake County, North Carolina, to call an election or elections in said district, at a time and place to be specified by them, to determine the question, "Shall the Fuquay Springs Consolidated Graded School District in Wake County issue fifteen thousand dollars (\$15,000) of the bonds of said district, with interest coupons attached, to erect, equip, and maintain a graded school building in said district?"

Question to be submitted.

County commissioners to order election.

SEC. 2. That upon said request of a majority of the trustees as aforesaid, it shall be the duty of the said board of commissioners of Wake County, at any regular or special meeting of said board, to order an election to be held in said district, at such time and place as may be specified in said request, to determine the question, "Shall the Fuquay Springs Consolidated Graded School District in Wake County issue fifteen thousand dollars (\$15,000) of the bonds of the said district, with interest coupons attached, to erect, equip, and maintain a graded school building in said district?" That said board of county commissioners shall, at least thirty days preceding such election, give notice of said election and purpose thereof by publication in one or more newspapers published in said county and at such other places as may be determined upon by it.

Question to be determined

Notice of election.

SEC. 3. That the said election or elections 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 laws for holding elections for members of the General Assembly: *Provided*, that there shall be a new registration of all of the qualified voters residing in said district for each election herein provided for, 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 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 the votes shall be counted at the close of the polls and returned to the said board of county commissioners at its next meeting, regular or special, 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 "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. 5. That if a majority of the qualified voters in any election herein provided for shall vote "For School Bonds," and the result shall be declared and recorded as aforesaid, then it shall be the duty of the said board of county commissioners of Wake County to prepare bonds in denominations not exceeding one thousand dollars and not less than one hundred dollars, the total amount not to exceed fifteen thousand dollars (\$15 000), which said bonds shall bear a rate of interest not to exceed the rate of 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 county commissioners of Wake may determine; that 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

Law governing election.
Proviso: New registration.
Proviso: Election officers.
Returns and canvass of votes.
Record of result.
Ballots.
Bonds issued.
Denominations.
Amount.
Interest.
Maturity.
Authentication.
Entitlement.

styled "Bonds to erect, equip, and maintain a graded school building in the Fuquay Springs Consolidated Graded School District of Wake County."

- Special building committee. SEC. 6. That the board of education of Wake County is hereby authorized and directed to appoint a special building committee for said Fuquay Springs Consolidated Graded School District, who shall be residents of said district and who, as soon as practicable after the ratification of this act, shall meet and elect one of their number chairman and another secretary of said committee. Any vacancies occurring in said committee from any cause shall be filled by the board of education of Wake County in any way it may deem proper.
- Organization.
- Vacancies.
- Delivery and sale of bonds. SEC. 7. That upon the preparation, signing, and execution of said bonds said board of county commissioners shall deliver the same to the treasurer of the school fund in Wake County, who shall sell said bonds at such times and in such manner as the said board of education for Wake County may direct; that none of 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 when payable, and by what authority they were issued. The said board of education for Wake County shall record all the proceedings in respect to said bonds in the minutes of its meeting, and, when sold, the numbers of the bond or bonds, the denominations, to whom sold, and the number of coupons attached: *Provided*, the said treasurer of the school fund shall not sell any of said bonds for less than par value.
- Specific appropriation of proceeds.
- Record of bonds.
- Proviso. Sale below par forbidden.
- Deposit of proceeds.
- Discharge of liability of treasurer.
- Expenditure of proceeds.
- Surplus.
- SEC. 8. That when said bonds are issued and sold as hereinbefore provided, the proceeds thereof shall be deposited by the treasurer of the school fund in Wake County to the credit of the said treasurer in the banks doing business in said Fuquay Springs Consolidated Graded School District, in each bank in the same proportion and in the same manner as provided in section nine of this act for depositing of the sinking fund provided for herein. The receipt of said banks for the amount deposited with them by said treasurer, as directed and provided herein, when signed by the president or cashier of said banks, shall be a full and complete discharge of said treasurer and his bond from any and all liability on account of said proceeds. Said proceeds shall be expended by said special building committee in such manner and for such uses and purposes in the building and equipment of a public graded school building as a majority of the said committee herein provided for shall direct, and in the event of there being a surplus remaining in the hands of the said committee after the

purchase of a school site, erection of school building and purchase of equipment, said surplus shall be expended for the purpose of maintenance of said public graded school in such manner as a majority of the trustees herein mentioned shall direct, and no other; that the treasurer of the school fund in Wake County shall be required to give such bond for the safe-keeping of the proceeds derived from the sale of said bonds for such time as said proceeds may be in his possession, as the board of education of Wake County may direct; and before depositing said funds in said banks, as provided in this section, said treasurer shall require each bank to give a good and sufficient bond, payable to the State of North Carolina for the use of said special building committee, to be approved by the board of education of Wake County, for the safe-keeping of said funds until said funds are checked out by said special building committee in the manner provided by law. Said funds shall be paid out by said treasurer upon vouchers duly signed by a majority of the said special building committee and countersigned by the superintendent of public instruction of Wake County: *Provided*, the accounts of the said special building committee shall be audited by the auditor of Wake County once each month: *Provided further*, upon the completion of the school building herein provided for and the purchase of its equipment, and the turning over to the treasurer of the school fund of Wake County any funds remaining in the hands of said committee after said building is erected and equipped as aforesaid, the duties of said building committee shall be at an end, and same shall thereupon be dissolved.

Bond of treasurer.

Depositories to give bond.

Vouchers.

Proviso: Audit of accounts.

Proviso: Dissolution of building committee.

Special tax for interest and sinking fund.

Collection of tax.

Specific appropriations.

Commissioner of sinking fund.
Bond of commissioner.

Reports.

SEC. 9. When said bonds shall have been issued the board of county commissioners of Wake County shall levy annually on the first Monday in June a tax not exceeding fifty cents (50c) on the hundred dollars of property and one dollar and fifty cents (\$1.50) on the poll in said Fuquay Springs Consolidated Graded School District of Wake County to provide for the 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 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, and, lastly, to the maintenance of said public Fuquay Springs Consolidated Graded School. The said treasurer of the school fund in Wake County shall be commissioner of the sinking fund for said bonds, and he shall be required to execute such bond for the safe-keeping of said fund and for the faithful performance of his duty as commissioner for such time as said funds may be in his hands as the board of education of Wake County shall direct, and he shall make such reports from time to time as the said board of education or the

- Deposit of funds. trustees herein mentioned may direct. Said commissioner of the sinking fund is hereby authorized and directed, without deducting therefrom for any purpose, to deposit said funds in the bank or banks doing business in said Fuquay Springs Consolidated Graded School District within ten days from the time said funds may come into his possession, said funds to be divided between said banks in proportion to the total amount of paid-in capital stock, surplus, undivided profits, value of banking house and fixtures, real estate and deposits held or owned by each bank as shown by the latest financial statement made by said bank or banks to the North Carolina Corporation Commission immediately preceding the apportionment as aforesaid, said fund to draw interest at the rate of four per cent per annum: *Provided*, before any of said sinking fund is deposited with any of said banks as aforesaid the said commissioner of said sinking fund shall require said bank or banks receiving such deposits to file with said commissioner a good and sufficient bond, to be approved by the board of commissioners of Wake County, payable to said commissioner for the use of the purchasers of said bonds, to fully secure the amount so deposited with said bank or banks, and the payment of the interest on same as aforesaid, and the payment of both principal and interest to the said commissioner of the sinking fund at the maturity of said bonds. The said commissioner is hereby authorized to require such additional bonds, to be approved and payable as herein provided, from said banks as may be necessary to fully safeguard the keeping of said funds, and when said bonds have been duly approved and filed as aforesaid, same shall be a complete discharge of said treasurer and his bond from all liability on account of said sinking fund. If for any reason said bank or banks shall fail or refuse to qualify to receive for deposit the fund herein referred to, such funds shall be deposited in such bank as shall qualify; and if no bank in said district shall qualify as aforesaid, then and in that event said funds shall be kept and managed by the treasurer of the school fund in Wake County in the manner provided by law: *Provided further*, that the trustees of the said Fuquay Springs Consolidated Graded School District shall maintain out of the funds derived from the tax herein provided for, which may be available for the maintenance of said graded school, a primary school in the former Cardenas School District, in which school shall be taught such studies as are usually taught in the primary grades from the first grade up to and including the sixth grade.
- Proviso: Depositories to give bonds.
- Additional bonds.
- Discharge of liability of commissioner.
- Proviso: Primary school.
- Special tax abrogated.
- SEC. 10. That if a majority of the qualified voters in said district shall in any of the elections herein provided for vote in favor of said bond issue, and the result shall be so declared by the board of county commissioners of said county, then and in that event any special annual tax heretofore voted by any part of said

school district for school purposes by this act is hereby repealed. If a majority of the qualified voters in said district shall vote against said bond issue, and the result shall be so declared as aforesaid, then any special tax heretofore voted by any part of said school district for school purposes shall not be construed to have been repealed, released, or in any manner interfered with by this act: *Provided*, that in the event a majority of the votes cast in the first election herein provided for shall be against school bonds, the board of commissioners of Wake County is hereby authorized and directed, upon petition of the board of trustees herein mentioned, to call another election to be held any time after four months from date of said first election, on the same question, after giving thirty days notice thereof as required in the case of the first election herein provided for. In the event a majority of the votes cast in the second election should be against school bonds, the said board of commissioners of Wake County is hereby authorized and directed to call another election in the manner above stated, on said question, to be held at any time after four months from date of said second election. All elections authorized or held under this act shall be called in the same manner and shall be subject to the same rules and regulations, and shall be conducted and held in the manner provided for the calling and holding of said first election.

Special tax continued.

Proviso: Further elections.

SEC. 11. The board of education of Wake County shall locate the Fuquay Springs Consolidated Graded School building herein mentioned within the town of Fuquay Springs, North Carolina, at the most suitable point on the lands of Mrs. T. H. Stem, on the north side of the Raleigh Road or Academy Street. The board of education of Wake County shall take title to so much of said land as in its opinion may be necessary for the purposes of erecting said school building and providing suitable grounds for same, in the manner provided under the general law, by purchase or condemnation proceeding, and is hereby empowered to condemn as much land for school purposes as aforesaid as in its opinion may be necessary to provide suitable grounds for said school.

Location of building.

Title to lands.

Power to condemn lands.

SEC. 12. In the event a majority of the qualified voters in any election herein provided for shall vote in favor of school bonds, the board of education of Wake County shall sell, in such manner as it may deem proper, the school building, equipment, and grounds now in use in Middle Creek School District, Number Three, said district being known as the Fuquay Springs School District, and apply the proceeds of the sale of said school building, grounds, and equipment to the purchase of a school site, equipment, or erection of school building, as provided in section eleven of this act, as far as same may apply.

Sale of present building and grounds.

Use of proceeds.

Application of act. SEC. 13. That this act shall apply only to the Fuquay Springs Consolidated Graded School District in Wake County.

Repealing clause. 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 9th day of January, A. D. 1917.

CHAPTER 16

AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO ISSUE BONDS TO PAY ITS PRESENT FLOATING INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Purpose of bond issue. SECTION 1. That for the purpose of paying the floating indebtedness of the city of Winston-Salem, incurred for necessary expenses, said city of Winston-Salem is hereby authorized and empowered to issue its coupon bonds to an amount not exceeding eighty thousand dollars (\$80,000) par value, to be in denominations of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) dated March first, one thousand nine hundred and seventeen, due and payable serially as follows: Five thousand dollars (\$5,000) of said bonds shall become due March first, one thousand nine hundred and eighteen; and five thousand dollars (\$5,000) par value thereof, shall become due on the first day of March of every year thereafter up to and including March first, one thousand nine hundred and thirty-three. Said bonds shall bear interest from date until maturity at a rate of not to exceed five per cent per annum, payable semiannually; said semiannual payments to be represented by coupons attached to each of said bonds, and to be identified by proper number and such other means as the board of aldermen may adopt.

Bond issue authorized. Amount. Denominations. Maturity. Interest. SEC. 2. No bonds issued under the provisions of this act shall be sold or otherwise disposed of for less than par and accrued interest, and said city is hereby authorized to sell or dispose of said bonds, either at public or private sale, under sealed bids, as may be to its best interest, and in case it sells the same at public sale, notice thereof shall be given in one or more newspapers published in Winston-Salem, for at least thirty (30) days, and the advertisement of the sale of the bonds as aforesaid may also be made in one or more newspapers published within or without the city.

Sale below par forbidden. Sale of bonds. Notice of sale. SEC. 3. That the purchase money arising from the sale of the bonds issued under the provisions of this act shall constitute a separate and distinct fund, to be appropriated and applied to the

Specific appropriation.

payment of an outstanding indebtedness incurred for necessary expenses of the city, as appears by a report of the treasurer of said city filed with the board of aldermen on the twenty-ninth day of December, one thousand nine hundred and sixteen, and a resolution of the board adopted on said date with reference thereto. That the treasurer of the city shall keep separate account of the funds arising under this act and separate record of the number of bonds sold, amount paid for same, and when the principal and interest thereof shall fall due.

Separate accounts.
Record of bonds.

SEC. 4. That in order to pay the interest on said bonds as it may accrue, and the principal thereof as they severally fall due, the city of Winston-Salem shall annually levy a special tax sufficient to meet the interest accruing thereon and the principal of such of said bonds as respectively fall due (not to exceed five per cent on the one hundred dollars valuation of property and fifteen cents on each poll). That the said tax shall be imposed on such property as may be now or hereafter subject to taxation under the laws of the State, and on each poll in lawful equation, and shall be levied and collected as other city taxes are levied and collected. That said officer or officers entrusted with the collection and payment thereof shall in respect thereto be liable officially as well as personally to all the requirements of the law now prescribed or which may hereafter be prescribed for the faithful collection and payment of taxes.

Special tax.
Liability of officers.

SEC. 5. That the purchaser or holder of any one or more of the bonds issued under the provisions of this act shall not be required to see to the application of the proceeds of the sale thereof.

Purchaser's discharge of liability.

SEC. 6. That all other acts or parts of acts conflicting herewith are hereby repealed.

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 17

AN ACT TO INCORPORATE THE HENDERSON AND WILSON RAILROAD COMPANY.

The General Assembly of North Carolina do enact:

SECTION 1. That J. D. Cooper A. A. Chapman, B. H. Perry, Corporators. T. Lanier, their associates, successors and assigns, are hereby created a body politic and corporate, with perpetual succession, under the name and style of "The Henderson and Wilson Railroad Company," with all the powers and privileges conferred upon rail-

Corporate name.
Corporate rights.

road corporations by the laws of North Carolina as they now exist and all amendments thereto hereinafter enacted.

Power of location,
construction and
operation.

Beginning.

Route.

Terminus.

Surveys.

Condemnation of
land.

Purchase of other
routes.

Capital stock.

Shares.

Books of sub-
scriptions.

Organization.

Board of direct-
ors.

By-laws, rules and
regulations.

SEC. 2. That said company shall have the power to locate, construct, and operate a railroad, either electric or steam, for the transportation of freight, passengers, mail and express from some point on or near the Virginia line, either in the counties of Person, Granville, Vance, or Warren, thence in a southeasterly direction through said counties and the counties of Franklin or Nash, Johnston or Wilson, Wayne or Greene, Lenoir, Craven, or Jones, or any of them, so as to reach tidewater in eastern North Carolina at some point to be determined by the board of directors of said railroad company, and to build branch roads.

SEC. 3. That in order to carry into effect the purposes and objects of this act the said railroad company may survey one or more routes for such railroad as they deem proper, and shall have the power and authority to appropriate and occupy as much land as may be necessary for the construction of said railroad and its branches, not to exceed one hundred feet in width and as much additional land as may be necessary for station houses, depots, and all other purposes necessary for the construction and operation of said railroad and its branches, under the rules and regulations prescribed by the laws of North Carolina for the condemnation and acquisition of land for railroad purposes, together with the right to buy, lease, or otherwise acquire, in accordance with the laws of North Carolina, other railroads or any portion thereof upon such terms and conditions as may be determined by the board of directors of said railroad company.

SEC. 4. That the authorized capital stock of said company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, with liberty to increase the same from time to time as the stockholders may determine to two hundred thousand dollars; that the incorporators named in this act or any one or more of them may open books of subscription to the capital stock of said company at such time and places as they may prefer, and receive subscriptions to said capital stock, and when ten thousand dollars of said capital stock shall have been subscribed the subscribers thereto shall elect a board of directors to consist of not less than five, who shall serve until the next annual meeting or until their successors are elected and qualified, and upon the subscription of said sum of ten thousand dollars and the election of said directors said company shall be deemed and held fully organized for all intents and purposes, and may proceed to carry out the objects and purposes of its charter.

SEC. 5. The management of said company shall be vested in the board of directors, to be elected annually at such time and place as the stockholders may designate, and they may have the power to make such by-laws, rules and regulations for the management

of said corporation and create and appoint such officers as may be necessary for the transaction of its business as may be consistent with the Constitution and laws of the United States and of this State.

SEC. 6. Any railroad company, whether incorporated under this or the laws of any other State, is hereby authorized to subscribe to the capital stock of said railroad company or to lend money to or indorse the bonds or other evidences of debt of the same; and the said Henderson and Wilson Railroad Company shall have the right to borrow money and as security therefor may mortgage its roadbed, rolling stock and franchises, and may issue bonds as the directors thereof may determine, and may provide for the conversion of such bonds into the capital stock of said company. And should said company issue second-mortgage bonds, in that event it shall not issue first-mortgage bonds exceeding fifteen thousand dollars per mile of its main road and branches.

SEC. 7. That for the purpose of aiding the construction of said railroad the board of directors shall have power to issue second-mortgage bonds to an amount not exceeding four thousand dollars per mile upon said railroad and branch roads, bearing interest at five per cent, payable semiannually; the principal of said bonds to be made payable in not exceeding fifty years from the date of their issue and to be secured by second-mortgage on its property, franchises, and other effects. That it shall be lawful for any county, township, city, or town in or through which said road or its branches shall be located to subscribe to the second-mortgage bonds of said railroad company in such sums as a majority of the qualified electors of any such county, township, city, or town may authorize. That said subscription shall be made in coupon bonds bearing interest at five per cent, interest payable semiannually and the principal of said bonds to be due and payable in not more than fifty years from the date of their issue. The said bonds shall be received by said railroad in exchange for its second-mortgage bonds at par. All of said bonds to be in denominations of not less than one hundred dollars. That for the purpose of carrying into effect the provisions of this act it shall be the duty of a governing body of any county, township, city, or town in which said railroad or its branches may be located, upon the written application of thirty taxpayers of any such county, township, city, or town, specifying therein the amount to be subscribed in bonds to aid in the construction of said railroad, to submit to the qualified electors of such county, township, city, or town the question of subscription or no subscription to the second-mortgage bonds of said railroad company; and the governing body of said county, township, city, or town, as the case may be, shall order an election, specifying the time, place, and purpose thereof, and shall provide for the holding of same in accordance

Subscriptions by other roads.

Power to borrow money and execute mortgage.

Conversion of bonds.

Limit of bond issue.

Second mortgage bonds.

Subscriptions by counties, townships and towns.

Subscription in bonds.

Exchange of bonds.

Denominations. Application for election.

Order of election.

Law governing election.

- with the laws governing the election of the members of the General Assembly, except as hereinafter provided for cities and towns: *Provided, however,* that for the purposes of said election said governing body may order a new registration.
- Proviso: New registration.**
- Ballots.** SEC. 8. That at said election ballots shall be provided upon which shall be printed the word "Subscription," and also ballots shall be provided upon which shall be printed or written the words "No Subscription," and said governing body of such county, township, city, or town, as the case may be, having first fixed the amount proposed to be subscribed, according to the request of the petition submitted to them, shall give public notice of said election not exceeding sixty days immediately prior thereto, in one or more newspapers published in the county in which such election is to be held, and if there is no newspaper published in such county, then in some newspaper published in the county nearest thereto, and also at the courthouse door in such county. that such election will be held upon the day therein named.
- Notice of election.**
- Returns and canvass of votes.** SEC. 9. That in all such elections the returns shall be made to and canvassed by the board of county commissioners, if for a county, who shall ascertain and declare the result and make a record of the same. If the election shall be for a township the registrar and judges of election shall make their returns to the board of county commissioners, who shall canvass the same and ascertain and declare the result and make a record of the same. If the election shall be for a city or town, it shall be conducted as elections for municipal officers, and the proper authorities of such city or town shall ascertain and declare the result and make a record of the same. That in case a majority of all qualified voters of such county, township, city, or town, as the case may be, shall have voted for subscription, then the governing body of such county, township, city, or town shall within twenty days after the vote is ascertained subscribe to the second-mortgage bonds of said railroad company for said county, township, city, or town the sum that may have been named in said petition, which subscription shall be made in coupon bonds bearing interest at the rate of five per cent as hereinbefore set out, payable semiannually, and all tax levies for the purpose of raising funds to pay said bonds or coupons shall be made upon taxable property in such counties, townships, cities or towns.
- Subscriptions.**
- Tax levies.**
- Special tax for interest.** SEC. 10. That to provide for the interest of said bonds and their redemption at or before maturity, the governing body of such county, township, city, or town subscribing to said bonds shall, in addition to other taxes, each year compute and levy on all property of any such county, township, city, or town as make a subscription of bonds to the second-mortgage bonds of the railroad company, preserving the constitutional equation of taxation, a sufficient tax to pay such interest after applying the interest

paid on said second-mortgage bonds held by such county, township, city, or town, and an additional sinking fund tax sufficient to provide each year a sum which compounded annually at four per cent for the term of said bonds shall be sufficient to equal the principal of the bonds of said county, township, city, or town, at maturity, which amount shall annually be collected as the other taxes are and paid to the county treasurer or other officer of said county, township, city, or town authorized by law to perform the duties of treasurer as commissioner of sinking fund.

Special tax for sinking fund.

SEC. 11. That for the purpose of this act all the townships along the line of said railroad and its branches which are interested in its construction are hereby declared bodies politic and corporate and are vested with the necessary powers to carry out the provisions of this act, and shall have all the rights and be subject to the liabilities in respect to any right or cause of action growing out of the provisions of this act. The county commissioners of the respective counties in which are situated the respective townships suscribing are declared to be the corporate agents of the townships so incorporated and situated within the limits of said counties respectively.

Townships incorporated.

Corporate agents.

SEC. 12. That the construction of said railroad under this act of incorporation shall be commenced within three years after the ratification of this act.

Time for beginning construction.

SEC. 13. That this act shall take effect and be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 18

AN ACT TO CONSOLIDATE AND REVISE THE CHARTER OF THE TOWN OF JONESVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Jonesville, in the county of Yadkin, be and the same is hereby incorporated by the name and style of the "Town of Jonesville," and it shall be subject to all the provisions of law now existing in reference to incorporated towns.

Incorporation.

SEC. 2. That the corporate limits of said town shall be as follows: Beginning at the northeast corner of S. W. Cockerham's land on the bank of the river and runs a straight line to the Greenwood old gate, then a direct line so as to include Frank Day's house to W. M. Evans' corner, with Evans' line, so as to include W. C. Shore's residence, north to the line of the town plat, east with the same to the Speer's line, north on said line to Bob Martin's corner, then a straight line so as to include J. J.

Corporate limits.

Speer's lot, then a direct line to the Yadkin River, so as to include Will Shugart, then up the river to the beginning.

Town officers.

SEC. 3. That the officers of said town shall consist of a mayor, five commissioners, and a constable, and the commissioners shall have power to appoint a secretary and treasurer.

Corporate rights.

SEC. 4. That the town of Jonesville is hereby vested with all the powers, rights, privileges, and immunities enumerated in chapter seventy-three, volume one, of the Revisal of one thousand nine hundred and five, entitled "Towns," not inconsistent with any of the provisions of this act; and the commissioners of said town shall have power to pass by-laws, rules and regulations for the government of the town, not inconsistent with the laws of the State and the United States, and to impose fines and penalties to the violation of town ordinances and collect the same for the benefit of the town: *Provided*, that the tax levy shall not exceed fifty cents on the hundred dollars valuation and one dollar and fifty cents on each poll.

Proviso: Limit of tax rate.

Town elections.

SEC. 5. That there shall be biennially, on the first Monday in May, elected a mayor and five commissioners, who shall hold office until their successors are qualified; all to be elected by the qualified voters of the town.

Eligibility for office.

SEC. 6. That any qualified elector in this State shall be eligible as mayor or commissioner: *Provided*, he or they shall have resided in the corporation twelve months next preceding the day of the election.

Vacancies.

SEC. 7. That the board of commissioners shall have authority to fill any vacancy in the board that may occur during their term of office, and also appoint all officers which they may deem necessary for the efficient administration of the regulations, ordinances, and by-laws of the town, and shall prescribe terms of offices. That the board of commissioners shall be further authorized to appoint one of their members a mayor *pro tempore* to act as mayor in case of absence of the mayor or his inability to perform the duties of his office.

Appointive officers.

Mayor pro tem.

Mayor an inferior court.
Jurisdiction.

SEC. 8. That the mayor of said town is hereby constituted an inferior court, and as such shall within the corporate limits of the town have all the power, jurisdiction, and authority of a justice of the peace to preserve and keep the peace, to issue process, to hear and determine all causes of action which may arise upon the ordinances and regulations of the town, to enforce penalties by issuing execution upon any adjudged violation thereof, and to execute the by-laws, rules and regulations made by the commissioners. The mayor shall further be a special court within the corporate limits of the town to arrest and try all persons who are charged with a misdemeanor for violating any ordinance of the town, and if the accused be found guilty he shall

Special court.
Jurisdiction.

be fined, at the discretion of the court or mayor, not exceeding the amount specified in the ordinance or ordinances so violated, or, at the discretion of the mayor or court trying the same, such offender may be imprisoned not more than thirty days in the common jail of the county. If the accused is dissatisfied with the judgment of the mayor or court he may appeal in like manner as prescribed for appeals from judgment of a justice of the peace. Right of appeal.

SEC. 9. That the mayor may issue his precepts to the town constable, who may execute the same anywhere in Yadkin County, or to such other officers to whom a justice of the peace may direct his precepts. An indorsement by the mayor of the names of the witnesses upon a summons or warrant shall be authority for the officer to execute the same. The mayor shall keep a faithful minute of the precepts issued by him, and of all his judicial proceedings. Issue of precepts.
Summons to witnesses.
Minutes.

SEC. 10. That the board of commissioners shall have authority to put to and keep at work on the streets of the town any person or persons who may fail to pay any fine, penalty, or forfeiture which may be imposed upon any person or persons for violation of any ordinance, by-law, or regulation of said town; and the commissioners shall have authority by their ordinances and by-laws to confine and control and manage such persons until the said fine, penalties, or forfeitures, together with the cost thereof, shall be fully paid and satisfied, under such rates for labor and board as the commissioners may adopt. Street work for fines and penalties.

SEC. 11. That any town constable, policeman, watchman, or town officer arresting any person or persons for violation of any ordinances of the town shall have the right to commit such person or persons to the lock-up or common jail of the county for as early trial as practicable. Commitment for trial.

SEC. 12. That the board of commissioners of the town of Jonesville shall have power not oftener than annually to impose, levy, and collect a tax upon all real and personal estate within the corporate limits of said town, and also upon all money on hand, solvent credits, and upon all polls and all other subjects of taxation taxed by the General Assembly for public purposes: *Provided*, that the rate of taxation shall not exceed fifty cents on the hundred dollars valuation in any one year. Taxing power.
Proviso: Limit of rate.

SEC. 13. That all laws and clauses of laws in conflict herewith are hereby repealed. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 19

AN ACT TO AMEND CHARTER OF THE TOWN OF MARION.

The General Assembly of North Carolina do enact.

SECTION 1. That section two, chapter two hundred and ninety-one of the Private Laws of one thousand nine hundred and nine, be amended by striking out of said section from the semicolon after the word "Knob" in line sixteen to and including the word "railway" in line twenty-four, and inserting in lieu thereof the following words, viz.: "then to the northwest corner of the reservoir tract; then with the line of said tract to the southwest corner thereof; then a southeast course to a post-oak bush on the side of the old Buck Creek road, a corner of the Blue Ridge Furniture Company's tract and a tract of the Cross Manufacturing Company; then with a line of said tracts south fifty-eight degrees west four poles, south one degree west twelve poles, south eighty-eight degrees east fifty poles to a poplar tree; then with a line of the Cross Manufacturing Company south sixty-four degrees east twenty-two poles, south fifty-eight degrees west thirty-three poles, north twenty-two degrees west ten poles, south fifty-eight degrees west eight poles, south twenty-two degrees west ten poles, south fifty-one degrees west forty-two and one-fourth poles to a stake in the branch at the north end of a culvert under the Southern Railway."

Boundary
changed.

Discount on taxes. SEC. 2. That all persons, firms, or corporations, whether resident or nonresident of the town of Marion, who shall pay all such taxes as are by law assessed against them, either upon property or poll, on or before the thirty-first day of October in each and every year, shall receive a discount of two per centum of such taxes so assessed, and all persons, firms, or corporations who shall pay all such taxes after the thirty-first day of October and on or before the thirtieth day of November in each and every year shall receive a discount of one per centum of such taxes so assessed; and all persons, firms, or corporations who shall fail, refuse, or neglect to pay all such taxes assessed against them, either upon property or poll, on or before the thirty-first day of December in each and every year, shall as a penalty for such failure, refusal, or neglect, be subject to a penalty of one per centum for any and all payments made in the month of January, a penalty of two per centum for any and all payments made in the month of February, and a penalty of three per centum for any and all payments made in the month of March, in each and every year; and it shall be the duty of the tax collector of said town to add such penalty to the amount of taxes due by any and all persons, firms, corporations, and to collect and account for the same as other taxes: *Provided*, that nothing herein shall be so construed as to prevent

Penalty for delay
in payment.

Proviso: Levy by
distress.

the said tax collector from collecting the said taxes, so levied, by distraint or otherwise, at any time now prescribed by law, and *provided further*, that it shall be the duty of said tax collector of the said town to make his final settlement of all taxes so levied, with all accrued penalties, to the board of aldermen of the said town at the first meeting of said board after the first Monday in May of each and every year.

Proviso: Final settlement.

SEC. 3. That the said board of aldermen of the town of Marion are hereby authorized and empowered, whenever in its discretion it shall become necessary to improve any street or streets within the corporate limits of said town, by hard-surfacing with concrete, macadam, bitulithic, or any other substance, to lay off the street or streets to be improved into such section or sections as it may deem expedient; to cause such improvement of such street or streets to be made by contract or otherwise, under the supervision of a competent person or persons, and when any section so laid off under the order of said board shall be completed, and the improvement thereof finished, it shall then become the duty of said board to ascertain the total cost of the improvement of such section, and one-half of the total cost thereof shall be specially assessed upon the lots and parcels of land abutting directly on the improvements, according to the extent of their respective frontages thereon, by an equal rate per foot of such frontage, which said charge shall immediately become a lien upon the lots and parcels of land abutting directly on said improvements, and shall ascertain the pro rata part due by each individual owner of abutting property for such improvement, and shall immediately notify such owner the amount due by him for such improvement as aforesaid; that the amounts so ascertained to be due by each individual owner of abutting property shall be kept in a book for that purpose, and said book shall be kept open for the inspection of any and all persons; that if any such amount ascertained to be due by any individual owner of abutting property shall remain unpaid for thirty days after such notice, then and in that event it shall become the duty of the said board of aldermen to cause such amount or amounts as remain unpaid to be certified to the tax collector of said town, whose duty it shall be to collect said amount or amounts, so certified, by the scale of such abutting property or otherwise, and as other taxes due said town are collected: *Provided*, the said board of aldermen may, in its discretion, extend the time of such collection upon the owner of such property paying six per centum per annum interest, but such extensions shall in no case exceed three years from the delivery of such notice.

Improvement districts.

Assessment on abutting property.

Charges a lien on lands.

Record of assessments.

Record open for inspection.

Collection of assessments.

Proviso: Extension of time.

SEC. 4. That all laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 20

AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM, CHAPTER 235 OF THE PRIVATE LAWS OF 1899, AS AMENDED BY CHAPTER 178 OF THE PRIVATE LAWS OF 1901.

The General Assembly of North Carolina do enact:

SECTION 1. That section thirty-four of the charter of the city of Durham, being chapter two hundred and thirty-five of the Private Laws of one thousand eight hundred and ninety-nine, as amended by chapter one hundred and seventy-eight of the Private Laws of one thousand nine hundred and one, be and the same is hereby amended by striking out the following paragraph thereof, to wit: the words, "and in order to carry out, execute, and enforce the powers hereinbefore given in this section to borrow money, pledge the faith of the city of Durham, or loan its credit, and levy and collect the taxes necessary to pay off and discharge any such debt, principal and interest, with the consent of the majority of the qualified voters of the city, which consent shall be obtained at an election held after thirty days public notice, whereat those who shall consent shall vote 'Approved' and those who shall not consent shall vote 'Disapproved.' But they shall not borrow any sum of money when the existing aggregate indebtedness of the said city equals in amount one-tenth of the aggregate tax value of the property of said city as shown by its tax book of the preceding year, or exceeds the same, nor any sum which when added to the aggregate indebtedness of the city then already existing could render the full amount of the indebtedness of the city larger than one-tenth of the aggregate tax value of the property of said city as shown by its tax books for the preceding year; and in any public notice of a proposition to borrow money so submitted to the votes of the qualified voters of the said city as above provided shall be included a statement of the then existing aggregate indebtedness and tax value of the property of said city other than that hereinafter provided for, as shown by the tax books for the preceding year, and of the purpose for which such money is to be borrowed."

Provision stricken out.

Power to borrow money.

And in lieu thereof insert the following: "And in order to carry out, execute, and enforce the powers hereinbefore given in this section to borrow money, pledge the faith of the city of Durham, or loan its credit, and levy and collect the taxes necessary to pay off and discharge any such debt, principal and interest: *Provided*, that they shall not borrow any sum of money when the existing aggregate indebtedness of said city equals in amount one-tenth of the aggregate tax value of said city as shown

Proviso: Limitation on amount of debt.

by its tax books of the preceding year, or exceeds the same, nor any sum which when added to the aggregate indebtedness of the city then already existing would render the full amount of the indebtedness of the city larger than one-tenth of the aggregate tax value of the property of the city as shown by its tax books of the preceding year: *Provided further*, that they shall not borrow any money or pledge the faith of the city of Durham or loan its credit or levy and collect any taxes to pay off and discharge any such debt, principal or interest, for the purpose of purchasing or establishing public grounds or parks or for the purchasing or acquiring land for the purpose of establishing public squares or public parks in or near the city of Durham, also shall borrow any money or pledge the faith and credit of the city of Durham or loan its credit for purchasing or maintaining a lighting system, until the consent of the majority of the qualified voters of the said city shall have first been obtained, which consent shall be obtained at an election held after thirty days notice thereof, whereat those who shall consent shall vote 'Approved' and those who shall not consent shall vote 'Disapproved': *Provided further*, that the city shall have the right to borrow money and pledge the faith and credit of the city of Durham and levy and collect the necessary taxes to pay off and discharge any such debt, principal and interest, for the purpose of relaying water mains in and under the streets now existing, and for the purpose of repairing, improving, and extending the water mains of said city, and for the purpose of relaying, repairing, and improving, enlarging, and extending the water mains for said city and in and under all streets of said city hereafter improved, paved or repaved, and also for the purpose of constructing any and all new streets hereafter laid out, constructed, and improved by this city, without obtaining the consent of the majority of the qualified voters of said city for any and all of said water-main extensions, repairs, or improvements."

Proviso: Debts subject to approval of voters.

Elections.

Proviso: Debts for water and street improvements.

SEC. 2. In the expenditure of money for the improvement of the streets and sidewalks of said city the board of aldermen shall proceed as now provided by chapter fifty-six of the Public Laws of one thousand nine hundred and fifteen of the General Assembly of North Carolina, or under any amendments thereto, or under any other general State law that may be passed for the operation of cities and towns in said State of North Carolina relating to the improvement of streets and sidewalks.

General law as to street improvements.

SEC. 3. That section thirty-four, paragraph three thereof, be amended by inserting after the words "one-half of the expense of the work" the following words: "or a greater proportion thereof, as the board of aldermen may determine upon petition, not to exceed two-thirds of cost to abutting property owners for either streets or sidewalks, or both."

Assessments for street improvements.

Repealing clause. SEC. 4. That all laws and parts 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 9th day of January, A. D. 1917.

CHAPTER 21

AN ACT TO AMEND CHAPTER 227 OF THE PRIVATE LAWS OF 1907, RELATING TO THE CHARTER OF THE VIRGINIA AND EASTERN CAROLINA RAILROAD COMPANY.

The General Assembly of North Carolina do enact:

Capital stock. SECTION 1. That chapter two hundred and twenty-seven of the Private Laws of nineteen hundred and seven be and the same are hereby amended by striking out in section two the words, "That the authorized capital stock of said company shall be one hundred and twenty-five thousand dollars, to be divided into shares of one hundred dollars each," and inserting in lieu thereof the words, "That the authorized capital stock of said company shall be two hundred thousand dollars, to be divided into shares of one hundred dollars each."

SEC. 2. The said company to have two years to reorganize and begin building the road.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 22

AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM, CHAPTER 235 OF THE PRIVATE LAWS OF 1899 AS AMENDED BY CHAPTER 178 OF THE PRIVATE LAWS OF 1901.

The General Assembly of North Carolina do enact:

Executive officer. SECTION 1. That section thirty-five of the charter of the city of Durham, being chapter two hundred and thirty-five of the Private Laws of one thousand eight hundred and ninety-nine, as amended by chapter one hundred and seventy-eight of the Private laws of one thousand nine hundred and one, be and the same is hereby amended by adding at the end of section thirty-five, after the words, "conditioned for the faithful performance of said office," the following words: "and it is also provided that for the purpose of expediting the work of permanent street improvement in the

city of Durham, systematizing the care and maintenance of streets and other city improvements, and the systematizing and safeguarding of all expenditures of the city, the board of aldermen of the city of Durham are hereby authorized and fully empowered to employ an executive officer, whose duties, official title, and salary shall be prescribed by the board of aldermen: *Provided*, the board of aldermen may elect said officer for such length of time as they may deem expedient, but not for a longer time than a term of one year; and *Provided further*, that the board of aldermen may elect the mayor or any other city official or employee, or any other suitable person, whether a resident or non-resident of the city.”

Duties, title and salary.
 Proviso: Term of employment.

Proviso: Persons eligible to election.

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

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 23

AN ACT TO RATIFY AND CONFIRM THE CHARTER OF FLORA MACDONALD COLLEGE AS HERETOFORE AMENDED UNDER THE GENERAL LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That all proceedings in respect to the amendment of the charter of the Southern Presbyterian College and Conservatory of Music, a corporation with its principal office and place of business at Red Springs, North Carolina, as contained in the certificate signed by the officers of said corporation on the fourteenth day of October, one thousand nine hundred and fifteen, filed with the Secretary of State of the State of North Carolina, including the certificate of amendment of the charter of said corporation, issued by the said Secretary of State on the fifth day of November, one thousand nine hundred and fifteen, be and the same are hereby ratified, approved, and confirmed; and the said corporation shall continue to exist under the name of "Flora Macdonald College," and in that name may sue and be sued, plead and be impleaded, and have and enjoy all the rights, powers, and privileges now or hereafter given to corporations of like character under the laws of the State of North Carolina, and shall also succeed to all the rights, powers, and privileges heretofore enjoyed by the predecessors of said corporation, as contained in chapter two hundred and ten of the Private Laws of North Carolina, session of one thousand eight hundred and ninety-seven, and

Proceedings ratified, approved and confirmed.

Corporate name.

Corporate right.

Rights vested.

chapter one hundred and twenty-one of the Private Laws of North Carolina, session one thousand nine hundred and seven, together with the powers, privileges, and rights conferred by the certificate of amendment of charter above mentioned.

Property vested in corporation.

SEC. 2. That all property of every kind and nature, both real and personal, which has heretofore been conveyed to or held by Red Springs Seminary under said act of one thousand eight hundred and ninety-seven, or the Southern Presbyterian College and Conservatory of Music under the said act of one thousand nine hundred and seven, and which has not heretofore been conveyed to other parties, shall vest in and become the property of the said Flora Macdonald College as the successor of both of said corporations.

Obligations recognized.

SEC. 3. That the first- and second-mortgage bonds issued by the said Southern Presbyterian College and Conservatory of Music, aggregating forty thousand dollars (\$40,000), as will fully appear by reference to the minutes of said corporation, dated in July, one thousand nine hundred and fourteen, be and the same are hereby declared to be the valid obligations of said corporation and of Flora Macdonald College, the successor to said corporation.

Officers of corporation.

SEC. 4. That section ten of chapter one hundred and twenty-one of the Private Laws of one thousand nine hundred and seven, enumerating the officers of said corporation, be amended and stricken out, so that the same shall read as follows: "The officers of the corporation shall be a chairman of the board of trustees, a vice chairman of the board of trustees, a treasurer, a secretary, and the trustees hereinbefore provided for," and the said officers shall be elected as provided in the acts hereinbefore referred to, and the amendment thereto set out in section one of this act.

Election of officers.

Repealing clause.

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 9th day of January, A. D. 1917.

CHAPTER 24

AN ACT RELATING TO THE PUBLICATION OF ANNUAL STATEMENTS BY THE TOWN OF LUMBERON.

The General Assembly of North Carolina do enact:

Publication of annual statements.

SECTION 1. That chapter one hundred and twenty-three of the Public Laws of one thousand nine hundred and eleven be amended by adding at the end of section two thereof the following: "This act shall not apply to the town of Lumberton."

SEC. 2. That the municipal government of the town of Lumber-ton shall at the end of each fiscal year publish an annual state-ment of the receipts and disbursements in the manner required by section two thousand nine hundred and seventy-three of the Re-^{Statement to be published annu-ally.}visal of one thousand nine hundred and five.

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 and effect from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 25

AN ACT TO INCORPORATE FUQUAY SPRINGS CONSOLIDATED GRADED SCHOOL DISTRICT, MIDDLE CREEK TOWNSHIP, WAKE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That District Number One, Middle Creek Township, Wake County, North Carolina, which is described and bounded by and includes the territory lying within the following boundary lines: beginning at the intersection of the Harnett County line and the line of Holly Springs Special-Tax School District, Number Four, known as Wilbor School District, and following an easterly boundary line of said school district to the line of the farm belonging to the Dr. A. J. Blanchard estate; thence with the westerly boundary line of said lands a northerly direction, including said Blanchard estate, to the farm of John C. Utley; thence with said Utley's westerly and northerly boundary lines, including his farm, to said Utley's northeast corner; thence in a direct line and including all lands south of said line to the headwaters of Terrible Creek; thence down Terrible Creek to the corner of S. W. Johnson's farm, in I. H. Rowland's line; thence following the eastern boundary line of said Johnson's farm, including his farm, to the farm of M. C. Utley, deceased; thence following the northern and eastern boundary lines of said Utley's farm, and including his farm, to J. Beale Johnson's farm, thence following said Johnson's eastern boundary line, and including his farm, to E. J. Partin's farm; thence following the eastern boundary line of said E. J. Partin's farm, and including his farm, to J. A. Smith's farm; thence following said Smith's eastern boundary line, and including his farm, to M. C. Gardner's farm; thence following the eastern boundary line of said Gardner's farm, and including his farm, to H. A. Smith's farm; thence following the eastern boundary line of said Smith's farm, and including his farm, to Fuquay Springs and Angier public road; thence following said public road in a

southerly direction to a point opposite S. R. Johnson's southern boundary line; thence in a westerly direction, crossing the Durham and Southern Railroad, with said Johnson's line, and following the southern boundary lines of said Johnson's land to the farm of Amos Johnson; thence following the southern boundary line of said Amos Johnson, and including his farm, to W. H. McGuire's farm; thence following the southern boundary line of said McGuire's farm, and including his farm, to the farm formerly owned by Rev. Allen Betts, deceased; thence following said Betts' southern boundary line, and including his farm, to Robert Walters' farm; thence following the southern boundary line of said Walters' farm, and including his farm, to the farm of M. W. Wester; thence following the northern boundary line of said Wester's farm to the run of Neill's Creek; thence down the run of said creek to the Harnett County line; thence in a westerly direction with the said county line to the beginning; be and the same is hereby incorporated under the name and style of Fuquay Springs Consolidated Graded School District, Wake County, North Carolina, and is hereafter to be known and styled as such. The above described territory includes the lands of all the above named parties and the lands of all others lying and being within the lines herein described.

Incorporation.

Corporate name.

Admission of contiguous territory.

SEC. 2. Any person or persons whose lands are contiguous to the above described territory may be admitted into said district, with all the privileges and be subject to the same taxes as those residing within the district as aforesaid, and in the same manner provided by section four thousand one hundred and fifteen, chapter ninety-five of the Revisal of nineteen hundred and five, and the acts of the General Assembly amendatory thereto, providing for the admission into special school-tax districts.

Appointment of trustees.

SEC. 3. That the county board of education of Wake County, upon the ratification of this act, shall appoint a board of trustees for said district who shall be residents of the said district, who shall hold their office, have the same powers and duties in regard to the schools of said district, and be appointed thereto in like manner as district school committeemen are appointed by the said board of education under the general school laws of North Carolina and the acts of the General Assembly amendatory thereto.

Vacancies.

SEC. 4. Any vacancy occurring in said board of trustees from any cause shall be filled and the successors to the said trustees shall be appointed by the board of education of Wake County in the same manner as in the case of district school committeemen.

Repealing clause.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 26

AN ACT TO AUTHORIZE THE ALDERMEN OF THE CITY OF MONROE TO FUND ITS INDEBTEDNESS BY ISSUING BONDS.

Whereas the city of Monroe has contracted debts to pay the current and necessary expenses of the city government in street work, water and lights, in excess of its revenue, to an amount of forty thousand dollars or more, and it desires to issue bonds to cover said indebtedness: Preamble: Debt in excess of revenue.

The General Assembly of North Carolina do enact:

SECTION 1. That the aldermen of the city of Monroe are authorized to issue bonds, for the purpose of funding its current indebtedness incurred for the necessary expenses of its government, to the amount of forty thousand dollars, bearing interest at the rate of five per centum per annum, of such denomination as the aldermen of the city of Monroe may determine. To each and every of said bonds shall be attached coupons representing the interest payable thereon, which shall be due and payable annually until the bonds mature, which shall be thirty years from their date, and shall be paid by the city of Monroe; and the bonds so issued shall be consecutively numbered and the coupons shall bear the number of the bonds to which they are attached and shall declare the amount of interest they represent, and when due, and shall be receivable in payment of taxes due the city of Monroe. Bond issue authorized.
Amount.
Interest.
Denominations.
Maturity.

SEC. 2. That said bonds shall be issued over the signature of the mayor and attested by the clerk of the city of Monroe and the official seal of said city, and shall be sold by the board of aldermen at a price not less than their par value. Authentication.
Sale below par forbidden.

SEC. 3. That it shall be the duty of the board of aldermen to levy and collect, annually, as other taxes are levied and collected, a sum sufficient to pay the interest on said bonds as it becomes due and to provide a sinking fund for the payment of the bonds at their maturity, not exceeding five cents on the hundred dollars of taxable property subject to taxation in said city of Monroe and fifteen cents on each poll subject to taxation. Tax for interest and sinking fund.
Limit of rate.

SEC. 4. That it shall be the duty of the board of aldermen of the city of Monroe to cause their clerk to keep a record of the bonds sold, to whom sold, and the price paid therefor, and also a record of the bonds redeemed and from whom purchased; and when the coupons are paid it shall be the duty of the aldermen to destroy by fire the coupons or to cause them to be so destroyed by the clerk in their presence. Record of bonds.
Destruction of paid coupons.

SEC. 5. That the money realized from the sale of said bonds shall be used for the purpose of paying the outstanding current Specific appropriation.

Liability of purchaser released.

indebtedness of the city of Monroe, and it shall not be the duty of the purchaser of the bonds to see to the application of the money so realized.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 27

AN ACT TO ESTABLISH A SCHOOL DISTRICT IN ELLIJAY TOWNSHIP, IN MACON COUNTY.

The General Assembly of North Carolina do enact:

District created.

Name.

Boundary.

SECTION 1. That a public school district is hereby created in Ellijay Township, Macon County, to be known as the Higdonville Public High School District, and described and bounded as follows: Beginning at the intersection of A. J. Moore farm with the Mill Shoal Township line, then following said line to the outside of J. M. Stuman, so as to include said Stuman's land; thence with N. A. Guy's outside line to Harve Tilly's outside line, and with said line to Dock Dalton's outside line; thence with said line to J. M. Moore's outside line; thence with said line to Mrs. Charles Sellers' outside line; thence with said line to J. K. Bryson's outside line, and with said line to N. J. Rushes' outside line, and with said line to M. Wright's outside line, and with said line to the west bank of the Cullasaja River; thence across said river to the east bank; thence with said river to the Sugarfork Township line; thence with said township line to the top of the mountain above C. G. Mincey; thence with said mountain to C. G. Mincey's outside line; thence with said line to J. T. Henry's outside line, and so as to include the lands of Charles Rogers and Louis Henry; thence with said J. T. Henry's outside line to the outside line of A. J. Moore's farm; thence with said line to the beginning.

Petition for election.

Order for election.

Tax rate.

Law governing election.

SEC. 2. Upon the petition of one-fourth of the freeholders in the district described in section one of this bill, indorsed by the county board of education, the board of county commissioners, after thirty days notice at the courthouse door and three public places in the district, shall hold an election to ascertain the will of the people in said district whether there shall be levied in said district a special annual tax of forty cents on the one hundred dollars valuation of property and one dollar and twenty cents on the poll to supplement the public school fund which may be apportioned to said district by the county board of education in case such special tax is voted. Said election to be held in all respects as provided by law governing special school tax elections

in chapters four, one thousand nine hundred and one, section seventy-two, one thousand nine hundred and three, C. four hundred and thirty-five, section twenty-four, C. one thousand nine hundred and five, C. five hundred and thirty-three, section fourteen, one thousand nine hundred and nine, C. five hundred and twenty-five, one thousand nine hundred and eleven, C. one hundred and thirty-five, one thousand nine hundred and fifteen, C. two hundred and thirty-six.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 28

AN ACT TO AMEND SUBSECTION 6 OF SECTION 2916 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

SECTION 1. That the following provisions of subsection six of section two thousand nine hundred and sixteen of the Revisal of one thousand nine hundred and five shall not apply to the town of Reidsville, in Rockingham County, namely: "*Provided*, in the event of such sale or lease it shall be approved by a majority of the qualified voters of such city or town." Reidsville relieved from limitation.

SEC. 2. That said town of Reidsville may sell or lease any of its public utilities, such as lighting plants or system mentioned in said subsection: *Provided*, in the event such sale or lease, which shall be approved by a majority of the votes cast in any election at which said proposition may be submitted; said election to be held under the same general rules, laws, and regulations of elections for town officers in the town of Reidsville. Sales or leases authorized.
Proviso: Approval by election.

SEC. 3. That the town of Reidsville is hereby authorized and empowered to contract with any person, firm, or corporation with respect to obtaining a supply of light and power or any part or all of its light or power for its lighting system; and in case any such contract shall be entered into by said town of Reidsville the board of commissioners of said town are hereby authorized and empowered to sell and dispose of any appliances, fixtures, appurtenances not necessary to be used in the operation of its lighting and power system after making and entering into any such contract. Contracts for light and power.
Sale of equipment.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 29

AN ACT TO VALIDATE THE BOND ISSUE OF 1916 IN GRIFTON SPECIAL SCHOOL-TAX DISTRICT, No. 1, IN THE COUNTIES OF PITT AND LENOIR.

The General Assembly of North Carolina do enact:

Bond issue validated.

SECTION 1. That the bond issue authorized by election held in Grifton Special School-Tax District, Number One, in the counties of Pitt and Lenoir, on the thirtieth day of May, one thousand nine hundred and sixteen, be and the same is hereby in all respects validated.

Interest and sinking fund.

SEC. 2. That the public school committee of said school district are hereby authorized and directed to apply a sufficient amount of the special tax levied in said district by authority of chapter three hundred and sixty-three, Private Laws one thousand nine hundred and fifteen, as may be necessary to pay the interest on the bonds referred to in section one of this act and to provide such sinking fund as may be necessary to retire said bonds at maturity.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 30

AN ACT TO REVISE THE CHARTER OF THE TOWN OF LUMBERTON AND TO ENABLE IT TO FUND ITS OUTSTANDING INDEBTEDNESS CONTRACTED FOR NECESSARIES, AND TO AUTHORIZE THE LEVY AND COLLECTION OF TAXES TO MEET SAME.

The General Assembly of North Carolina do enact:

Limitation on bond issues removed.

SECTION 1. That chapter three hundred and forty-three of the Private Acts of one thousand nine hundred and seven be and the same is hereby amended as follows: By striking out in lines thirteen and fourteen of section ninety-eight the words, "to an amount not exceeding fifty thousand dollars," and in lines fourteen and fifteen the words, "to that amount or any less amount," and by striking out from the last three lines of section one hundred the words, "and until the aggregate of the bonds voted shall reach the sum of fifty thousand dollars as herein provided."

Bond issue authorized.

SEC. 2. That the board of commissioners of the town of Lumberton be and they are hereby empowered and authorized to

issue coupon bonds in denomination of five hundred dollars each, par value, not to exceed a total of fifty-one thousand dollars par value, under this act, bearing interest at not more than six per centum per annum, payable either annually or semi-annually as the board of commissioners may elect, for the purpose of funding the outstanding indebtedness of the town of Lumberton, being for the enlarging and repairing of the electric light and water plant, the installation of a filtration plant, and the extension of the water-works system for said town. The said amount of fifty-one thousand dollars bonds may, in the discretion of the board of commissioners, be issued in one or two issues, as the board may elect, said division, if made, to be either equal or in any ratio, provided the total issue or issues under this act do not exceed fifty-one thousand dollars. In case of two issues, the total bonds under each issue, as above denominated, shall be divided into seventeen equal lots and the first bonds under both issues, to be six in number, totaling three thousand dollars, shall be due on March first, one thousand nine hundred and twenty-seven, and one-seventeenth of said total bonds of each issue shall be due on the first day of March each year thereafter for sixteen years, when the last of said bonds under both issues shall become due. Said bonds shall be of a form to be approved by the board of commissioners of said town and shall be attested by the signature of the mayor and treasurer of said town and sealed with the corporate seal thereof, and the coupons shall be attested by the lithograph facsimile signature of the mayor. No bonds shall be sold for less than par and accrued interest, and the funds arising from the sale of same shall be applied to the settlement of the outstanding debts of said town for the necessary expenses thereof as set out, and for no other purpose; but the purchaser thereof shall not be in any way bound to see to the proper application of the purchase money of said bonds.

Denomination.

Amount.

Interest.

Purpose of issue.

Issues.

Proviso: Limit of amount.

Maturity.

Form and authentication.

Sale below par forbidden.
Specific appropriation of proceeds.

Liability of purchaser released.

Ordinance authorizing issue.

Repealing clause.

Special tax

Sec. 3. That the resolution or ordinance authorizing the issue of said bonds may be introduced and passed at any regular or special meeting of the board of commissioners, upon a majority vote of the commissioners present at such meeting, and no further proceeding shall be necessary for the issuing of said bonds; and all bonds issued in accordance with the provisions of this act shall be valid and legally binding obligations of said town, notwithstanding any previous acts limiting the amount of bonded indebtedness of said town or otherwise; and all laws and clauses of laws inconsistent with this act are hereby repealed in so far as same are inconsistent herewith.

Sec. 4. That the board of commissioners of said town of Lumberton are hereby required and directed to levy and collect, in addition to all other taxes in said town, a tax upon all taxable

property and polls of said town sufficient to pay the interest on said principal of said bonds as same becomes due, and, also, on or before the time the principal of said bonds shall become due, to levy and collect a further special tax to pay for same, or to provide for the payment thereof, which tax shall be upon an *ad valorem* valuation, levied at the same time and collected as other taxes upon property and polls collected by said town.

Tax ad-valorem.
Levy and collection.
Sale of bonds.

SEC. 5. The said bonds may be sold either at public or private sale, as the commissioners may deem best, after advertising.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 31

AN ACT TO AUTHORIZE THE CITY OF GASTONIA TO ISSUE BONDS FOR THE PURPOSE OF CONSTRUCTING, WORKING, BUILDING, GRADING, PAVING, REPAIRING, AND EXTENDING THE STREETS AND SIDEWALKS OF THE CITY OF GASTONIA.

The General Assembly of North Carolina do enact:

Bond issue authorized.
Amount.

Denominations.
Interest.

Maturity.

Authentication.

Exemption from city tax.
Coupons receivable for taxes.
Record of bonds.

SECTION 1. That the board of aldermen of the city of Gastonia is hereby authorized to issue coupon bonds, not to exceed in amount the sum of one hundred and fifty thousand dollars (\$150,000), in such denominations as the board of aldermen of the city of Gastonia shall prescribe, and bearing interest from date at a rate not to exceed five per cent per annum, payable semi-annually on the first day of January and the first day of July of each year, at such place as said board of aldermen may designate, until the said bonds are paid; that the said bonds shall be made payable at a time and place to be fixed by said board of aldermen and named therein, not to run less than twenty nor more than thirty years from date of issue. The said bonds and their coupons shall be numbered, and the bonds shall be signed by the mayor and attested by the treasurer of the said city of Gastonia and the corporate seal of said city affixed thereto, and said bonds and their coupons shall be exempt from city taxation until they have become due, and the coupons shall be received in the payment of said taxes. A record shall be kept of the said bonds, showing the numbers and denominations thereof, and to whom sold, the dates of issuing thereof, and when the same shall mature, and the interesting-bearing rate thereof, the amount received from the sale of same, and the date

of the payment of the proceeds into the treasury, and such other data in relation to the same as the board may direct to be kept.

SEC. 2. That whenever the board of aldermen of the city of Gastonia shall by resolution or ordinance duly adopted declare that in their judgment it is to the best interest of the city of Gastonia to sell said bonds, then the said board shall proceed to issue and sell the same, or so many thereof as may be necessary, in their judgment and discretion, and the proceeds of such sale or sales shall be used in constructing, working, building, grading, paving, repairing, and extending the streets and sidewalks of said city of Gastonia; and to fund, liquidate, and pay indebtedness already incurred for the necessary expense of said city of Gastonia in constructing, working, building, grading, paving, repairing, and extending the streets and sidewalks of said city of Gastonia.

Issue and sale of bonds.

Appropriation of proceeds.

SEC. 3. For the purpose of paying the said bonds at maturity and the interest thereon as it shall become due it shall be lawful for and the duty of the board of aldermen to levy annually a sufficient special tax upon all subjects of taxation which are or may hereafter be embraced in the subjects of taxation under the charter of the said city and the general law, in the manner and at the same time as other taxes are levied under the said charter and the general law.

Special tax.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 32

AN ACT TO ALLOW THE BOARD OF ALDERMEN OF THE TOWN OF WEST ASHEVILLE IN BUNCOMBE COUNTY TO REMOVE CERTAIN GRAVES IN SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen of the town of West Asheville shall have the power and the authority, and they are hereby authorized to remove any or all graves in the town of West Asheville, Buncombe County, North Carolina, and to remove the bodies, bones, or dust from said graves to some other graveyard or yards in the said county of Buncombe.

Removal authorized.

SEC. 2. That all 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 9th day of January, A. D. 1917.

CHAPTER 33

AN ACT TO SUBMIT A BOND ISSUE TO THE QUALIFIED VOTERS OF THE CITY OF WASHINGTON.

Preamble: Purpose of election.

Whereas the city of Washington, a municipal corporation, located in the county of Beaufort, State of North Carolina, is the owner of five-sixths undivided interest in a certain piece of property located in the said city, known as the public wharf property, and the board of aldermen of said city are desirous of being empowered to call an election to submit to the qualified voters of said city the question of purchasing the other one-sixth undivided interest in said property: Now, therefore,

The General Assembly of North Carolina do enact:

Purchased authorized.

SECTION 1. That for the purposes above set out, to wit, the purchasing of a one-sixth undivided interest of the property located in the city of Washington and known as the public wharf property, the board of aldermen of said city is hereby empowered to purchase said undivided one-sixth interest in said property,

Bond issue authorized. Amount.

and for the purpose of paying for the same the said board of aldermen is hereby authorized to issue bonds in the amount not to exceed five thousand dollars, and in denominations of not less than one hundred dollars nor more than one thousand dollars,

Denominations.

Interest.

bearing interest from date of bonds at a rate not to exceed five per cent per annum, payable semiannually on the first days of January and July of each year, and at such place as the board of aldermen may direct. That the principal of said bonds shall be payable at a time and place to be fixed by said board of aldermen and to be named therein, not to be less than fifteen years nor more than fifty years from date thereof: *Provided,*

Maturity.

that said board of aldermen may divide said bonds into classes as they may deem best, and have them mature at different dates between the limits aforesaid. That said bonds and their coupons shall be numbered and the bonds shall be signed by the mayor of the city of Washington, North Carolina, and countersigned by the clerk of the board of aldermen and have the corporate seal of said city of Washington affixed thereto, and the coupons attached thereto shall be signed by the said mayor of the city of Washington, although a lithograph copy of his signature shall be sufficient. A record of said bonds be kept, showing the numbers and denominations, and to whom sold, the date of issue thereof, and when same will mature, and such other data in relation to same as the board of aldermen may direct to be kept. That said bonds when issued, and the interest accumulated thereon, shall be fully binding upon said city and its property, even if there be in excess of ten per cent of the assessed value-

Proviso: Classification of bonds.

Authentication.

Record of bonds.

Obligation of bonds.

tion of property of said city, and the said bonds shall show upon their face the purpose for which they were issued.

SEC. 2. That said bonds and coupons herein provided for shall not be subject to taxation by the city until after maturity and tender are made, and if the holder fails to present the bonds and coupons for payment at maturity, they shall not draw interest after maturity; said bonds shall be sold under the direction of the board of aldermen, and shall not be sold for less than par value thereof. That the proceeds arising from the sale of said bonds, less the necessary expense of issuing and holding the election herein provided for, shall be paid to the treasurer of said city, to be applied for the purpose herein set forth.

Exemption from city taxation.

Sale below par forbidden.

Specific appropriation.

SEC. 3. That said bonds shall not be issued, nor taxes herein authorized levied, nor the purchase or condemnation of land herein provided for made, until authorized by a majority of the qualified voters of the city of Washington, North Carolina, at an election to be held in said city, which election shall be held at the regular election in May, nineteen hundred and seventeen, for the election of mayor and aldermen. Said board of aldermen may, if it deems advisable, order a new registration for said election; and if it does order a new registration, notice of such new registration shall be given, twenty days before the books are open for registration, by publishing a notice thereof in some newspaper in the said city, and the registration books shall be open thirty days before the date of election, and shall stay open for a period of twenty days. Said election shall be advertised by the said board of aldermen for thirty days prior to the date of election in one or more newspapers published in the city, and such advertisement shall specify the amount of the bonds for which electors shall vote, and the purpose for which same are issued; and such election shall be held in accordance with the provisions of the charter of the said city relating to elections, and qualifications of voters shall be supplied, unless manifestly repugnant to the clear intent of this act, and returns of the result of said election shall be made and certified by said election officials to the board of aldermen of said city, and the results thereof shall be canvassed by the said board of aldermen and the results duly declared. At such election those who are in favor of issuing bonds and levying taxes therein provided for shall vote ballots on which shall be written or printed the words "For Public Wharves," and those opposing the issuing of said bonds shall vote ballots upon which shall be written or printed the words "Against Public Wharves." That if at said election a majority of the qualified voters shall cast their ballots "For Public Wharves," the said board of aldermen shall proceed at once to issue said bonds in the amount called for in the notices of election.

Authority subject to election.

Time for elections.

Registration.

Advertisement of election.

Law governing election.

Returns.

Canvass of returns.

Ballots.

Effect of election.

Special tax.

SEC. 4. That in order to pay the interest on said bonds and to create a sinking fund to pay the principal of said bonds at maturity, the board of aldermen of said city of Washington shall levy and collect such a special tax upon all subjects of taxation which are now or may hereafter be embraced in the subject for taxation under the charter of the said city, as may be necessary for that purpose, observing the equation of taxation between property and polls fixed by law; and the money paid into the city treasury received from the taxes levied under this act shall be appropriated for the purpose of paying said bonds and interest, and for no other purpose whatsoever; and it shall be a misdemeanor, punishable by fine or imprisonment, in the discretion of the court, for any official of said city or other person to wrongfully misapply or divert said special taxes from the purpose required by this act: *Provided*, that all moneys remaining in the treasury belonging to said fund after all the aforesaid bonds and coupons have been redeemed, may then be ordered by the board of aldermen transferred to the general fund of the city of Washington. The taxes herein provided for shall be collected in like manner as other taxes in said city.

Constitutional equation.
Specific appropriation.

Diversion a misdemeanor. Punishment.

Proviso: Surplus to general fund.

Repealing clause.

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 9th day of January, A. D. 1917.

CHAPTER 34

AN ACT REINCORPORATE AND RESTORE CORPORATE POWERS TO THE TOWN OF GARYSBURG, IN THE COUNTY OF NORTHAMPTON, AND TO APPOINT COMMISSIONERS OF SAID TOWN.

The General Assembly of North Carolina do enact:

Town reincorporated.
Name.

Charter reënacted.

SECTION 1. That the town of Garysburg, in the county of Northampton, be and it is hereby reincorporated under the name of Garysburg, and that chapter three thirty-four of the Private Laws of North Carolina, session one thousand nine hundred and seven, entitled "An act to incorporate the town of Garysburg, in the county of Northampton," be and the same is hereby revived, reënacted, and reinstated, with the same corporate limits and all the powers and provisions therein set out, except as to the appointment of the commissioners, mayor, and marshal, named in section four thereof.

Commissioners named.

SEC. 2. That until the first Tuesday in May, one thousand nine hundred and eighteen, and until their successors are elected and

qualified, R. E. Brown, J. E. Suiter, C. P. Parker, R. A. Ellis, and J. B. Collier shall constitute and be the board of commissioners of said town, and shall have all the powers and be subject to all the provisions contained in said act incorporating said town and in the Revisal of North Carolina relative to cities and towns not inconsistent with the provisions of said act.

SEC. 3. That said board of commissioners of said town shall have the power and authority, and it shall be their duty, to elect a mayor of said town and appoint a town constable therefor, who shall hold their respective offices until their successors are elected and qualified as provided for in said act and in the general law in the Revisal of North Carolina relative to cities and towns, not inconsistent with said act, with all the powers and duties contained therein and subject to all the provisions thereof.

Election of mayor and constable.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 35

AN ACT TO CONSOLIDATE SPECIAL-TAX DISTRICT No. 4, WHITE RACE, IN SADDLE TREE TOWNSHIP, AND SPECIAL-TAX DISTRICT No. 2, WHITE RACE, IN HOWELLSVILLE TOWNSHIP; AND TO CHANGE THE NAME OF SAID SPECIAL DISTRICTS AND TO CREATE THE BARKER-TEN MILE GRADED SCHOOL DISTRICT; TO AUTHORIZE THE BOARD OF TRUSTEES OF SAID DISTRICT TO ISSUE BONDS AND TO LEVY AN ADDITIONAL SPECIAL-TAX.

The General Assembly of North Carolina do enact:

SECTION 1. That upon a majority of the qualified voters residing in the territory hereinafter described in this section voting in favor of the special tax and bonds hereinafter provided, Special-Tax District Number Four, for the white race, in Saddle Tree Township, Robeson County, and the Special-Tax District Number Two, for the white race, in Howellsville Township, shall be consolidated, the name of said district changed, and a tax district to be known and designated as "the Barker-Ten Mile Graded School District" shall be and is hereby created and the boundaries of said district shall be as follows: Beginning at the Ten-Mile Bridge on the Stage road and runs thence with the said road to F. A. Prevatt's line; thence with the said F. A. Prevatt's line (so that no part of his said lands may be included within said boundaries) back to the said road; thence continuing the same road toward the town of Lumberton to the five-mile post; thence

Consolidation.

Name changed
Official entitle-
ment.

Boundary.

with the Lumberton Township line to Alex. Rowland's old place; thence a direct line to the Bryant Leggett place (now J. B. Regan's farm); thence as said Regan's line, so as not to include his said lands in these boundaries, to 'Possum Branch; thence with said branch to Meadow road; thence with said road to J. W. Barker's south line; thence with his line east to Regan's School District line; thence with that said line to the ford of the swamp at Howellsville; thence down the Ten-Mile Swamp to the east corner of Alexander Willis' land, so as to include same in these boundaries; thence as W. J. Barker's northeast line, so as to include his lands; thence with C. W. Regan's northeast line to H. H. Stanley's line; thence as his line, so as to include his "home place;" thence from his northwest corner to the St. Pauls Township line, at the head of Horse Branch; thence with said line to the ford on the Ten-Mile Swamp, the beginning corner.

Name of tax district. SEC. 2. That upon the ratification of this act by a majority of the qualified voters residing in the above described territory, the name of said taxing district shall be changed and shall be

Incorporation. Barker-Ten Mile Graded School District, and the board of trustees hereinafter named, and their successors in office, shall be and

Corporate name. they are hereby constituted a body corporate by the name and style of the "Board of Trustees of Barker-Ten Mile Graded School

Corporate powers. District," and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, acquire by gift, purchase, devise, or otherwise, real estate and personal property; hold, exchange, mortgage, or sell the same, and exercise such other rights and privileges as are incident to other corporations, and may have a corporate seal. And said board of trustees is hereby fully authorized and empowered to execute and deliver a mortgage or deed of trust, to be signed by its chairman, attested by its secretary, and having its corporate seal affixed thereto, upon any real estate and personal property title to which is or may hereafter be vested in said Barker-Ten Mile Graded School District, or in said board of trustees, to secure the bonds herein provided for and the interest on the same.

Corporate seal. Power to mortgage property.

Bond issue authorized. SEC. 3. That the board of trustees of said Barker-Ten Mile Graded School District, hereinafter provided for, or their successors in office, shall be and they are hereby authorized and empowered to issue bonds of said Barker-Ten Mile Graded School District to an amount not exceeding eight thousand dollars (\$8,000) in such denominations as said board of trustees may deem advisable, bearing interest from their date at a rate not exceeding six per centum per annum, with interest coupons attached, payable semiannually 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 in such form and tenor and transferable in such way, and the principal thereof payable or redeemable at

Amount.

Denominations.

Interest.

Maturity.

such time or times, not exceeding thirty years from date of issue, and at such place or places, as said board of trustees may determine: *Provided*, that said board of trustees may issue bonds at such time or times, and in such amount or amounts as may be required to meet the expenditures hereinafter provided for.

Proviso: Issue of bonds.

SEC. 4. The proceeds arising from the sale of said bonds, or so much thereof as may be necessary, shall be expended by said board of trustees in providing, by purchase or otherwise such graded school sites and buildings as may be necessary and furnishing the same with all necessary equipment.

Use of proceeds of bonds.

SEC. 5. That none of said bonds shall be disposed of by sale, exchange, hypothecation, or otherwise, for a price less than par; nor shall said bonds or the proceeds thereof be used or devoted to any other purpose than those declared in section four of this act.

Sale below par forbidden.

Diversion of proceeds forbidden.

SEC. 6. That for the purpose of providing for the payment of said bonds and the interest thereon, and of defraying the expenses of the graded schools provided for in this act, the board of commissioners of Robeson County shall annually and at the time of levying the county taxes, commencing with the fiscal year beginning next after the ratification of this act, by a majority of the qualified voters of the district as herein provided, levy a special tax of twenty-five cents on the one hundred dollars of assessed valuation of property and seventy-five cents on each taxable poll, said tax to be collected and used for the exclusive purpose of paying the teachers and other running expenses of said school; and shall also levy an additional and particular special tax of twenty-five cents upon the one hundred dollars of assessed valuation of property and seventy-five cents on each taxable poll on all persons subject to taxes within the above described boundary, this additional and particular special tax to be collected and used for the purpose of paying the interest on the bonds herein provided for and of creating a sinking fund with which to pay the same.

Special tax for maintenance.

Tax rate.

Special tax for interest and sinking fund.

Tax rate.

SEC. 7. That said taxes shall be collected by the sheriff of Robeson County at the time and in the manner that the county taxes are collected, and shall be paid by him to the treasurer of the board of trustees of said Barker-Ten Mile Graded School District: *Provided*, that said treasurer of said board of trustees shall first enter into a good and sufficient bond, payable to the said board of trustees, in such amount as said board of trustees may direct, conditioned upon the faithful safe-keeping and disbursing of said taxes and all other public school funds which may come into his hands for the use and benefit of the said graded school district.

Collection and settlement of taxes.

Proviso: School treasurer to give bond.

SEC. 8. That the provisions of this act shall be submitted to a vote of the qualified voters residing in the territory described in section one of this act, at an election to be held on the first Monday in May, one thousand nine hundred and seventeen. That

Act to be submitted to voters.

Date for election.

Notice of election.

- thirty days notice of such election, containing a brief synopsis of the provisions of this act, shall be published in a newspaper published in said graded school district, or by printed circulars or notices posted at at least ten places in the above described territory. It shall be the duty of the board of commissioners of Robeson County to appoint a registrar and two judges of election to conduct said election, all of whom shall be qualified, residing in said territory. It shall be the duty of said registrar to make a new registration of all the persons entitled to vote for members of the General Assembly residing in the territory hereinbefore described, and to this end he shall, commencing on the fourth Saturday before the election, attend regularly, at some fixed place within the aforesaid graded school district, for four successive Saturdays, between the hours of eight a. m. and sundown, for the purpose of registering such persons as are entitled to vote for members of the General Assembly in said territory, and only those persons who are duly registered in accordance with the provisions hereof shall be deemed qualified voters under the provisions of this act. All challenges of voters may be entered on any registration day and shall be passed on by said judges of election and registrar on the day of election. Said registrar shall receive as compensation for his services the sum ofcents for each voter registered by him, and two dollars for his attendance upon the election, and the judges of election shall receive the sum of two dollars each for their services on election day, including making up the returns. Said registrar shall post in the aforesaid graded school district and at least five other public places in said territory, notice of the days, hours, and place of registration. For the purposes of this act the polls shall be opened at the regular voting place for the election of township officers in Howellsville Township at the hour of eight o'clock a. m. and shall close at sundown. All costs in connection with such election shall be paid from the funds of Robeson County, and it shall be the duty of the board of commissioners thereof to pass upon and pay the same.
- Election officers.**
- New registration.**
- Challenges.**
- Pay of registrar.**
- Pay of judges**
- Notice for registration.**
- Polling place.**
- Hours of voting.**
- Cost of election.**
- Ballots.**
- Count and returns.**
- SEC. 9. At said election those who are in favor of the creation of said graded school district and the issuance of the bonds herein provided for shall vote a written or printed ballot with the word "Approved" upon it, and those opposed to creating said graded school district and issuing said bonds shall vote a written or printed ballot with the word "Disapproved" upon it. The number of voters registered and the number of ballots cast for and against the creation and issuing of said bonds shall be counted and the result of said election certified and returned to the register of deeds of Robeson County, who shall furnish to the board of trustees of said graded school district a certified copy of said returns to the Secretary of State, which he shall file in his office.

If at the said election a majority of the qualified voters of said district shall vote "Approved," then the said board of trustees shall at once qualify by first taking an oath to faithfully perform their duties as such trustees and take such steps as may be necessary for the issuance and sale of the bonds herein provided for, and shall enter upon the duties enjoined upon them by this act.

Trustees to qualify.

Issue and sale of bonds.

SEC. 10. That the members of the board of education shall be each official members of the board of trustees of said Barker-Ten Mile Graded School District, and in addition thereto A. A. Bethune, J. W. Barker, N. A. Townsend, Spurgeon Jones, and J. H. Powers, are hereby constituted and appointed as the board of trustees of said Barker-Ten Mile School District. Spurgeon Jones and J. H. Powers shall hold their office for two years, and J. W. Barker and N. A. Townsend shall hold their office for four years, and A. A. Bethune shall hold his office for six years; and each trustee shall hold office until his successor shall be appointed and shall qualify in accordance with the provisions of this act; and the term of office of said trustee shall be considered as beginning on the first Monday in May, one thousand nine hundred and seventeen.

Board of education trustees ex-officio.
Trustees and terms.

Beginning.

SEC. 11. Whenever the term of office of any class of trustees shall expire, as above provided, their successors shall be appointed for a term of four years by the board of education of Robeson County, the persons to be so appointed to be residents and qualified voters of said graded school district hereby created. All vacancies from said board of trustees, caused by death, resignation, removal from the district, or otherwise, shall be filled by the remaining members of the board of trustees, and the person so chosen shall serve the unexpired term of his predecessor, and at the end of such unexpired term his successor shall be appointed by the board of education of Robeson County as hereinbefore provided. The office of trustees shall not be deemed or considered as a public office within the purview of the Constitution of North Carolina.

Election of successors.

Vacancies.

Trustees not of ficers.

SEC. 12. That after the ratification of this act by a majority of the qualified voters residing in said territory said board of trustees, at their first regular meeting, and annually thereafter on the first Monday in June in each year, shall elect from their number a chairman and secretary. They shall also elect a treasurer, who may or may not be a member of said board. The treasurer shall have charge of all the moneys received and disbursed, and shall report monthly to said board his receipts and disbursements, with vouchers for the same. The secretary shall keep minutes of all meetings and shall attest the signature of the chairman to all legal documents, and shall be the custodian of the corporate seal, and shall issue, by order of the board, all orders or warrants for the payment of money.

Chairman and secretary.

Treasurer.

Duty of treasurer.

Duty of secretary.

Annual reports.

SEC. 13. That it shall be the duty of the said board of trustees to make annually to the board of education of Robeson County, after the close of each school year, a full and complete report of the operation of said graded schools, together with a financial report which shall show all receipts and disbursements, and said report shall contain such other information as may be required by the board or by the county board of education; and a copy of said report shall be posted at some conspicuous place in the Barker-Ten Mile Graded School building.

Report to be posted.

Employment of teachers.

SEC. 14. Said board of trustees shall not employ as a teacher in said graded schools any person who shall not be entitled to teach in the public schools of Robeson County under the general school law. The board of trustees shall have the right, in the exercise of their discretion, to admit to the said graded school students or pupils residing out of the said graded school district, and to charge, collect, and receive such tuition or other charges as may be fixed by said board for such nonresident students or pupils.

Non-resident pupils.

Sinking fund.

SEC. 15. That it shall be the duty of the said board of trustees of said Barker-Ten Mile Graded School District, commencing with the fifth year after their first qualification, under the provisions hereof, to provide a sinking fund for the payment of the principal of said bonds at maturity, and for that purpose to set apart each year from the taxes collected or moneys appropriated to said graded school district a sum sufficient to fully pay off and discharge the principal of said bonds at maturity, which sinking fund shall be kept securely invested or loaned out on first-mortgage on real estate in Robeson County worth not less than double the amount of the loan. It shall also be the duty of said board of trustees to provide for the payment, semiannually, of the interest on said bonds and for that purpose to set apart from the taxes collected or money appropriated to said graded school district a sum sufficient to pay the same.

Investments of sinking fund.

Payment of interest.

Apportionment from general school fund.

SEC. 16. That all public school funds derived from the State and county of Robeson and which may from time to time be collected and apportioned under the general school law for school purposes for the children in said Barker-Ten Mile Graded School District and all moneys to which said district may be entitled by reason of any special tax, gift, apportionment, or otherwise, shall be paid to the treasurer of said board of trustees and shall be by him paid out by order of the said board of trustees for the proper maintenance of the schools located in said Barker Ten-Mile Graded School District and under the provisions hereof: *Provided*, that all donations to said schools shall be applied as directed by the donors.

Effect of disapproval of act.

SEC. 17. That in case a majority of the qualified voters of the above territory shall not approve, then nothing herein contained shall interfere with the collection of the taxes for Special-Tax Dis-

trict Number Four, in Saddle Tree Township, and Special-Tax District Number Two, in Howellsville Township, but in such case said special-tax district shall remain as now constituted and the same special tax as has heretofore been levied shall again be levied and collected.

SEC. 18. That in case a majority of the qualified voters shall not vote "Approved" at the election herein provided for, then the board of commissioners of Robeson County, upon the petition of one tenth of the qualified voters residing in the above territory, shall order another election to be held under the provisions of this act, first giving thirty days notice of such election, and shall appoint the judges and registrar for said election, the time and place of election to be determined by said board of commissioners, and the machinery of said election, so far as applicable, to be as hereinbefore provided. Further elections.

SEC. 19. That nothing herein contained shall be construed as suspending or superseding the special school taxes now collected or hereafter to be levied or collected within the territory above described, but the said special taxes shall be levied and collected in the future as in the past, and the particular or special tax to be voted for the issue of bonds herein provided for shall be over, above, and separate and distinct from the special taxes heretofore levied or hereafter to be levied under the provisions of the Revisal, section four thousand one hundred and fifteen; and upon the ratification of this act by a majority of the qualified voters of said graded school district the special or particular taxes herein provided for shall be levied and collected over, above, and in addition to the special school taxes now levied and collected under authority of law. Taxes heretofore levied.
Additional taxes.

SEC. 20. That this act shall be in full force and effect, subject to the provisions hereof, from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 36

AN ACT TO RATIFY THE \$5,000 SCHOOLHOUSE BOND ISSUE OF DISTRICT No. 4, WHITE, LIMESTONE TOWNSHIP, KNOWN AS BEULAVILLE SPECIAL-TAX DISTRICT IN DUPLIN COUNTY.

Whereas, on the third day of April, one thousand nine hundred and sixteen, pursuant to chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen, upon petition of the board of education of Duplin County, the board of commissioners of Duplin County ordered an election to be held on the thirtieth day of May, one thousand nine hundred and sixteen, in District Number Four, White, Limestone Township, Duplin County, North Preamble: Election heretofore held.

Carolina, known as Beulaville Special-tax District, bounded as follows: Beginning at the Miller bridge on Limestone Creek; thence with the road to the Beulaville road; thence down the Beulaville road to A. C. Sandlin's to an old path leading by J. G. Bostic's to Mr. Carroll's; thence with said old path to the Muddy Creek road; thence with the Muddy Creek road to Hanty Branch; thence down the Hanty Branch to Muddy Creek; thence with said creek to J. S. Thomas's line; thence with his line to Bryant Thomas's line; thence with his line to Muddy Creek; thence up Muddy Creek to Haystack Branch; thence up said branch to the Haw Branch public road; thence with the said road to Taylor's Branch; thence down Taylor's Branch to Limestone Creek; thence down the creek to the beginning; said election to ascertain whether the voters of said district were in favor of issuing bonds in the sum of five thousand dollars, bearing interest at the rate of six per cent, payable semiannually, to run not over fifteen years, to be paid by levying a tax in said district of thirty cents on the one hundred dollars valuation of property and ninety cents on the poll, said bonds to be used for the purpose of building, rebuilding, and repairing school house in said district, as provided for in said act of the General Assembly; and, whereas said election was regularly and legally held on said day and said bond issue was duly approved by a majority of the qualified registered voters of said district; and, whereas the board of commissioners of Duplin County did on the first day of January, one thousand nine hundred and seventeen, pursuant to the request of the county board of education of Duplin County, order said bonds to be issued, bearing date of the first day of January, one thousand nine hundred and seventeen, with interest from said date at six per cent, payable semiannually, in the denomination and due on the following dates, to wit: First bond, in the denomination of seven hundred and fifty dollars (\$750), due and payable on the first day of January, one thousand nine hundred and seventeen; second bond, in the denomination of five hundred dollars (\$500), due and payable on the first day of January, one thousand nine hundred and eighteen; third bond, in the denomination of five hundred and twenty-five dollars (\$525), due and payable on the first day of January, one thousand nine hundred and nineteen; fourth bond, in the denomination of five hundred and twenty-five dollars (\$525), due and payable on the first day of January, one thousand nine hundred and twenty; fifth bond, in the denomination of six hundred dollars (\$600), due and payable on the first day of January, one thousand nine hundred and twenty-one; sixth bond, in the denomination of six hundred and fifty dollars (\$650), due and payable on the first day of January, one thousand nine hundred and twenty-two; seventh bond, in the denomination of seven hundred dollars (\$700), due and payable on the first day of Jan-

Boundary of dis-
trict.

Purpose of elec-
tion.

Election legally
held.
Bond issue ap-
proved.

Preamble. Or-
der for bond issue.

Interest.

Maturity.

uary, one thousand nine hundred and twenty-three; and the eighth bond, in the denomination of seven hundred and fifty dollars (\$750), due and payable on the first day of January, one thousand nine hundred and twenty-four, and ordered the same to be delivered to the board of education of Duplin County, to be disposed of according to law: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the said five thousand dollars bond issue of said District No. 4, White, Limestone Township, Duplin County, known as Beulaville Special-Tax District, authorized by an order of the board of commissioners of Duplin County on the third day of April, one thousand nine hundred and sixteen, upon petition of the board of education of Duplin County, and heretofore referred to in the preamble of this act, be and the same is hereby in all respects legalized, ratified, and confirmed; and the board of commissioners of Duplin County is hereby authorized and empowered to prepare, execute, and deliver said bonds to the board of education of Duplin County, as provided by law, and the said board of commissioners of Duplin County is hereby authorized and directed to levy an annual special tax in said district of thirty cents on the one hundred dollars valuation of property and ninety cents on the poll, for the purpose of paying the principal of said bonds at maturity and interest thereon as it becomes due; and the said bonds when issued and sold shall become binding obligations of said special-tax district to the amount of principal and interest of said bonds.

Bond issue legalized.

Execution and delivery authorized.

Special tax.

Tax rate.

Obligation of bonds.

SEC. 2. That all laws and clauses of laws in conflict with this act be and the same are here repealed in so far as they may conflict herewith.

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 37

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

The General Assembly of North Carolina do enact:

SECTION 1. That section ninety-two of chapter one hundred of the Private Laws of one thousand nine hundred and one be and the same is hereby amended by striking out the word "twenty" in line three of said section and inserting in lieu thereof the word "fifty."

Power to borrow money.

Law not appli-
cable.

SEC. 2. That section two of chapter four hundred and one of the Private Laws of one thousand nine hundred and five shall not apply to the provisions of this act.

Repealing clause.

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 9th day of January, A. D. 1917.

CHAPTER 38

AN ACT TO AMEND SECTION 17 OF PRIVATE LAWS OF 1915, RELATIVE TO STREET IMPROVEMENTS IN THE TOWN OF WARRENTON.

The General Assembly of North Carolina do enact:

Limitation on
power to borrow
money.

SECTION 1. That section seventeen of chapter two hundred and one of the Private Laws of North Carolina, session one thousand nine hundred and fifteen, be amended by striking out after the word "exceed" in line four of said section seventeen the words and figures "twenty-five hundred dollars (\$2,500)," and inserting in lieu thereof the words and figures "twenty thousand dollars (\$20,000)," and by striking out after the word "said" in line seven and before the "," in line eight of said section seventeen the words "twenty-five hundred dollars," and inserting in lieu thereof the words "twenty thousand dollars."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 39

AN ACT TO AMEND SECTION 26, SUBSECTION "W," OF CHAPTER 2 OF THE PRIVATE LAWS OF 1911, AUTHORIZ- ING THE BOARD OF COMMISSIONERS OF THE CITY OF GREENSBORO TO ISSUE BONDS FOR REFUNDING OBLI- GATIONS THERETOFORE ISSUED, WITHOUT A POPULAR VOTE.

The General Assembly of North Carolina do enact:

SECTION 1. That section twenty-six, subsection "W," of chapter two of the Private Laws of one thousand nine hundred and eleven be and the same is hereby amended by adding at the end thereof the following, viz.: "Provided, that the said board may issue

Proviso: Issue of
refunding bonds.

bonds of the city for the purpose of refunding obligations theretofore issued after first having passed an ordinance to that effect by a majority vote of the entire board at two separate regular meetings."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 40

AN ACT TO PERMIT FARMINGTON SPECIAL SCHOOL DISTRICT, DAVIE COUNTY, NORTH CAROLINA, TO VOTE \$5,000 OF BONDS FOR SCHOOL IMPROVEMENT.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Davie County shall call an election in Farmington Special School District on the first Saturday in May, to determine the question, "Shall the Farmington Special School District in Davie County issue bonds of said Farmington Special School District, with interest coupons attached, to purchase a school building site and farm in said Farmington Special School District, and to erect thereon a suitable building and to provide suitable equipment for same, for the use of a school to be known as the Farmington Special School District, Farmington Township, Davie County, North Carolina?" *Provided*, that the amount of said bonds shall not be less than five thousand dollars nor more than eight thousand dollars, and that within the discretion of the board of committee of the Farmington Special School District, North Carolina, and C. A. Hartman and W. A. Graham shall be added for said purpose.

SEC. 2. That it shall be the duty of the county board of commissioners of Davie County to order an election to be held in said Farmington Special School District at Farmington on the first Saturday in May, to determine the question, "Shall the Farmington Special School District in Davie County issue not to exceed five thousand dollars of bonds of the said Farmington Special School District, with interest coupons attached, to purchase in said district a school building site and to erect thereon a suitable school building and to provide therefor suitable equipment?" The 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.

Call of election ordered.
Date.

Question to be voted on.

Proviso: Limit of amount.

Additional Committeemen.

Call of election ordered.

Date.

Question to be determined.

Notice of election.

Law governing election.	<p>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: <i>Provided</i>, 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: <i>Provided further</i>, 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 record and declaration of the result of said election shall be necessary.</p>
Proviso: new registration.	
Registration.	
Proviso: election officers.	
Law governing registration and challenges.	
Count and return of votes.	
Canvass of returns.	
Ballots.	<p>SEC. 4. That at said election the ballots tendered and cast shall have written or printed upon the same "For School Bonds" or "Against School Bonds," and all qualified electors who favor the issue of bonds shall vote a ticket on which shall be written or printed the words "For School Bonds," and all qualified electors who may be opposed to the issue of bonds shall vote a ticket on which shall be written or printed the words "Against School Bonds."</p>
County Commissioners to prepare bonds.	<p>SEC. 5. That if a majority of qualified voters in said election 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 Davie County to prepare bonds in denomination not exceeding one thousand dollars and not less than one hundred dollars, the total amount not to exceed eight 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 Davie 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 Farmington High School District a school</p>
Denominations.	
Amount.	
Interest.	
Maturity.	
Authentication.	
Entitlement of bonds.	

building site and to erect thereon a suitable school building, 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 Davie County, who shall sell said bonds at such time and in such manner as the said board of education for Davie 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 Davie County shall record all the proceedings in respect to said bonds in the minutes of its meeting, and, when sold, the numbers of said bond or bonds, the denominations, to whom sold, and the number of coupons attached.

Delivery and sale of bonds.

Specific appropriation.

Record of bonds.

SEC. 7. That when said bonds are issued and sold the proceeds thereof shall be deposited with the treasurer of Davie County, and the same shall be expended by the Farmington Special School District 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 school district shall direct, and no other; that the said treasurer 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 treasurer shall execute an official bond, payable to the county of Davie, 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 treasurer for said bonds the said treasurer 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 with said treasurer for a term of six months or more.

Deposit and expenditure of proceeds.

Funds and accounts kept separate.

Treasurer to give bonds.

Proviso: Treasurer to receive no compensation and to pay interest.

SEC. 8. When said bonds shall have been issued the board of county commissioners of Davie 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 Farmington Special School District of Davie County, to provide for the payment of 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;

Tax for interest and sinking fund.

Limit of rate.

Tax kept as separate fund.

Application.

- secondly, to the creation of a sinking fund as aforesaid; thirdly, to the maintenance of said Farmington Special School District of Davie County; 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 bonds 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 committee herein mentioned may direct.
- Commissioner of sinking fund. Investment.
- Bond of commissioner.
- Reports.
- Previous taxes rescinded.
- Proviso: former tax continued if bonds fail.
- Application of act.
- Repealing clause.
- 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 Farmington Township, Davie 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 interfere with any special school taxes voted by any of the districts in said Farmington Township, Davie County, for school purposes.
- SEC. 10. That this act shall apply only to the Farmington Special School District of Farmington Township, Davie County.
- 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 9th day of January, A. D. 1917.

CHAPTER 41

AN ACT TO AMEND THE CHARTER OF THE CITY OF WINSTON-SALEM.

The General Assembly of North Carolina do enact:

Line of city to near bank of creek.

SECTION 1. That section two of chapter one hundred and eighty of the Private Laws of one thousand nine hundred and fifteen, wherein the corporate limits of the city of Winston-Salem are described, be amended so that wherever in said section the call of the boundary line is for the center of either Peters Creek, Salem Creek, or Brushy Fork Creek, the said boundary line shall only extend to the near bank of the creek, and shall not extend to the center thereof.

SEC. 2. That section forty-six of said chapter be amended as follows: After the sentence ending with the words "Winston-Salem," in line twenty-five, insert the following: "But in computing the amount of the bonded or other interest-bearing debt, all bonds heretofore issued to provide funds for the purchase, equipment, or extension of the water systems of the city, and such bonds as may hereafter be issued to refund the same, and the notes of the city issued to pay for street paving, where the city holds a lien on the property abutting on the streets paved for the cost thereof, shall be excluded." Strike out all after the word "bonds," in line twenty-five thereof, down to and including the word "coupons," in line twenty-six, and insert in lieu thereof, "issued under the provisions of this section."

Water bonds.

Notes for street paving.

Limit of interest rate.

SEC. 3. That all bonds and other obligations of the city of Winston-Salem which are now outstanding, wherein the interest is represented by coupons, and which bear a rate of interest in excess of five per centum per annum, but not in excess of six per centum per annum, are hereby declared valid and binding obligations of the city of Winston-Salem.

Bonds bearing six per cent interest.

SEC. 4. That section sixty thereof be amended by striking out the word "thirty" and the figures "(30)" in line four, and inserting in lieu thereof the word and figures "forty (40)."

Width of streets.

SEC. 5. That whenever notice is required to be given under the provisions of the charter of the city of Winston-Salem the service of such notice may be made, upon the party for whom it is intended, by a police officer or other officer authorized to serve process, or it may be made by leaving a copy of the notice at the residence of the party for whom it is intended, between the hours of six in the morning and nine in the evening, with some person of suitable age and discretion. If notice is required to be given to a person who cannot be found after due diligence, or who is not a resident of this State, service thereof may be made by publication of the notice twice a week for two successive weeks in a newspaper published in the city of Winston-Salem. In any case where the length of notice is not specified in the charter ten (10) days notice shall be sufficient. If notice is given returnable before the board of aldermen at a fixed date, and if for any reason the board of aldermen should not hold a meeting on that day, then such notice shall continue in force and shall be returnable to the next regular or special meeting of said board.

Service of notice.

Notice by publication.

SEC. 6. That section eighty-seven of said chapter be amended by striking out the first paragraph thereof and inserting in lieu thereof the following: "Upon the recommendation of the judge of the municipal court and the board of aldermen of Winston-Salem, the Governor of the State shall appoint a chief probation officer; and upon the recommendation of the chief probation officer, the judge of the municipal court, and the board of aldermen

Probation officer.

Deputies.

of Winston-Salem, the Governor of the State shall appoint such
 Superintendent of schools ex-officio. deputy probation officers as shall be necessary for the city. The
 Duties of officers. superintendent of the public schools, of the city of Winston-Salem
 shall *ex officio* be a deputy probation officer. Said chief proba-
 tion officer and such deputy probation officers may inquire into
 every criminal action brought before the municipal court and
 shall keep a full record of all cases placed under the care of such
 Probation officer by the court, and shall keep a record of all
 Persons on pro- duties performed by him. Said municipal court may place the
 bation. person so convicted under the care of the probation officer for
 Term of office. such time and under such conditions as may seem proper. Said
 chief probation officer and such deputy probation officers as may
 be appointed shall hold office for two years from the date of their
 respective appointments and until their successors are appointed
 and qualified, and they shall receive such compensation, if any, as
 may be fixed by the board of aldermen.

SEC. 7. That all other acts or parts of acts conflicting herewith
 are hereby repealed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 42

AN ACT TO AMEND CHAPTER 426 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, RELATING TO THE PHILADELPHUS GRADED SCHOOL DISTRICT.

Preamble: Pas-
 sage of former
 act.

Whereas an act was passed by the General Assembly of North
 Carolina, session of one thousand nine hundred and thirteen,
 being chapter four hundred and twenty-six of the Public-Local
 Laws of one thousand nine hundred and thirteen, changing the
 name of Special-tax District, Number One, in Pembroke Township,
 Number One in Burnt Swamp Township, and a part of Tax Dis-
 trict Number Four in Red Springs Township, all in Robeson
 County, North Carolina, and consolidating said school territory
 and authorizing the board of trustees of said graded school dis-
 trict to issue bonds and levy a special tax; and whereas under
 the authority of said act bonds have been sold in the sum of
 fifteen thousand dollars (\$15,000) and the proceeds arising there-
 from have been used in the erection of suitable school buildings
 and for the purposes contemplated and provided for in said act;
 and whereas, on account of a clerical error in calculating the
 amount necessary to maintain said school and pay the interest
 on the said bonds and create a sinking fund for the purpose of
 liquidating the bonds at their maturity, the tax authorized to be

Preamble: Sale of
 bonds and use of
 proceeds.

Preamble Tax in-
 sufficient.

levied under said act is insufficient; and whereas it is necessary, ^{Preamble. Additional tax.} in order to maintain said school and to pay the interest on the said bonds and to create a sinking fund with which to discharge and pay off said bonds at their maturity, to levy an additional tax. Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and twenty-six of the Public-Local Laws of North Carolina, session of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out section six thereof and inserting in lieu thereof the following: "That for the purpose of providing for the payment of said bonds, and the interest thereon, and of defraying the expenses of the graded schools provided for in this act, the board of commissioners of Robeson County shall annually and at the time of levying county taxes, commencing with the fiscal year beginning next after the ratification of this act by a majority of the qualified voters of the district, as herein provided, in addition to the special tax which is now levied as a special tax for school purposes in the territory hereinbefore described, under the provisions of the Revisal, section four thousand one hundred and fifteen, and which special tax, upon the ratification hereof by a majority of the qualified voters residing in said territory, shall be levied on all taxable property and polls in the above described territory, levy an additional particular or special tax on all persons and property subject to taxation within the above described territory not to exceed twenty-three cents on the one hundred dollars valuation of property as assessed and not more than ^{Additional tax to be levied.} sixty-nine cents on each taxable poll." ^{Limit of rate.}

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

SEC. 3. That this act be in force from and after its ratification. Ratified this the 9th day of January, A. D. 1917.

CHAPTER 43

AN ACT TO AMEND CHAPTER 237, PRIVATE LAWS OF 1911, AUTHORIZING THE TOWN OF JONESVILLE TO ISSUE BONDS, INCREASING THE TAX RATE BY THE ACT.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred and thirty-seven, Private Laws of nineteen hundred and eleven, be amended by striking out the word "annually" after the word "paid" in line six, and inserting in lieu thereof the word "semiannually." ^{Payments.}

Tax rate.

SEC. 2. That section four of said act be amended by striking out the words "thirty cents" after the words "to exceed" and before the word "on" in line seven thereof, and inserting in lieu thereof the words "seventy-five cents," and by striking out the word "ten" after the word "and" and before the word "since" in line eight, and inserting in lieu thereof the word "twenty-five."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 44

AN ACT TO AUTHORIZE THE CITY OF STATESVILLE TO CALL AN ELECTION FOR THE PURPOSE OF VOTING BONDS FOR THE GRADED SCHOOLS.

The General Assembly of North Carolina do enact:

Election authorized.

SECTION 1. That the mayor and board of aldermen of the city of Statesville are hereby authorized and empowered to cause an election to be held at such time as they shall appoint, within two years from the ratification of this act, at which election shall be submitted to the qualified voters of the city of Statesville the question of issuing bonds in such amount as said mayor and board of aldermen may determine in its call for said election, not to exceed twenty-five thousand dollars, for the purpose of erecting an additional building or buildings and providing additional room for the graded schools of the city of Statesville. At said election the mayor and board of aldermen shall provide a box for the vote on said bonds. Those who favor the issue of said bonds shall vote a written or printed ticket with the words "For Graded School Bonds" thereon, and those opposed shall vote a written or printed ticket with the words "Against Graded School Bonds" thereon. The election herein provided for shall be held under the rules and regulations provided and prescribed in chapter seventy-three of the Revisal of nineteen hundred and five and the amendments thereto except as to the time for holding the election. If a majority of the qualified voters of the city of Statesville shall vote "For Graded School Bonds," then the mayor and board of aldermen of the city of Statesville shall issue coupon bonds, not to exceed the amount specified in the call for said election. Said bonds shall be in denominations of not less than one hundred dollars each, bearing interest, payable semiannually, at a rate not exceeding five per centum per annum. The principal of said bonds shall be payable at the expiration of thirty years from the date thereof. Said bonds shall be signed by the mayor of the city of Statesville and countersigned by the clerk and treasurer of said

Questioned to be submitted.

Ballot box.

Tickets.

Law governing election.

Bond issue.

Denominations.

Interest.

Maturity.

Authentication.

city, and the official seal of said city shall be attached to each bond. *Provided, however,* that if ordered by said board of aldermen the facsimile of said signatures may be placed on said coupons. The said bonds shall not be sold for less than par. The moneys arising from the sale of said bonds shall be placed to the credit of the Statesville Graded School, and shall be expended by the said school committee only for the following purposes to wit:

a. To erect a school building for the negro children of the city of Statesville.

b. To finish up the school building located in the First Ward of the city of Statesville.

c. To better equip and repair any of the school buildings located in the city of Statesville.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 45

AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM, BEING CHAPTER 235 OF THE PRIVATE LAWS OF 1899, AS AMENDED BY CHAPTER 178 OF THE PRIVATE LAWS OF 1901.

The General Assembly of North Carolina do enact:

SECTION 1. That paragraph eighteen of section thirty-four of the charter of the city of Durham, being chapter two hundred and thirty-five of the Private Laws of one thousand eight hundred and ninety-nine, as amended by chapter one hundred and seventy-eight of the Private Laws of one thousand nine hundred and one, relating to the establishment and maintenance of one or more public cemeteries, be and the same is hereby amended and added to, so as to read as follows, to wit: "To establish and maintain one or more public cemeteries of such size as they may deem necessary, either within or without the corporate limits of said city, and to provide for the care and maintenance of the same, and the proper regulation, control, and protection thereof; and the city of Durham is hereby vested with the power of eminent domain for the purposes set forth in this paragraph, and the board of aldermen, or other governing authority of the city of Durham, is hereby authorized to purchase, or acquire by condemnation, such lands, including prop-

- erty used for residential purposes, as may be necessary to properly establish, maintain, or enlarge the said cemeteries, the said condemnation proceedings in any case to be the same as prescribed by law for acquiring rights of way by railroads.”
- Condemnation proceedings. SEC. 2. That all laws or parts of laws, including any and all sections of the charter of the city of Durham, inconsistent or in conflict herewith, be and the same are hereby repealed.
- Repealing clause. SEC. 3. That this act shall be in full force and effect from and after its ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 46

AN ACT TO AUTHORIZE THE TOWN OF PLYMOUTH TO ISSUE BONDS TO THE AMOUNT OF \$10,000.

- Preamble: Bond issue inadequate. Whereas the board of aldermen of the town of Plymouth have found the amount of thirty thousand dollars (\$30,000), voted by said town for street and water improvements, inadequate for this purpose; and whereas it will require an additional sum of ten thousand dollars (\$10,000) to properly complete the work already begun: Therefore,
- Preamble: additional sum required.

The General Assembly of North Carolina do enact:

- Bond issue authorized. Amount. Interest. Maturity. SECTION 1. That the town of Plymouth be and it is hereby in all respects empowered to issue bonds to the amount of ten thousand dollars (\$10,000), bearing interest not exceeding six per cent and running not exceeding thirty years, for the aforesaid purpose.
- Tax. SEC. 2. That the town council shall have power to lay, levy, impose, and collect a sufficient tax to pay the interest on said bonds and retire the same as they mature.
- SEC. 3. That this act shall be in force from and after its ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 47

AN ACT TO INCORPORATE THE TOWN OF WOOD IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

- Incorporation. SECTION 1. That the town of Wood in the county of Franklin Corporate name. be and the same is hereby incorporated under the name and style

of "Wood," and under and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, acquire and hold property, both real and personal, for the uses of the town, as its board of aldermen may deem necessary and expedient. Corporate powers.

SEC. 2. That the corporate limits of said town shall be as follows, to wit: Beginning at the southeast corner of lot number forty-one in survey made of Wood property in N. C. Gupton's line; thence with the lots as now laid off south eighty degrees twenty-four minutes east two thousand eight hundred and twenty feet across Greenleaf-Johnson Railroad, to corner of lot number fifteen and N. C. Gupton in W. C. Strickland's line; thence along boundary of lots north three degrees forty-four minutes east two thousand five hundred feet to a corner of Harris line; thence north eighty degrees twenty-four minutes west two thousand eight hundred and twenty feet across said railroad to a corner of Harris line; thence south three degrees forty-four minutes west two thousand five hundred feet to the beginning. A map or plat of which being hereto attached. Corporate limits.

SEC. 3. The officers of said town shall consist of a mayor and four commissioners, who shall be styled the "Board of Aldermen of Wood," and the said mayor and the aldermen shall be elected by the qualified voters of said town on the first Tuesday in May, one thousand nine hundred and seventeen, and biennially thereafter under the same rules and regulations as are prescribed by the laws for the holding of such elections under chapter seventy-three of the Revisal of one thousand nine hundred and five of North Carolina; a constable and secretary and treasurer to be chosen by the board of aldermen immediately after its organization, to hold office for the term of one year or until their successors are duly elected and qualified; and until the first Tuesday in May, one thousand nine hundred and seventeen, W. D. Upchurch shall fill the office of mayor; M. F. Parker, George M. Raynor, R. L. Hayes, and H. B. Cobb shall act as aldermen; a constable or police and the secretary and treasurer, shall be appointed by the board of aldermen at their first meeting, to be held within fifteen days after the ratification of this act. Board of aldermen.
Town elections.
Appointive officers.
First officers.

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

SEC. 5. That the board of aldermen of the town may pass all ordinances they may deem necessary for the government, quiet, Ordinances.

peace, health, and safety of the town not inconsistent with the Constitution and laws of the State of North Carolina and of the United States.

Violation of ordinances misdemeanor.
Limit of punishment.

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

Jurisdiction of mayor.

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

Powers of constable.

Constable to collect taxes.

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

Further enumeration of duties.

Powers to summons posse.

Fees.

Additional.

Provide: Salary.

Duties of secretary-treasurer.

SEC. 9. The secretary and treasurer shall act as clerk of the board of aldermen and of the mayor's court. He shall keep the minutes of all trials brought before the mayor, of all fines imposed, preserve the books, papers, and all articles committed to his charge, keep strict account of all moneys coming into his hands from any and all sources whatever belonging to said town, paying the same out on the order of the board of aldermen, signed by the mayor, and at the expiration of his term of office shall turn

over to his successor all books, papers, money, and other property belonging to said town; and for his services he shall receive such compensation as the board of aldermen may allow. Compensation.

SEC. 10. That the secretary and treasurer, before entering upon the discharge of the duties of his office, shall enter into bond, conditioned upon the faithful performance of such duties, in a sum not to exceed five hundred dollars, payable to the State of North Carolina, with surety to be approved by the board of aldermen; and the town constable shall enter into like bond before entering into the duties of his office. And the board of aldermen shall institute suit in the name of the town of Wood upon the relation of the State of North Carolina for any violation of said bond. Bond of secretary-treasurer.
Bond of constable.
Suit on bonds.

SEC. 11. That the mayor shall have power to commit any offender who is sentenced to imprisonment for misdemeanor, or violation of the town ordinances, or for contempt of the mayor's court, or upon failure to pay fine or cost, to the common jail of the county, and the sheriff or jailer shall receive such prisoners as are committed by the mayor, and shall charge the same fees as in case of other prisoners; or the mayor shall have power, under such rules and regulations as the board of aldermen may adopt, to require any person who fails to pay fine and costs to work on the streets of the town until the fines and costs are paid. Commitments by mayor.
Jail fees.
Street work.

SEC. 12. That the mayor, immediately after his election and before entering upon the duties of his office, shall before a justice of the peace or other person qualified to administer oaths take the oath prescribed for public officers and an oath that he will faithfully and impartially discharge the duties of his office according to law. Mayor to qualify.

SEC. 13. That each alderman, before entering upon the duties of his office, shall take before the mayor or before some justice of the peace or other person qualified to administer oaths, the oath prescribed for public officers, and an oath that he will truly and impartially perform the duties of commissioner for the town according to the best of his skill, ability, and judgment. Aldermen to qualify.

SEC. 14. That the mayor and aldermen shall hold their offices respectively until the next ensuing election and until their successors are elected and qualified. The mayor, when present, shall preside at the meetings of the board of aldermen, but shall not be entitled to vote upon any question except in case of a tie. In the absence of the mayor, the board may appoint one of their number mayor *pro tempore*. The said board shall have power also to fill all vacancies which may occur. Terms of mayor and aldermen.
Mayor to preside at meetings.
Mayor pro tem.

SEC. 15. Any person qualified to serve and elected mayor or aldermen, either by the electors at their annual election or by the board to fill the vacancy, or otherwise, who shall not take the oath of office within ten days after his election, or who, having qualified, shall fail to serve during the time for which he may be Forfeit for failure to qualify.

elected (inability from sickness, removal from the town, or resignation excepted), shall forfeit and pay fifty dollars, to be recovered before any justice of the peace of Franklin County in the name of and for the benefit of the town of Wood.

Power as to streets.

Proviso: assessment of damages.

SEC. 16. That the board of aldermen shall have power from time to time to open out any new streets and alleys within the limits of said town by paying the owners through whose land the said streets and alleys may run, the damage, if there be any: *Provided*, that if said aldermen and the owners of said land cannot agree as to the price of the same, it shall be left to three disinterested persons, to be selected as follows: the aldermen shall select one, the owner of the land one, and the two thus selected shall select the third, and the three thus selected shall assess the damages; and if the owner of the land shall fail or refuse to select a man, then the aldermen shall select two men, and the two men thus selected shall select the third, and the three shall assess the damages to the land: *Provided*, that either party being dissatisfied with the decision of the persons thus selected, by the giving bond for the payment of costs, may appeal to the Superior Court.

Proviso: Right of appeal.

Term of first officers.

SEC. 17. That the mayor or aldermen named in this charter shall hold said offices, with all the powers, privileges, rights, and responsibilities which this charter gives, until their successors are elected and qualified.

Powers under general law.

SEC. 18. That in addition to the rights, franchise, and immunities conferred by the foregoing sections, the town of Wood shall have and be subject to all the privileges and provisions contained in the Revisal of North Carolina of one thousand nine hundred and five, chapter seventy-three, not inconsistent with this act.

Repealing clause.

SEC. 19. That all laws and clauses of law in conflict with this act are hereby repealed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 48

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF TRUSTEES OF ANGIER HIGH SCHOOL DISTRICT TO CALL AN ELECTION AND TO ISSUE SCHOOL BONDS.

The General Assembly of North Carolina do enact:

Power to call election.

SECTION 1. That for the purpose of erecting, enlarging and equipping adequate public school buildings and dormitories, and acquiring other necessary property and equipment for the proper maintenance of public schools in the Angier High School District,

and for the further purpose of maintaining a public high school therein as set out in chapter one hundred and four of the Private Laws of the extra session of the General Assembly of North Carolina, nineteen hundred and thirteen, and all acts amendatory thereof, the board of trustees of the Angier High School District, created by said chapter, and as now constituted, is hereby empowered and authorized to call a special election to be held in said district at such time and place as said board may designate, after the ratification of this act, of which election said board shall give due notice for thirty days in some newspaper published in Harnett County, or at least for once a week for four consecutive weeks next preceding the same, and it may give such other notice thereof as said board may deem proper and necessary upon the question of issuing bonds in the sum not to exceed twenty thousand dollars (\$20,000) and of levying a special tax of not exceeding ninety cents on every one hundred dollars of valuation of property in said school district and not exceeding two dollars and seventy cents on each taxable poll therein: *Provided*, that the constitutional equation be observed in the assessing and levying of such tax.

Notice of election.

Question to be voted.

Proviso: Constitutional equation.

SEC. 2. That it shall be the duty of the board of trustees of the Angier High School to appoint a registrar and two pollholders to conduct said election and to cause an entirely new registration of the voters in said district prior thereto; that at said election those favoring the granting of authority to said board to issue bonds as aforesaid, and who favor the levying of the special tax aforesaid, shall vote a ballot containing the words "For School Bonds and Special Tax," and those opposed to the same shall vote a ballot containing the words "Against School Bonds and Special Tax."

Election officers.

New registration.
Ballots.

SEC. 3. That said election shall be conducted in all respects, as near as may be, as special school tax elections are now authorized to be held by law, subject to the modifications set forth in this act; and upon the close of said election the registrar and judges of election shall certify over their hands, or the hands of either of two of them, the result thereof, including in their certificate the number of qualified voters registered for said election and the number of ballots cast "For School Bonds and Special Tax" and the number cast "Against School Bonds and Special Tax," and shall file one copy of such certificate with the chairman of the board of trustees of said district, one copy with the superintendent of public instruction of Harnett County, and one copy with the clerk of the board of county commissioners of Harnett County, and said officers shall each cause the same to be recorded on the minutes and proper records of their respective boards.

Law governing elections.

Returns.

Record of returns.

- Bond issue authorized.** SEC. 4. That if the majority of the qualified voters at said election shall vote "For School Bonds and Special Tax," then the board of trustees of the Angier High School shall be authorized to issue bonds to the amount not exceeding twenty thousand dollars (\$20,000), in denominations not exceeding one thousand dollars each, maturing not later than forty years from date thereof, bearing interest annually or semiannually of not exceeding six per centum per annum from date, both interest and principal payable at such place and time as said board may designate in said bonds, and said bonds shall be numbered consecutively, shall be signed by chairman of said board of trustees and attested by its secretary, and shall have affixed thereto the corporate seal of said board, and the interest coupons thereto annexed shall be signed by the facsimile signature of the chairman of said board, engraved or lithographed thereon, together with the secretary of said board, and said interest coupons shall be receivable in payment of any special taxes due in said district.
- Amount.**
- Denominations.**
- Maturity.**
- Authentication.**
- Sale below par.** SEC. 5. That said bonds shall not be sold, hypothecated, or otherwise disposed of for less than their par value, except by the unanimous vote of all members of the board of trustees of the Angier High School District, and with approval of the board of education of Harnett County, and in no event for less than ninety-five per centum of their par value, and all moneys arising from the sale of said bonds shall be held by the treasurer of said board of trustees, and shall be paid out on the warrant of the chairman, countersigned by the secretary thereof, only for the purpose of acquiring a site for a public school building, if necessary, and such other buildings that might be necessarily connected therewith, and for the purpose of erecting, equipping, and furnishing necessary public school buildings, dormitories, and other necessary buildings for conducting a public high school in said district, and such other purposes mentioned in section one of this act.
- Specific appropriation of proceeds.**
- Special tax.** SEC. 6. That if the majority of the qualified voters at said election shall vote "Against School Bonds and Special Tax," as aforesaid then it shall be the duty of the county commissioners of Harnett County annually to levy and cause to be collected, when and as other taxes are levied and collected, a special tax of ninety cents on each one hundred dollars valuation of property within the said district and two dollars and seventy cents on each taxable poll, and no other special tax whatsoever for schools in said district; the special tax in this section authorized to be levied and collected being substituted for all other special school taxes now authorized to be collected in said district, but it is specifically provided hereby that if no special tax is carried by the election herein provided and the issuance of the
- Present taxes.**

bonds aforesaid is not indorsed by a majority of the qualified voters as provided in this act, then all taxes, of whatsoever nature, now authorized to be levied and collected for the purpose of maintaining said high school shall remain valid, and shall be assessed, levied, and collected as now provided by law.

SEC. 7. That said special tax shall be kept separate from all other taxes, and shall be paid over by the collecting officer to the treasurer of said district, and the same shall be held in trust by said treasurer and invested or appropriated under the order of said board for the following purposes, and none other, to wit:

First. That so much of said taxes shall be set apart as may be necessary to pay the interest upon said bonds as the same may become due and payable.

Second. That a sufficient amount of said taxes shall be set apart to pay bonds in full at maturity, and the same may be, by unanimous consent of all the members of said board, invested from time to time in solvent security, bearing interest at rate of not less than six per centum per annum, such securities to be unanimously approved by all members of said board, together with some reputable attorney practicing in Harnett County; and that amount so set apart shall be a sinking fund for the purpose of liquidating said bonds at maturity as aforesaid.

Third. That so much of said special tax as remains after payment of interest on said bonds, and providing for a sufficient sinking fund to discharge said bonds at maturity, shall be used by said board for the purpose of maintaining public schools in said district.

SEC. 8. That it shall be the duty of said board of trustees to see that the treasurer is properly bonded at all times in a sufficient sum to protect all moneys that are or may come into his hands belonging in any way to the said school district; and if at any time said treasurer shall fail to file bond with said board in a sufficient sum as ordered by said board, then said board may at once declare his office vacant and elect some other person as treasurer, and may, if they deem proper, select one not a member of said board, or some bank or trust company in Harnett County: *Provided*, that the cashier of such bank or trust company be specifically bonded in amount not less than he should hold of said district's funds; and *Provided further*, that such selection shall be by the unanimous consent of all members of said board. Said bond of treasurer shall be payable to the board of trustees of the Angier High School.

SEC. 9. That in the event that a majority of the qualified voters of said district shall vote against school bonds and a special tax as herein provided and authorized, the board of trustees of said school district may as often as they deem it necessary and to the best interest of said district, submit the

Taxes kept separate.

Specific appropriation.

Interest.

Sinking funds.

Maintenance of schools.

Bond of treasurer.

Officer vacated.

Selection to fill vacancy.

Proviso: bond of bank as treasurer.

Proviso: selection unanimous.

Further elections.

question of issuing bonds and levying a special tax as provided in this act, and for the purpose set forth herein, and not otherwise, to the voters of said district: *Provided*, that no election shall be held for such purpose within periods shorter than six months after any previous election; that the expense of the holding of said elections shall be paid by the board of county commissioners of Harnett County out of the general county funds.

Proviso: limitation.

Expense of election.

Repealing clause.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 49

AN ACT TO AMEND CHAPTER 199 OF THE PRIVATE LAWS OF 1915, ENTITLED "AN ACT TO AMEND CHAPTER 232, PRIVATE LAWS OF 1913, AND CHAPTER 165, PRIVATE LAWS OF 1905, AND CHAPTER 485, PRIVATE LAWS OF 1907, AND CHAPTER 100, PRIVATE LAWS OF 1909, RELATING TO THE BOARD OF ALDERMEN AND BOARD OF INTERNAL IMPROVEMENTS OF THE TOWN OF MARSHALL, AND CHAPTER 91, PRIVATE LAWS OF 1909, AND CHAPTER 485, PRIVATE LAWS OF 1907, RELATING TO THE BUILDING COMMITTEE OF THE TOWN OF MARSHALL."

The General Assembly of North Carolina do enact:

Bonds substituted for scrip.

SECTION 1. That section seven of chapter one hundred and ninety-nine of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the word "scrip" in line nine thereof and inserting in lieu thereof the word "bonds," and by striking out the word "scrip" in line eleven thereof and inserting in lieu thereof the word "bonds," and by striking out the word "scrip" in line fourteen thereof and inserting in lieu thereof the word "bonds," and by striking out the words "and scrip" in line eighteen thereof.

Sale of bonds.

SEC. 2. That said bonds when issued by said board of aldermen as provided in said section seven of chapter one hundred and ninety-nine of the Private Laws of one thousand nine hundred and fifteen shall be sold by said board either at public or private sale, as said board may deem to the best interest of said town, and the proceeds thereof applied to the purposes set forth in said section of said act, or to the payment of any in-

Application of proceeds.

debtedness that may heretofore have been incurred by said board for the purposes therein named.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 50

AN ACT TO AMEND CHAPTER 169 OF THE PRIVATE LAWS OF 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That subsection one of section one of chapter one hundred and sixty-nine of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out that part of said subsection beginning with the word "the" in line thirteen and ending with the word "shall" in line fourteen, and by inserting in lieu thereof the words "the said mayor and councilmen to," and by striking out that part of said subsection beginning with the word "and" in line sixteen and ending with the word "qualified" in line nineteen. Election of mayor and councilmen of High Point.

SEC. 2. That subsection three of section one of said act be and the same is hereby amended as follows: By striking out in line five the word "two" and inserting in lieu thereof the word "four"; by inserting in line five, between the word "mayor" and the word "so," the words "and councilmen"; by striking out in line seven the words "he is" and inserting in lieu thereof the words "they are"; by striking out in line eight the words "his successor is" and inserting in lieu thereof the words "their successors are"; by striking out those words beginning with the word "and" between the word "qualified" and the word "the" in line eight and ending with the word "qualified" in line twelve. Number of councilmen.
Terms of offices.

SEC. 3. That the several amendments to said chapter one hundred and sixty-nine of the Private Laws of one thousand nine hundred and fifteen, hereinbefore set forth, shall be regarded as one amendment, and shall be designated "Amendment Number Two to the charter of the city of High Point," and, as so designated, shall be and are hereby submitted to the qualified voters of said city of High Point at an election to be held for that purpose at the time and under the conditions hereinafter set forth. Amendment No. 2.
To be submitted to voters.

SEC. 4. That said proposed amendment shall be designated on a ballot by an appropriate descriptive title in the manner and form hereinafter set forth; and that the adoption of said amendment by its title, by marking the said ballot as hereinafter indi- Ballot.

cated, shall have the effect of adopting the amendment in full as agreed by this Assembly; and the rejection of said amendment by its title, by marking the said ballot as hereinafter indicated, shall have the effect of rejecting the amendment as a whole.

SEC. 5. That said ballot shall be in form substantially as follows:

Official ballot.

OFFICIAL BALLOT

AMENDMENT NUMBER TWO TO THE CHARTER OF THE CITY OF HIGH POINT, NORTH CAROLINA.

Directions to the voters:

To vote for Amendment Number Two, place a cross mark in blank space in which is the word "Yes," opposite the title of said amendment.

To vote against Amendment Number Two, place a cross mark in the blank space in which is the word "No," opposite the title of said amendment.

2	YES	Amendment allowing voters to elect a mayor and four councilmen at the next city election.
	NO	

Date for election.

SEC. 6. That said election upon the amendments hereinbefore set out and herein designated as Amendment Number Two shall be held on Tuesday, the thirteenth day of March, one thousand nine hundred and seventeen; that the registration books for said election shall be opened at seven o'clock a. m. on Saturday, the twenty-fourth day of February, one thousand nine hundred and seventeen, and shall be closed on Saturday, at sunset, of the tenth day of March, one thousand nine hundred and seventeen. Each registrar shall, between the hours of seven o'clock a. m. and sunset (Sundays excepted) from and including February twenty-fourth, one thousand nine hundred and seventeen, up to and including March tenth, one thousand nine hundred and seventeen, keep open the books for the registration of any voters entitled to registration, and shall be required to be at the polling place for his precinct on Saturday, February the twenty-fourth, and Saturday, March the tenth, one thousand nine hundred and seventeen, from seven o'clock until sunset. There shall be a new registration for said election on the proposed amendments, and only those registering shall be entitled to vote. That, except as herein provided, the election upon the several amendments herein designated as Amendment Number Two to the charter of the city of High Point shall be conducted in the

Registration.

New registration.

same manner and under the same rules and conditions as are provided under the laws of this State governing town or city elections.

SEC. 7. These amendments, designated Amendment Number Two to the charter of the city of High Point, shall, in case the number of affirmative votes exceed the number of negative votes, become a part of the charter of the city of High Point; and the amendment so adopted shall take effect on Thursday, the fifteenth day of March, in the year one thousand nine hundred and seventeen. Any provision of these amendments or of this amendment passed and submitted by this General Assembly, and so adopted by the qualified voters of the city of High Point inconsistent with or in conflict with any provisions of the present charter of the said city of High Point or of the present statute laws of this State shall be held to prevail. When amendment effective.

SEC. 8. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 51

AN ACT TO VALIDATE, APPROVE, AND RATIFY A CERTAIN BOND ISSUE OF THE TOWN OF BEAUFORT, NORTH CAROLINA, AND TO PROVIDE FOR THE LEVY OF A SPECIAL TAX TO PAY FOR INTEREST AND SAID BONDS AT MATURITY.

SECTION 1. Whereas the board of commissioners of the town of Beaufort, North Carolina, in meeting assembled on the...day of....., one thousand nine hundred and sixteen, passed the following ordinance and resolutions: Preamble: Ordinance and resolution.

"STATE OF NORTH CAROLINA CARTERET COUNTY TOWN OF BEAUFORT	}	ss.	CITY HALL.
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"Be it remembered, that at a regular meeting of the board of commissioners, and mayor, of the town of Beaufort, in the county of Carteret, State of North Carolina, held on the seventh day of September, one thousand nine hundred and sixteen, at its regular place of meeting in said town, at the hour of eight o'clock p. m., there being then and there present the following, to wit: Seth

Gibbs, Mayor D. M. Jones, S. A. Thomas, M. C. Holland, John E. Mason, J. Leon Rice, and W. M. Adair, commissioners. Absent, none.

"Certain proceedings were had, among which were the following, to wit:

"Commissioner D. M. Jones presented a certain resolution and moved its adoption, and thereupon Commissioner W. E. Adair seconded said motion to adopt said resolution, and said resolution being thereupon put to a vote of the 'ayes' and 'nays' and the roll being called, said resolution was adopted by a vote of five of the commissioners present, five of said commissioners voting 'ayes,' there being one vote 'nay,' which resolution is in words and figures, to wit:

"Resolution and ordinance authorizing and directing the borrowing of one hundred thousand dollars (\$100,000) by issuance of bond of said town of Beaufort, in the county of Carteret, State of North Carolina, to be used in the construction and equipment of water-works plant and sewerage system for said town and for the improvement, repairs, and building of the streets, sidewalks, and public thoroughfares and breakwater of said town; prescribing the form and the form and details of said bonds and ordering the levy of a tax to promptly pay the principal and installments of interests thereof at maturity.

"Whereas, by virtue of and in full compliance with the general laws and the Constitution of the State of North Carolina and of the charter of said town of Beaufort, including the provisions of chapter one hundred and thirty-one of the Public Laws of the State of North Carolina of the session one thousand nine hundred and fifteen, entitled 'An act to authorize any city or town to issue bonds,' ratified the eighth day of March, one thousand nine hundred and fifteen;

"And whereas, pursuant to the provisions of the said act of the Legislature and of the charter of said town, and for in that said purposes for which said bonds are proposed to be issued are necessary expenses;

"And whereas said necessary improvements, and expense incident thereto, have been duly requested by a majority of the qualified voters of said town by petition duly presented to the board of commissioners of said town and now duly filed in the archives of the said town;

"And whereas the board of commissioners of said town, in order to comply with the conditions necessary to secure said necessary improvements, deem it essential and requisite to issue the bonds of said municipality in the amount of one hundred thousand dollars (\$100,000), (seventy-five thousand dollars of which is indicated for water-works and sewerage and twenty-

five thousand dollars for streets, sidewalks, and breakwater of said town), and to levy an annual tax to provide for the payment of interest and principal thereof as same respectively mature; Now, therefore, be it

“Resolved and ordained by the Mayor and Board of Commissioners of the Town of Beaufort, Carteret County, North Carolina:

“SECTION 1. That there be borrowed on the credit of said town of Beaufort, North Carolina, the sum of one hundred thousand dollars (\$100,000) for the purposes of installing and equipping a water-works plant and sewerage system, and for improving, repairing, and building streets, sidewalks, and breakwater and public thoroughfares of said town; and to evidence said loan there is hereby authorized and ordered to be issued and sold one hundred (100) negotiable coupon bonds of said town, to be numbered consecutively from one (1) to one hundred (100), both inclusive, designated “Water-works-Sewerage-Street Bonds,” each of the denominations one thousand dollars (\$1,000), to be dated October first, nineteen hundred sixteen, and said bond to mature October first, nineteen hundred forty-six, and bearing interest at the rate of five per cent per annum, payable semiannually, on the first day of April and October of each year after the date of said bond until the said indebtedness shall be fully paid. (The town reserves the option to redeem said bonds as provided in the bond form.) Said interest to be evidenced by interest coupons attached to each of said bonds; both principal and interest shall be payable at the banking house of the Hanover National Bank in the city of and State of New York. Said bonds shall be executed in behalf of said town by the mayor and attested by the clerk of said town, and be sealed with corporate seal of said town, and the interest coupons shall be executed with the lithographed facsimile signatures of said officials.

“SEC. 2. The form of said bonds and interest coupons shall be substantially in the following form, with the necessary variation to indicate their different maturities and numbers, to wit:

“UNITED STATES OF AMERICA,
STATE OF NORTH CAROLINA,
COUNTY OF CARTERET,
TOWN OF BEAUFORT.

“No.....

\$1,000.00

“WATER-WORKS-SEWERAGE-STREET BOND

“Know all men by these presents, that the town of Beaufort, in the County of Carteret, State of North Carolina, duly organized and existing under and by virtue of the laws of the State of

North Carolina, acknowledges itself to owe and for value received hereby promises to pay bearer the sum of

ONE THOUSAND DOLLARS

on the first day of April, A. D. nineteen hundred....., with interest at the rate of.....per centum (%) per annum, payable semiannually on the first day of April and October of each year, as evidenced by and upon presentation and surrender of the interest coupons hereto attached as they severally become due. (All the bonds of the series of which this bond is one, the principal of which is made payable thirty years or thereafter from their date, shall be payable, at the option of said town, before their specified maturity ten years before their respective date of maturity or at any time thereafter.) Both principal and interest are payable in lawful money of the United States of America at the banking house of the Hanover National Bank in the city and State of New York; and for the prompt payment of the principal and interest of this bond the full faith, credit, and resources of said town are hereby irrevocably pledged.

"This bond is one of the series of one hundred (100) bonds of like tenor and date, issued for the purposes of installing and equipping a water-works plant and sewerage system, and for improving, repairing, and building the streets and thoroughfares of said town, in accordance with the provisions of the Constitution and laws of the State of North Carolina, and of a certain act of the General Assembly of said State entitled 'An act to authorize any city or town to issue bonds,' ratified the eighth day of March, nineteen hundred and fifteen, and the provisions of a resolution duly passed by the board of commissioners of said town, and in all respects in full and strict conformity with all of the different requirements of the Constitution and laws of the State of North Carolina, including those of the charter of said town.

"And it is hereby certified and recited that all things, acts and conditions required by the Constitution and laws of the State of North Carolina to happen and be done and performed precedent to and in the issuance of this bond have happened and been done and performed in regular and due form, time, and manner as required by law; that the total indebtedness of said town, including the amount of this bond, does not exceed any constitutional statutory, or charter limitations; and that provision has been duly made for the collection of a direct annual tax in addition to all other taxes, on all of the taxable property and polls of said town, sufficient to pay the interest hereon as the installments thereof fall due, and to create a sinking fund to pay and discharge the principal thereof as same matures.

"In witness whereof the said town of Beaufort, Carteret County, North Carolina, has caused this bond to be signed by its mayor and attested by its clerk, and sealed with the corporate seal of said town, and the interest coupons to be executed with their lithographed facsimile signature, this first day of October, A. D. nineteen hundred and sixteen.

SETH GIBBS,
Mayor.

"Attest:

C. N. BUSHALL, *Clerk.*

[Form of interest coupon.]

"No..... \$.....

"On the first day of April (October), A. D. 19....., the town of Beaufort, in the county of Carteret, State of North Carolina, will pay bearer the sum of.....dollars.....cents (\$.....), in lawful money of the United States of America, at the banking house of the Hanover National Bank in the city and State of New York, being semiannual interest due that day on its 'Water-works-Sewerage-Street Bonds,' dated the first day of October, A. D. nineteen hundred and sixteen, No.....

TOWN OF BEAUFORT, NORTH CAROLINA,

By.....*Mayor.*

"Attest:

.....*Clerk.*

"SEC. 3. *Be it further Resolved,* That when said bond shall have been duly executed, as above provided, they shall be sold in accordance with section four (4) of said chapter one thirty-one of the Public Laws of nineteen hundred and fifteen, and they shall be delivered to the purchaser or purchasers, upon the payment of the purchase price thereof, which shall be in a sum of not less than the par value thereof and accrued interest thereon.

"SEC. 4. *Be it further Resolved,* That to provide for the prompt payment of the installment of principal and interest as the same respectively may mature, there shall be annually levied in each of the years nineteen hundred and seventeen to nineteen hundred and forty-six, both inclusive, a special tax of ninety cents on the one hundred dollars of property and two hundred and seventy cents on the poll (said tax to be levied and collected as other taxes are levied and collected, and shall be imposed upon all of the taxable property and polls of said town that is now or may hereafter be subject to taxation under the laws of the State of North Carolina), which tax when collected shall be devoted to the payment of the installments of interest of said bond and to create a sinking fund to pay said bonds at maturity.

"SEC. 5. *Be it further Resolved*, That in the event for any reason any part of the tax hereinbefore authorized shall at any time or times not have been or cannot be collected in sufficient time to promptly pay any installment either of interest or principal of said bond as the same respectively become due and payable, full authority is hereby given to the treasurer, and he is hereby directed, as frequently as it may be necessary to do so, to borrow the amount or amounts needed to pay fully any such installment of either interest or principal, from either the general fund or any other available fund, or person, bank, or corporation willing to loan the same, and if necessary to do so to pay interest on any such loan at the most advantageous interest rate at which such loan or loans are obtainable, and thereafter, upon the collection of such tax, such loan or loans shall be returned to the fund from which they shall have been temporarily borrowed, or repaid to the person, bank, or corporation who shall have made such loan or loans, with any interest that shall be properly payable thereon.

"SEC. 6. *Be it further Resolved*, That any informality or irregularity, neglect or omission in the proceedings of or by the mayor and board of commissioners of said town had relating to the issuance of said bond, or in the levy and collection of the tax heretofore mentioned, that may exist, shall in no wise impair, invalidate, or annul the said bond or interest coupon.

"SEC. 7. *Be it further Resolved*, That all other ordinances, resolutions, or orders passed or heretofore adopted by the mayor and board of commissioners of said town, that are inconsistent or at variance with this resolution, are to the extent of such inconsistency hereby repealed and amended so as to conform to the provisions of this resolution.

"Passed and approved this seventh day of September, A. D. nineteen hundred and sixteen.

SETH GIBBS,

Mayor of Beaufort, North Carolina.

"Attest:

C. E. BUSHALL, *Clerk.*"

Ordinance and resolution declared legal and valid.

Bonds declared legal and valid.

Proviso: Sale below par forbidden.

SEC. 2. That the ordinance and resolution so passed by the board of commissioners in the town of Beaufort, North Carolina, as set out in section one of the act, be and the same is hereby in all respects declared legal and valid, and is hereby ratified, confirmed, and approved, and the bonds issued and to be issued under said ordinance and resolution are hereby declared to be legal and valid, and shall be legal and valid obligations of said town, notwithstanding any previous or present act of the General Assembly, either general or special: *Provided*, that said bond shall not be delivered to a purchaser at a sum less than par value and accrued interest thereon.

SEC. 3. That for the purpose of paying the interest on said bonds and to provide a sinking fund to pay off said bonds at maturity, the board of commissioners in the town of Beaufort, North Carolina, are hereby authorized, directed, and empowered to levy and pledge annually and collect each year a sufficient special tax upon all property and subjects of taxation and polls which are now or may hereafter be embraced in the subjects of taxation under the law for the town of Beaufort. The tax levied upon property shall be *ad valorem* tax, as is now or may be hereinafter required by the law and the tax upon polls and the property to be in proportion as required by the Constitution and the laws of the State of North Carolina. The tax so levied shall be levied and collected in the same manner and at the same time as other taxes on property and polls in the said town are levied and collected.

Special tax.

Tax ad valorem.

Constitutional equation.

Levy and collection of tax.

SEC. 4. That all laws and parts of laws inconsistent with this act are hereby repealed in so far as concerns this act.

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 52

AN ACT TO INCORPORATE THE CAROLINA NORTHERN RAILROAD COMPANY.

The General Assembly of North Carolina do enact:

SECTION 1. That S. S. Royster, O. Elam, S. C. Snead, E. D. Miller, W. C. Neikirk, J. L. Vaughan, and all other persons who may now or hereafter be associated with them, are hereby constituted and declared a body politic and corporate under the name and style of the "Carolina Northern Railway Company," and by that name shall have succession for a period of ninety-nine years, and shall have all rights and powers that are granted to railway corporations under and by virtue of the several statutes of the State of North Carolina relating to railway companies, and especially are granted such rights and powers as are specifically enumerated in chapter sixty-one of the Revisal of nineteen hundred and five of North Carolina, and all acts supplemental thereto and amendatory thereof, subject, however, to such restrictions as are imposed by said chapter.

Incorporations.

Incorporation.

Corporate name.

Term.

Corporate powers.

SEC. 2. The said company shall have and is hereby given and granted the right and power to survey, locate, build and operate a line or lines of standard-gauge railroad, on one or more tracks, from the town of Shelby, in Cleveland County, to the village of

Construction and operation authorized.

Termini and route.

Casar in said county. It shall have the further right to construct and operate such branch lines or extension of its main line, from either of said points, as to its board of directors may be deemed expedient. It may build and operate a line of railway from either of the above mentioned points to the Virginia, South Carolina, or Tennessee State line or lines, in, through, and over such county or counties as the said corporation may direct.

Gauge.
Power.
SEC. 3. All lines of railway built and constructed by the company shall be of standard gauge, and all its line or lines may be operated and its cars and trains propelled by steam or any other power, as may be determined by the board of directors.

Street railways.
Construction and motive power.
Fares.
SEC. 4. The right and power is hereby given and granted to the said company to buy, lease, or otherwise acquire, survey, locate, build, construct, maintain, control, and operate street railways in the towns and cities of the State of North Carolina or in any other State, franchises therefor having been first obtained from the constituted authorities of said towns or cities. The said street railway to be constructed, equipped, and operated in the manner and with the motive power agreed upon between the company and any such city or town, and as expressed in the franchise granted by such city or town in which such line or lines are constructed, with right, power, and authority to charge and collect such toll, fare, or passage as may also be agreed upon or expressed in such franchise.

Telegraph and telephone lines.
Proviso: Lines subject to general laws.
SEC. 5. The company shall have the right, power, and authority to buy, lease, or otherwise acquire, build, construct, maintain, and operate telegraph and telephone lines along any of its lines or line of railroad, and to charge and collect toll, rent, or rates for the transmission of dispatches or messages or the use of said telegraph or telephone lines; to connect with any telegraph or telephone line or lines owned by another company, corporation, or individual, in or out of the State of North Carolina: *Provided*, that in the operation of any telegraph or telephone line or lines the company shall be governed by the provisions of the laws of the State relative to such lines.

Powers as light and power company.
SEC. 6. The company is also granted the right, power, and authority to manufacture, generate, or produce, and to buy, sell, distribute, and furnish electricity, electric current, gas, or other energy, fluid, power, or other substance for light, heat, power, or other purposes or uses, and to so generate, manufacture, and produce the same at any point on its line or lines of railroad, telegraph or telephone lines, or within thirty miles of its lines or any line operated by it, and to set poles, string and suspend any wire or wires, erect such power houses, plants, retorts, containers, buildings, and appliances of every kind and all necessary machinery for the proper and successful manufacture, generation, or production, purchase, sale, and distribution of such electricity, elec-

tric current, gas, fluid, substance, energy, or power. Said company may manufacture, generate, purchase, sell, and distribute such electricity, electric current, gas, fluid, substance, or energy in any town or city situated upon the lines of railroad of said company, under such rules, regulations, and agreement, and subject to all franchises as may be granted by the board of aldermen or other governing body thereof, and may fix, charge, and collect such rents, rates, and tolls as in the judgment of the board of directors is just and reasonable, or as may be agreed in the franchise as aforesaid. Charges.

SEC. 7. The company is authorized, empowered, and granted the right to purchase, acquire, hold, improve, develop, lease, control, maintain, and operate water powers, water rights, riparian rights, and all rights incident and necessary thereto, and to build, construct, and maintain dams, gates, intakes, sluice-ways, spill-ways, and other necessary structures over and across any stream, waterway or course, with ponds, reservoirs, and other devices and appliances for the storage of water, and to transport any such water by flume, ditch, pipe line, conduit, or other means as may be necessary for the proper use thereof for the purposes set forth herein; may construct, maintain, and operate power houses, wheels, wheel houses, pits, race-ways, tail races, pumps, hydraulics, and any and all other necessary and needful machinery, appliances, device, or building. It may furnish and supply water for consumers, either public or private, for domestic, power, or other purposes, and may lay pipes, erect settling basins, reservoirs, pondage, filters, purifiers, pumps, and hydraulics, together with such other devices that may be necessary; and it may fix, charge, and collect such reasonable rates, rents, and tolls for such water power, water or other water rights as in the judgment of the board of directors is just and reasonable, or as fixed in any franchise. Water powers. Transportation of water. Power houses. Rights as water company. Charges.

SEC. 8. The company shall have the right, power, and authority to buy and sell, and to develop and improve real estate; may lay out and plat town sites along its proposed line or lines and sell and dispose of the lots on such terms and subject to such restrictions as may be determined by the board of directors for the purpose of developing traffic and business along any of its proposed lines; it may engage in any manufacture, merchandising, or other business, and may buy, sell, and otherwise deal in real estate and personal property. Rights as real estate company. Manufacturing, merchandising and other business.

SEC. 9. The company shall have all the rights and powers of eminent domain given by the general laws of the State to telegraph, telephone, electric power, or lighting and public water supply companies. Right of eminent domain.

SEC. 10. The company shall have the right, power, and authority to construct its railroad, telegraph and telephone lines, and Use of highways, roads and streets.

- other necessary structures over and across any road, highway, or street, or along, upon, or parallel to any such highway, road, or street, at such point as may be determined necessary by the board of directors: *Provided, however,* that it shall not occupy any road or public highway without first obtaining the consent and authority of the board of county commissioners or other governing body having control of said highways, roads, or streets. It shall likewise have the right, power, and authority to construct dams, viaducts, flumes, ditches, drains, culverts, trestles, and bridges over or across any stream, valley or depression. It shall have the right, power, and authority to cross at grade or over or under any railroad of any kind now constructed or that may hereafter be constructed, at any point on its line or lines, main line or branch, and to connect, join and unite and intersect its line or lines of railroad with any other railroad, whether operated by steam or other power, upon the grounds of any other railroad company or companies, at any point on its line or lines, and to build, construct, maintain, and operate turnouts, Y's, switches, sidetracks, or other conveniences in furtherance of the objects of its construction and operation: *Provided,* that the rights and powers mentioned in this section are subject to the duty of the company to make compensation for the exercise thereof as now provided by the general laws of the State; and *Provided further,* that in crossing any steam railroad by an electric line of railroad, at grade, the overhead trolley and other wires shall be strung and suspended so as to give a twenty-four-foot clearance between the rails of said steam railroads and the overhead trolley and other wires of the said electric railroad; and *Provided further,* that at junction and transfer points of connection between railroads and electric railroads of this company all switching and transfer of cars from one line to another shall be done by steam and other locomotives, without the aid of overhead wires. The company may lay down, use, and occupy tracks through any town or city on its line or lines to any depot of any railroad or other transportation company, within said towns or cities, under such reasonable rules, regulations, and conditions as may be prescribed by the board of aldermen or other governing bodies of such towns and cities. In making any connection with any other railroad of any kind or other transportation company, this company shall have all the rights, powers, and privileges now or that may hereafter be conferred on railroads by the laws of the State.
- Proviso: Franchise for use of roads and streets.
- Dams, viaducts and bridges.
- Crossing other railroads.
- Connections.
- Proviso: Payment of damages.
- Proviso: Crossings by electric lines.
- Proviso: Switching and transfer of cars.
- Tracks through towns and cities.
- Connection with other roads.
- Capital stock.
- SEC. 11. The capital stock of said company shall be one hundred and twenty-five thousand dollars (\$125,000), with the right and power to increase the same from time to time, at any time, to ten million dollars (\$10,000,000) upon filing with the Secretary of State a certificate in conformity with the general law and upon payment to him of the fees required by statute.

- SEC. 12. That within ten days after the passage and ratification of this act the incorporators herein named or a majority thereof, shall meet, effect a temporary organization, and open the subscription book, each of the organizers becoming subscribers to the stock of the company. When two hundred and fifty shares of the common stock of the company has been subscribed, the subscribers, under the direction of the incorporators or a majority thereof, who must themselves be subscribers, shall proceed to organize the company and corporation by the election of a board of directors, fixing the par value of the stock, adopting by-laws for the government of the business and affairs of the company, and doing such other things as may be required under the general laws of the State. The stockholders shall fix and determine the number of directors, of which there shall not be less than seven (7) nor more than twelve (12), and at least seven of which shall be residents and citizens of the United States. The term of office of the directors shall not be less than one year, part two years, and part three years. The stockholders shall fix the principal place of business of the company, or may delegate the authority to so fix and determine to the board of directors. They shall declare the terms of office of the executive officers and provide for an executive committee and such other matters as may be deemed necessary.
- SEC. 13. Upon the adjournment of the stockholders' meeting, the members-elect of the board of directors shall meet and organize by the election of one of their number as president, who shall hold his office for one year and until his successor is elected and qualified. They shall also elect a secretary and a treasurer, who may or may not be members of the board of directors, and shall also elect one or more vice presidents from the members of the board of directors, all of whom shall hold their respective offices for the time fixed in the by-laws. Thereupon they shall have and exercise all the powers of a corporation under this charter and the laws of the State. Each and every officer of the company shall at all times be a stockholder, and if at any time he ceases to be a stockholder, he thereby forfeits his office and the same becomes vacant.
- SEC. 14. The board of directors may receive cash, labor, materials, service, stocks, bonds, real and personal property, or other things of value in payment of subscription to the said capital stock, payable in such manner and amounts and at such time or times as may be agreed upon with the said subscribers. In the absence of fraud and collusion the value placed upon any labor, services, material, stock, bonds, contracts, real and personal property, or other thing of value, in payment of subscriptions, to the capital stock by the board of directors, shall be conclusive as to said value, and any stock delivered to the value so fixed shall be fully paid and nonassessable.
- Meeting for organization.
- Subscription books.
- Organization.
- Directors.
- Term of directors.
- Principal office.
- Terms of executive officers.
- Executive committee.
- Election and term of president.
- Secretary and treasurer.
- Vice-presidents.
- Exercise of powers.
- Officers to be stockholders.
- Payment for subscriptions.
- Valuation.

Subscription to other companies.

Subscriptions by other companies.

Right of purchase and consolidation.

Proviso: Combination to prevent competition.

Proviso: Consolidation with competing company.

Power to issue bonds.

Mortgages.

Denomination, maturity and interest.

Appointment of trustee.

Depositories.

SEC. 15. The company shall have the right, power, and authority to become a subscriber to the stocks, bonds, and other securities of other corporations, and in like manner other corporations may become subscribers to and holders of the stock of this company and its bonds and other securities, and this company may acquire, by purchase or otherwise, the rights, franchises, rights of way, surveys, easements, water rights, options, subscriptions to capital stock, and any and all other assets of any other company now in existence or that may hereafter be chartered, either in this or any other State or the United States; to consolidate with any railroad company or companies, electric light, heating or power company, water company or other company possessing similar or partly similar powers to those herein granted, upon such terms and in such manner as may be agreed upon between the contracting parties: *Provided*, that such consolidation shall not create nor tend to create or establish a trust or combination to prevent competition; and *provided further*, that nothing herein contained shall be construed as authorizing or permitting the company to consolidate with competing or parallel lines of railroad, except as specially authorized thereto by the Corporation Commission.

SEC. 16. Full right, power, and authority is hereby given and granted to the company to issue its bonds, notes, debentures, or other securities, in any amount necessary to the construction, equipment, extension, or improvement of its railroad line or lines, the development of any of the industries herein provided for and for the maintenance, upkeep, extension, or improvement of any such industries as the necessities of its business may, in the judgment of the board of directors, require from time to time. The said company, by its board of directors or proper officers, are authorized to give, grant, make, execute, sign, and deliver any deed of trust, mortgage, or other instrument of security necessary or requisite to secure the payment of the principal and interest of any such obligation, and shall have the right, power, and authority to guarantee the interest or dividends on any bonds, stock, debentures, or other securities issued by this company or any other company. The bonds, notes, debentures, or other securities may be issued in such denominations, for such a term of years, and at such a rate of interest as the board of directors shall determine, and may sell and dispose of said securities, for the purpose of construction or other business of the company, for such price as may be agreed upon with the purchaser or underwriter. The company shall have full power to name a trustee, individual or corporate, to whom any mortgage, deed of trust, or other instrument of security may be made, executed, and delivered. It may appoint and designate one or more banks to act as depositories, and said trustee and said banks may be either in or out of the State.

SEC. 17. The stockholders may delegate to the board of directors and to the executive committee all such powers and the management of all such affairs and business as may be determined by a majority thereof at any meeting, or as set out in the by-laws: *Provided, however,* the election of directors shall not be delegated. The stockholders shall determine the manner of voting and the conduct, it being specially provided that in any and all elections of the company every share of stock, common or preferred, whatever its par value may be, shall be entitled to one vote, and no more.

Delegation of powers.

Proviso: Election of directors. Stock vote.

SEC. 18. Counties, townships, towns and cities and other municipalities may become subscribers to the stocks, bonds, debentures, or other securities of the company, to any amount, and are authorized to call and hold elections at which to submit to the qualified voters the question of subscribing to such stock, bonds, or other securities of the company. Such election shall be called and held in the manner now or that may hereafter be provided by law, and the conduct thereof, the returns and all proceedings, including the subscription to the said bonds, stocks, or other securities and the delivery to the company of cash or bonds of the municipalities aforesaid, shall be governed and be in accordance with subdivision two, entitled "Municipal Subscriptions," of chapter sixty-one (61), entitled "Railroads," Revisal of one thousand nine hundred and five, or acts amendatory thereof.

Subscriptions by municipalities.

Elections on subscriptions.

Law governing elections and subscriptions.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 53

AN ACT TO FURTHER AMEND CHAPTER 35 OF THE PRIVATE LAWS OF 1905, ESTABLISHING WITHIN THE CITY OF ASHEVILLE A SPECIAL COURT, TO BE CALLED THE POLICE COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of said chapter thirty-five of the Private Laws of nineteen hundred and five, as amended by section three of chapter fifty eight of the Private Laws of nineteen hundred and thirteen, be and the same is hereby further amended so as to authorize and empower the deputy clerk of the said police court to issue all process, including commitments, taking recognizances, and administering oaths; and, in the absence of the clerk and his deputies, to authorize and empower the chief of police or sergeant of police of the city of Asheville to sign

Issue of process.

and issue warrants in all cases where the said clerk would be authorized to sign and issue warrants in said court.

Publications.

SEC. 2. Amend section twenty-five, chapter forty-nine of the Private Laws of nineteen hundred and fifteen, by striking out the article "the" in line twelve from top of page seventy-two of said printed act, and inserting in lieu thereof the article "a" and by changing the word "newspapers" in said line from the plural to the singular, "newspaper."

Settlement with policemen.

SEC. 3. Amend section forty-eight of said chapter forty-nine of the Private Laws of nineteen hundred and fifteen of said act by striking out after the word "force" in line five of said section, and before the word "that" in line seven of said section, the words "and at the end of each month he shall have a settlement with each policeman on account of penalties, fees, and costs collected by him"; and said section is further amended by striking out the words "secretary-treasurer" in line three from the bottom of said section and inserting in lieu thereof the words "clerk of police court."

Repealing clause.

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 January, A. D. 1917.

CHAPTER 54

AN ACT TO AUTHORIZE THE TOWN OF MARION TO ISSUE BONDS TO FUND ITS INDEBTEDNESS AND TO IMPROVE ITS STREETS.

Preamble: Debt heretofore incurred.

Whereas the town of Marion has heretofore contracted indebtedness to meet the necessary expenses of the town in repairing its water line which was destroyed by the disastrous floods in July of last year in the sum of, approximately, twenty thousand dollars, and whereas it will require the sum of, approximately, five thousand dollars to make further necessary repairs upon its water line and reservoir destroyed as aforesaid; and whereas the said town desires to make necessary improvements to its streets by hard-surfacing with concrete, macadam, bitulithic, or other hard substance, in an amount, approximating, twenty thousand dollars; and whereas the said town desires to issue bonds in a sufficient amount to pay said indebtedness, to make further necessary repairs upon its water line and reservoir, and to make necessary improvements on its streets, not to exceed the sum of forty-five thousand dollars; and whereas the tax levy provided for and

Preamble: Further amount for water works.

Preamble: Improvement of streets.

Preamble: Bond issue desired.

Preamble: Tax levy insufficient.

limited by law is insufficient to provide a sum with which to pay said indebtedness and to make the necessary repairs to its water line, reservoir, and to improve the streets of said town: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of paying said indebtedness and making necessary repairs to its water line and reservoir for the storage of water, the board of aldermen of the town of Marion are hereby authorized and empowered to issue bonds in an amount not to exceed twenty-five thousand dollars; that for the purpose of improving the streets of the said town, the said board of aldermen are hereby authorized and empowered to issue bonds in an amount not to exceed twenty thousand dollars, at such time or times and in such amount or amounts as may be deemed expedient by said board; said bonds shall be in denominations of five hundred dollars each, bearing interest from the date thereof at a rate not exceeding six per centum per annum, with interest coupons attached, payable semiannually, at such time and place as may be deemed advisable by said board, said bonds to be of such form and tenor and transferable in such manner 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 aldermen may determine, each of said bonds to state on its face that said bond was issued to pay the indebtedness of said town of Marion for the necessary expenses and repairs of its water line and reservoir, or for the necessary expense of the improvement of its streets; that the said board of aldermen may, in its discretion, issue the bonds herein authorized for street improvements in such amount and at such time or times as it may deem expedient and for the best interest of the said town.

SEC. 2. That none of the bonds provided for in the above section shall be disposed of, either by sale, exchange, hypothecation, or otherwise, for a less price than their par value.

SEC. 3. That for the purpose of providing for the payment of the interest accruing on and the principal at maturity of the bonds herein authorized, the board of aldermen of said town shall, annually, and at the time of levying other town taxes, levy and lay a particular tax upon all persons and subjects of taxation on which said board of aldermen now are or may hereafter be authorized to lay and levy taxes for any purpose whatever, said particular tax not to exceed thirty-five cents on one hundred dollars assessed valuation of property. The tax provided for in this section shall be collected in the manner and at the time other town taxes are collected, and shall be accounted for and

Bond issue for water works.

Bond issue for streets.

Denominations.

Interest.

Maturity.

Sale below par forbidden.

Special tax.

Limit of rate.

Collection and settlement.

Specific appropriation.

kept from other town taxes, and shall be applied exclusively for the purpose for which they are levied and collected.

Repealing clause.

SEC. 4. That all laws and clauses of laws in conflict and inconsistent 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 9th day of January, A. D. 1917.

CHAPTER 55

AN ACT TO AMEND CHAPTER THIRTY-SIX OF THE PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED AND NINETY-FIVE, BEING AN ACT TO INCORPORATE STEELE'S MILLS IN THE COUNTY OF RICHMOND, INCREASING THE BORROWING CAPACITY OF SAID MILLS.

The General Assembly of North Carolina do enact:

Amount of debt.

SECTION 1. That section nine of chapter thirty-six of the Private Laws of eighteen hundred and ninety-five of North Carolina, entitled "An act to incorporate Steele's Mills, in the county of Richmond," be and the same is hereby amended by striking out in line two of said section the word "one" and inserting in lieu thereof the word "two."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 56

AN ACT TO AMEND CHAPTER 90 OF THE PRIVATE LAWS OF 1907, IT BEING AN ACT TO AMEND THE CHARTER OF THE TOWN OF CANTON, HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Change of boundary.

SECTION 1. That section three of chapter ninety, Private Laws of nineteen hundred and seven, be and the same is hereby amended as follows: By inserting between the semicolon following the word "Branch" and before the word "thence," in line twenty, the following: "thence up said Mingus Branch to the line between H. A. Smathers and the Champion Fiber Company; thence a northwest course to a rock ledge at a point of ridge; thence a west course to a stake in north bank of a wagon road behind H. A. Smather's dwelling-house; thence a southwest course, ten feet to a stake; thence a south course to the Mingus

Branch at the street and bridge across said branch, and corner to H. A. Smathers and Jesse Smathers, deceased.”

SEC. 2. That section twenty of said chapter is hereby repealed.

Punishment for violation of ordinances.
Prohibition.

SEC. 3. That section twenty-one of said chapter is hereby repealed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 57

AN ACT TO AMEND THE CHARTER OF THE TOWN OF MOORESVILLE, IREDELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor and board of commissioners of the town of Mooresville, Iredell County, shall have full power and authority under the ordinances of the board of commissioners to grade, pave, macadamize, and otherwise permanently improve for travel and drainage, any street, sidewalk, and public alley in said town; to put down curbing, cross drains and crossings on the same; to lay and open new streets or widen those already open, and make such improvements thereon as the public convenience may require.

Construction and improvement of streets.

SEC. 2. That the board of commissioners shall have full power and authority to adopt by ordinance such system of laying out of districts or sections of streets and sidewalks for permanent improvement, and of equalizing the assessment on real estate to pay the cost of such improvement, as may be just and proper; and in order to more fully carry out the duties imposed in the provisions of this act for street improvement, the board of commissioners shall have power and authority to pass ordinances assessing the entire cost of paving, macadamizing all such streets and sidewalks within any such district or section laid out for improvement on the real estate abutting on each side of the street or sidewalk or portion thereof so paved or macadamized, and it shall be incumbent on the owners of the real estate abutting on each side of the street or sidewalk or part thereof so improved or repaired to pay the amount so assessed for such improvement, and such cost and charges shall be a lien on all such abutting property from the commencement of the work, as provided in this act: *Provided*, that the board of commissioners shall not order such improvement district or section to be laid out until and unless the persons owning the land abutting on such street or sidewalk or public alley, or the portion thereof pro-

Improvement districts.

Equalizing assessments.

Entire cost on abutting property.

Lien on property.

Proviso: Request for improvement.

Proviso: Street intersections.

Proviso: Bonds for improvements.

Improvements by railroad companies.

Proviso: Work done by town.

Assessments on franchise.

Notice of projected improvements.

Assesments for delayed work.

posed to be improved which is more than one-half of the frontage abutting on such street, sidewalk, or public alley proposed to be improved, shall in writing request the said board to make such improvement: *Provided*, that the town out of its general funds shall pay the cost of grading, curbing, and paving and permanently improving the street intersections except that part of such intersections required to be paid for by such street railways as in this act elsewhere provided; and *Provided further*, that the cost of such improvement shall be financed by the issue of bonds as hereinafter provided.

SEC. 3. That if any street railroad company or other railroad company having tracks running through or across any street or streets laid out as permanent improvement districts or sections, it shall be incumbent on such company to pave, repave, or macadamize or remacadamize or otherwise improve that part of such street or streets which the board of commissioners may prescribe, not to exceed, however, the space covered by its tracks and at least thirty inches on each side of each line of track as they are now or may hereafter be constructed by any such company: *Provided*, that the board of commissioners, in order to secure uniformity in the workmanship and avoid delay in the progress of the work, shall have full power and authority to pave or repave, macadamize or remacadamize, or contract for paving or repaving, macadamizing or remacadamizing the whole of said space without giving such street railroad company or other occupant of the street or streets the option of having said space paved or repaved, macadamized or remacadamized, by itself or otherwise, and the cost of such permanent improvement properly chargeable to such railroad company shall be assessed upon the franchise or the property of said railway company located in said town, and special-tax levies made thereon for the purpose of collecting the same in the manner herein elsewhere provided for the assessment and levy upon other property so improved.

SEC. 4. All companies, corporations, and persons having franchises or permits, or all companies, corporations, and persons that may be granted franchises or permits in the future to use the streets of the town for laying railway tracks, pipes, or conduits, and for other purposes requiring the excavation of the streets, sidewalks, and public alleys, shall be notified by the said board when any street is to be permanently improved, and given a reasonable opportunity to lay said railways, pipes, or conduits, or do such work as they may be authorized to do under said franchises; and in case any such company, corporation, or persons fail to lay said railway or pipes or do said work before such permanent improvements are made, they shall not be permitted to do so thereafter, except upon the condition that they shall pay such reasonable portion of the original cost of such permanent improvement as may be fixed by the board of commissioners.

SEC. 5. That in order to equalize the assessments on real estate for the purposes described, as elsewhere provided in this act, the board of commissioners shall, before the commencement of any such work or improvement, estimate the total cost of such improvement to be made throughout the entire length of such work or 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 each side of the street upon which said work is done its pro rata share of the entire cost of all such improvements as may be made under the provisions of this act: *Provided, however*, in order to avoid obstructing lot owners in subdividing and selling their property by reason of the liens hereby created upon the same, such lot owners may subdivide their lots in such manner as they see fit and shall file in the office of the town clerk and treasurer a plat of the subdivision, making the lots fronting on the streets so paved or improved of any desired frontage, and the assessment made and the liens created by virtue of this act for street improvement shall thereafter affect and attach to such front lots only, and where in any such cases lands fronting on such improvements are so subdivided into lots, each of said lot front on such improvements shall be and remain chargeable with its ratable proportion of said assessment and liens, according to its frontage; that the mayor and board of commissioners shall cause to be established a permanent grade on any such street, sidewalk, or public alley abutting on such street, sidewalk, or public alley, to be accurately surveyed and a map to be made of the various lots and properties 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 with the town clerk and treasurer to be subject to public inspection; and when the assessments and liens, as provided for in this act, shall have been made upon the various lots and properties on the streets, sidewalks, or alleys, the town clerk and treasurer, or other proper clerical town officer, shall write upon said map the amount assessed upon the same, and he shall keep a properly indexed record book showing such assessments and liens, and the date and amount of all payments made on any to the said assessments and liens: *Provided further*, that no assessment against any piece of property improved as in this act provided shall in any case exceed the amount of special benefit to or enhancement in value of said property by reason of said improvements, or twenty per cent of the assessed taxable value thereof, and where permanent street improvements shall be made the property bearing such assessments shall not be so assessed again until after the expiration of ten years from the date of the last preceding assessment: *Provided further*, that in case any street or part of

Estimates of cost.

Apportionment of cost.

Proviso: Subdivision of lots.

Plats.

Lots charged ratably.

Grades and maps.

Liens entered on maps.

Record of liens.

Proviso: Limit of assessments.

Proviso: Districts subdivided.

a street laid out as a district for permanent improvement is of such unequal width as to render the plan of equalization of assessments as above set out unjust to any abutting property owner, then and in that case the board of commissioners are authorized to provide such district into subdivisions and to apply the rule of equalization of assessments prescribed herein to such subsections, instead of to the entire district or section; and the board may make as many subsections as may be necessary to make a just distribution of the cost of permanent improvement made or to be made in such district. The cost of all such improvements for special benefits to property as estimated in the above manner shall be financed by the issue of bonds and the levy of a special tax to pay the same and the interest thereon, as hereinafter provided.

Bonds and special tax.

Notice of assessment.

SEC. 6. That the notice of the assessment of special benefits by the board of commissioners, as herein elsewhere provided in this act, against abutting property on any street, sidewalk, or public alley in any such improvement district or section shall be given at least once a week for two weeks in some newspaper published in the town of Mooresville, which notice shall state the time and place that such assessments are to be made and determined; and shall notify all persons interested in any particular improvement district or section of such assessment to appear and show cause, if any, why such assessment shall not be made; and in the event the owner of such lot or lots is an infant, idiot, lunatic, or incompetent, then his general guardian, if he has such, shall act for him; if he has none, it shall be the duty of the Clerk of the Superior Court of Iredell County to appoint a guardian *ad litem* to act for him. That any person who shall feel aggrieved by the findings of said board with reference to said assessment for such permanent improvements shall have the right within ten days after such findings of said board, and not after that time, to file his objections to such findings and to appeal from the decision of said board to the next term of the Superior Court of Iredell County, North Carolina, by serving upon said town notice in writing of his intention so to do, and specifying in said notice the grounds of his objections to said findings and by filing, within the time prescribed for taking appeals, in the office of the clerk of the Superior Court of Iredell County, a written undertaking in at least the sum of two hundred dollars, with sufficient surety to be justified before and approved by said clerk, to the effect that said appellant will pay the said town all such costs and damages as it may sustain by reason of said appeal; in such cases of appeal from the board of commissioners the ordinance laying out the specially improved districts, the action of said board in determining special benefits, the objections of the property owner filed thereto, and all other papers material to the matter shall con-

Persons under disability.

Right of appeal.

Notice of appeal.

Bond on appeal.

Case on appeal.

stitute the case on appeal and be certified by the town clerk and treasurer to the Superior Court and shall be docketed on the civil-issue docket and stand at issue as other civil cases regularly brought in such court with leave to either party to file such pleadings and papers as he may deem necessary; if all the issues be found in favor of the appellant on such appeal as above provided for, the lien for said assessments shall be discharged; if, however, the issues or any of them be found in favor of the town of Mooresville to any amount, then judgment shall be rendered in favor of said town for such amount, to the end that no merely technical objections shall defeat the rights of the town; and the amounts so found, together with the cost of such appeal, which cost 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 findings of said board of commissioners, and shall be collected by the tax collector of the town of Mooresville, as elsewhere in this act provided. Judgment on appeal.

SEC. 7. That in lieu of notice by publication to property owners affected by improvements to abutting real property, as elsewhere provided in this chapter, the board of commissioners, if it so determine, may give ten days personal notice to all persons affected by any permanent improvements for which a charge is to be made on real estate to appear before said board at a certain time and place to show cause, if any, why such assessment should not be made, which notice may be served by any policeman of the town of Mooresville or any other proper officer. Personal notice.

SEC. 8. This act shall be construed to make it mandatory on the board of commissioners to require abutting property owners to pay the cost of macadam, bitulithic, asphalt, vitrified brick and other permanent pavements against the abutting property, as elsewhere provided in this act: *Provided further*, that nothing in this act shall be construed to make it mandatory on the board of commissioners to issue bonds to finance the construction of sidewalks, but said board may require the construction of sidewalks, and charge the entire cost of same, not including curbing, to the abutting property, the property on each side of the street to pay or bear the cost of the sidewalk on its respective side, which cost shall be a lien on the abutting property, as herein elsewhere provided, and paid immediately, or as soon thereafter as practicable, by the property owners, and not by an issue of bonds, as is elsewhere provided, if the board of commissioners so determine, and such charge or assessment shall be enforced and collected by the tax collector by the sale of the abutting property specially benefited in the same manner as real estate is sold for taxes. Act mandatory.
Proviso: bond issue not mandatory.

SEC. 9. As soon as the amount chargeable to real estate to be specially benefited as is provided in other sections of this act Collection of assessments.
Street improvement notice.

is finally determined by the board of commissioners, and after the contract is let for any such work or improvement, the board of commissioners may cause a notice to be published once a week for two weeks in some newspaper published in the town of Mooresville, substantially in the following form:

Form of notice.

"STREET IMPROVEMENT NOTICE.

"Notice is hereby given that a contract has been let for (describing work and street, sidewalk, or alley), and that the improvement chargeable to the real estate to be specially benefited has been determined as to each parcel of said real estate, and a statement of the same is on file with the town clerk. It is proposed to issue bonds chargeable to the said real estate to pay the special assessments, and such bonds will be issued covering all of said assessment except in cases where the owners of property file with the town clerk, within the time stipulated in said notice, a written notice that they elect to pay the special assessments on their property, describing the same."

Street improvement bonds.

SEC. 10. After the expiration of the time fixed for filing notice of election to pay the special assessment as provided in the preceding section, the board of commissioners may issue improvement bonds covering all of the assessments, except such as the owners have filed notice of election to pay, as stated in the preceding section, which bonds shall be of corresponding amounts and known as "Street Improvement Bonds"; shall comprise ten equal series; each series shall consist of a like number of bonds, and shall bear interest not to exceed six per cent per annum; and shall be sold for not less than par; and shall be signed by the mayor and attested by the town clerk; and shall contain such recitals as may be necessary to show that they are chargeable to particular property; and may be sold at either public or private sale, and the interest upon the said bonds shall be payable semi-annually, and each installment of interest shall be represented by corresponding coupons; the respective series of the said bonds shall be payable annually, and the last series thereof shall be payable not exceeding ten years from the date of their issue; the proceeds collected by the town treasurer shall be paid to the contractor when due him, or the contract may provide that the contractor shall take bonds as payment on his contract, at their par value, the contractor to be charged with accrued interest; at the date of each tax levy after the issuance of any such bonds, until all of them are paid, when the tax roll or levy for the year is prepared, sufficient special assessments of taxes on each parcel of land covered by said bonds to pay the annual installment of the principal and interest on the amount of such special assessments then unpaid shall be included in the tax levy or roll as a special tax on said property, and thereafter this tax shall be treated in all respects as any other town tax, to be collected in the same

Interest.

Sale below par forbidden.
Authentication.

Maturity.

Special taxes.

manner and constitute a lien on the property affected, and in every respect the same as other taxes.

SEC. 11. That all funds derived from assessments heretofore or hereafter levied by the mayor and board of commissioners of the town of Mooresville upon private property on account of the improvement of the streets upon which such property abuts shall, when collected and received by the town of Mooresville, constitute a special fund, to be designated as "Street Improvement Fund," and the same, with funds derived from the taxes hereafter authorized to be levied for street improvement, shall be kept separate from all other funds of the town, and a separate record thereof shall be kept by the town clerk, and said funds and every part thereof shall be applied by the said mayor and board of commissioners, exclusively to the grading, paving, macadamizing, or otherwise improving the streets of said town according to the true intent and meaning hereof.

Street improvement fund.

Funds and accounts kept separate.

Specific appropriation.

SEC. 12. No action for damages against said town of any character whatever, to either person or property, shall be instituted against said town unless within six months after the happening or infliction of the injury complained of the complainant, his executors or administrators, shall have given notice to the board of commissioners of said town of such injury in writing, stating in such notice the date and place of 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.

Notice of claims for damages.

Statute of limitations.

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

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 58

AN ACT TO INCORPORATE COATS GRADED SCHOOL OF COATS, HARNETT COUNTY, AND TO ALLOW IT TO VOTE ON A SPECIAL TAX TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the following described territory lying and being in the county of Harnett, Grove Township, bounded as follows, to wit:

Beginning at the Barnes ford on Black River and runs south with said river to the Adkin ford; thence from said ford as the Adkin path to Stewart's Creek near the Farmer old mill place;

Boundary.

thence south down said creek to W. G. Turner's south land line; thence with said south line to Mrs. V. A. Turlington's south land line; thence with her south line to Stewart Turlington's south and west land line to L. L. Turlington's west land line; thence with his line to B. F. Landgon's land line; thence his west line to J. D. Pope's south land line; thence his line to V. A. Turlington's west line; thence with her line to J. E. Stone's south line; thence direct to the head of spring branch near E. K. Williams; thence down said branch to Thornton's Creek; thence up said creek to the ford near Fannie Lucas'; thence east along the road from said ford to the Durham and Southern Railroad; thence north up said railroad to A. W. Denning's north land line; thence with his said north line to Burwell Barnes' north line; thence with his north line to B. T. Barnes', Sr., north land line, to the Barnes' ford on Black River, the beginning.

Trustees.

SEC. 2. That the following persons be and they are hereby appointed trustees for said school district, as follows: B. F. Parrish, T. V. Stewart, and W. J. McStewart, for a term of three years; Stewart Turlington, Floyd A. Grimes, for a term of two years; R. M. Coats, R. O. Stewart, for a term of one year, or until their successors are duly elected and qualified as provided in section three of this act.

Election of successors.

SEC. 3. Whenever the term of office of any class shall expire, as above provided, their successors shall be elected by the remaining trustees at the last regular meeting before their term expires.

Vacancies.

All vacancies in said board of trustees caused by resignation or otherwise shall be filled by the remaining members of the board by a majority vote thereof, until the next regular election, when such vacancies shall be filled as hereinbefore provided.

Incorporations.

Corporate powers.

SEC. 4. That said board of trustees of Coats Graded School shall be and remain a body corporate under that name, and may adopt a common seal, and shall be capable of receiving gifts and grants, purchasing and holding property, real, personal, and mixed, selling, mortgaging, and transferring the same; may sue and be sued, plead and be impleaded. Conveyances to said board shall be to them and their successors in office, and all deeds and mortgages and other agreements affecting real estate and all other bonds and obligations shall be sufficiently executed when signed by the chairman and secretary of the said board and attested by the seal of said corporation.

Conveyances.

Bond issue au-

thorized.

Amount.

Denominations.

Interest.

SEC. 5. That said board of trustees are hereby authorized to issue bonds not to exceed in amount the sum of fifteen thousand dollars and in denominations of one hundred or multiples thereof, bearing interest from the date of bonds at a rate not to exceed six per cent per annum, payable annually on the first day of January of each year at such place as said trustees may designate until the said bonds are paid. That said bonds are to be made payable at a time and place to be fixed by said trustees and named therein,

Maturity.

not less than ten nor more than thirty years from date of issue. Said bonds and their coupons shall be numbered and signed by the chairman of said board and countersigned by the secretary and have the corporate seal of said board affixed thereto, and the coupons attached thereto shall be signed by the chairman of said board. A record shall be kept of said bonds, showing the numbers and denominations thereof, to whom sold, the date of issue, the amount received from the sale of same, and such other data in relation to same that the board may direct to be kept.

Authentication.

Record of bonds.

SEC. 6. That the bonds hereby authorized to be issued shall not be sold for less than their face value, and the said trustees shall not deliver any of said bonds to the purchaser until the purchase money shall have been paid; and the treasurer of said board shall receive all moneys paid in for the purchase of said bonds in his official capacity as treasurer, and he and his surety on his official bond shall be liable to account for and pay over the same, and it shall be the duty of said board of trustees to see that the bonds of said treasurer shall at all times be sufficient in amount and with satisfactory and solvent sureties to provide against any loss, and to that end may at any time require said treasurer to renew his official bond in such sums and with such sureties as they may require, and in default thereof to remove him from his office as treasurer.

Sale below par and delivery before payment forbidden.

Treasurer liable on bond.

Bond of treasurer.

SEC. 7. That the treasurer of said board of trustees shall keep separate from all other moneys coming into his hands the money arising as proceeds from the sale of said bonds, and the same shall be expended by the said board in the erection of suitable buildings and furnishing the same with necessary equipment for the accommodation of the schools of said district and for such other school purposes as the school trustees may order.

Moneys kept separate.

Use of funds.

SEC. 8. That it shall be the duty of the board of school trustees to provide a sinking fund for the payment of the principal of said bonds at maturity, and for that purpose to set apart each year from the taxes collected a sum sufficient to pay the principal of said bonds when they mature, which shall be kept in some safe savings bank bearing interest until it can be invested to better advantage.

Sinking fund.

SEC. 9. It shall be the duty of said board of trustees to provide each year for the payment of the interest on said bonds, and for that purpose to set apart each year from the taxes collected a sum sufficient to pay the same.

Payment of interest.

SEC. 10. That the board of county commissioners of Harnett County shall, upon the written request of the board of trustees of said school, within twenty-four months after the ratification of this act, submit to the qualified voters of the district herein created the question of issuing bonds for the purpose of erecting a school building. The said board of trustees shall give thirty days notice of said election by notices published in five public

County commissioners to call election.

Notice of election.

Election officers. places in said district. Said board of commissioners shall appoint a registrar and two pollholders to hold said election, and these three men shall hold the said election and shall be governed in their acts in all particulars as to registration of voters, challenges, etc., by the same rules and regulations as prevail in the election of members of the General Assembly. The qualified voters of said district shall vote at said election tickets on which shall be written or printed the words "For Bonds" or "Against Bonds," and the result of said election shall be declared by the same rules that govern the election of members of the General Assembly. That said election shall be held at the schoolhouse in said district. That if a majority of the qualified voters shall vote at said election "For Bonds," it shall be the duty of the board of county commissioners to levy at their next annual meeting for levying State and county taxes after the passage of this act, and annually thereafter, a special tax not to exceed thirty cents on the one hundred dollars valuation of all the taxable property of said school district and not to exceed ninety cents from each taxable poll. The tax so levied shall be collected as other State and county taxes are collected.

Law governing elections.

Tickets.

Voting place.

Special tax.

Limit of rate.

Collection.

Trustees to meet and organize. SEC. 11. That the board of trustees shall meet and organize within thirty days after the election shall have been declared, provided the majority shall have been "For Bonds," and annually on the same day of the week thereafter, shall elect a treasurer from among their number, who shall have charge of all the moneys received and disbursed, and shall report monthly to said board his receipts and disbursements, with vouchers for same. The said treasurer shall receive such compensation as shall be agreed upon and give such bonds as may be required by the said board of trustees and their successors.

Pay of treasurer.

Powers of trustees. SEC. 12. That the said trustees shall have power to contract with any person or persons to erect and equip the buildings herein provided for, to employ all teachers, select all officers necessary for the management of said school, and shall have power, upon such terms as may seem just, to allow children outside of said territory to attend said school.

Non-resident pupils.

Apportionment from State and county school funds. SEC. 13. That all public school funds derived from the State and county, together with the amount coming from the special tax above provided for, shall be by the proper officers paid to the board of trustees, as herein provided for, and shall by them be used for the benefit of the school of said district.

Trustees may hold office. SEC. 14. This act shall not be construed to debar any trustee from holding any office in the gift of the people of the State of North Carolina.

SEC. 15. This act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 59

AN ACT TO AMEND CHAPTER 178 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION OF 1907, AMENDING THE CHARTER OF LEES-MACRAE INSTITUTE.

Whereas, since the incorporation of the Lees-MacRae Institute the territory embracing the property and schools of said institution has, by the proper ecclesiastical procedure in the courts of the Southern Presbyterian Church in the United States, been taken out of the bounds of Concord Presbytery, Synod of North Carolina, and is now included in the bounds of Appalachia Synod (composed of parts of Tennessee and other States): Now, therefore,

Preamble: Change of jurisdiction.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and seventy-eight of the Private Laws of North Carolina, session of one thousand nine hundred and seven, be and the same is hereby amended by striking out the words "Concord Presbytery" wherever they occur in the several sections of said act and inserting in lieu thereof the words "committee of (or on) Christian Education of the Synod of Appalachia, or such other committee of Christian education as said Appalachia Synod has or may hereafter appoint and designate"; it being the intention of this act to vest in and confer upon such committee of the Appalachia Synod the same title, authority, power, control, and jurisdiction in and over the property and schools of the Lees-MacRae Institute and its and their management as was by the former act vested in and conferred upon Concord Presbytery in the Synod and State of North Carolina.

Control and management of school.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 60

AN ACT TO PERMIT THE CITY OF DURHAM TO ISSUE WATERWORKS BONDS.

Whereas, chapter three hundred and thirty-six of the Private Laws of one thousand nine hundred and thirteen authorized the board of aldermen of the city of Durham to call an election and submit to the voters of the city of Durham the question of issuing bonds for the purpose of acquiring, obtaining by purchase, build-

Preamble: Election authorized.

Preamble: Bond issue voted.

Preamble: Purchase of water system.

Preamble: Bond issue insufficient.

ing or constructing, and equipping a complete system of water-works for the city of Durham; and whereas said board of aldermen did call said election and submit to the voters of said city the aforesaid question, and were authorized by a majority of the voters of said city to issue bonds in the sum of five hundred thousand dollars (\$500,000) for the purpose aforesaid; and whereas said board of aldermen have purchased the properties of the Durham Water Company, a water mains system already laid and being operated in the city of Durham, and have constructed new pumping stations and additional and improved pipe lines, reservoirs, etc.; and whereas said board of aldermen have found that they cannot acquire and construct a proper and modern system for water-works for the said sum of five hundred thousand dollars (\$500,000), but will require in addition to said sum a further sum of two hundred and fifty thousand dollars (\$250,000) to properly provide the city of Durham and the inhabitants thereof with an adequate supply of water: Now, therefore,

The General Assembly of North Carolina do enact:

Power to borrow money.

SECTION 1. That for the purpose above described, to wit, acquiring, obtaining by purchase, building or constructing, and equipping of a system of water-works for the purpose of supplying and furnishing the city of Durham and the inhabitants thereof with an adequate supply of water, and for paying off the obligations of the city of Durham heretofore made in the acquiring, obtaining by purchase, building or constructing, and equipping the said systems of water-works, and for its extension or enlargement, relaying, repairing, and improving water-works on streets already paved or hereafter paved, repaired, constructed, or improved, the board of aldermen or other governing authority of the city of Durham are hereby fully authorized and empowered to borrow money, pledge the faith of the city of Durham, or loan its credit, and levy and collect the taxes necessary to pay off and discharge any such debt, principal, and interest, as the same becomes due.

Bond issue authorized.

As evidence of said indebtedness herein authorized, the city of Durham be and it is hereby empowered to issue coupon bonds, not to exceed in amount the sum of two hundred and fifty thousand dollars (\$250,000), which said amount shall be in addition to the five hundred thousand dollars (\$500,000) provided for by chapter three hundred and thirty-six of the Private Laws of one thousand nine hundred and thirteen, and the election held thereunder, and in denominations of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) each, bearing interest from the date of bonds at a rate not to exceed five per centum per annum, payable semiannually until said bonds are paid; that the said bonds shall be serial bonds, payable to bearer at such time or times as may be fixed by the said board

Amount.

Denominations.

Interest.

Maturity.

of aldermen and named therein, but in no instance shall the time named be more than thirty years from the date of said bonds:

Provided, however, that any time during the course of the construction, extension, enlargement, or repairing of the said system of water-works, or the extension, enlargement, relaying, repairing, or improving of the water mains of the said water-works system, the board of aldermen or other governing authority of the city of Durham may from time to time borrow money under this act to the extent required to pay the cost of such construction, extension, enlargement, repairing, relaying, or improving. The resolution authorizing any such loan or loans shall set forth the fact that the loan is made under and by virtue of the powers conferred in this act, and shall provide as evidence of said sum of money so borrowed for the issuance of notes of the city payable either on demand or at a fixed time, which shall be not more than six months from the date thereof, and bearing interest not exceeding six per cent per annum, said notes, or any renewal or extension thereof, shall in no event exceed twelve months from the date of the original issue, and such temporary indebtedness incurred under the authority of this section, with the interest thereon, shall be paid out of the moneys raised by the issue and sale of the serial bonds herein authorized. The said serial bonds and their coupons shall be numbered, and the bonds shall be signed by the mayor of the city of Durham and countersigned by the clerk of the board of aldermen of said city or other governing authority of said city, and have the corporate seal of said city affixed thereto, and the coupons hereto attached shall bear the facsimile signature of the mayor of said city engraved or lithographed thereon; that a record shall be kept of said bonds, showing the numbers and denominations thereof, and when the same will mature, and the interest-bearing rate thereof, the amount received from the sale of same, and the date of paying the proceeds into the treasury of the said city, and such other data in relation to the same as the board of aldermen may direct to be kept.

Proviso: Temporary loans.

Notes of city.

Interest.

Maturity.

Authentication of bonds.

Record of bonds.

Sale of bonds.

Sale below par forbidden.

Liability of treasurer.

SEC. 2. That the bonds hereby authorized shall be sold under such regulations and in such manner as said board of aldermen may direct, but none of said bonds shall be sold for less than their face value, and the mayor of said city shall not deliver said bonds, or any of them, to the purchaser thereof until the purchase money shall be paid to the treasurer of the said city and his receipt to the purchaser produced before the mayor as evidence of such payment; and the treasurer of said city shall receive all moneys paid in the purchase of the bonds in his official capacity as treasurer of said city. He and the sureties of his official bond shall be liable to account for and pay over the same as is provided in this act or may be otherwise provided by the laws relating to the

treasurer of the said city of Durham; and it shall be the duty of said board of aldermen or other governing authority of said city of Durham to see to it that the bond of said treasurer shall at all times be sufficient in amount and with satisfactory sureties.

Specific appro-
priation.

SEC. 3. That the proceeds from the sale of said bonds shall be used only for the purpose hereinbefore stated, the board of aldermen, however, being hereby specifically authorized to use the funds derived from the sale of the bonds herein authorized to retire, pay off, and discharge the bonds and mortgage securing same now outstanding and a lien on the properties of the Durham Water Company, purchased by the said city of Durham.

Special tax.

SEC. 4. That the board of aldermen, or other governing authority of the city of Durham, is hereby authorized to levy and collect each year, in addition to all other taxes levied and collected in said city, an *ad valorem* tax upon all the taxable property in said city sufficient to pay the interest and principal on said coupon bonds authorized by this act as same becomes due; and such taxes shall be levied and collected at the same time and in the same manner as other taxes are levied and collected on property in said city; and the money paid into the city treasury received from taxes levied and collected under this act shall be appropriated for the payment of said bonds and coupons, and for no other purpose whatsoever: *Provided*, that all moneys remaining in the treasury belonging to said fund after all the aforesaid bonds and coupons shall have been redeemed shall then be transferred, by order of the governing authorities of the city of Durham, to the general fund of said city.

Specific appro-
priation.

Proviso: Surplus
to general fund.

Trustee.

SEC. 5. The board of aldermen or other governing authority of the city of Durham may, if in their opinion at any time it becomes necessary or advisable, appoint a trustee, whose duty it shall be to receive such revenue as may be collected under this act, for the purpose of paying the interest and principal on said bonds as same becomes due, and the said board of aldermen or other governing authority of said city may prescribe the duty of said trustee, fix the amount of his compensation, and the bond for the faithful performance of duty on his part.

Right of eminent
domain.

SEC. 6. The city of Durham is hereby vested with the power of eminent domain, and the board of aldermen or other governing authority of said city is hereby authorized to purchase or acquire by condemnation lands or other property, rights in lands and water, or so much thereof as may be necessary for the successful operation of said system of water-works. Said condemnation proceedings in any case to be the same as prescribed by the law for acquiring right of way by railroads.

Process for con-
demnation.

Extension of wa-
ter system.

SEC. 7. The board of aldermen or other governing authority of the city of Durham is hereby specifically empowered to extend the water-works system owned or constructed and operated

by it in the city of Durham to include the towns of East Durham and West Durham, or such mills, manufacturing enterprises, residences, or other properties located in the environs of the said city of Durham, and to furnish and supply water to and to collect tolls for so furnishing and supplying water to the said towns, mills, manufacturing enterprises, residences, or properties.

SEC. 8. That all laws or parts of laws, including any and all sections of the charter of the city of Durham, inconsistent or in conflict herewith, be and the same are hereby repealed. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 61

AN ACT TO AUTHORIZE THE CITY OF DURHAM TO EXTEND AND CONSTRUCT A SYSTEM OF SEWERAGE AND TO PROVIDE THE FUNDS NECESSARY THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the city of Durham, through its board of aldermen, be and it is hereby authorized and empowered to extend, enlarge, repair, and improve its present system of sewerage and disposal plants, and to establish, construct, maintain, operate, and regulate new or additional systems of sewerage and disposal plants, and to contract for the extension, enlargement, and reparation of its present system of sewerage and disposal plants, and for the establishment, construction, maintenance, and operation of additional sewerage system and disposal plants for the use of said city and the inhabitants thereof, in such manner as to them may seem necessary and proper; and if it shall be necessary to obtain proper outlets for such systems or plants, or the extension of the present system or plants, to extend the same within or beyond, or both within or beyond the corporate limits of the city of Durham, then in such case the board of aldermen shall have power to so extend it, and both within and without the corporate limits of said city to condemn property for the purpose of a right of way or other requirements or such system or plants. Extension and improvement of system.

SEC. 2. That the board of aldermen of the city of Durham, in order to carry out, execute, and enforce the powers herein given, are authorized to borrow money, pledge the faith of the city of Durham, and loan its credit, and levy and collect taxes necessary to pay off and discharge any such debt, principal and inter- Extension beyond city limits.
Power to condemn property.
Power to borrow money.
Special taxes.

est, as the same becomes due, and to that end they are also authorized and empowered to provide a sinking fund for and to pay off and discharge the indebtedness herein authorized, at maturity, and the taxes necessary for such purpose shall be levied and collected at the same time and in the same manner as other taxes are levied and collected on property and polls in said city, and the money paid into the city treasury from taxes levied under this act shall be used for the payment of said bonds and coupons, and for no other purpose whatever.

SEC. 3. That as an evidence of the indebtedness herein authorized, the city of Durham be and it is hereby empowered to issue coupon bonds not to exceed in amount the sum of fifty thousand dollars (\$50,000), and in denominations of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), bearing interest from date of bonds at a rate not to exceed five per centum per annum and payable semi-annually until the said bonds are paid. That said bonds shall be serial bonds, and shall be payable to bearer at such times and in such amounts as may be fixed by the said board of aldermen, and named therein, not to be less than three nor more than thirty years from the date thereof: *Provided, however,* that at any time during the course of the construction, extension, enlarging or repairing of any of the present sewerage system, or any additional sewerage system, the board of aldermen may from time to time borrow money under this act to the extent required to pay the cost of such construction, extension, enlarging, or repairing. The resolution authorizing any such loan or loans shall set forth the fact that the said loan is made under and by virtue of the powers conferred in this act, and shall provide, as evidence of said sum of money so borrowed, for the issuance of notes of the city, payable either on demand or at a fixed time, not more than six months from the date thereof, and bearing interest not exceeding six per cent per annum. Said notes or any renewal or extension thereof shall in no event exceed six months from the date of the original issue and such temporary indebtedness incurred under the authority of this section, with the interest thereon, shall be paid out of the moneys raised by the issue and sale of the serial bonds herein authorized. The said serial bonds hereby authorized and their coupons shall be numbered, and the bonds shall be signed by the mayor of the city of Durham and countersigned by the clerk of the board of aldermen of the city of Durham, and have the corporate seal of the said city affixed thereto, and the coupons thereto attached shall bear the facsimile of the mayor of the said city engraved or lithographed thereon; that a record shall be kept of the said bonds, showing the numbers and denominations thereof, and when the same will mature, and the interest-bearing

Specific appropriation.

Bond issue authorized.

Amount.

Denomination.

Interest.

Maturity.

Proviso: Temporary loans.

Notes of city.

Interest.

Maturity.

Payment from bond issue.

Authentication of bonds.

Record of bonds.

rate thereof, the amount received from the sale of same, and the date of paying the proceeds into the treasury of said city, and such other data in relation to the same as the board of aldermen may direct to be kept.

SEC. 4. That the bonds hereby authorized to be issued shall not be sold for less than their face value, and the mayor of said city shall not deliver said bonds or any of them to the purchaser thereof until the purchase money thereof shall be paid to the treasurer of said city and his receipt to the purchaser produced before the mayor as evidence of such payment; and the treasurer of the city shall receive all such moneys paid in the purchase of the bonds in his official capacity as treasurer of said city. 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 may be otherwise provided by the laws relating to the treasurer of the said city of Durham; to require that the bond of said treasurer shall at all times be sufficient in amount and with satisfactory sureties.

Sale below par
forbidden.

Liability of treas-
urer.

SEC. 5. That the proceeds from the sale of said bonds shall be used for the purpose of extending, enlarging, repairing, and improving the present sewerage system and disposal plants of the city of Durham, and for the purpose of establishing, constructing, maintaining, operating, and regulating any additional sewerage system, disposal plants, or other method of taking care of sewage, and for the payment of the notes authorized in section three of this act.

Use of proceeds
of bonds.

SEC. 6. The board of aldermen of the city of Durham may, if in their opinion at any time it becomes necessary or advisable, appoint a trustee, whose duty it shall be to receive such revenue as may be collected under this act, for the purpose of paying the interest on said bonds and for creating a sinking fund to pay the principal of said bonds at maturity, and the said board of aldermen may prescribe the duty of said trustee, fix the amount of his compensation, and the bond for the faithful performance of duty on his part. It shall be the duty of the said trustee to invest or lend the money, coming into his hands for the purpose of creating a sinking fund, in safe securities or upon real estate situated in the city of Durham: *Provided, however,* that no such investment or loan be made without the consent and approval of the board of aldermen.

Trustee.

SEC. 7. That the city of Durham is hereby vested with the power of eminent domain, and the board of aldermen is hereby authorized to purchase, or acquire by condemnation, the lands or other property, or so much thereof as in the opinion of the board of aldermen may be necessary for the extension, erection, construction, maintenance, and operation of an adequate system of sewerage and disposal plants for said city and the inhabi-

Power of eminent
domain.

Proceedings for
condemnation.

tants thereof. In case it should become necessary to exercise the authority of eminent domain herein granted, then the condemnation proceedings necessary thereto shall be the same, or as near the same as possible, as is prescribed by law in acquiring right of way for the construction of railroads in North Carolina.

Repealing clause.

SEC. 8. That all laws and parts of laws, including any provision in the charter of the city of Durham inconsistent herewith, be and the same are hereby repealed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 62

AN ACT TO ALLOW THE BOARD OF ALDERMEN OF THE TOWN OF SYLVA TO USE CERTAIN MONEYS DERIVED FROM BOND ISSUE FOR PUBLIC BUILDINGS FOR CERTAIN OTHER INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Use of surplus.

SECTION 1. That the board of aldermen for the town of Sylva are hereby authorized and empowered to use any and all moneys left over from the moneys raised under chapter four hundred and fifty-seven of the Private Laws of nineteen hundred and thirteen for any other indebtedness incurred by said board, as said board may deem best.

Repealing clause.

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 9th day of January, A. D. 1917.

CHAPTER 63

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A MAYOR AND FOUR COMMISSIONERS FOR THE TOWN OF PEMBROKE IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Appointment by
Governor.

SECTION 1. That the Governor of the State of North Carolina be and he is hereby authorized and requested to appoint on the first Monday in May, one thousand nine hundred and seventeen, and annually thereafter, some suitable person who shall

act as mayor of the town of Pembroke for a period of one year from his appointment. Said Governor is also authorized and requested at the same time to appoint four suitable persons who shall serve for one year as commissioners of said town. Said mayor and commissioners so appointed shall be clothed with all the rights, powers, and authority provided for by the charter of said town.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 64

AN ACT TO AMEND THE CHARTER OF ELON COLLEGE.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine of chapter two hundred and sixteen, Private Laws of one thousand eight hundred and eighty-nine, be amended by striking out the words "five hundred thousand" in line one of said section, between the words "of" and "dollars," and inserting in lieu thereof the words "five million," so that the section shall read: "Property to the amount of five million dollars held by said trustees for said college shall forever be exempt from taxation." Exemption increased.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 65

AN ACT TO REPEAL THE CHARTER OF THE TOWN OF NORTH EDENTON, CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and twenty of the Private Laws of the session of nineteen hundred and eleven incorporating the town of North Edenton, Chowan County, is hereby repealed. Law repealed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 66

AN ACT TO AUTHORIZE THE TOWN OF NORTH WILKESBORO TO ISSUE BONDS FOR THE PURPOSE OF REBUILDING ITS WATER AND LIGHT PLANT.

Preamble: Limit of bond issues.

Preamble: Bonds outstanding.

Preamble: Destruction of dam.

Whereas the charter of the town of North Wilkesboro limits the aggregate amount of bonds authorized to be issued by said town to an amount not to exceed ten per centum of the assessed valuation of its real and personal property; and whereas there are now outstanding bonds of said town in amount approximating ten per centum of the assessed valuation of the taxable property of said town; and whereas the flood of July fifteenth, one thousand nine hundred and sixteen, totally destroyed the dam used to generate force to operate said town's water and light plant; therefore,

The General Assembly of North Carolina do enact:

Bond issue authorized.

Amount.

Interest.

Denomination.

Sale not below par.

Application of proceeds.

Limitation not applicable.

SECTION 1. That the board of commissioners of the town of North Wilkesboro are hereby authorized to issue bonds of said town in an amount not exceeding thirty-five thousand dollars (\$35,000), at a rate of interest not to exceed six per centum per annum, under such style, denomination, terms and conditions as they may determine, and sell the same at not less than their par value and apply the proceeds to the rebuilding of the dam used in connection with its water and light plant and for the improvement of said plant.

SEC. 2. That the limitation of ten per cent on the assessed valuation for the bonded indebtedness of said town shall not apply to this issue.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 67

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CHERRY.

The General Assembly of North Carolina do enact:

SECTION 1. That the corporate limits of the town of Cherry in Washington County, North Carolina, be and the same are hereby enlarged and extended so as to include the following territory, viz.; Beginning at a post ninety-four yards in a southerly direction from the sign-post in the fork of the river road

Boundary of extension.

running north seventy degrees west to Walker's canal, thence along said canal four hundred yards to an iron post, thence north four hundred and seventy-eight yards to a stake near a pine stump in W. C. Spruill's field, thence south forty-five degrees east to the creek swamp and along the creek and river swamp to the beginning.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 68

AN ACT TO RATIFY THE \$5,000 SCHOOLHOUSE BOND ISSUE OF DISTRICT NO. 4, WHITE, LIMESTONE TOWNSHIP, KNOWN AS BEULAVILLE SPECIAL-TAX DISTRICT IN DUPLIN COUNTY.

Whereas on the third day of April, one thousand nine hundred and sixteen, pursuant to chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen, upon petition of the board of education of Duplin County, the board of commissioners of Duplin County ordered an election to be held on the thirtieth day of May, one thousand nine hundred and sixteen, in District Number Four, white, Limestone Township, Duplin County, North Carolina, known as Beulaville Special-tax District, bounded as follows: Beginning at the Miller bridge on Limestone Creek; thence with the road to the Beulaville road; thence down the Beulaville road to A. C. Sandlin's to an old path leading by J. G. Bostic's to Mr. Carroll's; thence with said old path to the Muddy Creek road; thence with the Muddy Creek road to Hanty Branch; thence down the Hanty Branch to Muddy Creek; thence with said creek to J. S. Thomas's line; thence with his line to Bryant Thomas's line; thence with his line to Muddy Creek; thence up Muddy Creek to Haystack Branch; thence up said branch to the Haw Branch public road; thence with the said road to Taylor's Branch; thence down Taylor's Branch to Limestone Creek; thence down the creek to the beginning. Said election to ascertain whether the voters of said district were in favor of issuing bonds in the sum of five thousand dollars (\$5,000), bearing interest at the rate of six per cent, payable semiannually, to run not over fifteen years, to be paid by levying a tax in said district of thirty cents on the one hundred dollars (\$100) valuation of property and ninety cents on the poll, said bonds to be used for the purpose of building, rebuilding, and repairing schoolhouse in said district as provided for in said act of the

Preamble: Election ordered.

Preamble: Elec- tion held and bond issue approved. General Assembly; and whereas said election was regularly and legally held on said day and said bond issue was duly approved by a majority of the qualified registered voters of said district; and whereas the board of commissioners of Duplin County did on the first day of January, one thousand nine hundred and seventeen, pursuant to request of the county board of education of Duplin County, order said bonds to be issued, bearing date the first day of January, one thousand nine hundred and seventeen, with interest from said date at six per cent, payable semiannually in the denomination and due on the following dates, to wit: first bond in the denomination of seven hundred and fifty dollars (\$750), due and payable on the first day of January, one thousand nine hundred and seventeen; second bond in the denomination of five hundred dollars (\$500), due and payable on the first day of January, one thousand nine hundred and eighteen; third bond in the denomination of five hundred and twenty-five dollars (\$525), due and payable on the first day of January, one thousand nine hundred and nineteen; fourth bond in the denomination of five hundred and twenty-five dollars (\$525), due and payable on the first day of January, one thousand nine hundred and twenty; fifth bond in the denomination of six hundred dollars (\$600), due and payable on the first day of January, one thousand nine hundred and twenty-one; sixth bond in the denomination of six hundred and fifty dollars (\$650), due and payable on the first day of January, one thousand nine hundred and twenty-two; seventh bond in the denomination of seven hundred dollars (\$700), due and payable on the first day of January, one thousand nine hundred and twenty-three; and the eighth bond in the denomination of seven hundred and fifty dollars (\$750), due and payable on the first day of January, one thousand nine hundred and twenty-four, and ordered the same to be delivered to the board of education of Duplin County, to be disposed of according to law: Now, therefore,

The General Assembly of North Carolina do enact:

Bond issue legalized and confirmed.

SECTION 1. That the said five thousand dollars (\$5,000) bond issue of said District Number Four, White, Limestone Township, Duplin County, known as Beulaville Special-tax District, authorized by an order of the board of commissioners of Duplin County on the third day of April, one thousand nine hundred and sixteen, upon petition of the board of education of Duplin County, and heretofore referred to in the preamble of this act, be and the same is hereby in all respects legalized, ratified, and confirmed; and the board of commissioners of Duplin County is hereby authorized and empowered to prepare, execute, and deliver said bonds to the board of education of Duplin County as provided by law, and the said board of commissioners of Duplin

Special tax.

County is hereby authorized and directed to levy an annual special tax in said district of thirty cents on the one hundred dollars (\$100) valuation of property and ninety cents on the poll, for the purpose of paying the principal of said bonds at maturity and interest thereon as it becomes due; and the said bonds when issued and sold shall become binding obligations of said special-tax district to the amount of principal and interest of said bonds.

SEC. 2. That all laws and clauses of laws in conflict with this act be and the same are here repealed in so far as they may conflict herewith. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 69

AN ACT TO AMEND THE PRIVATE LAWS OF 1903, CHAPTER 16, ENTITLED "AN ACT TO INCORPORATE THE CHARLOTTE CARNEGIE PUBLIC LIBRARY."

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter sixteen of the Private Laws of nineteen hundred and three, entitled "An act to incorporate the Charlotte Carnegie Public Library," be amended as follows: By striking out all of lines one, two, three, and part of line four, ending with the name of T. W. Dixon, and before the word "and," and substituting therefor the following names: T. S. Franklin, J. Frank Wilkes, T. T. Smith, W. S. Dorr, the mayor of the city of Charlotte, *ex officio*, the superintendent of public schools of the city of Charlotte, *ex officio*, and the chairman of the finance committee of the board of aldermen, *ex officio*, if there be such an officer. Board of trustees.

SEC. 2. That section seven of the said act be amended by striking out after the word "treasurer" in line three, and before the word "all," the following sentence: "and an executive committee of five members." Executive committee.

SEC. 3. That all of sections eight and nine of the said act be stricken out and the following substituted therefor: "That the mayor of the city of Charlotte shall on the first day of June, nineteen hundred and seventeen, appoint successors to W. S. Dorr and T. T. Smith, who shall hold their term of office for a period of four years thereafter or until their successors are appointed, and that the successors to T. S. Franklin and J. Frank Wilkes shall be appointed by the mayor on the first day of June, Mayor to appoint trustees.

nineteen hundred and nineteen, who shall hold their term of office for four years thereafter or until their successors are appointed, and that the mayor of the city of Charlotte shall appoint two members every two years thereafter."

Supervision of expenditures.

SEC. 4. That section thirteen of the said act be amended as follows: By striking out in line three the words "executive committee" and substituting therefor the words "the board of trustees."

General management.

SEC. 5. That section fourteen of the said act be amended as follows: By striking out in line three the words "executive committee" and substituting therefor the words "board of trustees."

Museum.

SEC. 6. That section twenty-two of said act be stricken out.

Trustees for colored library.
Trustees for colored library.

SEC. 7. That section twenty-four of said act be stricken out.

SEC. 8. That section twenty-five of said act be amended by adding at the end of said section the following: "The board of trustees of the Charlotte Carnegie Library hereinbefore provided shall have the power to select other trustees who shall have immediate charge of the Charlotte Public Library for colored people, under the general supervision of said trustees of the Charlotte Carnegie Library."

Expiration of terms.

SEC. 9. That section twenty-six of said act be stricken out.

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 70

AN ACT TO INCORPORATE SADLER GRADED SCHOOL IN ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

Territory constituted as school district.

SECTION 1. That the following territory in Ruffin Township, in Rockingham County, to wit: beginning at Wolf Island Creek in line with Ruffin and Sadler School districts, thence running southerly with said school district lines to Lickfork Creek; thence up said creek as it meanders to Reidsville School District line; thence with said school district line in a northerly direction to Wolf Island Creek; thence down said creek as it meanders to the beginning, be and is hereby constituted the Sadler School District.

Name.

Board of trustees.

SEC. 2. There shall be a board of trustees of said school district to consist of five persons, and the parties herein named shall comprise the said board, and shall hold office for the period designated therein, as follows: A. W. Daniel, W. J. Courts, John R. Williams, until the election of their successors on the Tuesday

Trustees and terms of office.

next after the third Monday in April, one thousand nine hundred and nineteen; J. I. McAlister and J. B. Crafton until the election of their successors on the Tuesday next after the third Monday in April, one thousand nine hundred and twenty-one. All members of the board of trustees shall hold office after the election until the qualification of their successors. When the term of any member of the board shall expire by limitation his successor shall be elected by the votes of the said school district herein provided for, and shall hold office for two years from the time of his election and until the qualification of his successor, which election shall be held at the Sadler School building on the Tuesday next after the third Monday in April, one thousand nine hundred and nineteen, and every two years thereafter for those trustees whose terms shall expire. All persons residing in the school district herein provided for who are entitled to vote for members of the General Assembly shall be entitled to vote at said election. The school board shall give thirty days notice of such election by advertisement posted at three public places in said school district of the time and place of said election. The board of trustees shall appoint a registrar and two judges of election for the purpose of holding said election, who shall have the power now or hereafter conferred upon such officers by the laws of the State. There shall be an entirely new registration for the election to be held under this act, and all persons residing within said school district who are entitled to vote for members of the General Assembly shall be entitled to vote and shall be registered by the registrar at the first or any subsequent election provided for under this act. All elections under this act shall be conducted as far as may be practicable according to the laws now or hereafter enacted for the election of members of the General Assembly. The registration books shall be open ten days before the election and the registrar shall give ten days notice of the time and place of the registration by notice posted at three public places in said school district. A ballot box shall be provided for the election provided for under this act. The polls shall be open from sunrise to sunset, and when the election is concluded the registrar and judges of election shall count the votes and certify the results to the board of trustees of said school district. The persons receiving the biggest number of votes cast respectively for vacancies existing in the board of trustees shall be declared elected.

SEC. 3. The board of trustees is hereby constituted a body corporate under the name of the "Trustees of Sadler Graded School District" and shall have the power to sue and be sued and to hold and buy real estate and personal property when necessary for the benefit of the said school district as herein provided for, and they shall also have the power to employ all teachers for said school and fix their compensation: *Provided*, that the board of trustees

Election of successors.

Date of election.

Voters.

Notice of election.

Election officers

New registration.

Law governing elections.

Registration.

Ballot box.

Hours of voting.

Count and return of votes.

Persons declared elected.

Incorporation.

Corporate name.
Corporate powers.

Employment of teachers.

Qualification for teachers.

Schools to be established.	shall employ no person as teacher in said school unless they are of good moral character and hold a first-grade certificate from the county superintendent of schools of Rockingham County or a certificate of graduation from one of the leading colleges in the State of North Carolina. They shall establish schools for both races, including a primary school for the white race in the northern end of said district, and may allow children outside of said district to attend said school upon such terms as they may decide upon. The board shall organize by the election of a chairman and a secretary and a treasurer, who shall be members of the board, and shall make such by-laws as may be necessary for the government of the schools. The treasurer shall give bond payable to the State of North Carolina in such sum as may be fixed by the board of trustees for the faithful performance of his duties as such treasurer. All money collected for the school shall be paid by the treasurer exclusively for the benefit of the schools by voucher as directed by the board of trustees; said vouchers shall be passed upon by the board and be signed by the chairman and secretary.
Non-resident pupils.	
Organization of board.	
By-laws.	
Bond of treasurer.	
Vouchers.	
Collection and settlement of taxes.	SEC. 4. The sheriff of Rockingham County shall collect all taxes levied for the benefit of said Sadler Graded Schools and pay the same to the treasurer of the board of trustees thereof.
	SEC. 5. This act shall be in force from and after its ratification. Ratified this the 9th day of January, A. D. 1917.

CHAPTER 71

AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM, CHAPTER 235 OF THE PRIVATE LAWS OF 1899, AND TO ESTABLISH A BOARD OF WATER COMMISSIONERS FOR THE CITY OF DURHAM.

The General Assembly of North Carolina do enact:

Act amended.	SECTION 1. That chapter two hundred and thirty-five of the Private Laws of one thousand eight hundred and ninety-nine, entitled "An act to amend the charter of the city of Durham," be and the same is hereby amended by adding thereto the following:
Board of water commissioners.	SEC. 2. That in order to provide for the better management and the proper operation of the municipally owned water-works system of the city of Durham, there shall be appointed a board of water commissioners for the said city, who shall be appointed and qualified as hereinafter provided.
Election of commissioners.	SEC. 3. That the board of aldermen of the city of Durham shall, at their first meeting in March, one thousand nine hundred and seventeen, appoint three commissioners, one of whom shall
Terms of office.	

be elected to hold office until the second Monday in January, one thousand nine hundred and twenty, or until his successor is appointed and qualified; one to hold office until the second Monday in January, one thousand nine hundred and nineteen, or until his successor is appointed and qualified; and one to hold office until the second Monday in January, one thousand nine hundred and eighteen, or until his successor is appointed and qualified; and annually hereafter, on the second Monday in January, the board of aldermen of the city of Durham shall meet in special session and elect some suitable person to act as water commissioner of the city of Durham to succeed the water commissioner whose term of office at that time expires. The said person so elected at that time shall hold office for a term of three years and until his successor is appointed and qualified. And any one elected or appointed a member of said board may also hold office as a member of the board of health of the county and city of Durham, or be a member of or serve on any other commission or body of said city other than as an alderman of said city.

Election of successors.

SEC. 4. That the said board of aldermen of the city of Durham in case of a vacancy occurring by death, resignation, or otherwise, of any or all of said commissioners, shall have a right to fill the vacancy thereby created for the unexpired term of office so made vacant.

Vacancies.

SEC. 5. That the commissioners appointed by the board of aldermen of the city of Durham under authority of this act, and their successors in office, shall take an oath to faithfully discharge the duties of said office, said oath to be administered by the mayor of the city of Durham; and the said commissioners, within two weeks after their appointment, or the appointment of a new commissioner, shall assemble and organize, and shall elect a chairman of the said board, and shall then constitute and be known as "The Board of Water Commissioners of the City of Durham," and shall be vested with the powers, rights, and privileges herein conferred. A majority of the said board shall constitute a quorum for the transaction of business.

Commissioners to qualify.

Organization.

Official entitlement.

Quorum.

SEC. 6. The said board of water commissioners of the city of Durham shall be vested with the full right, power, and privilege to manage, conduct, and operate the municipally owned water-works system of the city of Durham for the purpose of supplying the purchasers of water of the said system with a good and wholesome supply thereof; and for such purposes, and in order to fully carry out the powers conferred in this act and to properly manage the said water-works system, the board of water commissioners of the city of Durham shall have power to sue and be sued, to make contracts and engagements, and, under the restrictions hereinafter set forth, to borrow money, and to issue its notes as evidence thereof; and for the purpose of properly operating and

Rights, powers and privileges vested.

Corporate powers.

To borrow money and issue notes.

maintaining the system, and for making additional improvements thereto, as may be necessary at all times to properly manage the said system, the board of water commissioners of the city of Durham shall have power to acquire by purchase or by condemnation such additional property or rights as may be necessary, and for this purpose the board is hereby conferred with the power of eminent domain, the condemnation proceedings necessary thereto to be the same as is prescribed by law in acquiring right of way by railroads: *Provided*, that all suits by or against the said board, all condemnation proceedings by and all deeds to the said board shall be in the name of the city of Durham, the city of Durham holding all legal title to all the property rights and privileges necessary for the proper management of the water-works system and acquired by the said board of water commissioners.

Power to purchase property.

Right of eminent domain.

Proceedings for condemnation.

Proviso: proceedings in name of city.

Power to borrow money.

SEC. 7. That in order to provide for the cost and expenses of the plant or system of water-works under its control, including the cost of such incidental improvements as may be deemed necessary for that purpose, the said board of commissioners may, for any or all of said purposes, borrow money and anticipate the collection of tolls, rents, or sales of water from the operation of said plant or system, and pay the same out of said tolls, rents, or the sale of water, as the same may be collected.

Fund for payment.

Collections by boards.

Accounts.

Quarterly reports.

Payments by board.

SEC. 8. That the said board of water commissioners shall collect or cause to be collected all rents, forfeitures, or emoluments arising from the operation of the said system of water-works of the city of Durham. They shall cause accurate account to be kept of all receipts and expenditures of money coming into their hands, and shall on the first days of January, April, July and October of each and every year make a detailed report thereof to the board of aldermen of the city of Durham; and out of the moneys derived from the collection of said tolls, rents, forfeitures, or emoluments shall pay:

1. The cost and expenses of operating the system of water-works under its control, including salaries, supplies, and incidental improvements.

2. The principal and interest upon the notes issued by authority of section seven hereof, as the same shall become due. Out of the net sum remaining in the hands of the treasurer, after payment of the accounts hereinbefore enumerated, the board of water commissioners shall retain such sums of money as may be necessary to pay all the principal of any note which has been issued under and by virtue of section seven of this act, and shall further retain such sums as they may deem necessary for the proper operation and incidental improvements of the water-works system. The net balance remaining after the payment and retention of the amounts hereinbefore set forth shall, at the time

Payment of balance to city.

of rendering the annual April report, be paid by order of the board of water commissioners to the treasurer of the city of Durham for the use of said city in the payment of principal and interest of the water bonds of the said city.

SEC. 9. That the board of water commissioners of the city of Durham shall at their first meeting, or as soon thereafter as is practicable, elect a clerk of the said board of water commissioners, who, for his services as such clerk, shall receive such compensation as shall be fixed by the said board. The city treasurer of the city of Durham shall be treasurer of the board of water commissioners, and for his services as such shall receive such compensation as may be made him by the said board. He shall give such bond, with approved security, in such sums as the board may demand, said bond to be given in some approved surety company authorized to do business in this State, and the premium on said bond shall be paid by the board of water commissioners out of the funds under their control.

Election and compensation of clerk.

Treasurer.

Compensation.

Bond of treasurer.

Premium on bonds.

Compensation of commissioners.

SEC. 10. That the members of the board of water commissioners shall receive such compensation as shall be fixed by the board of aldermen of the city of Durham, and shall not exceed the sum of two hundred dollars each per annum: *Provided, however,* that the board of water commissioners may prescribe additional duties for the chairman thereof, when elected, touching the care, control, management, and operation of said plant and water-works system, and for such additional duties may receive additional compensation over and above the sum heretofore mentioned, such compensation to be fixed by the said board of water commissioners, and to be paid out of the funds in their hands, but in no event shall the said additional compensation exceed in amount the sum of four hundred dollars per annum. The sum fixed as compensation by the board of aldermen to be paid to the board of water commissioners shall be fixed at the time of entrance of the said commissioners into office, and shall be paid to themselves by the said board of water commissioners out of the funds under their control, and to be included in their reports in the item of salaries.

Proviso: Duties and pay of chairman.

SEC. 11. The said board of water commissioners, at their first meeting, or as soon thereafter as practicable, shall elect a superintendent of water-works, and elect annually thereafter a superintendent of water-works, who shall give his whole time to the discharge of such duties as the board of water commissioners require. His term of office shall be for one year and he shall be subject to discharge for cause at any time, and he shall receive such salary as may be fixed by the board of water commissioners, said salary not to exceed three thousand dollars per annum: *Provided, however,* that upon written recommendation of said board of water commissioners, the board of aldermen or other governing

Superintendent of water works.

Term of office. Removable for cause. Salary.

Proviso: Increase of salary.

authority of the city of Durham may increase said salary as they may deem necessary, and said superintendent shall give such bond, with approved security, in such sums as the board of water commissioners may demand, said bond to be given in some approved surety company authorized to do business in this State, and the premium on said bond shall be paid by the said water commissioners out of the fund under their control.

Bond of superintendent.

Premium on bond.

Use of property for water works.

SEC. 12. That the said board of water commissioners, and all persons acting under their authority, shall have the right to use the ground or soil, in upon, or under any road, railroad, highway, lane, or alley, for the purpose of enlarging or improving or maintaining the plant or system of water-works owned by the city of Durham, upon the condition that they shall not permanently injure any such property, and that the same shall be restored to its original condition, or damages done thereto shall be repaired by the said board.

Distribution and use of water.

Payments.

Hydrants.

SEC. 13. That the said board shall regulate the distribution and use of water for all places and all purposes, where the same may be required, and from time to time shall fix a price for the use thereof and the time of payment; and they shall erect such a number of public hydrants in such places as they shall see fit, and shall direct in what manner and for what purpose the same shall be used, and they shall also erect any and all such other hydrants as may be necessary: *Provided, however,* that all hydrants or appliances required and furnished for the purpose of extinguishing fires shall be erected at the expense of the board of aldermen of the city of Durham, and shall be placed as they direct, and shall be under their exclusive control and direction: *Provided further,* that the board of water commissioners shall have the power to make rules and regulations governing the erection, installation, and use of hydrants on private property, and to fix the rate of charges therefor; and they are hereby expressly given the right and power to make such rules and regulations governing the use of all hydrants heretofore erected on any and all private property as they may deem best for the proper management of the water-works system and the proper fire protection of the city of Durham.

Proviso: Fire hydrants.

Proviso: Hydrants on private property.

Payments in advance.

SEC. 14. That the said board shall have full power and authority to require the payment in advance for the use or rent of the water furnished by them in or upon any building, place, or premises; and in case prompt payment shall not be made they may shut off the water from such building, place, or premises after five (5) days notice, and shall not be compelled again to supply said premises, building, or place with water until the arrears thereon shall be fully paid.

Limit of contracts.

SEC. 15. That the said board shall make no contracts for the price of using the water for a longer time than three (3) years

SEC. 16. That if any person or persons shall maliciously or willfully divert the water or any portion thereof from the said water-works, or shall corrupt or render the same impure, or shall destroy or injure any canal, aqueduct, pipe, or other property used or acquired for procuring or distributing the water, said person shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five hundred dollars (\$500), or shall be imprisoned not exceeding one (1) year, at the discretion of the court.

Diversion of water or injury to works, misdemeanor.

Punishment.

SEC. 17. And said board shall have power to make rules and regulations with respect to the introduction of water into or upon any premises, and from time to time to regulate the use thereof, in such manner as shall seem to them necessary and proper; and the members of said board, and all engineers, superintendents, or inspectors in their service, are hereby authorized and empowered to enter, after demand made and refusal, at all reasonable hours, any dwelling or other place where such water is taken and used where unnecessary waste thereof is known or suspected, to examine and inquire into the cause thereof; and if any person refuses to permit such examination, or opposes or obstructs such officer in the performance of such duties, he, she, or they so offending shall forfeit and pay the sum of ten dollars (\$10), to be recovered before any justice of the peace in an action by the said board, and the supply of water may also be cut off until the required examination is made and the required alterations and repairs are made.

Introduction and use of water.

Entry for inspection.

Forfeit for obstructing officers.

SEC. 18. That the said board shall provide for regular inspection of the public watershed and for examination of the said public water supply; and shall have full power to elect or appoint such superintendents, engineers, inspectors, and other employees as they may deem necessary to operate and manage the said system of water-works and to prescribe the duties and fix the compensation of such officers or employees, or to discharge same for cause shown, except as otherwise provided in this act. The board may require of any or all officers or employees bond or bonds for the faithful performance of their duties, the said bond or bonds to be in such sums as the board may demand, and to be given in some approved surety company authorized to do business in this State, the premium on said bond or bonds to be paid by the board of water commissioners out of the funds under their control.

Inspection of water shed.

Employees.

Bonds of officers and employees.

Premiums.

SEC. 19. That for the purpose of protecting said public watershed from contamination, whenever it is reported by the watershed inspector or the superintendent of said water-works that a case of sickness on said watershed may produce conditions dangerous to the public health, it shall be the duty of the said board of water commissioners and the superintendent of water-works to take any and all necessary precaution to prevent said public

Protection of water shed.

- Removal of persons. water supply from becoming contaminated, and the said board of water commissioners, and the superintendent of water-works, upon the advice of the superintendent of health, or the health officers in and for the county of Durham and city of Durham, that such sick person can be safely moved, to order the removal of such person suffering from such sickness to a hospital in the city of Durham, or at the option of such person, to some other place beyond the limits of the watershed, and to cause any constable or other lawful officer to make such removal: *Provided*, that all the expenses for the care and attention to such sick person at said hospital shall be paid by said board.
- Proviso: Expenses paid by boards.
- Payments by city. SEC. 20. The city of Durham shall pay the board of water commissioners, as rental for fire protection and water consumed by said city for municipal purposes, such sums of money for the use of all fire hydrants now in use or which may hereafter be used as may be agreed upon by the board of aldermen and by the board of water commissioners, and such sums as may be agreed upon for the use of water for all other municipal purposes, including water used in city buildings, parks, fire departments, graded schools, street sprinkling, and flushing of manholes in sewers, said sums to be based on an annual rental, and to be payable quarterly.
- Analysis of water. SEC. 21. All persons and corporations selling water for drinking purposes in the city of Durham shall have made at least once in every month, at their own expense, by the State Board of Health of this or any other State in the United States, or by the meat and milk inspector of Durham, a chemical analysis of a sample of water of the kind sold by them; and such persons or corporations shall file with the superintendent of health of the city and county of Durham a certificate from the said board of health or said meat and milk inspector, showing that the sample of water of the kind sold is pure and unpolluted.
- Certificates of purity.
- Regulations of use. SEC. 22. The board of water commissioners of the city of Durham shall have the power to adopt such rules and regulations as may be just and proper, regulating the use of water by householders, persons, firms, and corporations, and in order to conserve the water supply of the city of Durham in case of any drought may require reasonable curtailment in the use of water by the adoption of reasonable rules and regulations, and all persons, firms, and corporations in the city are required to observe the rules and regulations adopted by the board of water commissioners; and any person, firm, or corporation who shall fail, neglect, or refuse to observe any of the rules and regulations of the board of water commissioners shall be subject to and pay a penalty of twenty-five dollars for each offense, said penalty to be recovered before a justice of the peace.
- Curtailment of use.
- Penalty.

SEC. 23. That all laws or parts of laws in conflict with this act Repealing clause.
be and the same are hereby repealed.

SEC. 24. That this act shall be in full force and effect from
and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 72

AN ACT TO PERMIT THE TOWN OF MAXTON TO OWN AND
OPERATE OR CONTROL THE OPERATION OF THE WATER
AND LIGHT SYSTEMS IN SAID TOWN, AND FOR OTHER
PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That all acts now in force establishing and granting Acts repealed.
certain powers and imposing certain duties upon the board known
as "The Water-works Commission of the Town of Maxton," in so
far as they refer to the establishment of the said water-works
commission be and the same are hereby repealed, and all the
powers and duties granted and imposed upon the said commis-
sion be and the same are hereby transferred to the mayor and
commissioners of the town of Maxton.

SEC. 2. That the mayor and commissioners of the town of Purchase of power
and light plant.
Maxton shall have the right to purchase on behalf of said town
a municipal power and light plant, together with all poles, lines,
and other equipment and appurtenances necessary to the proper
operation of such plant; or said mayor and commissioners may Contract for pow-
er and light.
contract with any person, firm, or corporation for supplying
power and light to said town of Maxton upon such terms and for
such length of time as they may deem to be for the best interests
of the town: *Provided*, that said mayor and commissioners shall Proviso: Approval
of voters.
not have the right to purchase said plant as herein provided nor
contract for the lease of such plant until the question of such pur-
chase and operation or lease or contract for power and lights
shall be approved by a majority of the votes cast at the next
regular municipal election.

SEC. 3. That it shall be the duty of the board of commissioners Question submit-
ted to voters.
of the town of Maxton to submit the question of the purchase
and operation of a power and light plant, poles, lines, and other
equipment connected with a power plant, or the purchase of a
line or lines and equipment now in operation, to a vote of the
qualified voters of the town of Maxton at the regular election to Time of election.
Ballot box.
be held in May, one thousand nine hundred and seventeen; that
on the day of election the said board of commissioners shall pro-
vide a separate box marked "For or Against Ownership of Power

- Ballots. and Light Plant," and shall print for distribution by the poll-holders and use by the voters ballots containing the words "For Municipal Ownership" or "Against Municipal Ownership." At the close of the polls the judges shall declare the result and certify the same to the mayor and board of commissioners of said town, who shall record such resolutions in the minutes of the board.
- Declaration and certificate of result. Record. Effect of election. SEC. 4. That if a majority of the votes cast shall be in favor of municipal ownership, then and in that event it shall be the duty of the mayor and board of commissioners to proceed without delay to erect and operate a power and light plant, with poles, lines, wires, and other equipment necessary for the proper operation of said plant, or they may purchase and operate any plant, line, or lines, together with other equipment now in operation in said town.
- Continuation of water works commission. SEC. 5. That the present water-works commission of the town of Maxton shall continue in existence until the regular election in May, one thousand nine hundred and seventeen.
- SEC. 6. That this act shall be in force from and after its ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 73

AN ACT TO GIVE THE GREENVILLE POLICE AUTHORITY BEYOND THE CORPORATE LIMITS OF THE TOWN OF GREENVILLE, PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the regular police force of the town of Greenville shall be empowered and are hereby granted the authority to make arrests, or do other acts within the limits of their authority as policemen, as prescribed by the charter for the town of Greenville, or by ordinance, in a section extending one mile in every direction beyond the corporate limits of the town of Greenville, and that their authority and duties with respect to the additional territory herein set out shall be in every respect the same as their authority and duties with respect to the incorporated town of Greenville: *Provided*, that the provisions of this act shall be subject to the approval of the board of aldermen of Greenville.

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 January, A. D. 1917.

Authority extended.

Proviso: Approval of act.

Repealing clause.

CHAPTER 74

AN ACT TO AMEND THE CHARTER OF THE TOWN OF SCOTLAND NECK.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and forty-two of the Private Laws of nineteen hundred and one, ratified the eleventh day of March, nineteen hundred and one, be amended as follows: By adding after the last sentence in section fifteen: "and the commissioners are hereby vested with the authority to impose a penalty of three per centum on the amount of all taxes due on the first day of December, and an additional one-tenth of one per centum on each day thereafter on all taxes due until paid." Penalties.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 75

AN ACT TO AMEND CHAPTER 204 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION 1903.

The General Assembly of North Carolina do enact:

SECTION 1. That section fifteen (15), chapter two hundred and four (204) of the Private Laws of North Carolina, session nineteen hundred and three (1903), be and the same is hereby amended by striking out the words "for street improvement not to exceed three (3) per cent of the assessed value of real and personal property of said city." Limit of street bonds for Burlington.

SEC. 2. That when proceeding under chapter fifty-six, Public Laws of North Carolina, session nineteen hundred and fifteen (1915), for any public improvement thereunder, said chapter fifty-six shall not be subject to any limitation, inhibition, or restriction contained in chapter two hundred and four (204), Private Acts of North Carolina, session nineteen hundred and three (1903), or amendements thereof. Limitation on bond issues.

SEC. 3. 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 may conflict herewith. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 76

AN ACT TO AMEND CHAPTER 243 OF THE PRIVATE LAWS OF 1901, PROVIDING FOR THE ESTABLISHMENT OF GRADED SCHOOLS IN THE TOWN OF MOUNT OLIVE, N. C.

The General Assembly of North Carolina do enact:

Tax rate.

SECTION 1. That section four of chapter two hundred and forty-three of the Private Laws of nineteen hundred and one, providing for the establishment of graded schools in the town of Mount Olive, N. C., be and the same is hereby amended by inserting the word "five" after the word "forty" and before the word "cents" in line eleven, and by striking out the word "twenty" in line twelve and inserting the words "thirty-five" in lieu thereof.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 77

AN ACT TO INCORPORATE THE TOWN OF JEFFERSON, ASHE COUNTY.

The General Assembly of North Carolina do enact:

Incorporation.

SECTION 1. That the town of Jefferson, in Ashe County, North Carolina, be and the same is hereby incorporated by the name and style of "The Town of Jefferson," and it shall have all the powers and privileges of the law now in existence in reference to incorporated towns and not inconsistent with this act.

Corporate name.

Corporate powers.

Corporate limits.

SEC. 2. That said town shall be incorporated in a square one-half mile in each direction from the courthouse in said town.

Town officers.

SEC. 3. That the officers of said town shall consist of a mayor, three aldermen, and a constable.

Duty of mayor and aldermen.

SEC. 4. That it shall be the duty of said mayor and aldermen to make such rules, regulations, and by-laws as may be necessary and not inconsistent with law for the proper government of said town.

Officers named.

Term of officers.

SEC. 5. That the following named persons shall fill said offices until Tuesday after the first Monday in May, one thousand nine hundred and eighteen, and until their successors are elected and qualify, to wit: W. T. Colvard, mayor; Eugene Wagg, W. E. Gentry, and W. E. McNeill, aldermen; and B. F. May, town constable.

SEC. 6. That there shall be an election held for the offices Town elections. mentioned in this act Tuesday after the first Monday in May, one thousand nine hundred and eighteen, and every year thereafter, under the same rules and regulations that govern State and county elections, and the mayor and aldermen shall appoint Election officers. a registrar and two judges to conduct said election.

SEC. 7. That the said board of aldermen of the town of Jefferson be and it is hereby empowered to condemn lands for the purpose of laying out, widening, or otherwise extending streets and alleys, and the same may be done under the general laws governing the condemnation of land for public purposes. Power to condemn land.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 78

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE TOWN OF MAXTON TO EMPLOY AN AUDITOR.

The General Assembly of North Carolina do enact:

SECTION 1. That upon the petition of twenty per cent of the qualified voters of the town of Maxton, the board of commissioners of said town are hereby authorized and directed and it shall be their duty to employ, for such time as may be necessary, an experienced and competent person to audit the books of said town. The compensation of such auditor shall be fixed by said board of commissioners. Petition. Duty of board. Compensation.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 79

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

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and sixty-six, Private Laws of nineteen and fifteen, be and the same is hereby repealed. Law repealed.

SEC. 2. That section three, chapter three hundred and thirty-two, Private Laws of nineteen hundred and thirteen, be amended by adding after the word "wards," in line seven: "At the election to be held in May in nineteen hundred and seventeen one Election of aldermen.

aldermen shall be elected from each ward for a term of one year and one aldermen from each ward for a term of two years."

Discount of
tax.

SEC. 3. That section nine be amended by adding after the word "taxes" in line eight: "The council may provide for a discount not exceeding five per cent upon all property taxes paid before the fifteenth of November following their assessment, and may impose a penalty not to exceed one per cent on all property taxes not paid on or before that date."

Jurisdiction of
municipal court.

SEC. 4. That section twelve be amended by adding after the word "thereof," in line fifteen: "and shall have within the city concurrent jurisdiction of all criminal matters of which jurisdiction is given the recorder's court of Vance County."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 80

AN ACT TO EXEMPT THE BONDS OF CAROLINA COLLEGE FROM TAXATION.

The General Assembly of North Carolina do enact:

Exemption.

SECTION 1. That all bonds heretofore issued or which shall hereafter be issued by Carolina College, an educational institution incorporated by special acts of the General Assembly of North Carolina, and which are secured by mortgage or deed of trust on real property of said Carolina College, are and shall hereafter be free and exempt from taxation by State, county, and municipality.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 81

AN ACT TO ALLOW THE BOARD OF ALDERMEN OF THE TOWN OF MARSHALL IN MADISON COUNTY TO REMOVE CERTAIN GRAVES IN SAID TOWN.

The General Assembly of North Carolina do enact:

Removal author-
ized.

SECTION 1. That the board of aldermen of the town of Marshall shall have the power and authority, and they are hereby authorized to remove any and all graves in the town of Marshall,

Madison County, North Carolina, and remove the bodies, bones, or dust from said graves to some other graveyard, or yards in the said county of Madison.

SEC. 2. That the provisions of this act shall not apply to what Exceptions. is known as the Pritchard Graveyard or the Linda Frisbee Graveyard.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 82

AN ACT TO COLLECT THE UNPAID TOWN TAXES OF THE TOWN OF MARBLE IN CHEROKEE COUNTY FOR THE YEARS OF 1913 AND 1914.

The General Assembly of North Carolina do enact:

SECTION 1. That the municipal corporation of the town of Marble of the county of Cherokee be and is hereby authorized and empowered to collect the unpaid town taxes for the years of nineteen hundred and thirteen and nineteen hundred and four- Collection author- ized. teen.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 83

AN ACT TO ENLARGE THE JURISDICTION OF THE MAYOR OF THE TOWN OF RUTHERFORDTON.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor of the town of Rutherfordton shall have final, exclusive original jurisdiction of all violations of town ordinances committed within the limits of the town of Rutherfordton. Exclusive original jurisdiction.

SEC. 2. That said mayor shall have final concurrent original jurisdiction with the Superior Court in addition to the jurisdiction conferred in the last paragraph of all the offenses and crimes enumerated in section six, subsection c, of chapter five hundred and sixty-four, Public-Local Laws of one thousand nine Jurisdiction concurrent with Superior Court.

hundred and thirteen, in the same manner as set forth in said section giving jurisdiction to the records of Rutherford County, when the same are committed within the corporate limits of the town of Rutherfordton.

Jurisdiction as
court of inquiry.

SEC. 3. In any other criminal matter wherein said mayor has final jurisdiction he shall have power and he is hereby authorized to hear and bind over to the proper court all persons charged with any crime committed within the town of Rutherfordton, and to render such judgment in such matters as is now provided by law for justice of the peace, and in all such cases heard by said mayor as a committing magistrate against any such person or persons for any offenses whatever, whenever said mayor has not final jurisdiction in which probable cause of guilt is found, such person or persons so charged shall be bound in a bond or recognizance with sufficient surety, if the crime be bailable under law, to appear at the next term of the Superior Court of Rutherford 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 Rutherford County to await trial as aforesaid. If the crime be not bailable, then to commit the defendant so charged to the common jail of Rutherford County to await action of the Superior Court thereof.

Committal in de-
fault of bond.

Jurisdiction as of
recorder.

SEC. 4. That said mayor shall have all the power, jurisdiction, and authority conferred by section six, subsection e, of chapter five hundred and sixty-four, Public-Local Laws of one thousand nine hundred and thirteen, upon the recorder of Rutherford County.

Sentences to street
work.

SEC. 5. That the said mayor shall have authority and power to sentence any person convicted of crime or the violation of any law or town ordinance of the town of Rutherfordton of which he has final jurisdiction, who may be convicted before him as said mayor to work upon the streets of the town of Rutherfordton and the officials of the said town of Rutherfordton are authorized and empowered to work said convicts upon the streets of said town, and are further authorized and empowered to hire from the county commissioners of Rutherford County any persons who may have been sentenced to jail from any court in Rutherford County, with authority to the commissioners of Rutherford County to hire the same out to be worked upon the public roads; and the recorder of Rutherford County is likewise empowered to sentence any person convicted by him of violation of law to work upon the streets of the town of Rutherfordton; and the county commissioners of the county of Rutherford are authorized to hire to the town of Rutherfordton any convicts sentenced to jail in Rutherford county by any court, with leave to them to hire same to be worked upon the public roads of North Carolina.

Convicts hired
from county.

Sentences by re-
corder.

SEC. 6. The town of Rutherfordton shall pay the same price to Hire of convicts, the board of county commissioners of Rutherford County for convicts from the recorder's court that it does for convicts from any other courts, and the town of Rutherfordton shall feed, Maintenance and clothe, and guard all convicts without any cost to said county guarding. commissioners of Rutherford County.

SEC. 7. This act shall be in force from and after its ratification, and all laws and parts of laws in conflict herewith are hereby repealed.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 84

AN ACT TO AMEND CHAPTER 144, OF THE PRIVATE LAWS OF 1913, RELATING TO THE TOWN OF NORTH WILKESBORO.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and forty-four of the Private Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows: By striking out in line three of section thirty-one the word "ten" and inserting in lieu thereof the word "fifteen"; by striking out in line twelve of section twenty-two (subsection one) the words "one dollar" and inserting in lieu thereof the words "one dollar and fifty cents," and by striking out in line fourteen the word "two" and inserting in lieu thereof the word "three"; by striking out in lines seven and eight in section twenty-six the words beginning with the word "provided" and continuing to the word "taxes," both inclusive and by further striking out in lines twelve, thirteen, and fourteen of said section the words beginning with the word "provided" and continuing to the word "polls," both inclusive.

SEC. 1 (a). That this proposed amendment to the charter of the town of North Wilkesboro shall become effective when ratified by a majority of the qualified voters of said town at a public election to be held at such time or times and under such regulations as the board of commissioners of said town may prescribe, at which election or elections those favoring the proposed amendment shall vote a written or printed ballot with the word "Amendment" thereon, and those opposed to the proposed amendment shall vote a ballot with the words "No Amendment" written or printed thereon.

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 January, A. D. 1917.

CHAPTER 85

AN ACT TO AUTHORIZE THE TAX COLLECTOR OF EAST BEND TO COLLECT TOWN TAXES FOR 1913.

The General Assembly of North Carolina do enact:

Collection author-
ized.

SECTION 1. That J. G. Steele, tax collector for the town of East Bend in the year one thousand nine hundred and thirteen, or, in case of death or default, his personal representative, bondsmen, or any agent they may designate, be and he or they are hereby authorized and empowered to collect arrears of taxes for the town of East Bend for the year one thousand nine hundred and thirteen, under such rules and regulations as are now or may hereafter be provided for the collection of taxes.

Persons not com-
pelled to pay.

SEC. 2. That no person shall be compelled to pay any taxes under the provisions of section one 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 said section after he shall have made final settlement: *Provided*, that this 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.

Proviso: Land not
subject to sale.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 86

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CLINTON.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and fifteen of the Private Laws of North Carolina, ratified at the extra session nineteen hundred and thirteen, being entitled "An act to revise the charter of the town of Clinton," be and the same is hereby amended as follows:

Corporate limits.

SEC. 2. That section two of said act be stricken out and the following inserted in lieu thereof: "The corporate limits of said town shall be an octagon circumscribed about a circle of three thousand and six hundred feet radius, the center of which is the center of the present Sampson County courthouse, and four alternate sides of said octagon to be parallel to the four walls of said courthouse."

SEC. 3. That section eight of said act to amended by inserting in line three, after the comma following the word "collector" and before the word "whose," the following: "or may impose the duties of the office of tax collector upon the town clerk and treasurer." Tax collector.

SEC. 4. In section fifty-two of said act strike out the words "on the first day of May" in line fifteen and insert in lieu thereof the words "as of the same day." Valuation of property.

SEC. 5. That section fifty-three of said act be amended as follows: Strike out the first line of said section and the word "year" in line two of said section and insert in lieu thereof the following: "That annually for fifteen days prior to the commencement of the time during which property is required to be listed for taxation for State and county purposes"; strike out the word "within" in line five of said section down to the period in line six, after the word "notice," and insert in lieu thereof the words "during the same time that taxables are required to be listed for State and county taxes with the township list taker"; and strike out the words "first day of May" in line seventeen after the word "the" and before the word "of," and insert in lieu thereof the words "same day." Time for listing taxes.

SEC. 6. Strike out in line three of section fifty-four of said act the words "for thirty days after the first Monday in June." Lists of delinquents.

SEC. 7. That section fifty-seven of said act be amended by inserting after the word "payable" at the end of line two and before the word "on," at the beginning of line three, the words "at the mayor's office." Place for payment of tax.

SEC. 8. All laws and all ordinances of the town of Clinton inconsistent with the provisions of this chapter are hereby repealed. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 87

AN ACT TO AID IN THE DEVELOPMENT OF THE TOWN OF REIDSVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor and board of commissioners of the town of Reidsville shall annually set apart and appropriate from the funds derived annually from general taxation in said town an amount equal to one-tenth of one per cent upon the assessed valuation of real and personal property taxable in said town, which funds shall be paid to the directors of "The Reidsville Appropriation.

Expenditure.

Commercial and Agricultural Association," the said fund to be expended under the direction and control of the directors of the Reidsville Commercial and Agricultural Association and for the purpose of aiding and encouraging the location of manufacturing, industrial, and commercial plants in and near said town, and for such other purposes as will in the the discretion of said board of directors of the Reidsville Commercial and Agricultural Association increase the population, taxable property, and business prosperity of said town: *Provided, however,* that said appropriation shall not be made by said mayor and board of commissioners of said town except upon written request from the board of directors of the said association, stating therein that said appropriation is necessary for the purpose herein set out.

Proviso: Request
for appropriation.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 88

AN ACT RELATING TO THE GRADED SCHOOLS OF ELIZABETH CITY, PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seventy-six, Private Laws of North Carolina, session one thousand nine hundred and fifteen, be and the same is hereby amended by striking out all of section three and inserting in lieu thereof the following:

That section ten, chapter one hundred and forty, Private Laws of one thousand nine hundred and seven, be and the same is hereby amended by striking out all of said section and inserting in lieu thereby the following:

Board of trustees.

"Sec. 10. The board of trustees of said graded schools shall consist of sixteen members, who shall be qualified voters of Elizabeth City, four from each of the four wards of Elizabeth City, all to be elected by the board of aldermen of Elizabeth City, at their regular meeting on the first Monday in July, one thousand nine hundred and seventeen, one from each ward, whose term of office shall expire in one year; one from each ward, whose term of office shall expire in two years; one from each ward, whose term of office shall expire in three years; one from each ward, whose term of office shall expire, in four years, and at the expiration of the term of each trustee as set out above the board of aldermen of Elizabeth City shall elect his successor, who shall hold office for a term commensurate with the term of him whose office expires and until his successor is elected and qualified:

Election and terms.

Election of successors.

Provided, that no member of said board of aldermen shall be eligible as a member of the board of school trustees. If a vacancy occurs by death or resignation the board of aldermen shall fill such vacancy for the unexpired term from the same ward as was represented by his predecessor: *Provided*, that position of trustee of said graded school shall not be in contemplation of article seven of the Constitution of North Carolina.”

Proviso: Aldermen not eligible. Vacancies.

Proviso: Trustees not officers.

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

Repealing clause.

SEC. 3. That this act shall be in force from and after the first Monday in July, one thousand nine hundred and seventeen.

When act effective.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 89

AN ACT TO AUTHORIZE THE TOWN OF WEST ASHEVILLE, NORTH CAROLINA, TO ISSUE BONDS TO FUND INDEBTEDNESS FOR STREET AND SIDEWALK IMPROVEMENTS AND TO COMPLETE SAID IMPROVEMENTS.

Whereas the town of West Asheville has incurred certain indebtedness by reason of street and sidewalk improvements, made necessary to supply the needs of the increase in population; and whereas it is necessary to complete certain other work in the improvement of said streets and sidewalks, and in extension of the same by way of grading, paving, macadamizing, etc.: Now therefore,

Preamble: Debt incurred.

Preamble: Completion of work necessary.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen of the town of West Asheville be and it is hereby authorized and empowered to issue coupon bonds of the town of West Asheville to an amount not exceeding one hundred seventy thousand dollars.

Bond issue authorized.

Amount.

SEC. 2. That said bonds shall be negotiable coupon bonds of such form and denomination as said board of aldermen may determine, and shall be direct obligations of the town of West Asheville for the payment of which, both principal and interest, the full faith and credit of said town shall be pledged. Said bonds shall be signed by the mayor of said town and countersigned by the clerk and sealed with the corporate seal of said town, and shall bear interest at a rate not to exceed six (6) per centum per annum, interest payable semiannually at such place or places as said board of aldermen may determine, and shall mature at such time or times as said board of aldermen may determine, not exceeding thirty years from their date.

Denominations.

Obligation of bonds.

Authentication.

Interest.

Maturity.

SEC. 3. Said bonds shall be sold by the board of aldermen to the best bidder, after advertisement of the sale thereof in at least

Sale of bonds.

one local Asheville paper for thirty days and in some recognized financial journal of New York City or Baltimore, Maryland.

Special tax.

SEC. 4. That the said board of aldermen of said town or their successors in office be and they are hereby authorized and empowered to levy and collect on all taxable property in the town of West Asheville a special tax of sufficient amount to pay the interest on said bonds as it becomes due and the principal thereof at maturity. Said special tax shall be levied and collected at the same time as other taxes are levied and collected for the use of said town.

Levy and collection.

Sale below par forbidden. Specific appropriation of proceeds.

SEC. 5. That said bonds are not to be sold for less than par value and accrued interest, and the proceeds from said sale, including any premium received upon the sale thereof, shall be applied only to the payment of the indebtedness created for street and sidewalk improvements in the town of West Asheville, and for other street and sidewalk improvements in said town. But the purchaser of said bonds shall not be bound to see to the application thereof to said purpose or purposes.

Liability of purchaser released.

Proceeds of bonds kept separate.

SEC. 6. That the town clerk or treasurer of said town shall keep separate from all other public moneys coming into his hands the moneys arising as proceeds from the sale of said bonds, and the same shall be expended under the direction of the board of aldermen of the town of West Asheville for the purposes provided in this act.

Liens on property.

SEC. 7. That nothing herein contained shall be construed so as to impair the right of said town to enforce liens against abutting property owners for street and sidewalk improvements heretofore made, but said lien shall remain in full force until collected by said town.

Law not applicable.

SEC. 8. That section two thousand nine hundred and seventy-seven of the Revisal of one thousand nine hundred and five shall not apply to the town of West Asheville.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 90

AN ACT TO AUTHORIZE THE INVESTMENT OF THE SINKING FUND OF CHADBOURN SUPPLEMENTAL SCHOOL DISTRICT, COLUMBUS COUNTY.

Whereas, by an act of the General Assembly of North Carolina, chapter four hundred sixty-six, Private Laws of one thousand nine hundred and eleven, providing for holding a special election in Chadbourn Supplementary School District, Number Three,

Preamble: Act for election on bond issue.

for white and colored races upon bond issue of ten thousand dollars (\$10,000); and whereas said election was held in accordance with said act and bonds issued for ten thousand dollars (\$10,000), payable in thirty years; and whereas a sinking fund has accrued by reason of the issuing of said bonds, and no provision made in said act authorizing the loaning of said sinking fund: Now, therefore,

Preamble: Election held and bonds issued.
Preamble: Sinking fund.

The General Assembly of North Carolina do enact:

SECTION 1. That the school trustees of Chadbourn School District, Number Three, for white and colored races, located in the town of Chadbourn, are hereby authorized and empowered to loan any money or moneys that may now or may hereafter accumulate as a sinking fund against the bonding indebtedness of said school district under such restrictions as are hereinafter set out.

Investment authorized.

SEC. 2. That any money loaned as authorized under this act shall not be loaned for a longer period than five years and shall only be loaned on security approved by the board of education of Columbus County and the superintendent of public instruction of Columbus County.

Term of loans.
Approval of security.

SEC. 3. That the treasurer of Columbus County shall turn over to the said school trustees upon their warrant or written order, approved by the county superintendent of schools of Columbus County, such funds as he may have in hand or may hereafter accumulate from time to time for the purpose and under the rules set forth in this act.

Money to be paid to trustees.

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

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 91

AN ACT TO ALLOW THE BOARD OF ALDERMEN OF THE TOWN OF HILLSBORO TO REMOVE BODIES AND SELL PRESENT SITE OF COLORED CEMETERY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen of the town of Hillsboro shall be vested with authority to have the graves in the colored cemetery which is situated on Occoneechee Street in said town removed to another cemetery, the site and location to be provided by said board of aldermen. That said board of aldermen may appoint some suitable person at such compensation as

Removal authorized.

Conduct of removal.

they may deem reasonable to manage the removal of the bodies now interred in said cemetery, with the stones and monuments erected thereto, to the new cemetery above provided for. That after all the bodies have been removed, then in their discretion said board of aldermen may sell said tract of land and hold the proceeds from such sale, after paying expenses incurred, to constitute and form a fund to take care of the bonded and other indebtedness of said town of Hillsboro.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 92

AN ACT TO AMEND SECTION 6 OF CHAPTER 96 OF THE PRIVATE LAWS OF THE EXTRA SESSION 1913, RELATIVE TO LEVYING AND COLLECTING TAXES UNDER SAID ACT.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter ninety-six of the Private Laws of the extra session of nineteen hundred and thirteen be amended by striking out in lines nineteen and twenty the following words: "Levied and collected as the other town taxes in said town, and in that portion of said district in Robeson County shall be," the effect being that the county commissioners shall levy and the sheriff shall collect the taxes provided for in said chapter.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 93

AN ACT TO ENLARGE THE BOUNDARY OF THE SANFORD GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. The following territory shall be incorporated into the Sanford Graded School District: "Beginning at the line of the present Sanford Graded School District, at the intersection of Buffalo Creek and the west boundary of the right of way of the Southern Railway, thence with the line of the right of way of the Southern Railway northward to its intersection with the

Sale of land authorized.

Disposal of proceeds.

Levy and collection of tax.

Boundary.

property line of the property of A. L. McNeal; thence westward with his line to his corner; thence with his other various lines to the old Moore and Chatham County line; thence east with the old Moore and Chatham County line to Big Buffalo Creek; thence up its various meanders to the present Sanford Graded School District line."

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 94

AN ACT TO AMEND THE CHARTER OF THE TOWN OF WEST ASHEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section five, chapter eighty of the Public-Local and Private Laws, extra session one thousand nine hundred and thirteen, be amended as follows: By striking out the words "seventy-five" in line five of said section five and inserting in lieu thereof the words "ninety-five." Tax rate.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 95

AN ACT TO ESTABLISH CONOVER GRADED SCHOOL DISTRICT IN CATAWBA COUNTY AND TO PROVIDE FOR A BOND ISSUE.

The General Assembly of North Carolina do enact:

SECTION 1. That all the territory within the corporate limits of the town of Conover as is now or shall hereafter be prescribed, and all the territory lying without the corporate limits of the town of Conover and included in the boundaries of Conover Special-tax School District in Newton and Cline's townships, Catawba County, which boundaries at the time said district was established, and since added to by the county board of education were and are as follows: Beginning at an iron stake, C. R. Brady's corner in A. D. Herman's line in the old Newton road, about fifty feet from the line of the Southern Railway track be- Boundary set out.

tween Conover and Newton, thence running with the said C. R. Brady's line, including the said Brady's lands, to A. D. Herman's corner; thence with his lines to the J. P. Spencer corner, including all of the said A. D. Herman's lands except that portion inherited from his father, Elijah Herman, which is excluded; thence with the said J. P. Spencer's lines, including his lands, to a corner of Lee Fox's lands; thence with said Fox's lines, including said Fox's land, to a corner of Burrett Thornburg's land; thence with the said Burrett Thornburg's lines, including said Thornburg's land, to L. M. Pharr's corner; thence with the said Pharr's lines, including said Pharr's land, to Albert Spencer's corner; thence with said Spencer's lines, including said Spencer's land, to J. P. Yount's corner; thence with said Yount's line, including said Yount's land, to W. L. Yount's corner; thence with said Yount's line, including said Yount's land, to corner of Mrs. Florence Holler's land; thence with said Mrs. Holler's lines, including said Mrs. Holler's land, to corner of W. L. Yount's same farm; thence with lines of said W. L. Yount's land, including the said Yount's home place, to J. P. Yount's corner; thence with the lines of the said J. P. Yount, to Mrs. H. A. Hunsucker's corner; thence with said Mrs. Hunsucker's lines, including said Mrs. Hunsucker's land to Mrs. W. L. Yount's corner; thence with the said Mrs. Yount's lines, including said Mrs. Yount's land to T. C. Hunsucker's corner; thence with said Hunsucker's line, including said Hunsucker's land, to Baxter's Simmons' corner, in the Island Ford road; thence with said Simmons' lines, including said Simmons' land to L. M. Pharr's corner; thence with said Pharr's lines, including said Pharr's land, to a stake in Lyle's Creek, John Simmons' corner; thence with said Simmons' lines up said creek, including said Simmons' land, to L. A. Hunsucker's corner; thence with said Hunsucker's lines, including said Hunsucker's land, to W. D. Shell's corner; thence with Shell's lines, including said Shell's land, to J. F. Hunsucker's corner; thence with said Hunsucker's lines and Marion Hunsucker's lines, including both Marion Hunsucker's and J. F. Hunsucker's land, to Mrs. H. D. Sease's corner; thence with Sease's lines, including said Sease's land, to T. D. Smyre's corner; thence with said Smyre's lines, including said Smyre's land, to Claud Herman's corner; thence with said Herman's lines, including said Herman's land, to Mrs. R. E. Herman's corner; thence with said Mrs. Herman's lines, including said Mrs. Herman's land, to D. E. Link's corner; thence with said D. E. Link's lines and line of Leslie Bolick, including both Link's and Bolick's lands, to G. A. Poovey's corner; thence with said Poovey's lines, including said Poovey's land, to W. P. Smyre's corner; thence with said Smyre's lines, including said Smyre's land, to Mark Pope's corner; thence with said Pope's lines, including said Pope's land,

to H. H. Jones' corner; thence with said Jones' lines, including said Jones' land, to George Price's corner; thence with said Price's lines, including said Price's land, to C. S. Simmons' corner; thence with said Simmons' line, including said Simmon's land, to J. E. Simmon's corner; thence with said Simmon's lines, including said Simmons' land to C. C. Herman's corner; thence with said Herman's lines, including said Herman's land, to the beginning, shall be and remain and is hereby constituted a public school district, and shall hereafter be known as the "Conover Graded School District," and that a special tax for school purposes, to wit, thirty cents on each hundred dollars valuation of property and ninety cents on each taxable poll, shall continue to be levied and collected annually, to the same extent and in the same manner as the said taxes are now and have been heretofore levied and collected in the Conover Special-tax School District: *Provided*, that if a majority of the registered voters of said district shall vote in favor of the issue of bonds and taxation as hereinafter provided for, then the taxes for the use and benefit of said public school and to pay the interest shall be levied and collected in amounts, at times, and in the manner hereinafter provided: *Provided further*, that the boundary of the said territory outside of the town of Conover shall, in case of any doubt, vagueness, or omission, follow the lines of landowners, whether named or not, between any two given points, if possible; otherwise, to run as near as may be with such lines, and otherwise to run in straight lines, and in any event the territory within the town of Conover shall not be affected by any such doubt, vagueness, or omission, but shall be, remain, and constitute said school district or part thereof.

Public school district.
Official entitlement.
School tax.

Proviso: Tax if bonds are issued.

Proviso: Boundary further defined.

SEC. 2. That the special school-tax election held in the Conover Special School District, which includes all the territory within the town of Conover and the territory without the town as set out in the preceding section, except that portion added to said territory by an order of the board of education of Catawba County on the first day of January, one thousand nine hundred and seventeen, on the eleventh day of October, one thousand nine hundred and fifteen, under and by authority of the Public Acts of one thousand nine hundred and one, be and the same is hereby declared valid and legal in all respects; and the action of the board of education for Catawba County in taking off a portion of the St. Timothy Special School District and putting same in the Conover Special School District, the tax levy being the same, and which is included in the boundary as set out in section one of this act, be and the same is hereby declared valid and legal in all respects.

Election declared valid.

Action of board of education valid.

SEC. 3. That C. R. Brady, S. S. Rowe, H. D. Sease, Dr. J. J. Stewart, and Claud C. Herman shall be and are hereby consti- Trustees named.

- tuted trustees of the public schools of the Conover Graded School District, and shall serve until their successors are elected and qualified as herein provided. The successors of the first three named shall be elected at the election for the municipal officers of the town of Conover in the year one thousand nine hundred and seventeen for a term of two years, and the successors of the last two named shall be elected at the election for the municipal officers of the town of Conover in the year one thousand nine hundred and eighteen for a term of two years, and at the election of the municipal officers of the town of Conover each year thereafter trustees shall be elected to succeed those whose terms expire: *Provided*, that any and all vacancies in the board of trustees shall be filled by the other members of said board, whether said vacancy shall occur by reason of death, resignation, failure to elect, or otherwise.
- Election of successors.**
- Proviso: Vacancies.**
- Incorporation.** SEC. 4. That the said trustees named in section three and their successors shall be and are hereby constituted a body corporate by the name and style of "Board of School Trustees of Conover," and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, acquire by gift, purchase, devise, or otherwise, real and personal property, and may hold, exchange, mortgage, or sell the same in any manner and to any extent the said board may deem advisable, and exercise such other rights and privileges as are incident to other corporations, and may have a corporate seal, which it may break and change at pleasure.
- Corporate name.**
- Corporate powers.**
- Corporate seal.**
- Separate schools for races.** SEC. 5. That it shall be the duty of said board of school trustees to establish separate schools for the white and colored children of said school district, and they may grade the schools for either race, and shall appropriate and use the funds from special taxes and from State and county school fund in such manner as may be deemed just to both races, due regard being had to difference in cost of maintaining and the requirements of said schools: *Provided*, donations and income for benefit of any special school shall be so applied.
- Schools graded.**
- Use of funds.**
- Proviso: donations to special schools.**
- Control and supervision of schools.** SEC. 6. That said board of trustees shall have control and supervision of all public schools in said district subject to the general control and supervision of the county board of education under the public school law; shall prescribe rules and regulations for the government of such schools, conduct of pupils, teachers, and officers, and for the preservation, control, and use of school property; may provide for the suspension and expulsion of pupils, who may be denied the privileges of said schools until reinstated by authority of said board of trustees; shall employ and fix the compensation of all teachers and officers of such schools; may require examination of teachers, and may dismiss teachers: *Provided*, no teacher shall be employed who has not
- Proviso: Certificates of teachers.**

been properly certified under the law regulating the certification of teachers in North Carolina; shall cause to be taken, in accordance with the general school law of the State, an accurate census of the school population of said district and transmit a copy thereof to the county superintendent, and shall exercise any and all other powers they may deem necessary or advantageous for the successful control and operation of schools, and the management of the school property in said district. School census.

SEC. 7. That said school trustees shall adopt the text-books for use in said schools, recommended by the State Board of Education; may admit pupils residing outside the limits of said district, or those under or over the public school age, upon such terms as said trustees may deem reasonable, and may fix rates of tuition to be charged: *Provided*, no tuition shall be charged persons between the ages of six and twenty-one years, who reside within the district, for branches required to be taught in the public schools under the general school law. Text books.
Non-resident pupils.
Rates of tuition.
Proviso: free tuition.

SEC. 8. That the said trustees may erect, complete, repair, alter, and improve the school buildings and grounds, and may purchase furniture, equipment and appliances, including fixtures for heating, lighting, water supply, sewerage, etc., and may do all things they may deem advisable for the best interests of the schools and school property in said district. School buildings and grounds.
Equipment.

SEC. 9. That said school trustees shall, as soon as convenient after the ratification of this act, meet and organize by electing a chairman and a secretary and treasurer. The treasurer shall give a bond in such sum as the said school trustees may require. The school authorities as at present constituted shall carry on the schools in said district until the said school trustees shall organize under this act. Organization.
Treasurer to give bond.
Present authorities.

SEC. 10. That as soon as the said school trustees shall have organized and the treasurer of said board of trustees shall have given an approved bond, the treasurer of Catawba County, or other parties in lieu of said county treasurer in custody of the public school funds of said county, shall pay over to the treasurer of said board all school funds then in his or their hands and belonging to the Conover Special-tax (School) District or the Conover Graded School District and shall in like manner pay over all such funds that shall thereafter come into his or their hands for the use and benefit of said district. Moneys to be turned over.

SEC. 11. That all taxes levied and collected in said district for the use and benefit of said schools, under the authority of the general school law or under authority of this act, shall be paid over to the treasurer of said board of trustees by the sheriff or other tax collector provided for in this act, for the benefit of the public schools in said district. Settlement of taxes.

Apportionment
from general
funds.

SEC. 12. That in the apportionment of the public school funds derived from the State and from the county of Catawba, the county board of education of Catawba County, or others having authority under the general school law of the State, shall determine the amount to be apportioned each year to the public schools of the Conover Graded School District by dividing the whole amount of county school fund, first deducting the county treasurer's commission, or part of salary to be paid out of said funds, and also the amount reserved by the county board of education for office expenses, salary of county superintendent of education, and for per diem and mileage of members of said board of education, and building fund and other contingent expenses authorized under the public school law to be deducted, by the total number of children of school age in Catawba County, as determined by the last school census preceding such apportionment, and then multiplying the quotient so obtained by the total number of children of school age within the said Conover Graded School District, as determined by the last school census preceding such apportionment, and the amount so ascertained and determined shall be paid by the county treasurer to the treasurer of said board of trustees, to be used for the benefit of the schools of said district under the control and direction of said board of trustees.

Property vested.

SEC. 13. That all the property, both real and personal, of the public school districts embraced within the limits of said graded school district shall become the property of the Conover Graded School District, and the title thereto shall vest in the "Board of School Trustees of Conover," and all real estate belonging to the public schools in said limits shall be conveyed to said board of trustees, subject to the provisions of this act; and said board of trustees may, in their discretion, sell any of said property, real or personal, and apply the proceeds as they may deem best for the schools and school property of said district.

Conveyance of real
estate.

Sale of property.

Balances to be
paid into school
fund.

SEC. 14. That the county board of education of Catawba County is authorized and directed to pay to the treasurer of the said board of trustees of said district, out of the county school funds coming under their control, any balance theretofore apportioned to the schools in Conover Special School District or appropriated to said district for building or other expenses, which has not been paid to or drawn from the county treasurer by said special-tax district, and such apportionment and appropriation by the county board of education are declared to be valid and legal in all respects.

Territory outside
of town.

SEC. 15. That for the purposes of the levy and collection of school taxes, assessments of property therefor, election for school bonds and taxes, elections for school trustees, and in all other matters affecting the public schools in the Conover Graded School District, that portion of said graded school district lying out-

side of the corporation limits of the town of Conover is deemed, and is hereby constituted, a part of the town of Conover, and for all the said purposes the provisions of all laws now in force or that shall hereafter be enacted relating to or affecting the public schools in said district or governing the assessment of real and personal property, the levy and collection of municipal taxes and the holding of municipal elections in the town of Conover shall be and are hereby extended to that portion of said graded school lying without the corporate limits of said town as fully as if the same lay within the said corporate limits.

SEC. 16. The board of aldermen of the town of Conover shall within thirty days after the ratification of this act, either at a regular meeting of the board or at a special meeting thereof, order an election to be held in said town (including the entire school district) within forty days next after the date of said order, at which election shall be submitted to the qualified voters of said territory the question of issuing bonds in the sum of not exceeding ten thousand dollars (\$10,000), to be known as school bonds. Said board of aldermen shall give notice of said election, for twenty days before said election is held, by publication in some newspaper published in Catawba County, or by posting a notice thereof at the courthouse door in said county and at the postoffice in the town of Conover. There shall be a new registration of voters for this election, and only those who register for this election shall be deemed qualified voters in said election.

SEC. 17. That for the purpose of holding said election the aldermen of Conover (at the time said election is ordered) shall appoint one registrar and two judges of election: *Provided*, any vacancy may be filled by the aldermen or the other election officers: *Provided further*, any registrar or judge of election appointed by said aldermen may hold said election, together with any other election for the town of Conover: *Provided*, if a new registration of voters shall be ordered for any other election in the town of Conover at the same time, one registration shall be sufficient for both, but a separate registration book shall be made, containing the names of all qualified voters residing within the school district, on which shall be registered those living outside the corporate limits of the town. A separate poll book shall be kept and the votes shall be deposited in a separate box. The registrar and judges shall make separate returns of said election, in duplicate, one to the board of aldermen of Conover and one to the register of deeds for Catawba County, certifying the number of qualified voters registered for said election, the number of votes cast for and the number cast against said bond issue, and they shall declare the result of said election.

SEC. 18. Except as otherwise provided herein, the registration and qualification of voters, the manner of holding the elec-

Election to be ordered.

Question to be voted on.

Notice of election.

New registration.

Election officers.

Proviso: Vacancies.

Proviso: Authority of election officers.

Proviso: Registration for joint election.

Poll books and ballot boxes.

Returns.

Declaration of result.

Law governing election.

tion, and all other matters pertaining to the election for school bonds shall be governed in all respects as if or shall be provided by law for the elections for mayor and aldermen for the town of Conover.

- Ballots. SEC. 19. Those who favor the issue of bonds and the levy of taxes herein provided for shall vote a ballot on which shall be written or printed the words "For School Bonds," and those opposed to the issue of bonds and levy of taxes shall vote a ballot on which shall be written or printed the words "Against School Bonds." If at said election the voters fail to authorize said issue of bonds and levy of taxes, the board of aldermen shall call an election for the same purpose, at any time or times thereafter, when requested to do so by the said board of trustees.
- Subsequent elections. Issuance of bonds. SEC. 20. Whenever the majority of the qualified voters of the town of Conover (including Conover Graded School District) shall vote in favor of school bonds and taxes, then the board of aldermen of the town of Conover shall issue, from time to time, as shall be requested in writing by the board of school trustees of Conover, coupon bonds of the town of Conover not exceeding in the aggregate the sum of ten thousand dollars (\$10,000). Said bonds shall be issued in denominations of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000), and shall run for a term of twenty years, all of which shall bear interest at the rate of five (5) per cent per annum, payable semi-annually, and all of said bonds and interest coupons shall be due and payable on and after maturity, and upon demand, at the office of the treasurer of the town of Conover, and shall be dated at such time or times as shall be designated by said board of trustees. Said bonds shall be signed by the mayor of said town of Conover and attested by the clerk, and shall have the corporate seal of said town affixed thereto. The interest coupons shall be signed by the mayor only. When any of said bonds shall have been issued by said board of aldermen of Conover they shall be turned over to the said board of school trustees, and said trustees shall dispose of the same for the best price obtainable; however, no bonds shall be sold for less than par value thereof and the proceeds from sale of said bonds shall be applied first to the discharge of debts incurred in the erection and furnishing of a school building in the town of Conover, the balance to be applied to payment of any other indebtedness of said school district, and to build, complete, and furnish school buildings, or for other school purposes as may be determined by said trustees: *Provided*, any money furnished to said district by the county board of education shall not be repaid, but the same shall be deemed a gift to said district.
- Amount. Denominations. Interest. Authentication. Disposal of bonds. Sale below par forbidden. Application of proceeds. Proviso: Money deemed a gift. Special tax. SEC. 21. That the board of aldermen of Conover shall at the time of levying municipal taxes (annually) levy a tax on all persons and property subject to taxation within the limits of said

graded school district of thirty cents on the one hundred dollars (\$100) worth assessed valuation of property and ninety cents on each taxable poll, for schools as has been voted for the benefit of the public schools in said district; and the board of trustees of said Conover Graded School District is hereby authorized to set apart or invest so much thereof as they may deem necessary as a fund to pay off the bonds, provided a majority of the qualified voters of said district authorize the issuing the same, and the balance of said fund to be used by the said trustees for school purposes. Sinking fund.

SEC. 22. The tax collector of the town of Conover shall collect the taxes levied under the preceding section and pay the same over to the treasurer of said board of trustees, retaining such commission as may be fixed by the board of trustees. Collection and settlement of tax.

SEC. 23. For purposes of taxation for benefit of schools, property and polls shall be listed, assessed, and valued under the same laws as provided for municipal purposes: *Provided*, the assessors and list takers appointed by the county commissioners or other authorities to list or assess the property and polls in Newton and Cline's townships for county and State taxation shall ascertain and designate on the tax list the property and polls subject to taxation for school purposes in said school district, and it shall be legal and binding for the tax lister for said district to copy the same on the tax list for said school district. Assessment of taxes.
Proviso: List takers and assessors.

SEC. 24. That the words "commissioners" or "board of commissioners," "aldermen" or "board of aldermen" shall be construed to mean the governing body of the town of Conover, whether designated by that name or any other name. Words construed.

SEC. 25. That all laws or parts of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 26. That the Secretary of State shall furnish to the mayor of the town of Conover a certified copy of this act within five days after its ratification. Certified copy.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 96

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF GRANITE FALLS IN CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter fifty-eight, Private Laws of one thousand nine hundred and five, and section two of chapter three hundred twenty-three, Private Laws of one thousand eight

- Corporate limits. hundred and ninety-nine, be and the same is hereby amended to read as follows: "That the corporate limits of said town shall be one and one-half miles long with the Carolina and North-western Railway, and in width shall extend from Gunpowder Creek on the east to a distance of three-eighths of a mile on the west side of said railway, the boundary line of the same being as follows:
- Boundary line. Beginning at a point in the center of track of said railway and one-half mile south of the depot as located at present, and running northeast, or thereabout, to Gunpowder Creek; thence northward with said creek to the mouth of Billy Branch; thence westward with said Billy Branch and continuing on a line one and one-half miles from the south line and parallel therewith, to a point on the said railway also one and one-half miles from said south boundary line and a like distance from the point of beginning; this boundary line leaves Billy Branch at a point one and one-half miles distant from the south boundary line and thereafter runs in a west course parallel with said south boundary line; thence a west course from said railway to a point three-eighths of one mile from said railway track; thence southward one and one-half miles to a point three-eighths of one mile from the point of beginning; thence eastward three-eighths of one mile to the point of beginning on said railway track."
- Commissioners. SEC. 2. That section three of chapter three hundred twenty-three, Private Laws of one thousand eight hundred and ninety-nine, be and the same is hereby amended by striking therefrom the word "three" in line two and inserting in lieu thereof the word "five."
- SEC. 3. That this act shall be in force from and after its ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 97

AN ACT TO AUTHORIZE THE REMOVAL OF THE BODIES OF THE CHILDREN OF FLORA MACDONALD, NOW BURIED IN ANSON COUNTY, TO THE GROUNDS OF FLORA MACDONALD COLLEGE IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Removal authorized.

SECTION 1. That the authorities of Flora Macdonald College be and they are hereby authorized to disinter the bodies of the children of Flora Macdonald, now buried in Anson or Montgomery County, and to remove them and reinter them within the grounds of Flora Macdonald College in Robeson County.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 98

AN ACT TO CREATE THE CROSS CREEK CEMETERY COMMISSION, TO PROVIDE FOR THE MAINTENANCE OF A CEMETERY IN THE CITY OF FAYETTEVILLE, AND TO AMEND CHAPTER 30, PRIVATE LAWS 1873-'74.

The General Assembly of North Carolina do enact:

SECTION 1. That Robert C. Jones, Thomas J. Purdie, James D. McNeill, Fulton R. Hall, Edward J. Monaghan, Charles G. Rose, and Robert W. Herring of the city of Fayetteville, and their successors in office, be and they are hereby created a corporation and body politic under the name and style of the "Cross Creek Cemetery Commission," and as such shall possess all the rights, privileges, and powers granted under the general corporation laws of the State and any amendments thereto.

Corporators.
Incorporation.
Corporate name.
Corporate powers.

SEC. 2. That the objects of said corporation shall be to provide for, maintain, and control suitable burial grounds for the white race of the city of Fayetteville; and to this end it is authorized and empowered to take by deed, will, or otherwise, any real and personal property, and to hold and use the same for such purpose; and to pass and enforce reasonable rules, regulations, and by-laws as from time to time may be deemed necessary and proper to maintain such property in good and improved condition, and to protect and preserve the same from injury and trespass.

Objects of corporation.
Power to take and hold property.
Rules, regulations and by-laws.

SEC. 3. That said commission shall elect a chairman and a secretary and treasurer, the former from among its membership, who shall hold office for one year or until their successors are elected and qualified. That no member of said commission shall receive any compensation. The secretary and treasurer shall give bond for the faithful and honest performance of his duties, and the commission may allow him a reasonable sum for his services.

Organization.
No pay to commission.
Bond and pay of secretary-treasurer.

SEC. 4. That the term of office of the aforesaid commissioners shall expire on the second Monday in May, as follows, to wit: Robert G. Jones and Thomas J. Purdie, in nineteen hundred and seventeen; Robert W. Herring, in nineteen hundred and eighteen; Fulton R. Hall, in nineteen hundred and nineteen; Charles G. Rose, in nineteen hundred and twenty; James D. McNeill, in nineteen hundred and twenty-one; and Edward J. Monaghan, in nineteen hundred and twenty-two. The aforesaid commission shall have full power and authority, by the passage of proper rules and by-laws, to provide for the terms of office of their successors in office, but in no case shall any such term be for less than one year, except when vacancies are filled, and also the manner of election or appointment of such successors.

Terms of office.
Election and terms of successors.

Protection and
policing of ceme-
teries.

SEC. 5. That said commission, by and with the approval of the board of aldermen or other lawmaking power of the city of Fayetteville, is fully authorized and empowered to pass any and all rules, regulations, and by-laws for the proper protection and policing of the white cemeteries in said city, or near thereto, which may be hereafter placed under the care or control of said commission; and when so approved, such rules, regulations, and by-laws shall have the force and effect of ordinances of said city, and shall be enforceable as such by the courts of competent jurisdiction.

Ordinances of
city.

Entry on lots
for improvement.

SEC. 6. That in order to keep up and properly maintain the cemeteries placed under its care, the said commission shall have full power and authority, by and through duly appointed agents, and from time to time, to go upon the lots of any of the lot owners in such cemeteries and make any and all such improvements in and upon the same as said commission shall deem necessary or proper to the beauty of the symmetry thereof.

Subscriptions and
assessments.

SEC. 7. That the said commission shall have the power and authority to take subscriptions or levy reasonable assessments upon the owner of lots in the cemeteries under the care and control of said commission as may be necessary or proper from time to time in order to carry out the purposes of the commission; and upon the failure or refusal of any such lot owner to pay any subscriptions or assessments so taken or levied, the same may be collected by the commission by suit in any court of competent jurisdiction.

Control of cem-
eteries.

SEC. 8. That said commission shall have full and exclusive power and control over all cemeteries for the burial of white persons of the city of Fayetteville, and all matters and things therewith connected, and of all property thereto belonging, and not inconsistent with the laws of North Carolina.

Transfer author-
ized.

SEC. 9. That the Cross Creek Cemetery Company, a private corporation created by chapter thirty of the Private Laws of one thousand eight hundred and seventy-three, seventy-four, shall have full power and authority to sell, transfer, and assign to the Cross Creek Cemetery Commission any and all right, title, and interest which it has or may hereafter have in and to any cemetery property located in the city of Fayetteville; and when such conveyance is executed said Cross Creek Cemetery Company shall thereupon be dissolved and all of its rights, powers, duties, and liabilities shall pass to and be exercised by said Cross Creek Cemetery Commission: *Provided*, the same are not inconsistent with this act.

Company dis-
solved.

Conveyance from
city.

SEC. 10. That the city of Fayetteville be and it is hereby authorized and empowered to convey to said commission by deed or otherwise any and all right, title, and interest which it may now or hereafter have in any cemetery property located in or

near the city of Fayetteville, and such conveyance may be executed by the mayor and city clerk, upon due authority granted by the board of aldermen of said city.

SEC. 11. That the property of said commission and the interest of each lot owner in said cemeteries under its care shall be exempt from execution or attachment and shall not be subject to the payment of any taxes whatever, except that the commission may levy and collect reasonable assessments from the lot owners as hereinbefore provided for. No streets, lanes, roads or alleys shall at any time be made or established over the lands held by said commission, or any part thereof, without its written consent, except those laid out or established by the commission, nor shall any part of the same be condemned or taken in any manner for any public use without its written consent.

Exemption from execution and taxation.

Streets and roads.

Condemnation.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 99

AN ACT TO AMEND THE LAWS RELATING TO THE SCHOOL AT HOPE MILLS.

The General Assembly of North Carolina do enact:

SECTION 1. That all the territory described in section one of chapter one hundred and sixty-eight of the Private Laws of North Carolina of one thousand nine hundred and three, embracing what is now known as "The Hope Mills Graded School District," be and it is hereby declared a public school district for white and colored children, which shall be under the jurisdiction and subject to the control of the State Board of Education and the board of education of Cumberland County, and subject to the laws and regulations of said boards, and shall be known as one of the public school districts of Cumberland County.

Public school district.

SEC. 2. That the board of graded school trustees as provided in section nine of chapter one hundred and sixty-eight, Private Laws of one thousand nine hundred and three, be and the same is hereby abolished.

Board abolished.

SEC. 3. That D. C. Rogers, J. C. Gilbert, G. W. Singletary, W. H. Bullard, and J. A. Bynum be and they are hereby appointed and constituted the public school committee for the public school district created by section one of this act; and said school committee shall serve, exercising the duties and powers of other public school committees of Cumberland County, until the regular time for appointment of public school committees for said county,

School committee.

Term.

- Appointment of successors. when the county board of education of said county shall appoint five committeemen as their successors, appointing one to serve one year, one two years, one three years, one four years and one five years. Thereafter at each time for the appointment of public school committeemen the county board of education shall appoint one committeeman to serve for a term of five years.
- Law repealed. SEC. 4. That section ten of chapter one hundred and sixty-eight of the Private Laws of one thousand nine hundred and three be and the same is hereby repealed.
- Title to property vested. SEC. 5. That the title to all of the school property in the school district created by this act be and the same is hereby vested in the board of education of Cumberland County.
- Bonds declared valid. SEC. 6. That the bonds heretofore issued by the board of trustees of the Hope Mills Graded School District under authority of chapter one hundred and sixty-eight, Private Laws of one thousand nine hundred and three, be and they are hereby declared a valid indebtedness against the school district herein created, and the county board of education of Cumberland County, and their successors, are hereby appointed and constituted commissioners of the sinking fund to provide for the payment of the said bonds at maturity, and are required to set apart each year, out of the moneys belonging to said school district, such amount as the trustees of the Hope Mills Graded School District have heretofore set apart annually for such sinking fund, and to invest the same for that purpose in first-mortgage real estate securities.
- Commissioners of sinking fund.
- Special tax. SEC. 7. That for the purpose of providing for the payment of said bonds and the interest thereon, and of defraying the expenses of the public school provided for in this act, the said school committeemen of said district shall annually and at the time of levying the county taxes, commencing with the fiscal year in one thousand nine hundred and seventeen, levy and lay a particular tax, under the authority of an election heretofore held under the provisions of chapter one hundred and sixty-eight of the Private Laws of one thousand nine hundred and three, on all persons and property subject to taxation within the limits of said public school district, as in the judgment of the district committee and of the county board of education may be necessary, said special tax not to exceed thirty-three and one-third cents ($33\frac{1}{3}$) on the one hundred dollars (\$100) assessed valuation of property and not more than one dollar (\$1) on each taxable poll, and said special tax shall be collected in the manner prescribed for the collection of other taxes. All moneys levied under the provisions of this section shall upon collection be placed by the treasurer of the county school fund to the credit of the school committeemen of said district, and shall be expended exclusively by said committee in establishing and maintaining schools in said district, for the white race and the colored race, under such rules and
- Limit of rate.
- Exclusive expenditure of tax.

regulations as to its conduct and such courses of study as shall be prescribed by the State Superintendent of Public Instruction.

SEC. 8. That the board of trustees of the Hope Mills Graded School District as at present constituted shall pay over and deliver all moneys and school funds, books, papers, and records now in their possession to the public school committee for said district named in this act. Delivery of money and papers.

SEC. 9. That all laws and clauses of laws inconsistent with this act be and they are hereby repealed. Repealing clause.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 100

AN ACT TO REPEAL CERTAIN SECTIONS OF CHAPTER 228 OF THE PRIVATE LAWS OF 1915, RELATING TO THE CHARTER OF THE TOWN OF WARSAW, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That all of sections three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, of chapter two hundred and twenty-eight of the Private Laws of the State of North Carolina at its session of one thousand nine hundred and fifteen be and the same is hereby repealed. Specific repeal.

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

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 101

AN ACT TO REPEAL AN ACT TO INCORPORATE THE TOWN OF RIPLEY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter ninety-nine of the Private Acts of the General Assembly, session of one thousand nine hundred and nine, entitled "An act to incorporate the town of Ripley," is hereby repealed; and all the territory within the boundaries set forth in said chapter ninety-nine of said Private Acts of said Charter repealed.
Boundaries of Hendersonville.

session of one thousand nine hundred and nine which comes within the area prescribed by section one of chapter three hundred and fifty-two of the Private Laws of North Carolina, session one thousand nine hundred and thirteen, as the corporate limits of the city of Hendersonville, is hereby reincorporated in the boundaries of the city of Hendersonville.

Repealing clause. 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 effect from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 102

AN ACT TO AUTHORIZE THE TOWN OF MOUNT AIRY TO FUND AND REFUND ITS OUTSTANDING INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Bond issue authorized. SECTION 1. That for the purpose of funding and of refunding the outstanding indebtedness of the town of Mount Airy, the board of commissioners of said town are authorized and empowered to issue coupon bonds, payable at such times and with such rates of interest, not exceeding five and one-half per cent, as the board may determine, and in such denominations as the said board may decide.

Interest. Denominations. Sale of bonds. SEC. 2. That the board of commissioners of the town of Mount Airy shall sell said bonds at public sale, after notice of at least twenty days in some newspaper published in Surry County, North Carolina, and elsewhere as the board may deem proper; but said bonds shall not be sold for less than par.

Sale below par forbidden. SEC. 3. That this act shall not authorize the creation of any new indebtedness, but shall be authority to the said board of commissioners of the town of Mount Airy to issue its bonds as aforesaid, sell the same for the purpose of funding or refunding any outstanding indebtedness, whether now represented by former bond issues or otherwise evidenced, and the board of commissioners of the town of Mount Airy is authorized and empowered to levy annually on all property in the town of Mount Airy and on all polls a tax sufficient to pay the interest on said bonds and to provide a sinking fund sufficient to pay off said bonds at maturity.

New debt not authorized. Special tax. SEC. 4. That said bonds, when signed by the mayor of the town of Mount Airy, attested by the secretary and treasurer or the clerk of the board of commissioners, and sealed with the corporate seal of the town of Mount Airy, shall be a valid and binding obligation upon the said town.

Authentication.

SEC. 5. That this act shall be construed as an enabling act and in addition to other powers and authority now exercised by the said town of Mount Airy. Construction of act.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 103

AN ACT TO AUTHORIZE THE TOWN OF MARION TO ISSUE BONDS TO FUND ITS INDEBTEDNESS AND TO IMPROVE ITS STREETS.

Whereas the town of Marion has heretofore contracted indebtedness to meet the necessary expenses of the town in repairing its water line which was destroyed by the disastrous floods in July of last year in the sum of, approximately, twenty thousand dollars (\$20,000); and whereas it will require the sum of approximately, five thousand dollars (\$5,000) to make further necessary repairs upon its water line and reservoir destroyed as aforesaid; and whereas the said town desires to make necessary improvements to its streets by hard-surfacing with concrete, macadam, bitulithic, or other hard substance, in an amount approximating twenty thousand dollars (\$20,000); and whereas the said town desires to issue bonds in a sufficient amount to pay said indebtedness, to make further necessary repairs upon its water line and reservoir, and to make necessary improvements on its streets, not to exceed the sum of forty-five thousand dollars (\$45,000); and whereas the tax levy provided for and limited by law is insufficient to provide a sum with which to pay said indebtedness and to make the necessary repairs to its water line, reservoir, and to improve the streets of said town: Therefore,

Preamble: Debt for repairs for water works.

Preamble: Further repairs.

Preamble: Street improvements.

Preamble: Amount of bond issue.

Preamble: Tax levy insufficient.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of paying said indebtedness and making necessary repairs to its water line and reservoir for the storage of water, the board of aldermen of the town of Marion are hereby authorized and empowered to issue bonds in an amount not to exceed twenty-five thousand dollars (\$25,000); that for the purpose of improving the streets of the said town the said board of aldermen are hereby authorized and empowered to issue bonds in an amount not to exceed twenty thousand dollars (\$20,000), at such time or times and in such amount or amounts as may be deemed expedient by said board; said bonds shall be in denominations of five hundred dollars (\$500) each, bearing interest from the date thereof at a rate not exceeding six

Bond issue.

Amount for water works.

Amount for streets.

Denominations.

Interest.

- per centum per annum, with interest coupons attached, payable semiannually, at such time and place as may be deemed advisable by said board, said bonds to be of such form and tenor and transferable in such manner 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 aldermen may determine, each of said bonds to state on its face that said bond was issued to pay the indebtedness of said town of Marion for the necessary expenses and repairs of its water line and reservoir, or for the necessary expense of improvement of its streets; that the said board of aldermen may, in its discretion, issue the bonds herein authorized for street improvement in such amount and at such time or times as it may deem expedient and for the best interest of the said town.
- Maturity.
- Sale below par forbidden.
- Particular tax.
- Limit of rate.
- Collection.
- Tax kept separately. Exclusive application.
- Repealing clause.
- SEC. 2. That none of the bonds provided for in the above section shall be disposed of, either by sale, exchange, hypothecation, or otherwise, for a less price than par value.
- SEC. 3. That for the purpose of providing for the payment of the interest accruing on and the principal at maturity of the bonds herein authorized, the board of aldermen of said town shall, annually, and at the time of levying other town taxes, levy and lay a particular tax upon all persons and subjects of taxation on which said board of aldermen are now or may hereafter be authorized to lay and levy taxes for any purpose whatever, said particular tax not to exceed thirty-five cents on one hundred dollars assessed valuation of property. The tax provided for in this section shall be collected in the manner and at the time other town taxes are collected, and shall be accounted for and kept separate from other town taxes, and shall be applied exclusively for the purpose for which they are levied and collected.
- SEC. 4. That all laws and clauses of laws in conflict and inconsistent 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 9th day of January, A. D. 1917.

CHAPTER 104

AN ACT TO RE-ENACT CHAPTER 202 OF THE PRIVATE LAWS OF 1915, THE SAME BEING AN ACT TO AMEND THE CHARTER OF THE TOWN OF LENOIR.

The General Assembly of North Carolina do enact:

Law reënacted.

SECTION 1. That chapter two hundred and two (202) of the Private Laws of North Carolina session of nineteen hundred and fifteen, be and it is hereby reënacted except as the same is amended hereby.

SEC. 2. That said chapter two hundred and two, Private Laws of North Carolina, be and it is hereby amended as follows:

(a) By striking out the words "out of its general fund" and "out of its general funds" out of the two first provisos of section two of article one of said act. Payments for street improvements.

(b) By striking out section five of article one of said act. Limit of work.

(c) By striking out all of the first proviso on page five hundred and twenty-seven of the printed act after the word "privilege" in the eighth line from the top of said printed page, and inserting in lieu thereof the following: "of paying said assessment to the town of Lenoir in five equal annual installments with interest on each of said installments from the date of the assessment until the time of the payment at the rate of six per cent per annum, interest due and payable annually, said installments remaining a lien on the lot or lots against which they are charged until fully paid." Payment of assessments.

(d) By striking out all of article three thereof. Requirement for election.

SEC. 3. That the provisions of section twelve, fourteen, fifteen, sixteen, and seventeen of chapter fifty-six of the Public Laws of North Carolina, session nineteen hundred and fifteen, be and they are hereby declared to be applicable to the said town of Lenoir as fully to all intents and purposes as though the said sections were set forth herein. Public law applicable.

SEC. 4. All laws and clauses of laws in conflict herewith are hereby repealed. Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 105

AN ACT TO REVISE THE CHARTER OF THE TOWN OF NASHVILLE.

Whereas, owing to the growth of the town of Nashville, its charter and laws governing the same, contained in numerous acts of the General Assembly enacted from time to time, is no longer suited to its needs; and whereas the governing authorities of said municipal corporation and its citizens are desirous that its powers shall be enlarged and its boundaries extended and more clearly defined: Therefore, Preamble: Growth of town.

The General Assembly of North Carolina do enact:

SECTION 1. That the inhabitants residing within the territory or boundaries hereinafter located and defined shall be and remain a body politic and corporate under the name and style of the Incorporation. Corporate name.

Corporate powers. "Town of Nashville," and under such name and style may adopt a corporate seal and contract and be contracted with, sue, be sued, plead and be impleaded, acquire by purchase, devise, bequest, or otherwise, such real and personal property within or without said town as may be deemed requisite and necessary for the proper government of said town or for the welfare, improvement, and convenience of its inhabitants; hold, use, improve, govern, protect and control, and, in pursuance of resolution of its board of aldermen, sell or otherwise dispose of the same and reinvest the proceeds arising therefrom, and have all other powers, rights, and privileges requisite and necessary or usually belonging or pertaining to municipal corporations.

BOUNDARIES.

Corporate limits. SEC. 2. That the corporate limits and boundaries of said town of Nashville shall be located and defined according to the map and survey made for said town of Nashville by the J. B. McCrary Company, engineers, during the year 1916, said map being recorded in the office of the register of deeds of Nash County in Book 1 of maps, at page sixty-four, said map being the same as accepted for said town of Nashville by M. W. Lincke, mayor, and Leon T. Vaughn, clerk of said town of Nashville.

CORPORATE POWERS VESTED IN MAYOR AND BOARD OF ALDERMEN.

Town government. SEC. 3. That all corporate powers and authority granted to said town of Nashville shall be vested in, exercised by, a mayor and board of aldermen. Said board of aldermen shall consist of four members. No person shall be eligible for the office of mayor who is not at the time of his election a bona fide resident and duly qualified voter of said town of Nashville; and no person shall be eligible for the office of alderman who is not at the time of his election a bona fide resident and qualified voter of said town.

Officers named. SEC. 4. That M. W. Lincke shall be mayor of said town and L. T. Vaughn, G. N. Bissette, B. G. Alford, and J. T. Strickland shall constitute the board of aldermen of said town until their successors shall be duly elected and qualified as hereinafter provided.

ELECTIONS.

Town elections. SEC. 5. That an election shall be held in said town Tuesday after the first Monday in May, nineteen hundred and seventeen, and on the Tuesday after the first Monday in May biennially thereafter. At such election, to be held as above provided, there shall be elected by the qualified voters of said town a mayor and four aldermen, who shall hold their said offices for a term of two years from the date of their election and until their successors shall be duly elected and qualified.

SEC. 6. That the biennial election for officers of said town herein provided for, and all other municipal elections whatsoever hereafter held in said town, shall be under the supervision and control of the board of aldermen, and shall be held under and in accordance with the provisions of chapter ninety(90) of the Revisal of one thousand nine hundred and five, with amendments thereto, in so far as the same shall not be inconsistent with this act.

Law governing elections.

MEETINGS OF BOARD OF ALDERMEN.

SEC. 7. That the board of aldermen shall meet regularly on Tuesday after the first Monday in each month, and said board shall fix the hour of meeting on such days, and may by resolution change the time of such regular meetings, and may provide for such other meetings as may be deemed necessary. Special meetings of the board of aldermen may be called by the mayor when deemed necessary, and shall be called upon the written request of two or more aldermen, of which special meeting all aldermen shall be notified in writing or otherwise. On the Thursday next succeeding each biennial election of the mayor and aldermen as herein provided the incoming mayor and aldermen shall at the hour of eight o'clock p. m. convene at the mayor's office in said town for the purpose of the qualification of the mayor and all aldermen-elect, as herein provided, and shall proceed with the election of departmental officers and such other business as may come before said board; and said board may adjourn from day to day until said business shall be disposed of.

Regular meetings.

Special meetings.

Installation of officers.

ELECTION AND QUALIFICATION OF OFFICERS.

SEC. 8. That at the meeting of said board of aldermen to be held on the Thursday next succeeding each biennial election of said mayor and aldermen said board shall proceed to elect from among their members a mayor *pro tem.* and a town treasurer, who shall each hold his office for the term of two years from the date of his said election and until his successor shall be duly elected and qualified; and said board shall at said meeting likewise proceed to elect a town clerk, a tax collector, a chief of police, a chief of the fire department, a superintendent of public works, a superintendent of health, and such other officers and policemen as may be deemed necessary for the proper government of said town and community; all of whom shall possess such qualifications and hold office for such term or terms as the board of aldermen shall prescribe. The board of aldermen is hereby empowered and authorized to combine the office of town clerk and tax collector, or chief of police and tax collector whenever and for so long a time as it shall be deemed advisable; and said board of aldermen is likewise authorized and empowered to

Mayor pro tem and town treasurer.

Terms.

Other appointive officers.

Power to combine offices.

To create other offices.

create such other offices as may be deemed necessary for the better government of said town; to define the powers and limit the length of the terms of the holders thereof; to prescribe their duties and qualifications; and to fill said offices, from time to time, and to abolish the same when deemed no longer necessary.

Officers to qualify. SEC. 9. That every person elected and appointed to any office of trust or profit under the government of said town, before entering upon the discharge of the duties of his office, shall take and subscribe, before some person authorized to administer oaths, the following oath of office:

Form of oath. I,, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully perform the duties of the office of..... on which I am now about to enter, according to the best of my skill and ability, so help me God.
Subscribed and sworn to before me, this the.....day of, 19....

Oaths filed. And all oaths of office subscribed and sworn to as aforesaid, other than that of the town clerk, shall be filed with said town clerk, and the oath of the town clerk shall be filed with the town treasurer.

DUTIES OF CITY OFFICIALS.

Chief executive officer. SEC. 10. That the mayor shall be the chief executive officer of said town, and he shall preside, when present, at all meetings of the board of aldermen, and shall have a casting vote in case of equal division therein. It shall be his duty to see that all laws, ordinances, rules and regulations of said town are properly enforced, and that all its officers, agents, and employees faithfully discharge their respective duties. He shall be charged with the general oversight and superintendence of every department of the town government, and he shall, from time to time, when deemed advisable, make written reports to the board of aldermen touching any matter herein or hereinafter committed to his charge or oversight, and suggesting such action as may be deemed necessary for the correction of abuses and the betterment of said town.
Enumeration of duties. Reports to aldermen. Execution of deeds. Special policemen. In pursuance of resolution of the board of aldermen, he shall, in the name of said town, execute in its behalf all deeds and contracts. He shall have power to appoint special policemen when deemed necessary, and to administer oaths in all cases whenever required, and he shall exercise such other powers not inconsistent with this act as are usually incident to the office of mayor.

SEC. 11. That the mayor *pro tem.* shall enter upon and discharge the duties of the mayor whenever the mayor shall be absent from the town, or from any other cause unable to discharge the duties of his said office; and said mayor *pro tem.* shall for the time be clothed with every power conferred by law upon the mayor. Mayor *pro tem.*

SEC. 12. That it shall be the duty of the town treasurer to receive all moneys belonging to said town, and all other moneys by law directed to be paid to him; to keep them separate and apart from his own funds, and to apply them and account therefor as required by law; to keep a true account of the receipts and disbursements of all such moneys in books provided for that purpose by said town; and to pay out such moneys only upon proper warrant, as directed by the board of aldermen or other lawful authority; to call upon the town tax collector and other officers having town moneys, or other public funds payable to him, in hand, at least once in every month, or oftener if necessary for the purpose of collecting the same; to exhibit his books, accounts, and public moneys to the board of aldermen or a committee named by said board, whenever called upon to do so; to render to the board of aldermen at the end of each fiscal year a full, perfect, and itemized statement of all receipts and disbursements, and to cause to be published a copy of same as prescribed by law for the publishing of annual reports of county boards of commissioners; and to surrender to his successor in office, when duly elected and qualified, all books and other records of his said office and pay over to him all public moneys remaining in his hands. Duty of treasurer. Exhibit of books and accounts. Annual statements. Surrender of office.

SEC. 13. That it shall be the duty of the town clerk to be present at all meetings of the board of aldermen, and to keep and record, in a book to be provided for that purpose by the town, regular and fair minutes of all proceedings of said board; to preserve all books, records, documents, papers, and other articles committed to his use, care, or custody, during his term of office, and to surrender them to his successor in office when duly elected and qualified; to be custodian of the common seal of said town; to attest the execution of all deeds, contracts, and obligations by the mayor in behalf of said town, and to affix its common seal to all deeds, contracts, and obligations as it shall be deemed necessary to so attest, and to perform such other duties as may be prescribed by this act or by the board of aldermen. Duties of town clerk.

SEC. 14. That it shall be the duty of the town tax collector to collect all taxes of whatever nature levied or imposed for town purposes or levied by the board of aldermen for any other purpose; to collect all moneys due on account of light and water service, if so ordered, and all moneys owing to said town on any other account whatsoever; to pay over to the town treasurer Duty of tax collector.

- from time to time, as collected, all taxes and other moneys collected as aforesaid; to keep a full, true, and itemized account of all moneys collected and paid over to the town treasurer as aforesaid, and such other records and accounts as the board of aldermen may require, in books provided for that purpose by said town; and to render to the board of aldermen, upon request, a full, perfect, and itemized statement of all moneys collected and paid over as aforesaid, and of all unpaid taxes and other moneys due on account of light and water service if so ordered to collect the same, and to perform all other duties prescribed by law or by the board of aldermen. And for the collection of said taxes said tax collector is hereby clothed with every power, privilege, and immunity, not inconsistent with this act, now possessed by or which hereafter may be conferred upon sheriffs and tax collectors in the collection of State and county taxes.
- Settlement.
- Powers.
- Chief of police. SEC. 15. That the chief of police shall have supervision and control of the police force of said town, and he shall report to the mayor and board of aldermen any failure of any member thereof to properly discharge the duties of his office. It shall be his duty to attend the sessions of the mayor's court and to cause to be brought before said court for trial all persons arrested by him or any other policeman of said town charged with offenses committed within the territorial jurisdiction of said court, and to file with said court information as to such offenses as are alleged or reported to have been committed within said territorial limits, and to perform such other services in connection with said court as shall by the mayor be deemed necessary; and he shall possess such other powers, privileges, and immunities, not inconsistent with this act, as are usually incident to the office of chief of police of cities and towns, and shall perform such other duties as are prescribed by law or as may from time to time be imposed upon him by the board of aldermen of said town.
- Powers.
- Temporary chief. SEC. 16. That in case the chief of police shall for any cause be unable to discharge the duties of his said office, such other member of said police force as shall theretofore be designated by the mayor or board of aldermen, or in default thereof, by the mayor, shall, during the continuance of such disability, discharge the duties of said office.
- Execution of process. SEC. 17. That the chief of police and other policemen of said town shall have power to execute, anywhere within the limits of said town, any writ, precept, or process, either civil or criminal, which shall be directed to them generally, or to any one of them in his own proper name or the name of his office, by any court of record, or not of record, organized and existing under the laws of this State. They shall have power, and it shall be their duty, to suppress all breaches of the public peace and all disturbances of the quiet and good order of said town; and they may, with or
- Further enumeration of powers and duties.

without warrant, arrest, anywhere within the corporate limits of said town or within one-half mile thereof, any person charged with the violation of any ordinance of said town or with any other offense whatever against the public peace and quiet and good order of the community; they shall have power, with or without warrant, to break and enter any building or enclosure for the purpose of preventing a felony or of apprehending any person whom they shall have reason to believe to have committed a felony; they shall have power, and it shall be their duty, to re-arrest upon the original warrant in the case any defendant or party who shall have escaped from lawful custody or who having been released by order of the mayor upon promise to pay any fine or costs, or costs only, shall fail to pay the same so promised; they shall possess such other powers in making arrests and in conserving the public peace as are usually possessed by sheriffs and constables, and they shall perform such other duties as may from time to time be prescribed by the mayor and board of aldermen.

Entry on premises.

Rearrests.

SEC. 18. That the chief of the fire department shall have supervision and control of the fire department of said town, under such rules and regulations for the government thereof as may from time to time be adopted by the board of aldermen.

Chief of fire department.

SEC. 19. That the superintendent of public works shall be charged with the custody, supervision, and control of said town's electric light, water supply, and sewerage systems, under such rules and regulations for the government of said departments as may from time to time be adopted by the board of aldermen; and such superintendent of public works shall possess such other powers, not inconsistent with this act, as may be conferred upon him by the board of aldermen, and he shall perform such other duties as may be prescribed by said board.

Superintendent of public works.

SEC. 20. That the superintendent of health shall be charged with the care and supervision of the public health within the corporate limits of said town and in addition to the powers conferred upon him by the laws of the State relating to public health, such superintendent of health shall possess such other powers, not inconsistent with this act, as may be conferred upon him by the board of aldermen, and shall perform such other duties as may be prescribed by said board.

Superintendent of health.

POWERS OF THE MAYOR.

SEC. 21. The mayor of said town of Nashville is hereby constituted an inferior court, and as such court said mayor shall be a magistrate and conservator of the peace, and within the corporate limits of said town shall have the jurisdiction of a justice of the peace in all criminal matters arising under the laws of the State or under the ordinances of said town. The rules of law

Mayor constituted inferior court.

Jurisdiction as of justice of the peace.

- regulating proceedings before a justice of the peace shall be applicable to the proceedings before said mayor, and he shall be entitled to the same fees which are allowed justices of the peace, or such other compensation as may be fixed by the board of aldermen of said town.
- Fees.
- Further definition of jurisdiction. SEC. 22. As such court the mayor shall have authority to hear and determine all cases that may arise upon the ordinances of said town, to enforce penalties by issuing execution upon any adjudged violation thereof, and to execute the laws and rules that may be made and provided by the board of aldermen of said town for the government and regulation of the said town; but in all cases any person dissatisfied with the judgment of the mayor may appeal to the Superior Court or other court of appeal as in case of a judgment rendered by a justice of the peace.
- Right of appeal.
- Case on appeal. SEC. 23. In all cases of appeal from the mayor's court to the Superior Court or other court of appeal, when the offense charged is the violation of a town ordinance, the mayor shall send with the papers of the case a true copy of the ordinance alleged to have been violated, and certify under his hand and seal that said ordinance was in force at the time of the alleged violation of the same.
- Street work in payment of fines. SEC. 24. In all cases where judgment be entered up against any person or persons for fines, according to the law and ordinances of said town, and a person against whom the same is so adjudged refuses or is unable to pay such judgment, it may and shall be lawful for the mayor before whom such judgment is entered to order and require such persons, so convicted, to work on the streets or other public works until, at a fair rate of wages, such persons shall have worked out the full amount of the judgment and cost of the prosecution; and all sums received for such fines shall be paid into the town treasury. No woman shall be worked on the streets.
- Women not worked on streets.
- Powers under general law. SEC. 25. In addition to the foregoing power vested in said mayor, he shall also exercise such other authority and powers as may be contained in chapter seventy-three Revisal of one thousand nine hundred and five, and all amendments thereto.

POWERS OF BOARD OF ALDERMEN.

- Supervision and control of town property. SEC. 26. That the board of aldermen shall have the general custody and supervision and control of all the property of said town of every description whatsoever, and may make and adopt such orders, rules and regulations respecting the same as may be deemed necessary or proper. Said board is hereby authorized and empowered to prescribe, adopt, and enact all such ordinances, rules and regulations as may be necessary or proper for the government of said town and for the maintenance of the public peace, quiet and good order within said city and for a distance
- Legislative powers.

of one-half mile around and beyond the corporate limits thereof; and it may, whenever deemed necessary or proper, repeal or modify the same; and said board shall have power to provide the enforcement of such ordinances, rules and regulations by the imposition of penalties of not more than two hundred dollars in each instance for the violation thereof.

Enforcement of ordinances.

SEC. 27. That the board of aldermen, in addition to the other powers herein conferred, shall possess the following powers:

Further powers.

1. To pass upon the eligibility and right of any person claiming to have been elected alderman to hold office as a member of such board.

Election of aldermen.

2. To prefer charges against the mayor or any alderman, either as such or as mayor *pro tem.* or treasurer, when accused of corruption or other malfeasance, misfeasance, or nonfeasance in office, and after a fair and impartial trial before said board, by a two-thirds vote of all members of said board, to remove from office the person so accused.

Impeachment.

3. To declare vacant, by a two-thirds vote of all the members of said board, any office aforesaid, when the holder thereof shall be laboring under any permanent total disability.

Declare vacancies.

4. To remove from office, at will for cause, by a majority vote of all the members of said board, any other officer of said town.

To remove officers.

5. To fill for the unexpired term, by a majority vote of said board, any vacancy in any town office occurring otherwise than by expiration of term.

To fill vacancies.

6. To fix the compensation of all officers and employees of said town and by resolution to provide that the stated salary of any officer of said town shall be paid in lieu of all costs accruing to him in any action instituted or tried in the mayor's court; and to require such officer to pay over all such costs to the town treasurer.

To fix salaries.

7. To require the town treasurer and the tax collector, in the discretion of the board, the town clerk, the chief of police, the superintendent of public works, and such other officers of said town as shall have the care and custody of public property, to enter into bond, payable to the town or State, conditioned for the faithful discharge of the duties of his said office in such sum and with such sufficient surety as said board shall deem proper; and said board may from time to time require any such bond to be strengthened or renewed. No officer required to enter into bond as aforesaid shall be permitted to enter upon the discharge of the duties of his office until such bond shall have been passed upon and approved by said board.

To require bonds of officers.

8. To preserve the public peace, quiet and good order, and to prevent and quell riots and all other disturbances, disorderly assemblages, and disorderly conduct.

To preserve the peace.

- To prevent vice and immorality. 9. To prevent vice and immorality, to suppress gaming and bawdy houses, and to impose a penalty on the owner or any building or his agent who shall knowingly rent or lease the same, or any part thereof, for use of a bawdy or gaming house, or who shall knowingly permit the same to be used as such.
- To regulate sale and use of explosives. 10. To regulate and control the sale, use, and storage of gunpowder, dynamite, gasoline, naphtha, and all other dangerous explosives or dangerous substances within the corporate limits of said town or within one-half mile thereof; to prohibit the discharge of firearms or the firing or setting off of fireworks or other explosives within said corporate limits.
- Firearms and fireworks. 11. To prohibit the establishment and maintenance within the corporate limits of said town, or within one-half mile thereof, of any slaughter-house or slaughter-pens, or other place productive of noisome and offense odors, or the exercise within said limits of any dangerous offensive, or unhealthy trade, business, or employment; and said board may abate such nuisance at the expense of the person or persons causing the same, or at the expense of the owner or the tenant in charge of the land upon which any such nuisance shall be maintained.
- Offensive or unhealthy business. 12. To prohibit the keeping of swine within the corporate limits of said town.
- Abatement of nuisance. 13. To establish and maintain one or more town pounds; to prohibit the running at large of all horses, mules, cattle, swine, goats, chickens, geese, turkeys, and other barnyard fowls or quadrupeds or brutes; to prohibit, or in the discretion of said board, to regulate the running at large of dogs; and to adopt all necessary rules and regulations as to the impounding and sale or other disposition of the quadrupeds or fowls enumerated above.
- Keeping swine. 14. To establish and maintain, within or without the corporate limits of said town, one or more cemeteries; to appoint a keeper or keepers thereof, and to prescribe all necessary rules and regulations for the care, supervision, and control of such cemetery or cemeteries; and said board may prohibit interments within the corporate limits of said town.
- Town pounds. 15. To provide for the maintenance and repair of all public streets, sidewalks, and alleys of said town, and to regulate and establish the width and grade of such public streets, sidewalks, and alleys, and to change the same when deemed advisable; to establish new streets, public alleys, and parks when deemed a public necessity, and to close the same when deemed no longer a public necessity; to provide for the planting, care, and protection of shade trees in the streets and the parks of said town; to provide for paving the streets and sidewalks of said town; to prohibit the obstruction of the streets, sidewalks, public alleys, and parks of said town, and to generally regulate and control the use of the same.
- Animals running at large. 16. To regulate and control the sale, use, and storage of gunpowder, dynamite, gasoline, naphtha, and all other dangerous explosives or dangerous substances within the corporate limits of said town or within one-half mile thereof; to prohibit the discharge of firearms or the firing or setting off of fireworks or other explosives within said corporate limits.
- Cemeteries. 17. To establish and maintain, within or without the corporate limits of said town, one or more cemeteries; to appoint a keeper or keepers thereof, and to prescribe all necessary rules and regulations for the care, supervision, and control of such cemetery or cemeteries; and said board may prohibit interments within the corporate limits of said town.
- Interments within corporate limits. 18. To establish and maintain, within or without the corporate limits of said town, one or more town pounds; to prohibit the running at large of all horses, mules, cattle, swine, goats, chickens, geese, turkeys, and other barnyard fowls or quadrupeds or brutes; to prohibit, or in the discretion of said board, to regulate the running at large of dogs; and to adopt all necessary rules and regulations as to the impounding and sale or other disposition of the quadrupeds or fowls enumerated above.
- Streets, sidewalks and alleys. 19. To establish and maintain, within or without the corporate limits of said town, one or more cemeteries; to appoint a keeper or keepers thereof, and to prescribe all necessary rules and regulations for the care, supervision, and control of such cemetery or cemeteries; and said board may prohibit interments within the corporate limits of said town.
- Parks. 20. To establish and maintain, within or without the corporate limits of said town, one or more town pounds; to prohibit the running at large of all horses, mules, cattle, swine, goats, chickens, geese, turkeys, and other barnyard fowls or quadrupeds or brutes; to prohibit, or in the discretion of said board, to regulate the running at large of dogs; and to adopt all necessary rules and regulations as to the impounding and sale or other disposition of the quadrupeds or fowls enumerated above.
- Shade trees. 21. To establish and maintain, within or without the corporate limits of said town, one or more town pounds; to prohibit the running at large of all horses, mules, cattle, swine, goats, chickens, geese, turkeys, and other barnyard fowls or quadrupeds or brutes; to prohibit, or in the discretion of said board, to regulate the running at large of dogs; and to adopt all necessary rules and regulations as to the impounding and sale or other disposition of the quadrupeds or fowls enumerated above.
- Paving. 22. To establish and maintain, within or without the corporate limits of said town, one or more town pounds; to prohibit the running at large of all horses, mules, cattle, swine, goats, chickens, geese, turkeys, and other barnyard fowls or quadrupeds or brutes; to prohibit, or in the discretion of said board, to regulate the running at large of dogs; and to adopt all necessary rules and regulations as to the impounding and sale or other disposition of the quadrupeds or fowls enumerated above.
- Obstructions. 23. To establish and maintain, within or without the corporate limits of said town, one or more town pounds; to prohibit the running at large of all horses, mules, cattle, swine, goats, chickens, geese, turkeys, and other barnyard fowls or quadrupeds or brutes; to prohibit, or in the discretion of said board, to regulate the running at large of dogs; and to adopt all necessary rules and regulations as to the impounding and sale or other disposition of the quadrupeds or fowls enumerated above.

16. To prohibit the riding and driving of horses and other animals, automobiles, and motor cars within the corporate limits of said town or within one-half mile thereof, and to adopt rules and regulations governing the speed of such animals, automobiles, motor cars, and other vehicles; to regulate the speed of trains, engines, and cars on all railroads and street railways within the corporate limits of said town, and to regulate or, in the discretion of said board, to prohibit the use of bicycles or go-carts or other light vehicles upon the sidewalks of said town. Traffic regulations.
17. To regulate the blowing of whistles and ringing of bells within the corporate limits of said town, and to prohibit the making of needlessly disturbing noises within said corporate limits. Noise ordinances.
18. To establish and maintain one or more public markets in said town for the sale of fresh meats, fish and oysters, chicken and other poultry, garden vegetables, grain, meal, and all other country produce used for food, and to confine the sale thereof to such market or markets to such an extent as may be deemed advisable; to prohibit the sale of unwholesome meats, fish, and other foodstuffs; to erect and maintain public scales, and to prescribe the manner of sale of coal, wood, and other fuel, and to appoint a weighmaster and one or more keeper or keepers of said market or markets, and to prescribe the duties and fix the fees of such office; and said board shall have the power to adopt such ordinances, rules and regulations as may be necessary to prevent forestalling, regrading, and engrossing. Markets.
Public scales.
Coal, wood and fuel.
Weighmasters and market keepers.
19. To prohibit, restrain, and regulate all sports, theatrical exhibitions, circus, exhibitions, and other public performances, and exhibitions for profit within the corporate limits of said town. Forestalling, regrading and engrossing.
Sports and exhibitions.
20. To regulate, supervise, and control all poolrooms, billiard rooms, and all other like places of resort for amusement and entertainment; and said board may, for the violation of any ordinance, rule or regulation of said town, or any law of the State, revoke any license granted by said town for carrying on of any business hereinbefore specified. Amusement resorts.
21. To establish and maintain hospitals and pesthouses within or without the corporate limits of said town; and said board, in addition to the powers conferred on the board of aldermen by the laws of the State relating to the public health, shall possess such other powers needed for the protection of the public health of said town as are conferred by law upon county boards of health for the protection of the public health for their respective counties; and said board may create and appoint a board of health for said town, and said town and said board of health shall, subject to such limitations as may at the time of its creation be prescribed, exercise the foregoing powers under the supervision and control of said board of aldermen. Hospitals and pest houses.
Protection of public health.
Board of health.

- Fire department.
Fire companies. 22. To provide for the maintenance of a town fire department and the organization and equipment of fire companies, and to prescribe rules and regulations for the government thereof, under the supervision and control of the chief of the fire department; and said chief of the fire department or, in his absence, the acting chief of said department, in order to arrest the progress of any conflagration at the time raging within the corporate limits of said town, may, with the consent and approval of the mayor of said town and three or more aldermen, cause to be demolished any building or buildings the destruction of which shall be deemed necessary to arrest the progress of such conflagration; and neither officers nor such town shall be answerable in damages for such action.
- Fire district. 23. To establish a fire district or fire districts in said town, within the limits of which no building or other structures with any material other than brick, stone, metal, or concrete shall be erected, and from time to time to change the boundaries thereof; and said board may prescribe rules and regulations governing the location and erection of all buildings and other structures hereafter to be erected within the corporate limits of said town.
- Building regulations. 24. To erect or purchase such buildings as may be deemed necessary for municipal purposes and to alter and repair the same; or, in lieu thereof, to lease such building or buildings as may be deemed necessary therefor.
- Public buildings. 25. To provide for the use of said town and its citizens and property owners an adequate electric light and water supply system and service; and to that end said board may establish, operate, and maintain all necessary light, power, and water for municipal purposes and use, may sell the same to its citizens and property owners and others within or without the corporate limits of said town, and said board shall prescribe rules and regulations for the government of said municipal light and water plants and systems, under the supervision and control of the superintendent of public works.
- Light and water supply. 27. To appoint a town sanitary inspector or officer, to prescribe his duties, and to confer upon him such powers as may be necessary for the proper discharge of such duties; and to regulate the location and provide for the care of all surface privies.
- Sanitary inspector. 28. To prohibit public drunkenness within the limits of said town or within one-half mile thereof.
- Surface privies. 29. To prohibit vagrancy and street begging within the corporate limits of said town or within one-half mile thereof.
- Public drunkenness. 30. To determine and designate the route and grades of all railroads and street railways, already laid or hereafter to be laid, within the corporate limits of said town.
- Vagrancy and street begging. 31. To grant franchises affecting the use of public streets, alleys, and parks of said town, subject to all such restrictions and limitations as the public welfare shall demand.
- Railways. Franchises.

32. To prescribe and regulate charges within said town for the carriage of persons, baggage, and freight, by cabs, hacks, carriage, drays, wagons, automobiles, motor vehicles, and other vehicles and street railways. Transfer charges.

33. To grant licenses authorizing the practice or carrying on of such trades, callings, businesses, and professions as said board shall, by law, be authorized and empowered to levy or impose a license tax upon, and to prescribe rules and regulations governing the granting or the issuing of the same. Licenses.

34. To authorize and require, from time to time, as the same may be necessary or proper, the revisal or codification of the ordinances, rules and regulations of said town, together with its charter, and the codification of its ordinances, rules and regulations of said town shall be known as the "Code and Ordinances of the Town of Nashville," and any copy thereof, printed in pursuance of the order of the board of aldermen of said town, shall be receivable in all courts as prima facie evidence of the provisions of the ordinances, rules and regulations of said town. Codification of ordinances.
Official entitlement.
Prima facie evidence.

35. That in addition to the powers herein contained, said board of aldermen shall be vested with all the authority and powers contained in chapter seventy-three, Revisal of nineteen hundred and five, and all amendments thereto not inconsistent with this act. Powers under general law.

REVENUE AND TAXATION—PROPERTY AND POLL TAXES.

SEC. 28. That in order to raise funds to defray the necessary expenses incident to the government of said town and to enable it to meet its legitimate obligations, the board of aldermen may annually levy and collect the following taxes: Taxing.

1. On all real and personal property within the corporate limits of said town, including money and solvent credits, and on all subjects of taxation upon which an *ad valorem* tax is or may be imposed by the General Assembly, a tax not exceeding sixty-six and two-thirds cents on every one hundred dollars of valuation. Property tax.

2. A capitation tax of not more than two dollars on every taxable poll of male persons residing the corporate limits of said town on the first day of June of each year. Poll tax.

3. On every able-bodied male person between eighteen and forty-five years of age, residing within the corporate limits of said town, a street tax of not more than two dollars, to be paid in lieu of working public streets of said town: *Provided*, that the poll tax hereinbefore provided for shall not be collected from such persons as shall pay said street tax. Street tax.
Proviso: exemption from poll tax.

4. For the payment of the principal and interest of the bonds of the town of Nashville, amounting to fifteen thousand dollars bonds to establish and operate a system of water-works, and twenty thousand dollars to operate a system of sewerage, and ten thousand dollars for electric lights, aggregating forty-five thou- Special tax.

- sand dollars and issued in pursuance of provisions of chapter one hundred and forty seven of the Private Laws of North Carolina, session of one thousand nine hundred and fifteen, a special tax of not more than sixty cents on the one hundred dollars assessed valuation of all the property, real, personal, and mixed choses in action and solvent credits, and not to exceed one dollar and eighty cents on all taxable polls in said town, and in accordance with subsections one and two of this act.
- Limit of rate.** SEC. 29. That the board of aldermen shall annually, at its first meeting in May of each year, appoint either the mayor or one member of the board, or some discreet and competent persons who shall be a resident and taxpayer of said town, to list for taxation for the purposes aforesaid all real and personal property taxable under subsection one of the preceding section, and all polls taxable under subsection two of said section; and in the discharge of the duties of said office such list taker shall be clothed with every power, not inconsistent with this act, conferred by law upon the township list taker in the listing of the property and polls of their respective townships for State and county taxation, and shall proceed in like manner unless otherwise herein provided.
- Appointment of tax lister.**
- Powers.**
- Assessors.** SEC. 30. That the board of aldermen shall annually at the time of the appointment of the list taker, appoint two discreet and competent freeholders and residents of said town to assess for taxation for the purposes aforesaid all lands and other property listed in pursuance of the provisions of the preceding section. The assessors appointed as aforesaid shall meet not later than the second Monday in May, succeeding their appointment, and organize the board of tax assessors of the town of Nashville by the election of a chairman from among their number, and the town list taker shall be *ex officio* secretary of said board. In the discharge of the duties imposed by this act said board shall be clothed with every power, not inconsistent with this act, conferred by law upon township boards of list takers and assessors in assessing the property of their respective townships for State and county taxation, and shall proceed in like manner, unless herein otherwise provided.
- Organization of board of assessors.**
- Powers of assessors.**
- Board of equalization.** SEC. 31. That the board of aldermen and the chairman of the board of tax assessors shall constitute the board of equalization of the town of Nashville, and the mayor shall be *ex officio* chairman, and the town clerk shall be *ex officio* clerk of said board of equalization. Said board shall meet annually for the purpose of equalizing the valuation of property listed and assessed for valuation as aforesaid, not later than the third Thursday in July of each year, of which meeting due notice shall be given by publication in some newspaper published in said town; and in the discharge of the duties imposed by this act said board shall be
- Meeting for equalization.**

clothed with every power, not inconsistent with this act, conferred by law upon county boards of equalization in equalizing the valuation of property in their respective counties listed and assessed for State and county taxation, and shall proceed in like manner, unless herein otherwise provided.

SEC. 32. That in all matters pertaining to the levy and collection of the municipal and other taxes by this act authorized or directed to be levied and collected, the several officers of said town shall be clothed with every power, not inconsistent with this act, conferred by the laws of this State relating to revenue and taxation, upon the corresponding county officer in the levy and collection of State and county taxes of like character, and shall proceed in like manner, unless herein otherwise provided; and all liens under said laws existing and enforceable in favor of State and county taxes of every character whatsoever shall in like case exist and be enforceable in favor of the municipal and other taxes by this act authorized and directed to be levied and collected.

Powers given by general laws.

Proceedings.
Liens.

SEC. 33. That in order to raise other funds to be used in defraying the necessary expenses incident to the government of said town, and to enable it to meet its legitimate obligations, the board of aldermen may, in addition to the taxes hereinbefore authorized or directed to be levied and collected, levy and collect from every individual, firm, or corporation exercising a specified right or enjoying a specified privilege within the corporate limits of said town and without said corporate limits, when so stated, the following license or privilege taxes:

License taxes.

1. Upon every organization or association organized or chartered as a social club, and every other incorporated or unincorporated association or organization, which shall establish or maintain any club house, club room, or other place for the resort of its members or guests, an annual license tax of not exceeding one hundred dollars, payable semiannually on the first days of June and December of each year.

Clubs.

2. Upon every person, firm, or corporation who shall engage in the business of bottling, selling, or distributing coca-cola, pepsi-cola, soda water, or other carbonated beverages, in bottles or other sealed packages, by the wholesale or detail, an annual license tax of not more than one hundred dollars.

Bottling plants.

3. Upon every billiard table, pool table, bagatelle table, merry-go-round, switchback, railway, shooting gallery, or other like contrivance, game, play, or device which shall be set up and managed, run or operated for profit either directly or indirectly, an annual license tax of not more than one hundred dollars.

Games.

4. Upon every room or hall used as a theater or opera house, or moving picture show, where public exhibitions or performances are given for profit, an annual license tax of not more than one hundred dollars.

Theaters.

- Traveling theatrical companies. 5. Upon every traveling theatrical troupe or company giving exhibitions or performances for profit in any room, hall, tent, or other place not licensed under the preceding subsections, a license tax of not more than twenty-five dollars on each exhibition or performance given within the corporate limits of said town or within one-half mile thereof.
- Circus and other shows. 6. Upon every circus, show, or menageries, or other traveling company or organization giving exhibitions or performances under canvas or within any enclosure whatsoever, for profit, and not taxed under the preceding subsection, a license tax of not more than one hundred dollars for every day on which any exhibition shall be given within the corporate limits of said town or within one-half mile thereof.
- Express, telephone and telegraph companies. 7. Upon every express, telegraph, or telephone company, an annual license tax of not more than one hundred dollars.
- Dealers in second hand clothing. 8. Upon every person, firm, or corporation dealing in second-hand clothing, an annual license tax of not more than two hundred dollars.
- Gift enterprises. 9. Upon every itinerant gift enterprise and every itinerant dealer in photographs, jewelry, or other articles with which prizes shall be offered, an annual license tax of not more than one hundred dollars.
- Itinerant merchants. 10. Upon every itinerant merchant or salesman who shall expose for sale on the public streets or alleys or in any building, enclosure, or other place rented or occupied temporarily for such purpose, any goods, wares, jewelry, merchandise, medicines, or other articles of value, an annual license tax of not more than one hundred dollars.
- Peddlers. 11. Upon every peddler of goods, wares, jewelry, merchandise, or other articles of value, an annual license tax of not more than one hundred dollars.
- Pawnbrokers. 12. Upon every pawnbroker, an annual license tax of not more than one hundred dollars.
- Livery stables and stockyards. 13. Upon every person, firm, or corporation conducting a livery, feed, or exchange stable or stock yard, an annual license tax of not more than fifty dollars.
- Undertakers. 14. Upon every person, firm, or corporation conducting an undertaking establishment, an annual license tax of not more than fifty dollars.
- Plumbers and electricians. 15. Upon every person, firm, or corporation conducting a plumbing or electrical business or establishment, an annual license tax of not more than fifty dollars.
- Hotels and like business. 16. Upon every hotel, club house, restaurant, or boarding-house, an annual license tax of not more than fifty dollars.
- Photograph galleries. 17. Upon every photograph gallery or studio, an annual license tax of not more than fifty dollars.
- Laundries. 18. Upon every laundry, an annual tax of not more than fifty dollars.

19. Upon every junkshop dealing in brass or copper, an annual Junk shops.
license tax of not more than one hundred dollars.
20. Upon every person, firm, or corporation engaged in the sale Ice dealers.
of ice by retail, an annual license tax of not more than twenty-
five dollars.
21. Upon every person, firm, or corporation engaged in the Coal dealers.
sale of coal, an annual license tax of not more than fifty dollars.
22. Upon every person, firm, or corporation engaged in the Merchandise
merchandise brokerage business, an annual license tax of not brokers.
more than fifty dollars.
23. Upon every person, firm, or corporation engaged in sale Sellers of bottled
of bottled drinks of whatever name or description, an annual drinks.
license tax of not more than fifty dollars.
24. Upon every person, firm, or corporation operating a soda Soda fountains.
fountain, an annual license tax of not more than twenty-five dol-
lars.
25. Upon every person, firm, or corporation dealing in fresh Meat, fish and
meats, fresh fish, or oysters, an annual license tax of not more oyster dealers.
than twenty-five dollars.
26. Upon every person, firm, or corporation engaged in the Automobile and
business or selling automobiles, motor vehicles, or bicycles, an bicycle dealers.
annual license tax of not more than one hundred dollars.
27. Upon every omnibus, hack, cab, carriage, dray, baggage, Vehicles for hire.
wagon, or any motor vehicle, or automobile used to transport
persons, baggage, goods, wares, merchandise, or other articles
for hire, an annual license tax of not more than twenty-five
dollars.
28. Upon every barber shop, an annual license tax of not more Barber shops.
than twenty-five dollars on each chair.
29. Upon every person who shall engage in hawking eatables Hawkers.
about the public streets or alleys, an annual license tax of not
more than ten dollars.
30. Upon every itinerant optician or oculist, an annual license Opticians and oc-
tax of not more than twenty-five dollars. culists.
31. Upon each person, firm, or corporation engaged in selling Dealers in cigar-
cigarettes and tobaccos, an annual license tax of not more than ettes or tobacco.
twenty-five dollars.
32. Upon every dog or bitch, an annual license tax of not more Dog and bitches.
than two dollars and fifty cents.
33. Upon every surface privy, an annual license tax of not more Surface privies.
than two dollars and fifty cents.
34. Upon each trade, calling, business or profession not herein Other trades and
before specified upon which the General Assembly may levy or callings.
impose a license or privilege tax, an annual tax of not more than
one hundred dollars.
- SEC. 34. That all taxes levied or imposed by the board of Licenses payable
aldermen in pursuance of the preceding sections shall be payable in advance.

- in advance by the person, firm, or corporation exercising the privilege, trade, calling, business or profession, or owning the property taxed thereunder; and all licenses taken out or granted in pursuance of the provisions of this act shall be issued by the mayor or town clerk and shall not be transferable. No reduction or abatement in the amount of such license tax paid or to be paid shall in any case be allowed, otherwise than as may be prescribed by the board of aldermen prior to the payment thereof.
- Non transferable.**
- Reduction or abatement.**
- Term of license.** SEC. 35. That all annual licenses issued in pursuance of this act shall expire on the thirty-first day of May next succeeding the day of issuance.
- Licenses to be approved by aldermen.** SEC. 36. That no license for the exercise of any right or privilege taxable under subsections one, two, and three of section thirty-three of this act shall be issued until the application therefor shall be first passed upon and approved by the board of aldermen; but every other license for the exercise of any right or privilege taxable under said section shall be issued by the mayor upon application to him made, unless said board shall otherwise direct.
- Licenses issued by mayor.**
- Classification of trades.** SEC. 37. That the board of aldermen is hereby authorized and empowered to classify the several trades, callings, businesses or professions, admitting classification, enumerated in any subsection of section thirty-three of this act, and within the limits therein prescribed may graduate the license taxes imposed thereunder.
- Graduation of license.**
- License not immunity.** SEC. 38. That no license issued by said town in pursuance of the provisions of this act shall be held to confer any immunity from punishment upon any person thereunder exercising any business or calling or doing any act forbidden by law.
- Power to condemn land.** SEC. 39. That the board of aldermen shall have the right to acquire for the said town, by condemnation, such lands within or without the corporate limits of said town as may be necessary for the following purposes:
1. For the establishment, construction, and maintenance of public streets, sidewalks, alleys, crossings, waterways, and parks, and for the widening, extension, or other modification or improvement thereof.
 2. For the establishment, construction, and maintenance of municipal systems of electric lighting, sewerage and water pipes, lines of metal and terra-cotta piping, conduits, mains, and other like appurtenances, and for the enlargement, extension, or other modification or improvement thereof.
 3. For the erection of all necessary municipal buildings or for necessary or proper municipal purpose whatsoever.
- For streets, sidewalks, water ways and parks.**
- For electric lights, sewer and water.**
- For municipal building and other purposes.** SEC. 40. That the board of aldermen shall not undertake the right of condemnation conferred in the preceding section without having first sought to secure such lands as may be required
- Proceedings for condemnation.**

for any public use therein set out by private agreement with the owner or owners thereof; but when such efforts shall have been made without success, said board may proceed to condemn such lands by first adopting resolutions declaring the same are required for the public use therein stated, which resolution shall describe such lands with sufficient particularity for the identification thereof, shall state the name or names of the owner or owners thereof, if known, and if not known, shall so state.

SEC. 41. That upon the adoption of such resolution the town clerk shall cause the owner or owners of such lands to be served with a copy thereof, together with notice issued by said clerk, requiring such owner or owners to appear before the board of aldermen at the mayor's office or clerk's office in said town at a time therein stated, not less than five days after the service thereof, to show cause why such lands should not be condemned and taken for the public use set out in such resolutions, which resolutions and notice shall be served as other notices are served by the chief of police or any other policeman of said town, or by the sheriff or any other lawful officer of any county in this State. If the person upon whom such service is to be made is unknown, or if he resides without the State or cannot, with the exercise of due diligence, be found within the State, and such fact be shown to the satisfaction of the town clerk by affidavit, then such service may be made under the direction of such town clerk by publishing such resolution, together with a notice requiring such person or persons to appear before the board of aldermen at the time and place therein named, to show cause why such lands should not be condemned and taken for public use set out in such resolution; which resolution and notice shall be published at least once a week for four successive weeks in some newspaper published in said town.

SEC. 42. That whenever any infant, idiot, lunatic, or person *non compos mentis* shall be the owner of any lands sought to be condemned, or the owner of any interest therein, service of such resolution and notice shall likewise be made upon the general or testamentary guardian of such infant, idiot, lunatic or person *non compos mentis*, if there be such within the State; and if such infant, idiot, lunatic, or person *non compos mentis* be without the State, the clerk of the Superior Court of the county in which such lands are situate shall upon the application of said town clerk setting forth such fact, together with such resolution, appoint some discreet and competent person guardian *ad litem*, to defend in behalf of such infant, idiot, lunatic, or person *non compos mentis* in such condemnation proceedings, and service of such resolution and notice shall likewise be made upon such guardian *ad litem*.

Order for con-
demnation.

SEC. 43. That due service of such resolution and notice having been made upon the owner or owners of the lands sought to be condemned, should such owner or owners fail to appear before the board of aldermen at the time and place named in such notice, or having appeared, should fail to show cause why such lands should not be condemned, said board, having first found that such lands are necessary for the public use set out in such resolution, shall thereupon order that such lands be and they are hereby condemned to be taken for such public use, and said board shall in such order of condemnation appoint five discreet and competent freeholders, residents of said town, or if such lands be situate without the corporate limits of said town, residents of the county in which such lands are situate, as commissioners to appraise the damage suffered by the owner or owners of such land by reason of such condemnation. Said board shall likewise appoint a time and place for the first meeting of such commissioners, and the town clerk shall forthwith notify each freeholder named of his appointment and of the time and place appointed for the first meeting of such commissioners.

Commission of ap-
praisal.

Appraisal of dam-
ages.

SEC. 44. That such commissioners shall meet at the time and place named by the board of aldermen and, having first duly been sworn by the mayor or some other person authorized to administer oaths, shall proceed to view the lands condemned and to hear such evidence bearing upon the value of such lands and the value of the special benefits and advantages accruing to the owner or owners thereof by reason of such condemnation, after which they shall appraise the value of such lands and the value of such benefits and advantages, and any excess of the former over the latter shall represent the full amount of damages to be assessed against said town. Each of such items shall be separately stated in the written report of such commissioners to be filed with the town clerk not later than sixty days after the date of their appointment, and such report must be signed by not less than three of such commissioners. Such proceedings may be adjourned from time to time, and such one of said commissioners as shall be chosen chairman shall have power to subpoena witnesses and to administer oaths.

Report of ap-
praisers.

Right of appeal.

SEC. 45. That either said town or the owner or owners of said lands, if dissatisfied with the award of such commissioners as set out in their report, and for no other cause, may appeal to the Superior Court of the county in which such lands are situate, under the rules governing appeals from the courts of justices of the peace. Notice of appeal in such case shall be given by filing written notice thereof with the town clerk not later than ten days after such commissioners shall have filed their report. Said town clerk shall send up to the Superior Court as the record of such case on appeal the resolution adopted by the board of alder-

Notice of appeal.

Case on appeal.

men in the first instance, the notice or notices to the owner or owners of such lands, the order of condemnation and appointment of commissioners, the report of such commissioners, the notice of appeal, and, in case that an infant, idiot, lunatic, or person *non compos mentis* is the owner of such lands or interest therein, the application for and ordering appointing guardian *ad litem* and said town clerk, shall over his hand and corporate seal of said town, certify that such record is correct.

SEC. 46. That the finding of the board of aldermen that such lands are necessary for a specified use, and the order condemning the same to be taken for such public use, shall not be reviewable by any court, but shall conclude all parties. And said town is hereby authorized and empowered to enter upon such lands and

Action not reviewable.

Entry on land.

to forthwith devote them to such public use upon the payment or tender of payment to the person or persons entitled to receive the same of any amount awarded against said town by such commissioners in their report filed with the town clerk; and said town may so enter, without any formality whatsoever, when such commissioners in their said report shall make no award of damages against said town: *Provided*, that the filing of a notice of appeal from the award of such commissioners by the owner or owners of such lands, or any of them, or said town's payment into the office of the town clerk of the amount so awarded against it to the use of the person or persons entitled to receive the same shall dispense with the necessity of any other payment or tender of payment.

Proviso: effect of appeal.

SEC. 47. That in any case where an infant, idiot, lunatic, or person *non compos mentis* shall have been seized or possessed of any lands condemned as hereinbefore provided, or of any interest therein, and no appeal shall have been taken from the award of the commissioners, it shall be the duty of the town clerk to certify up to the clerk of the Superior Court of the county in which such lands are situate the complete record of such condemnation proceedings as in case of appeal; and such clerk of the Superior Court in every such case, and in every such case certified upon appeal in which a final judgment shall have been rendered, shall record such complete record, including any final judgment rendered in the Superior Court, in the book of special proceedings; and such record shall bar and conclude every infant, idiot, lunatic, or person *non compos mentis*, and all persons claiming under him.

Record when owners under disability.

SEC. 48. That whenever any lands condemned as hereinbefore provided shall no longer be devoted to a public use, and by reason of nonuse shall revert to the original owner or owners, or his or their heirs, said town shall have the right to remove therefrom all buildings and other structures and improvements which said town may have erected thereon.

Removal of improvements on reversion.

Improvement of streets and sidewalks.

SEC. 49. That the owner or owners of any lot abutting upon any street of said town shall, if so ordered by the board of aldermen, improve, repair, or pave the sidewalk of such street, or said owner or owners shall be ordered to improve, repair, or curb the sidewalk of such street, for the distance it extends along such lot, and shall likewise, if so ordered, macadamize, pave, or otherwise improve not more than one-fourth of the street adjoining such sidewalk; and such improvement shall be made in such manner and with such material as said board may specify, and such work shall be done under the supervision and control of such officer as may be charged with the supervision and control of the improvement and repair of the sidewalks and streets of said town.

Supervision of work.

Apportionment of cost.

SEC. 50. That whenever and wherever such improvements, repairs, or paving or curbing as specified in the foregoing section shall be deemed necessary by the board of aldermen, and such improvement, repairs, paving, and curbing is done in accordance with the specifications adopted by said board, the cost of such improvements as specified herein shall be borne equally by the owner or owners of any lot abutting upon any street or sidewalk upon which such improvements are made in the town of Nashville, one-half of such cost to be paid by the owner or owners of such abutting lot and one-half of such cost to be paid for out of the general funds of said town.

Service of order.

SEC. 51. That the town clerk shall cause a certified copy of any order of the board of aldermen, requiring that such improvement be made, to be served upon the owner, or any one or two or more owners, of every lot embraced therein, if residing within said town, or, if not residing therein, upon any known agent of such owner or owners residing therein, which certified copy of such order may be served by the chief of police or any other policeman of said town, or by the sheriff or any other lawful officer of either the county or State, and shall be served as other legal notices are served. If, with the exercise of due diligence, service of such order cannot be made as hereinbefore provided, such service may be made by publishing the same for four successive weeks in some newspaper in said town.

Service by publication.

Work by town on default of owner.

SEC. 52. That should the owner or owners of any lot embraced in such order neglect or refuse to comply with the same within thirty days after due service thereof shall have been made in accordance with the provisions of the preceding section, such street committee, or such officer as may be charged with the supervision and control of the improvement and repair of the streets and sidewalks of said town, shall cause the improvements which the owner or owners of such lot were by such order required to make, to be made without further delay, and one-half the cost thereof shall be borne by the owner or owners of such

Lien.

lot, and shall constitute a lien thereon to the same extent as the municipal taxes assessed against the same constitute a lien thereon.

SEC. 53. That should the owner or owners of any such lot neglect or refuse to pay the amount charged against the same, as provided in the preceding section, it shall be the duty of the town tax collector to proceed to collect such amount by the advertisement and sale of such lot as is provided by law in case of nonpayment of taxes assessed against lands for municipal purposes.

Enforcement of collection.

MISCELLANEOUS PROVISIONS

SEC. 54. That all ordinances, rules and regulations heretofore adopted by the board of aldermen of the town of Nashville for the government thereof shall remain in full force and effect as ordinances rules or regulations of said town until amended or repealed by the board of aldermen of said town.

Ordinances heretofore adopted.

SEC. 55. That any person violating any ordinance, rule or regulation of said town shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days, or both fined and imprisoned.

Violation of ordinance misdemeanor.

Punishment.

SEC. 56. That the chief of police and other policemen of said town are hereby authorized and empowered to accept bail for the appearance in the mayor's court of any person who shall be taken into custody charged with a bailable offense, when such person cannot conveniently be taken before the mayor for such purpose; and such police officers shall commit to the town lock-up or town prison, for safe keeping, all such persons as shall fail to furnish bail for their appearance in the mayor's court or who may be drunk or disorderly.

Policeman to accept bail.

Committed for safe keeping.

SEC. 57. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 58. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 106

AN ACT TO AMEND CHAPTER 169 OF THE PRIVATE LAWS OF 1915,

The General Assembly of North Carolina do enact:

SECTION 1. That subsection one of section one of chapter one hundred and sixty-nine of the Private Laws of one thousand nine hundred and fifteen be and it is hereby amended by striking out

Terms of office.

that part of said subsection beginning with the word "the" in line thirteen and ending with the word "shall" in line fourteen and by inserting in lieu thereof the words "the said mayor and councilmen to," and by striking out that part of said subsection beginning with the word "and" in line sixteen and ending with the word "qualified" in line nineteen.

Town elections. SEC. 2. That subsection three of section one of said act be and it is hereby amended as follows: By striking out in line five the word "two" and inserting in lieu thereof the word "four"; by inserting in line five, between the word "mayor" and the word "so," the words "and councilmen"; by striking out in line seven the words "he is" and inserting in lieu thereof the words "they are"; by striking out in the line eight the words "his successor is" and inserting in lieu thereof the words "their successors are"; by striking out those words beginning with the word "and" between the word "qualified" and the word "the" in line eight and ending with the word "qualified" in line twelve, and by adding at the end of said subsection three the words: "Each councilman shall at the time of his election be a resident of the city ward from which he is elected, and if any such councilman shall, after election, move out of the city limit or the ward from which he was elected, his office shall thereby be vacated and the same shall be filled as is hereinafter provided. In the primary hereinafter provided for all legally qualified voters of the city of High Point shall be entitled to vote for mayor and for a councilman who resides in and is a candidate from the ward in which the voter is entitled to cast his vote. In the municipal election said voters may vote for one candidate for mayor and one candidate from each ward for councilman.

Residence of councilmen.

Removal to create vacancy.

Primary elections.

Municipal elections.

SEC. 3. That section one of said chapter one hundred and sixty-nine of the Private Laws of one thousand nine hundred and fifteen be and it is hereby amended by striking out subsections five to twenty-five, both inclusive, and by inserting and substituting in lieu thereof the following:

Primary elections. 5. All candidates to be voted for at all general municipal elections at which time a mayor, councilmen, or any other elective officers are to be elected under the provisions of this act shall be nominated by a primary election, and no other names shall be placed upon the ballot except those nominated in such primary in the manner hereinafter prescribed. The primary election for such nominations shall be held on the second Tuesday preceding municipal elections as is provided for. The judges and other officers of election appointed for the said municipal election shall, whenever practicable, be the judges of the primary election, and unless otherwise herein provided it shall be held at the same place and in the same manner and under the same rules and

Date for election.

Election officers.

Law governing election.

regulations and subject to the same conditions, and the polls to be opened and closed at the same hours, as are required for said municipal election.

Any person desiring to become a candidate for nomination by the primary for the office of mayor or councilman shall, at least ten days prior to said primary election, file with the city manager a statement of such candidacy, in substantially the following form: Statement of candidacy.

I,....., being first duly sworn, say that I reside at Street, city of High Point, county of Guilford, State of North Carolina; that I am a candidate for nomination to the office of (mayor or councilman of a particular ward), to be voted upon at the primary election to be held on the Tuesday of, 19...., and I hereby request that my name be printed upon the official ballot for nomination by such primary election for such office. Form of statement.

(Signed).....

Subscribed and sworn to (or affirmed) before me by on this day of, 191....

(Signed).....

And shall at the same time pay to said city manager the sum of five dollars (\$5.) Entry fee.

Immediately upon the expiration of the time for filing the petitions of candidates, the said city manager shall cause to be published for three successive days in all the daily newspapers published in the city, and one time in all weekly newspapers, in proper form, the names of the persons as they are to appear upon the primary ballots. The said city manager shall thereupon cause the primary ballots to be printed, authenticated with a facsimile of his signature, and there shall be a separate and distinct set of ballots for each of the four city wards. Upon all four sets of ballots the names of the candidates for mayor, arranged alphabetically, shall first be placed with a square at the left of each name, and immediately below the names of such candidates shall appear the words, "Vote for one." Following these names, likewise arranged in alphabetical order, shall appear upon the ballots for the First Ward the names of the candidates for councilman of said First Ward, with a square at the left of each name, and below the names of such candidates shall appear the words, "Vote for one." In like manner shall there be printed upon the ballots for the Second, Third, and Fourth wards the names of the candidates for councilman of the respective ward. Publication.
Primary ballots
Description of ballots.

The ballots shall be printed upon plain, substantial white paper, and shall be headed: "Candidates for nomination for mayor and councilman of theWard (name or ward) of city of Heading.

High Point, North Carolina, at the primary election," but shall have no party designation or mark whatever.

The ballots shall be in substantially the following form:

"(Place a cross in the square preceding the names of the parties you favor as candidates for the respective positions.)

"Official primary ballot. Candidates for nomination for mayor and councilman of the Ward (name of ward) of city of High Point, North Carolina, at the primary election.

"For mayor (names of candidates), (vote for one).

"For councilman of the.....Ward (name of ward) (names of candidates) (vote for one).

"Official ballot; attest: (Signature)....., City Manager."

Distribution.

Having caused said ballots to be printed, the said city manager shall cause to be delivered at each polling place a number of said ballots equal to twice the number of votes cast in such polling precinct at the last general municipal election for mayor.

Voters.

The persons who are qualified to vote at the succeeding municipal election shall be qualified to vote at such primary election,

Challenges.

and shall be subject to challenge made by any resident of the city of High Point under such rules as may be prescribed by the city council, and such challenge shall be passed upon by the judges of election and registrars: *Provided, however,* that the law applicable to challenges at a municipal election shall be made applicable at such primary election.

Proviso: law applicable to challenges.

Judges of election shall, immediately upon the closing of the polls, count the ballots and ascertain the number of votes cast in such wards for each of the candidates, and make return thereof to the city manager upon blanks to be furnished by the said city manager, within six hours of the closing of the polls. On the day following the said primary election the city manager, under the supervision and direction of the mayor, shall canvass such returns so received from all the polling precincts, and shall make and publish in all newspapers of said city, at least once, the result thereof. Said canvass by the city manager shall be publicly made. The two candidates receiving the highest number of votes for mayor and the two candidates receiving the highest number of votes for councilmen for each of the respective wards shall be the candidates, and the only candidates, whose names shall be placed upon the ballot for mayor and councilmen at the next succeeding general municipal election.

Count and return of votes.

Canvass of returns.

Publication of result.

Canvass made publicly. Candidates.

Election officers.

6. At least thirty days before the time of holding a primary election in this act provided for, the city council shall appoint a registrar and two judges of election for each precinct or voting place in said city, and the persons so appointed shall serve both in such primary election and in the regular municipal election following such appointment.

7. Only those who shall have filed notice of their candidacy and have otherwise complied with the requirements of this act with reference to primary elections shall have their names printed on the official ballots. In all cases where only one aspirant for nomination for a particular office to be voted for shall have filed such notice, the city manager shall, upon the expiration of the time limited for filing such notices, declare him the nominee for such office, and his name shall, therefore, not be placed on the primary ballot, but shall be placed on the ballot to be voted at the municipal election as candidate for such office.

Names on official ballots.

Candidates without opposition.

8. The city manager shall cause ballots to be printed for the municipal election as herein provided, authenticated with facsimile of his signature. Upon the said ballots the names of said candidates for mayor, arranged alphabetically, shall first be placed, with a square at the left of each name, and below the names of such candidates shall appear the words, "Vote for one." Following these names, likewise arranged in alphabetical order, shall appear the names of the candidates for councilmen of the four city wards respectively, with a square at the left of each name, and below the names of such candidates for each of said city wards shall appear the words, "Vote for one."

Ballots for municipal election.

Description.

The ballots shall be printed upon plain, substantial white paper, and shall be headed:

"Candidates for mayor and councilmen of the four city wards of the city of High Point, North Carolina, at the general municipal election," but shall have no party designation or mark whatever. The ballots shall be in substantially the following form:

Heading.

"(Place a cross mark in the square preceding the names of the parties you favor as candidates for the respective positions.)

Form of ballot.

"Official municipal ballot, candidates for mayor and councilmen of the city of High Point, North Carolina, at the municipal election.

"For mayor (names of candidates). Vote for one.

"For councilman from the First Ward (names of candidates).
Vote for one.

"For councilman from the Second Ward (names of candidates).
Vote for one.

"For councilman from the Third Ward (names of candidates).
Vote for one.

"For councilman from the Fourth Ward (names of candidates).
Vote for one.

"Official ballot; attest: (Signature)....., City Manager."

9. That all persons entitled to vote for members of the General Assembly, if held at the time of the election provided for in the

Voters.

preceding section, and who have been residents of the city and ward in which they offer to vote for four months next preceding the day of election, and shall have registered as provided herein, shall be allowed to vote for mayor and a councilman from each of the four city wards, and no one except a resident of the city shall be eligible to any office in the corporation. If any registered voter shall have moved from one ward to another within the four months next preceding any election, he shall be entitled to vote in the said election in the ward from which he shall have moved.

Removal from ward.

Qualification of voters.

10. That the provisions made, or hereafter made, by the General Assembly, which may be in force at the time of any city election, for testing the qualification and right of any person to vote, shall apply, as far as possible, to any election held under this charter, and the registrar and judges of election are hereby invested with full and ample judicial power to pass upon and decide said qualifications.

Registration.

11. That each registrar shall be furnished by said city council with registration books, and it shall be his duty, after being qualified, to perform the functions of his office fairly, impartially, and according to law; to revise the existing registration books of the precinct for which he is appointed in such manner that said books shall show an accurate list of electors previously registered in such precinct and still residing therein and entitled to vote without requiring such electors to be registered anew; and such registrar shall, also, between the hours of seven o'clock a. m. and sunset (Sunday excepted), from and including the last Monday in March up to ten days previous to the election, keep open the books for the registration of any electors residing in such city and entitled to registration whose names do not appear in the revised list, and he shall register in said books all names of persons not so registered who may apply for registration and who are entitled to vote in said city. Each registrar shall be required to be at the polling place for his precinct on Saturdays from seven a. m. until sunset during the period for registration. He shall keep the names of white voters separate and apart from those of the colored voters, and any person offering to register may be required to take and subscribe an oath that he has resided in the State of North Carolina two years, in Guilford County six months, and in the ward in which he offers to register four months previous to the day of election, and that he is twenty-one years of age, and that he is a qualified elector of said city. If any person willfully swear falsely in taking such oath, he shall be deemed guilty of a misdemeanor, and on conviction shall be sentenced to pay a fine of one hundred dollars and imprisoned sixty days in the county jail. But the city council, on fifteen days notice by publication in some newspaper

Registration on Saturdays.

Races kept separate.
Oath for registration.

False swearing misdemeanor.

Publication.

of said city, before the opening of the books may order an entire new registration of voters whenever they may deem it proper: *Provided*, a new registration shall be required and provided for by the city council for the first election held hereunder: *Provided further, however*, that all voters who shall have duly registered for the election to be held on March the thirteenth, nineteen hundred and seventeen, as is provided for in section seven of this act, shall be deemed to have registered for the said first primary and election and shall not be required to register anew.

New registration.

Proviso: registration for first election.

Proviso: registration for March election.

The registration books shall be closed at sundown on the second Saturday before the election, and after the same are closed no person shall be allowed to register except those coming of age after the books close and before or on election day, who are otherwise qualified electors of the city, and the books shall then be placed in the office of the city manager, who shall mark the day on which they were received by him, and they shall not be taken from his custody until the day of election.

Close of registration.

Deposit of books.

Any registrar failing to deposit his registration book with the city manager at the time prescribed shall receive no compensation for making said registration, and shall be guilty of a misdemeanor.

Penalty for failure to deposit books.

Misdemeanor.

12. That after being duly sworn by the mayor or a justice of the peace to conduct the election fairly, impartially, and according to law, the registrars and the judges of election shall open the polls, receive and deposit the ballots in the boxes provided for that purpose, administer oaths, decide all challenges on the day of election and all questions of voting, superintend and conduct the election for municipal offices in like manner and during the same hours as elections for members of the General Assembly are conducted. The polls shall be open on the day of election from seven a. m. until sunset, and no longer.

Conduct of election.

Hours of voting.

13. It shall be the duty of the city council to provide a ballot box for each precinct or polling place.

Ballot box.

14. The registrars and judges of the election shall receive for their services such compensation as shall be fixed by the city council, but the pay of the registrars shall not exceed two dollars (\$2) each a day for the Saturdays they are required to be at the polls and the day of election and two cents additional for each new name registered, and the judges of election shall not be paid more than two dollars (\$2) a day for their services: *Provided*, the city council may allow the registrars and judges compensation, not exceeding one day's pay, as they may deem proper, for attendance of the election officers upon the meeting of the board of canvassers.

Pay of registrars and judges.

Proviso: allowance as canvassers.

15. If any judge or registrar shall fail to be present on the day of election, his place shall be filled by the mayor at once; and if

Vacancies.

at any time the registrar is temporarily unable to act as such, the mayor may appoint a temporary registrar to act for him, after being duly sworn; or if a vacancy should occur in said office for any reason, then the mayor shall appoint to fill the vacancy.

- Canvassing board. 16. That on the day following the day of election all of the registrars and pollholders of the several precincts shall meet at the city hall, and when they shall so assemble they shall form
- Organization. a canvassing board for the said election. The said board shall organize by the election of one of its number as chairman and one as secretary, and shall proceed to receive and tabulate the
- Tabulation of votes. number of votes cast in each ward for the several candidates, as shown by the reports of the registrars and judges, and such
- Persons declared elected. person as shall receive the highest number of votes for mayor shall be declared elected mayor, and such persons as shall receive the highest number of votes for each of the positions of councilman of the four city wards shall be declared elected councilmen of the respective wards. The said canvassing board shall certify under their hands and seals the results of said election, giving the name of each candidate and the number of votes received by him. Two copies of the returns of the canvassing board shall be made under the hands of the members of the said board, one of which shall be given to the mayor and the other
- Certificate of result. filed in the archives of the city manager, who the same day shall publish the result of the election at the door of the city hall.
- Returns filed. 17. When on account of errors in tabulating the returns and filling out blanks the result of a primary election in any one or more precincts or polling places cannot be accurately known, the city manager shall be allowed access to the ballot boxes in such precinct to make a recount and declare the results.
- Publication of result. 18. If of the persons voted for as mayor or councilmen of the respective wards there shall be an equal number of votes between any two candidates for like office in the municipal election in the city of High Point, in such case, in order to break the tie, there shall be held on the following Tuesday an election in accordance with the provisions herein provided for holding a municipal election for the city of High Point. If of the persons voted for as mayor, or as councilman of any ward, there shall be an equal number of votes cast for two candidates receiving the highest vote for the same office in the primary election for the nomination of candidates, in such case there shall be held, three days thereafter, a primary election for nomination of candidates, in accordance with the provisions for holding primaries for the nomination of candidates in the city of High Point, to break the tie.
- Recount.
- Elections to break ties.
- Primary election to break ties.

19. That if the city council shall fail to give notice of election, to hold and declare the same in like manner herein prescribed, each of them as shall be in fault shall forfeit and pay for the equal benefit of the city, and of him who shall sue therefor, one hundred dollars.

Forfeit for neglect of duty.

20. Any registered voter of the said city may at any time, before the election or on the day of election, object to the name of any person appearing upon the registration book of his precinct, and the book shall be kept open at the polling place on the second Saturday before every election for inspection by the voters of the precinct. When a person is challenged the registrar shall enter upon his books, opposite the name of the person objected to, the word "Challenged," and the person so challenged shall not be allowed to vote until the cause of challenge shall be heard and determined, under the rules and regulations prescribed by the general law regulating the election for members of the General Assembly. As soon as any person is challenged the registrar shall give notice in person or by mail of the same to the person so challenged. All challenges shall be heard and determined on the day of election by the registrar and judges.

Challenges.

Inspection of book.

Challenges entered.

Notice to person challenged.

Hearing on challenges.

SEC. 4. That subsection twenty-eight of section one of said act be and it is hereby amended by inserting in line four, between the words "choose" and the word "as," the words "from the city at large"; and by adding at the end of said subsection the words, "In filling the vacancy of councilman, the person chosen must be a resident of the same city ward as was the person whose office he has been chosen to fill."

Vacancies.

SEC. 5. That the several amendments to said chapter one hundred and sixty-nine of the Private Laws of one thousand nine hundred and fifteen hereinbefore set forth shall be regarded as one amendment and shall be designated "Amendment Number One to the charter of the city of High Point," and as so designated shall be and are hereby submitted to the qualified voters of said city of High Point at an election to be held for that purpose at the time and under the conditions hereinafter set forth.

Amendment No. 1

SEC. 6. That said proposed amendment shall be designated on a ballot by an appropriate descriptive title in the manner and form hereinafter set forth; and that the adoption of said amendment by its title, by marking the said ballot as hereinafter indicated, shall have the effect of adopting the amendment in full as agreed by this Assembly; and the rejection of said amendment by its title, by marking the said ballot as hereinafter indicated shall have the effect of rejecting the amendment as a whole.

Election to be held.

Ballots.

Effect of election.

SEC. 7. That said ballot shall be in form substantially as follows:

Form of ballot.

“OFFICIAL BALLOT.

“Amendment Number One to the charter of the city of High Point, North Carolina.

“Directions to the voters:

“To vote for Amendment Number One, place a cross mark in the blank space in which is the word ‘Yes,’ opposite the title of said amendment.

“To vote against Amendment Number One, place a cross mark in the blank space in which is the word ‘No,’ opposite the title of said amendment:

1	YES	Amendment allowing voters to elect a mayor and four councilmen at the next city election and providing for a nonpartisan primary and election.”
	NO	

Date of election.

SEC. 8. That said election upon the amendments hereinbefore set out shall be held on Tuesday, the thirteenth day of March, one thousand nine hundred and seventeen; that the registration books for said election shall be opened at seven o'clock a. m. on Saturday, the twenty-fourth day of February, one thousand nine hundred and seventeen, and shall be closed on Saturday at sunset of the tenth day of March, one thousand nine hundred and seventeen. Each registrar shall, between the hours of seven o'clock a. m. and sunset (Sundays excepted), from and including February twenty-fourth, one thousand nine hundred and seventeen, up to and including March tenth, one thousand nine hundred and seventeen, keep open the books for the registration of any voters entitled to registration, and shall be required to be at the polling place for his precinct on Saturday, February the twenty-fourth, and Saturday, March the tenth, one thousand nine hundred and seventeen, from seven o'clock a. m. until sunset. There shall be a new registration for said election on the proposed amendments, and only those registering shall be entitled to vote. That, except as herein provided, the election upon the several amendments herein designated as Amendment Number One to the charter of the city of High Point shall be conducted in the same manner and under the same rules and conditions as are provided under the laws of this State governing town or city elections.

Registration.

Registration on Saturdays.

New registration.

Law governing election.

Adoption of amendment.

SEC. 9. These amendments, designated Amendment Number One to the charter of the city of High Point, shall, in case the

number of affirmative votes exceed the number of negative votes, become a part of the charter of the city of High Point; and the amendment so adopted shall take effect on Thursday, the fifteenth day of March, in the year one thousand nine hundred and seventeen. Any provision of these amendments or this amendment passed and submitted by this General Assembly and so adopted by the qualified voters of the city of High Point inconsistent with or in conflict with any provisions of the present charter of the said city of High Point or of the present statute laws of this State shall be held to prevail.

When effective.

SEC. 10. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 107

AN ACT TO AMEND CHAPTER 196 OF THE PUBLIC LAWS OF 1897, AND CHAPTER 431 OF THE PRIVATE LAWS OF 1907, THEY BEING ACTS TO INCORPORATE THE MOUNTAIN RETREAT ASSOCIATION, AND AMENDING THE SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That whereas The Mountain Retreat Association was duly incorporated by chapter one hundred and ninety-six of the Public Laws of one thousand eight hundred and ninety-seven, and various amendments thereto have been enacted by the General Assembly of North Carolina, including chapter four hundred and thirty-one of the Private Laws of one thousand nine hundred and seven, and other amendatory acts.

Incorporation and amendments.

SEC. 2. And whereas the objects and purposes of said corporation are fully set forth in chapter one hundred and ninety-six, Public Laws of one thousand eight hundred and ninety-seven, and the acts amendatory thereof.

Objects and purposes heretofore set forth.

SEC. 3. And whereas a majority of the stockholders of said corporation holding the common stock thereof, which class of stock alone has voting power in said corporation, have duly assigned and transferred their stock in the said Mountain Retreat Association upon certain declared trusts and for certain purposes fully set forth in such declaration of trust, which declaration of trust, transfer, and assignment are in words and figures as follows:

Transfer of stock.

"I do hereby convey, transfer, and assign to the following named persons as a board of trustees, and their successors, shares

Declaration of trust.

of the capital stock (common) in the Mountain Retreat Association now held in my our name. The certificate of said stock being No.....

Judge J. D. Murphy	Rev. R. O. Flynn, D.D.
Rev. B. F. Campbell, D.D.	Dr. J. A. J. Alexander
Rev. R. C. Anderson, D.D.	Rev. H. W. Burwell, D.D.
Dr. I. J. Archer	Mr. John Glassell
Hon. J. Hoge Tyler	Rev. G. H. Cornelson, Jr., D.D.
Rev. W. T. Thompson, Jr.	Gen. S. R. Keesler
Rev. John Van Lear, D.D.	Rev. J. B. Hutton, D.D.
Rev. J. S. Foster, D.D.	Mr. W. S. Lindamood
Hon. John B. Knox	Rev. J. L. Mauze, D. D.
Rev. J. Ross Lynn	Rev. S. D. Gage, D. D.
Mr. E. L. Ferran	Rev. H. G. Hill, D.D.
Mr. John J. Eagan	Mr. W. H. Belk
Mr. George W. Watts	Mr. C. S. Ivie
Mr. T. W. Wilson	Mr. W. E. Holt
Hon. J. R. Young	Rev. A. S. Johnston, D.D.
Mr. J. D. Cooper	Rev. W. R. Minter, D.D.
Mr. A. M. Scales	Mr. T. S. Williamson,
Rev. J. M. Clark, D.D.	Mr. J. C. Tait
Mr. C. E. Graham	Rev. W. W. Moore, D.D.
Mr. W. J. Roddey	Mr. E. L. Stone
Mr. W. C. Whitner	Rev. Ernest Thompson, D.D.
Rev. A. D. P. Gilmour, D.D.	Rev. S. H. Chester, D.D.
Rev. Andrew Blackwood, D.D.	Rev. H. H. Sweets, D.D.
Rev. Alexander Sprunt, D.D.	Rev. Homer McMillan, D.D.
Mr. G. H. Cornelson, Sr.	Mr. R. E. Magill

2. Said board of trustees and their successors forever shall hold and possess said stock for and upon the following uses, purposes, trusts, and conditions, to wit:

Guarantee of use
of property.

(a) Said board of trustees shall use, hold, vote, and control said stock in such way and in such manner as to insure and guarantee that the property, real and personal, now owned and controlled by the Mountain Retreat Association, a corporation existing under the laws of the State of North Carolina, shall be perpetually held and used for the objects and purposes set forth and expressed in its charter and the amendments thereto now existing or hereafter made, and that said property shall not go into the hands of any person or persons, firm or corporation, who shall use the same for selfish, speculative, or money-making purposes, that said property, real and personal, of the Mountain Retreat Association shall forever be used for the promotion and advancement of the Christian Religion, under the auspices and control of the Presbyterian Church in the United States, commonly known as the Southern Presbyterian Church, and for the

Purposes to be
subservied.

promotion of the highest standards of morals and intelligence, the promotion of health, the advancement of the religion of Jesus Christ, and generally for the purposes mentioned in the charter of the Mountain Retreat Association and the amendments thereto, and said property so owned by the Mountain Retreat Association shall be sacredly devoted to the purposes herein expressed and mentioned and to the objects and purposes set forth in the charter of the said Mountain Retreat Association and the amendments thereto; and for this good and valuable consideration this transfer is made to said trustees.

Property devoted to purposes.

Consideration of transfer.

(b) That always at least three-fourths of the members of said board of trustees, constituting the trustees holding the capital stock (common) of said Mountain Retreat Association under this trust, shall always be officers, ministers, elders, or deacons in the Presbyterian Church in the United States, generally known as the Southern Presbyterian Church, and the several synods and the General Assembly of the Presbyterian Church in the United States shall have the power to nominate trustees, and when such power is exercised the trustees in electing successors shall elect from such nominees enough trustees so that the majority of the board of trustees shall consist of such nominees.

Qualification for trustees.

Nomination and election of trustees.

(c) That twenty members shall constitute a quorum of said board of trustees for all purposes.

Quorum.

(d) That at least three-fourths of the members of the managing committee provided in the charter of the Mountain Retreat Association shall always be officers, ministers, elders, or deacons of the Presbyterian Church in the United States, generally known as the Southern Presbyterian Church.

Members of managing committee.

(e) Said trustees and their successors shall advise and counsel with the managing committee of the Mountain Retreat Association relative to the policies and work of the said association, and said board of trustees shall have and is hereby vested with full power and authority to elect the successor of each trustee whose term has expired or whose office as such trustee is vacated by death, disqualification, or forfeiture by conduct in violation of this trust. Any act or vote in contravention of this trust shall be null and void, and each trustee guilty of such act or vote shall thereby forfeit his right to the office of trustee. And said board of trustees shall have and are hereby vested with full authority and power to request changes in the charter of said Mountain Retreat Association; but no change in the charter of said Mountain Retreat Association shall be made until said trustees or their successors, or a quorum of said trustees or their successors, shall request such change or changes.

Advice and counsel as to policies and work.

Election of trustees.

Acts null and void. Trustees to forfeit office. Changes in charter.

(f) Said board of trustees, or a quorum thereof, shall ask the General Assembly of North Carolina to make such changes in the charter of the Mountain Retreat Association as shall be necessary

Request for changes in charter.

Limitation on changes.

and desirable to carry out and perfect the purposes of the trust herein declared; but no changes shall be made in said charter which shall in any way interfere with or militate against the purposes of this trust, but shall be confined to such changes as are necessary as to classification of trustees and their terms of office, the number of trustees, the duties of the trustees, and such other details as are necessary to carry out the purposes of this trust, it being the intent and purpose to transfer the stock of the Mountain Retreat Association to trustees in such a way as to forever protect the property from being appropriated or devoted to other than educational and religious purposes as set forth above and in the charter of the Mountain Retreat Association.

Interest and purpose of transfer.

Trustees to take place of directors.

(g) That it is the intention of this declaration of trust that the charter of the Mountain Retreat Association shall be changed so that the trustees mentioned herein shall take the place of the directors (not less than twenty-five nor more than fifty) now provided and mentioned in the charter of the Mountain Retreat Association, and power is hereby expressly conferred upon said trustees to request the General Assembly of North Carolina to make such changes in the charter of the Mountain Retreat Association as shall be adopted and are necessary to carry out the purposes of this trust.

Religious and educational foundation. Auspices and control.

(h) I hereby declare the purpose and intent of this trust to be that the property of the Mountain Retreat Association shall forever remain a religious and educational foundation under the auspices and control of the said several synods and said General Assembly of the Presbyterian Church in the United States, commonly known as the Southern Presbyterian Church, and as indicated and set forth in paragraph (b) of this declaration of trust that said property shall never be used for speculative, selfish, or any other purpose than for the glory of God and the uplifting of mankind, physically, mentally, morally, and religiously.

Use of property.

Witness my hand and seal, this theday of..... 191...

.....[SEAL]

Execution by majority of stockholders.

SEC. 4. And whereas said declaration of trust above set forth has been duly executed by a majority of the stockholders of the Mountain Retreat Association, as aforesaid.

Amendments desired.

SEC. 5. And whereas it is desirable to amend said charter of said corporation and the acts amendatory thereof in order that the same may conform to said transfer and assignment set forth in the above declaration of trust:

SEC. 6. Now, therefore,

The General Assembly of North Carolina do enact:

Official entitlement of trustees.

That the said persons to whom the stock of the said Mountain Retreat Association has been transferred and assigned as afore-

said shall be known as "The Trustees of the Stock of the Mountain Retreat Association," and that they shall hold the same for the purposes fully set forth in said declaration of trust, transfer and assignment, and said assignment and transfer of stock set out in section three of this act is made a part of this act and is hereby enacted into law. Assignment enacted into law.

SEC. 7. That the objects and purposes of this amendment to said charter, said transfer and assignment are declared to be that the ownership and control of the stock of the Mountain Retreat Association shall be vested in and placed in certain trustees representing the sixteen synods of the Presbyterian Church in the United States, generally known as the Southern Presbyterian Church, it being desirable that the stock of said association shall be voted by trustees, a majority of whom shall be nominated by the sixteen synods of said church, and elected by "The Trustees of the Stock of the Mountain Retreat Association," and two trustees nominated by the General Assembly of the Presbyterian Church in the United States. Objects and purposes of amendment.

SEC. 8. That said "The Trustees of the Stock of the Mountain Retreat Association" shall be divided into three classes, and the terms of office of said trustees shall be three years from the date of their election by the said "The Trustees of the Stock of the Mountain Retreat Association," upon the nomination of a majority of said trustees by said synods respectively; but in case any of said synods shall fail to nominate, then said "The Trustees of the Stock of the Mountain Retreat Association" shall elect from such synod a trustee or trustees to represent such synod or synods. Trustees classified.
Term of office.
Nomination.

SEC. 9. It is hereby declared advisable, and it is the purpose, to elect one-third of said trustees each year, and the terms of office of such trustees shall be three years. Election and term of trustees.

SEC. 10. In order to carry out said purpose the term of office of said trustees mentioned in the above transfer of stock and declaration of trust are fixed as follows, and said trustees are classified as follows: Terms and classes.

(A) *Those holding office for one year:*

Hon. J. Hoge Tyler	For one year.
Rev. L. Ross Lynn	
Mr. E. L. Ferran	
Mr. John J. Eagan	
Rev. R. O. Flynn, D.D.	
Dr. A. J. A. Alexander	
Rev. H. W. Burwell, D.D.	
Mr. John Glassell	
Rev. G. H. Cornelson, Jr., D.D.	
Gen. S. R. Keesler	
Rev. J. B. Hutton, D.D.	

Mr. W. S. Lindamood
 Rev. J. L. Mauze, D.D.
 Rev. S. D. Gage, D.D.
 Rev. J. M. Clark, D.D.
 Mr. G. H. Cornelson, Sr.

(B) *Those holding office for two years:*

For two years.

Judge J. D. Murphy
 Rev. R. F. Campbell, D.D.
 Rev. R. C. Anderson
 Dr. I. J. Archer
 Rev. W. T. Thompson, Jr.
 Rev. John Van Lear, D.D.
 Rev. J. S. Foster, D.D.
 Hon. John B. Knox
 Rev. H. G. Hill, D.D.
 Mr. W. H. Belk
 Mr. George W. Watts
 Mr. T. W. Wilson
 Hon. J. R. Young
 Mr. J. D. Cooper
 Mr. A. M. Scales
 Rev. A. S. Johnston, D.D.
 Rev. W. R. Minter, D.D.

(C) *Those holding office for three years:*

For three years.

Mr. C. E. Graham
 Mr. W. J. Roddey
 Mr. W. C. Whitner
 Rev. A. D. P. Gilmour, D.D.
 Rev. Andrew Blackwood
 Rev. Alexander Sprunt, D.D.
 Mr. C. S. Ivie
 Mr. W. E. Holt
 Mr. T. S. Williamson
 Mr. J. C. Tait
 Rev. W. W. Moore, D.D.
 Mr. E. L. Stone
 Rev. Ernest Thompson, D.D.
 Mr. S. H. Chester, D.D.
 Rev. H. H. Sweets, D.D.
 Rev. Homer McMillan, D.D.
 Mr. R. E. Magill

Election for 1917. SEC. 11. During the month of August, one thousand nine hundred and seventeen, the said "The Trustees of the Stock of the Mountain Retreat Association" shall elect seventeen trustees, a majority of whom shall be elected from the nominees of the

various synods represented by those in Class (A) above mentioned, holding their terms of office for one year, and in August of each year thereafter the said "The Trustees of the Stock of the Mountain Retreat Association" shall elect trustees a majority of whom shall be elected from nominees by said synods respectively as successors to those of said trustees whose terms of office shall expire in August of each year. Further elections.

SEC. 12. That the term of office of said trustees in Class (A) above mentioned shall expire August fifteenth, nineteen hundred and seventeen; those in Class (B), August fifteenth, nineteen hundred and eighteen, and those in Class (C), August fifteenth, nineteen hundred and nineteen. Expiration of terms.

SEC. 13. It is hereby declared to be the purpose of this enactment that the stock of the Mountain Retreat Association shall be held and voted by trustees a majority of whom shall be nominees of the sixteen synods of the Presbyterian Church in the United States, commonly known as the Southern Presbyterian Church, and elected by the said "The Trustees of the Stock of the Mountain Retreat Association," which sixteen synods are as follows: Trustees to hold and vote stock.

Synod of Appalachia	Synod of Missouri	Synod for nominations.
Synod of Arkansas	Synod of North Carolina	
Synod of Alabama	Synod of Oklahoma	
Synod of Florida	Synod of South Carolina	
Synod of Georgia	Synod of Tennessee	
Synod of Kentucky	Synod of Texas	
Synod of Louisiana	Synod of Virginia	
Synod of Mississippi	Synod of West Virginia	

SEC. 14. That in addition to the trustees above mentioned to be selected as above set forth by the said trustees upon the nomination of said synods as limited above, the General Assembly of the Presbyterian Church in the United States, generally known as the Assembly of the Southern Presbyterian Church, shall have the right to nominate two trustees, who shall hold their office for three years, and the terms of office of the said trustees nominated by the General Assembly as aforesaid, and elected by the said trustees upon such nomination of the General Assembly, shall hold their office for three years commencing August fifteenth, nineteen hundred and seventeen. Trustees nominated by General Assembly of church.

SEC. 15. That sections ten and eleven of chapter four hundred and thirty-one of the Private Laws of one thousand nine hundred and seven, be and the same are hereby amended by adding at the end of said sections ten and eleven as aforesaid: "That said Mountain Retreat Association shall not have the power to issue more than six hundred and fifty (650) shares of common stock of said association and not more than two hundred and fifty (250) shares of preferred stock." Terms of office.
Limitation on stock issue.

Election of directors.

SEC. 16. That section fourteen of said chapter four hundred and thirty-one of the Private Laws of one thousand nine hundred and seven be stricken out and repealed, and the following substituted therefor: "Said directors, not exceeding the number of fifty-one, shall be elected at the annual meeting of the stockholders of the Mountain Retreat Association, and in electing such directors "The Trustees of the Stock of the Mountain Retreat Association, by or through any person or persons duly authorized thereunto, shall vote the stock held by the said trustees in electing the directors as herein provided."

Eligibility of directors.

SEC. 17. That section fourteen and one-half of said chapter four hundred and thirty-one of the Private Laws of one thousand nine hundred and seven be stricken out and repealed, and the following substituted therefor: "No person shall be a director in said corporation unless he is a stockholder therein, or unless he is one of 'The Trustees of the Stock of the Mountain Retreat Association' as herein provided."

Executive committee.

SEC. 18. That section eighteen of said chapter four hundred and thirty-one of the Private Laws of one thousand nine hundred and seven be amended as follows: Insert between the word "corporation" and the word "upon," in line five of said section, the words "or the executive committee of said corporation."

Use of property and income.

SEC. 19. It is hereby declared to be the general purpose of this enactment that all the property of the Mountain Retreat Association, and the income therefrom after paying running expenses and overhead charges necessary to conduct the affairs of said corporation and the expenditures and disbursements necessary to keep up and maintain the property of said corporation, shall be faithfully appropriated and devoted to educational, charitable, and religious purposes, as set forth in said charter and the amendments thereto.

Repealing clause.

SEC. 20. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 108

AN ACT TO AMEND CHAPTER 301 OF THE PRIVATE LAWS OF THE GENERAL ASSEMBLY OF 1915, KNOWN AS THE CHARTER OF THE CITY OF THOMASVILLE.

The General Assembly of North Carolina do enact:

Boundary corrected.

SECTION 1. That section two of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen

be and the same is hereby amended by inserting after the word "street" and before the word "nine" in line five of said section the words "three thousand."

SEC. 2. That section four of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the words "of each year" in line two, and inserting in lieu thereof the words "nineteen hundred and seventeen, and biennially thereafter on the first Monday of May." That the said section be further amended by striking out the word "one" in line four and inserting in lieu thereof the word "two."

Election and term of office.

SEC. 3. That section twenty-nine of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the twenty-seventh paragraph (being the last paragraph on page eight hundred and seventy-two of the printed laws), relating to "Issue of bonds by order of voters."

Elections on bond issues.

SEC. 4. That section twenty-nine of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen (being the first paragraph on page eight hundred and seventy-three of the printed laws), relating to sidewalks and street improvement, be and the same is hereby amended by striking out the entire section.

Section stricken out.

SEC. 5. That section thirty of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the entire section.

Section stricken out.

SEC. 6. That section thirty-three of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the words "one dollar" in line eleven of said section and inserting in lieu thereof the words "one dollar and seventy-five cents."

Tax rate.

SEC. 7. That section forty-two of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the word "March" in line fifteen of said section and inserting in lieu thereof the word "January." That the said section be further amended by inserting after the word "treasurer" in line sixteen the following: "The city council, in its discretion, may allow a discount of one and one-half (1½) per cent on all taxes paid on or before the first day of November of the year in which they are laid; a discount of one (1) per cent on or before the first day of December; a discount of one-half (½) per cent on or before the first day of January; par on or before the first day of February; add one-half (½) per cent interest as a penalty on those remaining unpaid on or before the first day of March; one (1) per cent interest upon those remaining unpaid on or before the first

Collection of tax.

Discounts.

Penalties.

day of April; one and one-half (1½) per cent interest on those remaining unpaid on or before the first day of May next ensuing the laying of the same, which shall be a lien upon the real and personal property and collected as other taxes.

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

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 109

AN ACT TO ISSUE BONDS IN EDENTON GRADED SCHOOL DISTRICT, CHOWAN COUNTY.

Preamble: Bonds heretofore issued.

Whereas, pursuant to an act of the General Assembly of one thousand nine hundred and fifteen, known as chapter three hundred and eighteen of the Private Laws of North Carolina, session one thousand nine hundred and fifteen, the Edenton Graded School District issued bonds to the amount of twenty-five thousand dollars (\$25,000) for the purpose of building and equipping a graded school building; and whereas said amount was insufficient to build and equip a building adequate for school purposes for the said district: Now, therefore,

Preamble: Amount insufficient.

The General Assembly of North Carolina do enact:

Territory extended.

SECTION 1. That for the purposes and benefits of this act, and for no other purpose, the provisions of all laws governing the assessment of all real and personal property, the levy and collection of municipal taxes, and the holding of municipal elections in the town of Edenton shall be and are hereby extended to that portion of the Edenton Graded School District lying without the corporate limits of said town as fully as if the same lay within said corporate limits; and that for the purpose of levying and collecting taxes for purposes of this act, and in all elections which shall be held under this act, that portion of said school district lying without said corporate limits shall be and is hereby made and created a ward of said town. The place of voting in said district to be designated by the board of councilmen of the town of Edenton.

Ward of town.

Polling place.

Order for election.

SEC. 2. That upon written request of the board of trustees of the Edenton Graded School, the board of councilmen of the town of Edenton shall immediately order an election within said Edenton Graded School District, in accordance with the law governing general elections as nearly as may be: *Provided, however,* that a new registration shall be ordered for said election; and that not less than thirty days notice of said election shall be given at the courthouse door in Edenton and three other

Proviso: New registration.

Notice of election.

public places in said Edenton Graded School District, and a notice of said election shall also be published for four successive weeks immediately preceding said election in the *Albemarle Observer*, a weekly newspaper published in Chowan County. The registrars and poll-holders shall canvass the votes cast, declare the result, and duly certify the returns to the board of councilmen of the town of Edenton, which returns shall be recorded in the records of said councilmen. At said election there shall be submitted to the qualified voters of the Edenton Graded School District the question of levying a special tax on all taxable property and polls of said Edenton Graded School District for the purposes of paying off the current indebtedness on the new building and its equipment, for maintaining said Edenton Graded Schools, and for such general school purposes as may be directed by the trustees of Edenton Graded Schools. At such election those favoring the levying and collecting of such a tax for said purpose shall vote a ballot on which shall be written or printed "For Graded School Bonds," and those opposed shall vote a ballot on which shall be written or printed "Against Graded School Bonds." If a majority of the qualified voters shall vote "For Graded School Bonds," then all the provisions of this act shall be in full force and effect and the board of councilmen of the town of Edenton shall annually levy such rate of tax, not inconsistent with this chapter, as may be recommended by the board of trustees of the Edenton Graded Schools, and cause to be collected in the same manner and at the same time as other taxes of the town and district are levied and collected a tax on all property and polls of the said Edenton Graded School District sufficient to pay the interest on the bonds and to provide a sinking fund for the payment of said bonds when due and for maintaining the Edenton Graded Schools. The amount levied by said councilmen for said purpose shall never exceed thirty cents on the hundred dollars worth of property and ninety cents on the poll. The bond of the tax collector of said town shall be responsible for said tax to the same extent as it is liable for other taxes collected by him.

Count and return of votes.

Question to be submitted.

Ballots.

Effect of election.

Tax rate.

Limit of rate.

Bond of tax collector.

SEC. 3. The board of councilmen of the town of Edenton are hereby authorized and empowered, after a majority of the qualified voters of Edenton Graded School District shall have approved and authorized the same as herein provided, to issue bonds in the name of the Edenton Graded School District in such denominations, form, and amount as the board of trustees of the Edenton Graded Schools may determine, payable at such time and place as said board of councilmen may prescribe: *Provided*, that the amount of said bonds shall not be more than ten thousand dollars (\$10,000); the time of payment shall not exceed thirty-five (35) years. The rate of interest which said bonds shall bear

Bond issue authorized.

Denominations.

Proviso: Amount.

Maturity.

Interest.

- shall not exceed six per cent per annum, payable annually or semiannually. Said bonds shall not be sold, hypothecated, or otherwise disposed of for less than their par value. Said bonds shall be signed by the mayor of the town of Edenton and attested by the town clerk and sealed with the corporate seal of said town, and must be sold to the highest bidder. The amount realized from the sale of said bonds shall be used exclusively for paying off the current indebtedness on the new graded school building and its equipment, for maintaining said Edenton Graded Schools, and for such general school purposes as may be directed by the trustees of Edenton Graded Schools.
- Sale below par forbidden.
Authentication.
- Sale.
Exclusive use of proceeds.
- Proceeds paid to town treasurer.
- Orders on fund.
- Power to condemn land.
- SEC. 4. That all the proceeds derived from the sale of said bonds shall be paid over to the town treasurer to the credit of the board of trustees of the Edenton Graded Schools and disbursed by him without compensation, upon order of the board of trustees of Edenton Graded School District.
- SEC. 5. The board of trustees of the Edenton Graded School District are hereby given the power of eminent domain and may condemn any land and buildings thereon necessary for school purposes, if said land and buildings cannot be purchased.
- SEC. 6. This act shall be in force and effect from and after its ratification.
- Ratified this the 9th day of January, A. D. 1917.

CHAPTER 110

AN ACT TO ESTABLISH MAIDEN GRADED SCHOOL DISTRICT IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

- Public school district.
- Title.
- Election validated.
- Special tax to be levied and collected.
- SECTION 1. That all the territory within the corporate limits of the town of Maiden in Catawba County, as it is now or shall hereafter be prescribed, shall be and remain and is hereby constituted a public school district, and shall hereafter be known as the "Maiden Graded School District."
- SEC. 2. That the special school-tax election held in the Maiden Special-Tax School District, which includes all the territory within the corporate limits of the town of Maiden, on the tenth day of February, one thousand nine hundred and sixteen, under and by authority of the public acts of one thousand nine hundred and one, be and the same is hereby declared valid and legal in all respects, and that the said special tax for school purposes, to wit, thirty cents on each hundred dollars valuation of property and ninety cents on each taxable poll, shall continue to be levied and collected annually, to the same extent and in the

same manner as said taxes are now and have been heretofore levied and collected in the Maiden Special-Tax School District.

SEC. 3. That S. L. Hefner, G. E. Rudisill, W. G. Bandy, W. B. Murray, and B. M. Spratt, Jr., shall be and are hereby constituted trustees of the public schools of the Maiden Graded School District, and shall serve until their successors are elected and qualified as herein provided. The successors of the first two named shall be elected at the election for municipal officers of the town of Maiden in the year one thousand nine hundred and seventeen, for a term of two years, and the successors of the last three named shall be elected at the election for municipal officers of the town of Maiden in the year one thousand nine hundred and eighteen, for a term of two years, and at the election for municipal officers of the town of Maiden each year thereafter trustees shall be elected to succeed those whose terms expire: *Provided*, that any and all vacancies in the board of trustees other than by expiration shall be filled by the other members of said board.

Trustees named.

Terms.

Election of successors.

Proviso: vacancies.

SEC. 4. That the said trustees named in section three and their successors shall be and are hereby constituted a body politic by the name and style of "Board of School Trustees of Maiden," and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, acquire by gift, purchase devise, or otherwise, real and personal property, and may hold, exchange, mortgage, or sell the same in any manner and to any extent the said board may deem advisable, and exercise such other rights and privileges as are incident to other corporations, subject to the general school laws of the State, and may have a corporate seal, which it may break and change at pleasure.

Incorporation.

Corporate name.

Corporate powers.

Corporate seal.

SEC. 5. That it shall be the duty of said board of school trustees to establish separate schools for the white and colored children of said district, and they may grade the schools for either race, and shall appropriate and use the funds from special taxes and from the State and county fund in such manner as may be deemed just to both races, due regard being had to difference in cost of maintaining and the requirements of said schools: *Provided*, donations and income for benefit of any special school shall be so applied.

Establishment of schools.

Proviso: special donations and income.

SEC. 6. That said school trustees shall adopt the text-books for use in said schools recommended by the State Board of Education; may admit pupils residing outside the limits of said district, or those under or over the public school age, upon such terms as said trustees may deem reasonable, and may fix rates of tuition to be charged: *Provided*, no tuition shall be charged persons between the ages of six and twenty-one years, who reside within the district, for branches required to be taught in the public schools under the general law.

Text books.

Non resident pupils.

Rates of tuition.

Proviso: free tuition.

- School buildings. SEC. 7. That the said trustees may erect, repair, alter, and improve the school buildings and grounds, and may purchase Furniture and equipment. furniture, equipments, and appliances, including fixtures for heating, lighting, water supply, sewerage, etc., and may do all things they may deem advisable and for the best interest of the schools and school property in said district.
- Organization. SEC. 8. That said school trustees shall, as soon as convenient after the ratification of this act, meet and organize by electing a chairman and a secretary and treasurer. The treasurer shall Treasurer to give bond. give a bond in such sum as the said school trustees may require. Present school authorities. The school authorities as at present constituted shall carry on the schools in said district until the said school trustees shall organize under this act.
- School funds to be paid over. SEC. 9. That as soon as the said school trustees shall have organized and the treasurer of said board of trustees shall have given an approved bond, the treasurer of Catawba County (or whoever has the school funds belonging to said school district) shall pay over to the treasurer of said board all school funds then in his hands belonging to the Maiden Special-Tax (School) District or the Maiden Graded School District, and shall in like manner pay over all such funds that shall thereafter come into his hands for the use and benefit of said district.
- Special tax paid over. SEC. 10. That all taxes levied and collected in said district for the use and benefit of said schools, under the authority of the general law or under authority of the special school tax election as held in said district on the tenth day of February, one thousand nine hundred and sixteen, or under authority of this act, shall be paid over to the treasurer of said board of trustees by the sheriff or other tax collector provided for in this act, for the benefit of the public schools in said district.
- Property vested. SEC. 11. That all the property, both real and personal, of the public school districts embraced within the limits of said graded school district shall become the property of the Maiden Graded School District and the title thereto shall vest in the "Board of Conveyances. School Trustees of Maiden," and all real estate belonging to the public schools in said limits shall be conveyed to said board of trustees, subject to the provisions of this act; and said board of Sale of property. trustees may, in their discretion, sell any of said property, real or personal, and apply the proceeds as they may deem best for the schools and school property of said district.
- Apportionment from county funds. SEC. 12. That the county board of education of Catawba County is authorized and directed to pay to the treasurer of said board of trustees of said district, out of the county school funds coming under their control, any balance theretofore apportioned to the schools in Maiden Special-Tax School District, or appropriated to said district for building or other expenses, which has not been paid to or drawn from the county treasurer by said special-

tax district, and such apportionment and appropriation by the county board of education are declared to be valid and legal in all respects.

SEC. 13. The tax collector of the town of Maiden shall collect the taxes levied under the authority of the special-tax election held in the Maiden Special-Tax School District for school purposes and pay the same over to the treasurer of said board of trustees, retaining such commission as may be fixed by the board of trustees. Collection and settlement of tax.

SEC. 14. For purposes of taxation for benefit of schools as authorized by special-tax election as hereinbefore mentioned, property and polls shall be listed, assessed, and valued under the same laws as provided for municipal purposes: *Provided*, the assessors and list takers appointed by the county commissioners or other authorities to list or assess the property and polls in Newton Township for county and State taxation shall ascertain and designate on the tax list the property and polls subject to taxation for school purposes in said school district, and it shall be legal and binding for the tax lister for said district to copy the same on the tax list for said school district. Listing and assessment.

SEC. 15. That for the election of school trustees provided for in this act the same shall be held at the same time at which the municipal officers of the town of Maiden are elected, and the number of trustees each year to be elected as set out in section three of this act, and the said trustees are to be elected in like manner as the municipal officers of the town of Maiden. Proviso: assessors and list takers.

SEC. 16. That all laws or parts of laws in conflict with this act are hereby repealed, so far as the same applies to the Maiden Graded School District. Election of trustees.

SEC. 17. That this act shall be in force from and after its ratification. Repealing clause.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 111

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE MOUNT HOLLY GRADED SCHOOLS TO ISSUE BONDS FOR THE PURPOSE OF ERECTING AND EQUIPPING THE SCHOOL BUILDING NOW UNDER CONSTRUCTION.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of trustees of the Mount Holly Graded Schools is hereby authorized and empowered to issue bonds to an amount not exceeding fourteen thousand dollars (\$14,000) for the purpose of raising money to pay for the erection. Bond issue authorized. Amount. Purpose.

- tion and equipping of the school building now under construction at Mount Holly, Gaston County, North Carolina, in said school district. Said bonds shall be payable at such place as said board may designate in said bonds, and shall bear interest, not exceeding six per centum per annum, payable semiannually at such time and place as may be designated by said board, and evidenced by coupons attached to said bonds. Said bonds shall be signed in the name of "The Board of Trustees of the Mount Holly Graded School" by the chairman of the said board, attested by its secretary, and shall mature in twenty years from the date of their issue.
- Interest.**
- Authentication.**
- Maturity.**
- Sale below par forbidden. Exclusive appropriation.**
- Denominations.**
- Special tax.**
- Limit of rate.**
- Collection and settlement.**
- Payment of interest.**
- Investment of sinking fund.**
- Election on bond issue.**
- Date.**
- Election officers.**
- Law governing election.**
- SEC. 2. That the said bonds shall not be sold for less than their par value, and the proceeds of the sale thereof shall not be used for any purpose other than the purpose herein mentioned. Said bonds shall be issued in denominations of one hundred dollars, five hundred dollars, and one thousand dollars, or otherwise, to suit the purchaser or purchasers thereof.
- SEC. 3. That the board of county commissioners of Gaston County shall annually, at the time of levying other taxes, levy and lay a special tax of not exceeding fifteen cents on every one hundred dollars worth of property and not exceeding forty-five cents on every poll subject to taxation within the Mount Holly Graded School District to meet the accruing interest on said bonds and provide a sinking fund for the payment of the bonds at maturity. The taxes provided for in this act shall be collected by the tax collector of River Bend Township, Gaston County, North Carolina, or such other officers as may be charged by law with the collection of taxes therein, and by him paid over to the treasurer of the Mount Holly Graded School District.
- SEC. 4. That it shall be the duty of said trustees to pay the interest on said bonds out of the moneys collected for that purpose and to lend any and all moneys and the accruing interest on the same remaining from this special tax for a sinking fund upon notes, with good and sufficient security, upon the order and approval of said board of trustees. That any money of said sinking fund so loaned shall bear the legal rate of interest.
- SEC. 5. That for the purpose of submitting to the qualified voters of the Mount Holly Graded School District the question of issuing said bonds and levying and collecting the taxes hereinbefore provided for, an election shall be held in said school district on the first day of March, one thousand nine hundred and seventeen; that said election shall be held by J. W. Patterson, registrar of election, and W. B. Rutledge and George McGinnis, judges of election, who are hereby appointed for that purpose and who shall have power to fill all vacancies in said board of election officers; and said election shall be held by them under the same rules and regulations as prevail in the election of the

members of the General Assembly, except as otherwise herein provided. Said officers of election shall give thirty days notice of said election by notices posted at the courthouse door, at the postoffice at Mount Holly, and three public places in said school district; that they shall canvass the returns, declare the result of said election, and report the same to the board of commissioners of Gaston County, the board of education of Gaston County, and the board of trustees of the Mount Holly Graded School. Said registrar shall procure and open a registration book and there shall be a new registration of voters of said school district for said election; that the registrar shall keep the registration book open for thirty days, commencing on the twenty-seventh day of January, one thousand nine hundred and seventeen, and closing same on Saturday next before said election, and shall receive for his services the compensation as is allowed to the registrar in other elections.

Notice of election.

Canvass of returns.
Declaration and report of result.

New registration

Compensation.

SEC. 6. That at said election the qualified voters of said district who favor the issuance and sale of said bonds shall vote a ticket on which shall be printed or written the words "For Bonds," and those qualified voters who oppose the issuance and sale of said bonds shall vote a ticket on which shall be printed or written the words "Against Bonds."

Tickets.

SEC. 7. If a majority of the qualified voters of said district, as appearing from said registration book, shall vote at said election "For Bonds," it shall be the duty of the board of trustees of the Mount Holly Graded School to issue and sell said bonds, and with the proceeds to pay for the erection and equipment and maintenance of the new school building now under construction in said district, and shall reimburse any funds already used for such purposes.

Issuance of bonds.

Repayment.

SEC. 8. That if a majority of the qualified voters shall fail to vote at said election for said bonds, the board of education of Gaston County shall order another election at any time after twelve months from the date of the former election, and if at such election a majority of the qualified voters shall vote "For Bonds" it shall have the same force and effect as if no election had been previously held.

Subsequent elections.

SEC. 9. That C. E. Hutchison, R. K. Davenport, J. M. Springs, J. W. Holland, T. W. Springs, G. D. Jenkins, and R. F. Craig are hereby appointed to serve with the trustees of the Mount Holly Graded Schools, as a building committee, in the erection and equipment of said school building. Any vacancy occurring in said building committee shall be filled by the county board of education.

Building committee.

Vacancies.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 22d day of January, A. D. 1917.

CHAPTER 112

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ESTABLISH GRADED SCHOOLS IN THE FLAT ROCK (HENDERSON COUNTY) SPECIAL-TAX DISTRICT" AND TO INCORPORATE THE FLAT ROCK (HENDERSON COUNTY) SPECIAL-TAX SCHOOL DISTRICT INTO THE GENERAL PUBLIC SCHOOL LAW OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter one hundred and ninety-six of the Private Laws of North Carolina, session of one thousand nine hundred and five, entitled "An act to establish graded schools in the Flat Rock (Henderson County) Special-Tax School District," be and the same is hereby repealed.

General law applicable.

SEC. 2. That the Flat Rock (Henderson County) Special-Tax School District be and the same is hereby made subject to all of the provisions of the public school law of North Carolina as provided in chapter eighty-nine of the Revisal of one thousand nine hundred and five and all acts amendatory thereof.

Transfer of property.

SEC. 3. That the trustees of the Flat Rock (Henderson County) Graded School in the Flat Rock (Henderson County) Special-Tax School District be and they are hereby authorized, empowered, and directed to transfer, by the execution of proper deeds of conveyance, all public school property, real and personal, of every description, now belonging to the public schools in the territory covered by the Flat Rock (Henderson County) Special-Tax School District to the board of education of Henderson County.

Repealing clause.

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

When act effective.

SEC. 5. That this act shall be in force from and after the fifteenth day of May, one thousand nine hundred and seventeen.

Ratified this the 25th day of January, A. D. 1917.

CHAPTER 113

AN ACT TO PROVIDE FOR AN ISSUE OF BONDS TO BUILD A SCHOOLHOUSE IN SMALL GRADED SCHOOL DISTRICT, No. 8, RICHLAND TOWNSHIP, BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Petition for election.

SECTION 1. The board of county commissioners of Beaufort County shall, upon the petition of the county board of education of Beaufort County, order an election after thirty days notice at

Order for election.

the courthouse door and publication of four weeks in some newspaper published in the county, to be held in Small Graded School District, being District Number Eight, Richland Township, Beaufort County, to ascertain whether the voters in said school district are in favor of issuing bonds for the purpose of building a schoolhouse and furnishing the same with suitable equipment. The amount of bonds to be issued and the rate of interest they are to bear, which shall not be more than six per cent per annum, payable annually or semiannually, as the board of commissioners of Beaufort County may determine, and the length of time the bonds are to run, which shall not be more than twenty years, and the maximum tax that may be levied, which shall not exceed thirty cents on the one hundred dollars and ninety cents on the poll exclusive and in excess of any tax now levied upon the property and polls in said district, shall be set forth in the petition of the county board of education and in the order for the election made by the board of county commissioners. The bonds authorized under this act for said school district shall not exceed four thousand dollars (\$4,000).

SEC. 2. The election provided for in the foregoing section of this act shall be held under the rules and regulations governing elections in special-tax districts, as prescribed in section four thousand one hundred and fifteen of the Revisal of one thousand nine hundred and five and acts amendatory thereof and supplemental thereto, and a new registration for such election when called shall be ordered. At said election those favoring the issuance of bonds and the levying of a special tax for the purpose herein provided shall vote a ballot on which shall be printed the words "For Schoolhouse Bonds," and those who are opposed shall vote a ballot on which shall be printed the words "Against Schoolhouse Bonds." The expenses of holding such election shall be paid out of the general school fund of the county.

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

SEC. 4. The said bonds when so issued shall be delivered to the county board of education of Beaufort County, who shall sell the same for not less than par and hold the proceeds for the benefit of the building fund of said school district. The said fund shall be paid out upon the order of the school committee of said dis-

Investment of sinking fund. trict. The sinking fund provided for in this act shall be invested by the said county board of education in safe securities or may be deposited in a bank selected by said county board of education which will pay as much as four per cent per annum, compounded quarterly.

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

Officers liable on bonds.

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

Ratified this the 30th day of January, A. D. 1917.

CHAPTER 114

AN ACT TO AMEND THE LAW RELATING TO THE WILSON GRADED SCHOOL DISTRICT OF WILSON COUNTY.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That chapter forty-one of the Private Laws of one thousand nine hundred and thirteen be amended by adding to that act the sections which follow:

Petition for election.

SEC. 2. That the county commissioners of Wilson County shall upon a petition signed by a majority of the trustees of the Wilson Graded School District submit to the qualified voters of said graded school district the question of issuing serial bonds of said district to an amount not exceeding one hundred and fifty thousand dollars (\$150,000) for the purpose of erecting and equipping new school buildings, repairing and furnishing the present school buildings and the purchase of school sites and additional lands for school purposes, and the payment of any bonds and debts now outstanding against said graded school district; and also to submit the question of levying an additional special tax on the property and polls of said district not to exceed twenty cents on the one hundred dollars worth of property and sixty cents on each taxable poll, to be levied and collected and accounted for as the other special school taxes of said district are now levied and collected and accounted for, with which to pay the interest on said bonds and to retire them at maturity. The said bonds to bear interest at a rate not exceeding six per cent, and they shall not be sold for less than par.

Question to be submitted.

Notice of election.

SEC. 3. For said election the county commissioners of Wilson County shall give thirty days notice by publication at the courthouse door and in a newspaper published in the town of Wilson;

they shall designate the time and the place for holding said election, they shall designate the form of the ballot to be voted, they shall appoint the registrar and the poll-holders, they shall order a new registration of voters, they shall canvass and record the returns of said election and shall declare the result. In other respects said election shall be held under the provisions of the general election law of this State.

Matters to be set out in notice.

New registration. Canvass and record.

SEC. 4. That in case a majority of the qualified voters of the Wilson Graded School District shall approve the bond issue and the special-tax herein provided for at an election held under sections two and three of this act, then the trustees of the Wilson Graded School District may cause to be levied the special tax herein provided for and may issue said serial bonds periodically and at such times as they shall deem necessary and in such denominations and form and bearing such rate of interest as they may deem most expedient for their sale. The said graded school trustees shall make provision for the annual payment and retirement of such number and amounts of said bonds as they may determine, but they shall not issue any part of said bonds for more than thirty (30) years.

Levy of tax and issuance of bonds.

Denomination. Interest.

Maturity.

SEC. 5. The trustees of the Wilson Graded School District shall make an annual statement of their transactions under this act and print the same in one of the newspapers of the town of Wilson.

Annual statements.

SEC. 6. The failure of the people of the Wilson Graded School District to approve at the first election the issue of bonds and the special-tax herein provided for shall not prevent the calling and the holding of a second election under the provisions of this act.

Further election.

SEC. 7. The trustees of the Wilson Graded School District, in anticipation of the collection of taxes, shall have the power to borrow money with which to meet its current school expenses, not to exceed in amount in any one year one-half of the current annual receipts for ordinary school purposes.

Power to borrow money.

Limit of amount.

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 115

AN ACT TO INCORPORATE THE NEGRO FAIR IN JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of holding fairs to promote and encourage, agriculture, domestic manufactures, mechanics,

Purpose of incorporation.

- and liberal arts, and every species of native industry in their race, H. R. Goodson, W. S. King, James R. Patterson, D. W. H. Mitchener, J. M. Beckwith, J. E. Earle, A. F. Sanders, Mordecai Stevens, Otis Davis, W. H. Atkinson, D. J. Judkins, W. F. Korne-gay, M. Z. Campbell, H. J. Smith, Wyatt Hines, R. H. Sanders, Ed Sanders, John W. Mitchener, their associates and successors,
- Corporators.** •
- Corporate name.** are hereby created a body corporate under the name and style
- Corporate powers.** of "The Johnston County Negro Fair Association," and they shall have and are given and granted succession and the right to have a common seal, and shall be capable in law to sue and to be sued, to plead and be impleaded in all the courts of this State.
- Power to hold land and erect buildings.** SEC. 2. That said incorporators may acquire and hold sufficient lands and erect thereon sufficient buildings, structures, and other necessary equipment for the purposes herein set out.
- Officers and executive board.** SEC. 3. That said incorporators, their associates and successors, shall have power to elect officers and an executive board in their discretion, and may make and establish such rules and regulations, by-laws, and ordinances for the government of said fairs and exhibition grounds and for the maintenance of order and decorum thereon during the times of holding any such fairs or exhibitions as they may deem proper, not inconsistent with the Constitution and the laws of the State of North Carolina.
- By-laws and ordinances.**
- Vacancies in governing board.** SEC. 4. That in case of death or resignation or refusal to act of any member of the governing board of said corporation, the remaining members shall have the power to fill any such vacancy; and there shall be not less than three nor more than seventeen members of said governing board.
- Governing board.** SEC. 5. That this act shall be in force from and after its ratification.
- Ratified this the 1st day of February, A. D. 1917.

CHAPTER 116

AN ACT TO REPEAL CHAPTER 261 OF THE PRIVATE LAWS OF 1915, AUTHORIZING THE CITY OF HIGH POINT TO ISSUE NEGOTIABLE BONDS TO RAISE MONEY FOR THE EXTENSION AND IMPROVEMENT OF THE WATER-WORKS AND SEWERAGE SYSTEM OF THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

- Law repealed.** SECTION 1. That chapter two hundred and sixty-one of the Private Laws of nineteen hundred and fifteen, relative to authorizing the city of High Point to issue negotiable bonds to raise

money for the extension and improvement of the water-works and sewerage system of the city of High Point, be and the same is hereby repealed.

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 117

AN ACT TO AMEND CHAPTER 49 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION 1915, RELATIVE TO THE CITY OF ASHEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section thirty-five of chapter forty-nine of the Private Laws of North Carolina, session of one thousand nine hundred and fifteen, be and the same is hereby amended by adding at the end of said section thirty-five the following, to wit: "Provided, however, that the provisions of this section shall not in any way interfere with any of said officers temporarily boarding or spending the summer months outside of said city limits, where such officer retains telephone connection with said city and his said absence does not interfere with the duties of his office, where such officer retains his legal residence in said city of Asheville."

Proviso: Temporary absence.

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

Repealing clause.

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 118

AN ACT TO AUTHORIZE THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF SWANSBORO TO EMPLOY A SURVEYOR AND MAKE A SURVEY OF SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor and town commissioners of the town of Swansboro be and they are hereby authorized and empowered to employ a competent surveyor or civil engineer for the purpose of making a survey and plat of all lands, lots, and streets of the town of Swansboro, which survey and plat, when duly approved by the said mayor and town commissioners, is

Registration.

Official survey
and plat.

hereby authorized to be registered in the office of register of deeds for Onslow County as the official survey and plat of the town of Swansboro.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 119

AN ACT TO REPEAL HOUSE BILL 61, SENATE BILL 168,
KNOWN AS AN ACT TO AMEND THE CHARTER OF THE
CITY OF THOMASVILLE.

The General Assembly of North Carolina do enact:

Act repealed.

Repealed act de-
fined.

SECTION 1. That an act heretofore passed at this session of the General Assembly of North Carolina, viz, the session of the year nineteen hundred and seventeen, which act passed as House Bill number sixty-one, Senate Bill number one hundred and sixty-eight, be and the same is hereby repealed. This act bears the title "An act to amend chapter three hundred and one of the Private Laws of the General Assembly of one thousand nine hundred and fifteen known as the charter of the city of Thomasville," and was ratified on the ninth day of January, one thousand nine hundred and seventeen, and is not to be confused with an act bearing the same title which was ratified on the eighth day of January, one thousand nine hundred and seventeen, and passed the General Assembly as House Bill number four hundred and twenty-six, Senate Bill number three hundred and twenty-eight. The last named bill is not hereby intended to be repealed.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 120

AN ACT TO AMEND CHAPTER 212 OF 1905, RELATING TO
THE CONDEMNING OF LAND FOR PUBLIC SCHOOLS.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That section two (2) of chapter two hundred and twelve (212) of the Public Laws of one thousand nine hundred and five, relating to the condemnation of land in the city of Durham for school sites, and all other special acts providing for

the condemnation of land in the city of Durham for school sites, be and the same are hereby repealed.

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

Ratified this the 7th day of February, A. D. 1917.

CHAPTER 121

AN ACT TO AMEND SECTION 4, CHAPTER 243, PRIVATE LAWS 1901, RELATIVE TO GRADED SCHOOLS IN THE TOWN OF MOUNT OLIVE, COUNTY OF WAYNE.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter two hundred forty-three of the Private Laws of one thousand nine hundred and one be and the same is hereby amended by striking out the word "forty" in line eleven and inserting the word "fifty," and by striking out the word "twenty" in line twelve and inserting the word "fifty" in lieu thereof. Tax rate.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 122

AN ACT TO AUTHORIZE AND EMPOWER THE MAYOR AND THE BOARD OF ALDERMEN OF THE TOWN OF TARBORO, N. C., TO CONVEY, WITHOUT MONEY CONSIDERATION, TO THE BOARD OF TRUSTEES OF THE HOWARD MEMORIAL PRESBYTERIAN CHURCH OF TARBORO, N. C., A PART OF THE PRESBYTERIAN CHURCH OF THE UNITED STATES OF AMERICA, A CERTAIN LOT OF LAND BELONGING TO THE SAID TOWN, AND TO RATIFY AND CONFIRM TWO CERTAIN CONVEYANCES HERETOFORE MADE BY SAID TOWN OF TARBORO TO THE BOARD OF TRUSTEES OF SAID CHURCH.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor and board of aldermen of Tarboro, N. C., be and they are hereby authorized and empowered, upon a resolution properly adopted by said board, to convey in fee simple, or otherwise, without money consideration, to the board of trustees of Howard Memorial Presbyterian Church of Tarboro, N. C., a part of the Presbyterian Church of the United Conveyance authorized.

Description of lot.

States of America, that certain lot or parcel of land lying and being in the said town of Tarboro, being a part of lot number sixty-four on the plat of said town, more particularly described as follows: Beginning at the southeastern intersection of St. James and St. Patrick streets, thence running in a southerly direction with and along St. Patrick Street one hundred and seventy-five feet, cornering; thence in an easterly direction at right angles with St. Patrick Street one hundred and thirty-feet, cornering; thence in a northerly direction parallel with St. Patrick Street one hundred and seventy-five feet to St. James Street, and thence with St. James Street in a westerly direction to the beginning, upon part of which lot the Howard Memorial Presbyterian Church building is now located.

Execution of deeds.

SEC. 2. That the mayor of said town of Tarboro, or his successor in office, be and he is authorized and empowered to execute a deed for said property.

Deeds validated.

SEC. 3. That two certain conveyances heretofore executed, one by N. L. Staton, mayor of Tarboro, to Orren Williams, F. S. Royster, and A. N. MacNair, trustees, recorded in book forty-seven, page five hundred and thirty-eight, Edgecombe County registry; the other, by James Pender, mayor of the town of Tarboro, to George Howard, Harry Smith, and R. B. Peters, trustees, recorded in book one hundred and thirty, page ninety-nine, Edgecombe County registry be and they are hereby in all respects ratified, confirmed, and validated to the same extent as if special legislative authority had been given prior to said conveyances.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 123

AN ACT TO REPEAL CERTAIN SECTIONS OF CHAPTER 236 OF THE PRIVATE LAWS OF SESSION 1913, IT BEING AN ACT AMENDING THE CHARTER OF THE TOWN OF FREMONT.

The General Assembly of North Carolina do enact:

Sections repealed.

SECTION 1. That sections nineteen, twenty, twenty-one, and twenty-two of chapter two hundred and thirty-six of the Private Laws of North Carolina, session one thousand nine hundred and thirteen, be and the same are hereby repealed.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 124

AN ACT TO AMEND SECTION 6 OF CHAPTER 96 OF THE PRIVATE LAWS OF THE EXTRA SESSION, 1913, RELATIVE TO LEVYING AND COLLECTING TAXES UNDER SAID ACT.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter ninety-six of the Private Laws of the extra session of one thousand nine hundred and thirteen be amended by striking out in lines nineteen and twenty the following words: "levied and collected as the other town taxes in said town, and in that portion of said district in Robeson County shall be," the effect being that the county commissioners shall levy and the sheriff shall collect the taxes provided for in said chapter. Levy and collection of tax.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 125

AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN OF THE TOWN OF ELM CITY TO ISSUE BONDS IN A SUM NOT TO EXCEED \$3,000 FOR THE PURPOSE OF PAYING OFF CERTAIN INDEBTEDNESS INCURRED BY THE SAID BOARD OF ALDERMEN, WHICH INDEBTEDNESS GREW OUT OF THE CONSTRUCTION AND MAINTENANCE OF A WATER AND SEWERAGE SYSTEM IN SAID TOWN, AND TO PROVIDE FOR THE PAYMENT OF THE INTEREST ON SAID BONDS AND OTHER BONDS BY TAXATION.

Whereas the General Assembly of North Carolina in regular session, one thousand nine hundred and thirteen, passed an act entitled "An act to authorize the board of aldermen of the town of Toisnot to issue bonds in the sum of ten thousand dollars for the construction and maintenance of a water and sewerage system in said town"; and whereas the said act was ratified the twelfth day of March, A. D. one thousand nine hundred and thirteen, as will appear more fully by reference to chapter four hundred and seventy of the Private Laws of North Carolina, session one thousand nine hundred and thirteen; and whereas it was declared in said act that the issue of said bonds was a lawful exer- Preamble: Act for bond issue.

Preamble: Ratification of act.

Preamble: Declarations as to bonds.

- cise of power of the town of Toisnot, and the purposes for which the said bonds were to be issued were also declared to be a municipal necessity; and whereas the said act authorizing the said bonds to be issued provided that there should be levied and collected each year upon the taxable property and polls of said town, for the purpose of paying the interest and creating a sinking fund for the ultimate payment of said bonds, annually a tax of not more than thirty cents on each taxable poll and not more than ten cents on each one hundred dollars worth of taxable property; and whereas the said bonds were issued by the said board of aldermen; and whereas the General Assembly of North Carolina in extra session, one thousand nine hundred and thirteen, passed an act entitled "An act to change the name of Toisnot to Elm City"; and whereas, under the provisions of said act, all laws theretofore enacted governing the town of Toisnot were made to apply to the government of Elm City; and whereas said act was ratified the eleventh day of October, one thousand nine hundred and thirteen; and whereas the General Assembly of North Carolina in regular session, one thousand nine hundred and fifteen, passed an act entitled "An act to authorize the board of aldermen of the town of Elm City to issue bonds in a sum not to exceed seven thousand dollars (\$7,000) for the purpose of paying off certain indebtedness incurred by the said board of aldermen in the construction and maintenance of a water and sewerage system in said town and to provide for the payment of said bonds by taxation"; and whereas the said act authorizing the issue of the said bonds provided that there should be levied and collected each year upon the taxable property and polls of said town for the purpose of paying the interest and creating a sinking fund for the ultimate payment of said bonds annually a tax of not more than thirty cents on each taxable poll and not more than ten cents on each one hundred dollars (\$100) worth of taxable property; and whereas the said act was ratified the second day of March, A. D. one thousand nine hundred and fifteen; as will appear by reference to chapter one hundred and sixty, Private Laws of North Carolina, session one thousand nine hundred and fifteen; and whereas the said bonds were issued; and whereas the issue of said bonds was declared in the said act to be a lawful exercise of the power of the town of Elm City, and the purposes for which issued was also declared to be a municipal necessity; and whereas the tax authorized to be levied and collected under the two acts, as aforesaid, has been insufficient to pay the interest on the bonds issued under the said two acts, which said bonds aggregate seventeen thousand dollars (\$17,000); and whereas the sum of about two thousand dollars (\$2,000) has been paid out of the general funds of the town of Elm City to meet the interest on the aforesaid bonds;
- Preamble: Special tax.
- Preamble: Issue of bonds.
Preamble: Change of name.
- Preamble: Application of act.
- Preamble: Date of ratification.
- Preamble: Passage of act of 1915.
- Preamble: Special tax.
- Preamble: Date of ratification.
- Preamble: Bonds issued.
Preamble: Declarations as to bonds.
- Preamble: Tax-insufficient.
- Preamble: Payment from general fund.

and whereas the board of aldermen of the town of Elm City has expended the sum of about one thousand dollars (\$1,000) in extending the water and sewerage system established and created under the two acts as aforesaid, and has paid said amount out of the general funds of the town of Elm City; and whereas, in order to pay the said one thousand dollars (\$1,000), together with the said two thousand dollars (\$2,000), the said board of aldermen had to borrow from the bank the sum of about one thousand dollars (\$1,000) and pledge the credit of the said town to the payment of said sum; and whereas, in order to pay the said note and to reimburse the general funds of the said town for the two thousand dollars (\$2,000) paid out of said general funds as aforesaid, a bond issue in the sum of three thousand dollars (\$3,000) will be necessary: Now, therefore,

Preamble: Expense incurred.

Preamble: Money borrowed.

Preamble: Bond issue necessary.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen of the town of Elm City be and the same are hereby authorized, empowered, and directed to issue the bonds of the said town in the name of the town of Elm City, North Carolina, in such denominations and forms as it may determine, and to an amount not to exceed the sum of three thousand dollars (\$3,000), payable twenty years after the date of issuance thereof and at such places as the board of aldermen may prescribe. The said bonds shall bear interest at the rate of six per cent per annum from the date of issuance, said interest to be payable semiannually, and to be so expressed upon the face of said bonds. The said bonds may be either registered or coupon or partly registered and partly coupon, and all other matters in detail connected with the issuance of said bonds may be prescribed by the board of aldermen of said town. The said bonds when issued shall be signed by the mayor and by the town clerk, and the seal of the town shall be attached thereto. The issue of said bonds is hereby declared to be a lawful exercise of power of the town of Elm City, and the purposes for which issued are hereby declared to be a municipal necessity. For the purpose of paying the interest on the said bonds, together with the interest on the two other issues, as more fully set out in the preamble to this act, and for the purpose of creating a sinking fund for the ultimate payment of the said bonds, including the other two issues, as aforesaid, there shall be levied and collected each year upon the taxable property and polls of said town a tax of not more than ninety cents on each taxable poll and not more than thirty cents on each one hundred dollars (\$100) worth of taxable property: *Provided*, that nothing herein shall be so construed as to enable the board of aldermen of said town to levy and collect more than ninety cents on each poll and more than thirty cents on each one hundred dollars (\$100) worth

Bond issue authorized.

Denominations.

Amount.

Maturity.

Interest.

Authentication.

Declaration of necessity.

Special tax.

Limit of rate.

Proviso: Limitations.

of taxable property, including the tax which may be levied and collected under the other two acts as set out in the preamble. Out of the moneys so collected the interest shall be paid as it becomes due, and the balance remaining of said taxes shall be invested in the sinking fund, the purpose of which is to ultimately pay off said bond; and the board of aldermen are hereby authorized to invest the said money in any of the bonds so issued or in other securities which they may consider most advantageous to said town.

- Appropriations. SEC. 2. That the bonds issued under this act shall be for the sole purpose of paying off the indebtedness incident to the construction, extending, and maintaining a water-works and sewerage system of the town of Elm City, together with the necessary expense incident to the issuance and sale of said bonds.
- Sole purpose of bonds. SEC. 3. That the clerk of the town of Elm City shall provide a record in his office in which shall be entered and kept the names of all purchasers of said bonds and the number and amount of the bonds purchased, and also a record of the bonds redeemed, and the bonds and coupons when redeemed shall be recorded as redeemed and canceled, and a record of said redemption and cancellation shall be made.
- Record of bonds. SEC. 4. That before selling said bonds the board of aldermen of the town of Elm City shall advertise same for twenty days immediately preceding date of sale in some newspaper published in Wilson County, and such other papers as in their discretion they may deem best, giving the time and place where bids will be opened for the sale of the said bonds and the terms upon which said bonds are issued: *Provided*, that the said board of aldermen shall have the right, in their discretion, to reject any and all bids for said bonds and may sell the same privately: *Provided*, that the said bonds shall not be sold for less than par except by a four-fifths vote of said board, when the said bonds may be sold for not less than two and one half ($2\frac{1}{2}$) per cent below par. That the proceeds arising from the sale of said bonds issued under the provisions of this act shall be applied and appropriated only for the purpose of paying the balance of the indebtedness incurred in constructing, extending, and maintaining the water and sewerage system in said town and the necessary expenses incident thereto, together with the expense incident to the issuance and sale of said bonds as aforesaid.
- Advertisement for sale of bonds. SEC. 5. That all laws and clauses of laws in conflict with this act are hereby repealed.
- Proviso: Right to reject bids. SEC. 6. That this act shall be in force from and after its ratification.
- Proviso: Sale below par. Ratified this the 12th day of February, A. D. 1917.
- Specific appropriation.
- Repealing clause.

CHAPTER 126

AN ACT TO REPEAL CHAPTER 384 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION 1907, INCORPORATING THE TOWN OF NEW HILL, WAKE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and eighty-four of the Laws repealed. Private Laws of North Carolina, session one thousand nine hundred and seven, be and the same is hereby repealed.

SEC. 2. That this act shall be in force from and after the (When act effective. date of its ratification.

SEC. 3. That all laws and clauses of laws in conflict with Repealing clause. this act be and the same are hereby repealed.

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 127

AN ACT TO AUTHORIZE THE ISSUING OF BONDS BY THE WHITEVILLE SUPPLEMENTAL SCHOOL DISTRICT, NO. 1, FOR THE WHITE AND COLORED RACES OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Columbus Call of election. County, upon a written application of a majority of the board of trustees of "Whiteville Supplemental School District, Number One, for the White and Colored Races," hereinafter called the Whiteville District, is authorized and directed to submit on the fourth Tuesday in April, one thousand nine hundred and seven- Date. teen, to the qualified voters of said Whiteville District, under such rules and regulations as now exist or may be hereafter established for the election of members of the General Assembly, the Question to be voted on. question of issuing bonds for the erection, repairing, and equipping of suitable school buildings in said district; and there shall New registration. be an entirely new registration under the provisions of the general election laws of the State of all voters who are entitled to register in Whiteville School District, and only such persons who register under the provisions of this act shall be entitled to vote in said election; and at such election each voter shall be entitled Ballots. to vote a written or printed ballot with the words "For Bonds" or "Against Bonds" thereon.

- Trustees to issue bonds. SEC. 2. In the event a majority of the voters of said Whiteville District shall cast ballots upon which are written or printed the words "For Bonds," then and in that event it shall be lawful for the board of trustees of Whiteville District to issue bonds in an amount not exceeding twenty thousand dollars, said bonds to be signed by the chairman and attested by the secretary of said board, to be in denominations of five hundred dollars, each to bear interest at a rate not exceeding six per cent, payable semi-annually and to run for a period of thirty years. The said bonds shall be sold at not less than par and the proceeds derived from the sale used in the erection of suitable school buildings in said district.
- Amount. SEC. 3. For the purpose of paying the interest and providing a sinking fund for the payment of the principal of said bonds it shall be the duty of the board of commissioners of Columbus County, in the event that a majority of the qualified voters of the said Whiteville District shall vote "For Bonds," to levy a tax to be collected in the same manner as provided by law for the levying and collection of State and county taxes. The sheriff of Columbus County shall collect the taxes of said school district so levied and shall pay over the same to the treasurer of Columbus County under the same liabilities as are now provided by law for the collection and paying over of county school taxes; and *Provided*, that the special tax so levied and collected shall be only on the property in said district and shall not exceed thirty cents on each one hundred dollars worth of real and personal property and ninety cents on each poll in said district.
- Authentication. SEC. 4. That the school trustees of said Whiteville School District are hereby authorized and empowered to loan any money or moneys that may accumulate as a sinking fund against the bonded indebtedness of said school district under the restrictions herein set out.
- Denominations. SEC. 5. That any money loaned as authorized in this act shall not be loaned for a longer period than five years, and shall only be loaned on security approved by the board of education of Columbus County and the superintendent of public schools of Columbus County.
- Interest. SEC. 6. That the treasurer of Columbus County shall turn over to the said school trustees upon their warrant of written order, approved by the county superintendent of schools of Columbus County, such fund as may accumulate from time to time for the purpose and under the rules set forth in this act.
- Maturity. SEC. 7. That all laws and clauses of laws in conflict with this act are hereby repealed.
- Sale below par forbidden. SEC. 8. That this act shall be in force from and after its ratification.
- Use of proceeds. Ratified this the 21st day of February, A. D. 1917.
- Special tax. Collection and settlement. Limit of tax rate. Investment of sinking fund. Time of loans. Money paid to trustees. Repealing clause.

CHAPTER 128

AN ACT TO AUTHORIZE THE "SCHOOL BOARD OF AULANDER GRADED SCHOOL" TO ISSUE ADDITIONAL BONDS AND LEVY AN ADDITIONAL SPECIAL TAX IN THE AULANDER GRADED SCHOOL DISTRICT IN BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the bonds heretofore issued, the "School Board of Aulander Graded School" be and are hereby authorized and empowered to issue additional bonds of said Aulander Graded School District in Bertie County, North Carolina, to an amount not exceeding fifteen thousand dollars (\$15,000), of such denominations and of such proportion as said school board may deem advisable, bearing interest from the date thereof at a rate not to exceed six per cent per annum, with interest coupons attached payable annually; said bonds 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, as said school board may determine.

Additional issue authorized.

Amount.

Denominations.

Interest.

Maturity.

SEC. 2. That the proceeds arising from the sale of said bonds, or such part thereof as may be necessary, shall be expended by said school board in paying off any and all floating or outstanding indebtedness of the said school board of Aulander Graded School, or of the Aulander Graded School District, and in installing, equipping, and maintaining heating plants and sewerage systems for the schools of said school district, and in further equipping and maintaining the schools of said school district.

Use of proceeds.

SEC. 3. That for the purposes of this act and in addition to the particular tax heretofore authorized to be levied in said school district by chapter four hundred and eighty-five of the Private Laws of North Carolina, session one thousand nine hundred and thirteen, the said school board of Aulander Graded School shall and they are hereby authorized and empowered to levy and cause to be collected annually an additional particular tax not to exceed twenty-one and two-thirds cents on the one hundred dollars valuation on all taxable property in said school district and sixty-five cents on each taxable poll in said district: *Provided* that the valuation of all property in said district shall be the same as that at which it is assessed for county and State purposes, and that the taxes levied under this act shall be due, payable, and collectible in like time and manner as are the taxes for county and State purposes.

Special tax.

Limit of rate.

Proviso: Valuation of property.

Collection of tax.

SEC. 4. That the taxes herein provided for shall be used and expended by the said school board, together with the particular tax heretofore authorized in chapter four hundred and eighty-five of the Private Laws of North Carolina, session one thousand

Use of tax.

nine hundred and thirteen, for the purpose of paying said bonds herein authorized and interest on same, together with the bonds of said school district heretofore issued, and interest on same, and for the purpose of paying the necessary expenses in conducting, operating, and maintaining the schools of said graded school district.

Sale of bonds.

SEC. 5. That the sale of the bonds herein provided for shall be made at public sale after due advertisement giving notice of time and place of sale, but none of said bonds shall be disposed of by sale, exchange, hypothecation, or otherwise, for less than their par value, nor shall said bonds or their proceeds be used for any other purposes than that declared in section two of this act.

Sale below par forbidden.

Specific appropriation.

Election.

SEC. 6. That for the purposes of this act it be and is hereby made the duty of the said school board of Aulander Graded School to order and provide for an election to be held in the town of Aulander at a time to be named by said school board, which said election shall be held under the laws, rules and regulations governing elections for mayor and other town officers in said town of Aulander, after first making publication thereof in five public places in said school district; and said school board shall appoint a registrar and two judges of election for the purpose of holding said election, and shall cause a new registration to be made of all qualified voters in said school district after first giving the notice required by law, and shall provide ballots without device for all qualified voters in said district, on which shall be written or printed the words "For Additional Bond Issue and Special Tax," and also shall provide like ballots on which shall be written or printed the words "Against Additional Bond Issue and Special Tax"; and at the close of said election the officers holding same shall canvass the vote and certify the returns to the said school board of Aulander Graded School, which shall be duly recorded in the records of the said school board; and if said returns show that at such election a majority of the qualified voters of said school district voted "For Additional Bond Issue and Special Tax," then the provisions of this act shall be in full force and effect and it shall be the duty of said school board to issue and sell said bonds and levy said particular tax as herein provided; but if said returns show that at such election a majority of the qualified voters of said school district voted "Against Additional Bond Issue and Special Tax," then this act shall be null and void, and shall in no wise affect any of the provisions of chapter four hundred and eighty-five of the Private Laws of North Carolina, session one thousand nine hundred and thirteen.

Law governing election.

Election officers.

New registration.

Ballots.

Canvass and returns.

Record.

Effect of election.

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

Ratified this the 21st day of February A. D. 1917.

CHAPTER 129

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF BELMONT GRADED SCHOOL DISTRICT TO ISSUE ADDITIONAL BONDS FOR THE PURPOSE OF ERECTING AND EQUIPPING A GRADED SCHOOL BUILDING AT BELMONT, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of raising additional money to build and equip a graded school for the Belmont Graded School District, the board of trustees of the said Belmont Graded School District is hereby authorized and empowered to issue additional bonds to an amount not exceeding ten thousand dollars, payable at such places as it may designate, which bonds shall bear interest not exceeding six per cent per annum, payable semiannually at such time and place as said board may designate and evidenced by coupons attached to said bonds. Said bonds shall be signed in the name of the board of trustees of the Belmont Graded School District by the chairman of said board, attested by its secretary, and shall mature in not less than twenty nor more than thirty years from the date of their issue.

Purpose of bonds.

Amount of issue.

Interest.

Authentication.

Maturity.

SEC. 2. That the said bonds shall not be sold for less than their par value, and the proceeds from the same shall not be used for any purpose other than the purpose mentioned in section one of this act. Said bonds shall be sold in denominations of one hundred dollars, five hundred dollars, and one thousand dollars, to suit the purchaser or purchasers thereof: *Provided*, the purchasers of said bonds shall not be required to see to the application of the proceeds of the sale thereof.

Sale below par forbidden.

Specific appropriation of proceeds.

Denominations.

Proviso; obligation of purchaser released.

SEC. 3. That the board of commissioners of Gaston County shall annually, at the time of levying other taxes, levy and lay a special tax of not more than fifteen cents on every one hundred dollars worth of property and not more than forty-five cents on every poll subject to taxation within the said graded school district, to meet the annually accruing interest on said bonds and provide a sinking fund for the payment of the same. The taxes provided for in this section shall be collected by the sheriff of Gaston County and by him paid over to the treasurer of said graded school district, and shall be applied exclusively to the purpose for which they are collected.

Special tax.

Limit of tax rate.

Collection and settlement.

Specific appropriation.

SEC. 4. That it shall be the duty of said trustees to pay the interest on said bonds out of the moneys collected for that purpose, and to lend any and all moneys, and the accruing interest on the same, remaining from the special taxes or sinking fund, upon notes secured by first mortgage on real estate, to be approved by said board of trustees.

Payment of interest.

Investment of sinking fund.

- Interest. SEC. 5. That any money of said sinking fund so loaned shall bear the legal rate of interest in North Carolina, and any interest thereon shall be annually loaned in the same way.
- Order for election. SEC. 6. That for the purpose of submitting to the qualified voters of the Belmont Graded School District the question of issuing said bonds and levying and collecting all taxes herein-before provided for, the county board of commissioners of the county of Gaston, upon petition of the board of trustees of the Belmont Graded School District, or upon petition of one-fourth of the freeholders of said district, indorsed and approved by the county board of education, shall within thirty days thereafter order an election to be held in said district at the usual polling place in Belmont, appoint a registrar and two judges of election, and shall give thirty days notice in some newspaper published in Gaston County, and shall order an entire new registration of voters for said election.
- Election officers.
- Notice of election.
- New registration.
- Ballots. SEC. 7. That at said election those voting for issuing said bonds and levying and collecting all the taxes herein provided for shall vote a written or printed ballot containing the words "For School Bonds," and those voting against issuing said bonds and levying and collecting said taxes as herein provided for shall vote a written or printed ballot containing the words "Against School Bonds." Said election shall be held under the same rules and regulations as are now provided for election of members of the General Assembly.
- Law governing election.
- Canvass and returns. SEC. 8. That the registrar and judges of election at the close of said election shall canvass the votes and declare the result of election and make returns thereof to the county board of commissioners of Gaston County, and the board of commissioners shall order said returns recorded in the office of the register of deeds of Gaston County.
- Record of returns.
- Effect of election. SEC. 9. That if at the election a majority of the qualified voters of the Belmont Graded School District shall vote for bonds, then the board of school trustees shall proceed to issue and sell the bonds or so many thereof as shall be necessary, in their judgment and discretion, for the purposes aforesaid.
- Further elections. SEC. 10. That if the majority of the qualified voters shall fail to vote in favor of issuing said bonds and levying and collecting the particular tax, the said board of county commissioners of Gaston County, upon petition of said board of trustees of Belmont Graded School District, or upon petition of one-quarter of the freeholders, approved by the board of education for said county, may order another election every twelve months after said first election for a period of three years thereafter; and if at any one of said elections a majority of the qualified voters shall vote "For School Bonds" it shall have the same force and effect as if no election had been previously held.

SEC. 11. The expense of this election shall be borne by the board of education of Gaston County. Expense of election.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 130

AN ACT SUPPLEMENTAL TO HOUSE BILL 56 AND SENATE BILL 196, SESSION 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill fifty-six and Senate Bill one hundred and ninety-six, session one thousand nine hundred and seventeen, shall be supplemented in section one by adding the names of Lonnie Miller, Henry Shore, West Johnson, Will Smith, and L. J. Horne: *Provided*, the men mentioned not in the school district come in under the general law before the election on the said school bonds. Additional committeemen. Proviso: inclusion in district.

SEC. 2. That section nine of said bill is hereby made null and void. Former school tax.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 131

AN ACT TO CORRECT TYPOGRAPHICAL ERROR IN HOUSE BILL 6, SENATE BILL 221, ENACTED BY THE GENERAL ASSEMBLY OF 1917, AND ENTITLED "AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM, CHAPTER 235 OF THE PRIVATE LAWS OF 1899, AS AMENDED BY CHAPTER 178 OF THE PRIVATE LAWS OF 1901."

Whereas it appears that in House bill six, Senate bill two hundred and twenty-one, a typographical error has occurred, in that in section one of said act and in the last sentence thereof beginning "*Provided further*, that the city shall have," and before the words "any and all" in the same sentence the following words have been omitted by mistake, to wit: "water mains in and under": Now, therefore, in order to correct the said typographical error and to make plain the meaning of the clause and sentence in which said omission occurs, and to bring the same into conformity with the purport of the other provisions of said section, Preamble: Error.

The General Assembly of North Carolina do enact:

Water mains.

SECTION 1. That section one of House bill six, Senate bill two hundred and twenty-one, be amended by inserting the following words, "water mains in and under," in the last sentence of said section beginning "*Provided further*, that the city shall have," and after the word "constructing" in said sentence, and before the words "any and all" in said sentence.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 132

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ENLARGE THE JURISDICTION OF THE MAYOR OF THE TOWN OF RUTHERFORDTON."

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That House Bill five hundred and five, Senate Bill four hundred and twenty-eight, passed at the present session of the General Assembly and ratified January ninth, nineteen hundred and seventeen, entitled "An act to enlarge the jurisdiction of the mayor of the town of Rutherfordton," be and the same is hereby repealed.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 133

AN ACT TO AMEND CHAPTER 556 OF THE PUBLIC LAWS OF 1905, AND THE PRIVATE LAWS OF THE EXTRA SESSION OF 1908, CHAPTER 19, PAGE 19, RELATING TO ISSUANCE OF BONDS FOR INCREASED SCHOOL FACILITIES FOR THE MOORESVILLE GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and fifty-six of the Public Laws of one thousand nine hundred and five and chapter nineteen of the Private Acts of the extra session of one thousand nine hundred and eight be amended as follows: "The commissioners of Mooresville may submit to the qualified voters of the Mooresville Graded School District the question of whether bonds shall be issued for the purpose of building additional school buildings for

Bond issue may
be voted on.

the said graded school district or not, at an election to be held at any time they may deem proper, after notice of same has been published once a week, in some newspaper published in Iredell County, for thirty days. The election under this act shall be held and conducted under the general laws governing municipal elections. Those who favor the issuance of bonds for the purpose of building additional school buildings for the said graded school district shall vote a ballot on which shall be written or printed the words "For Bonds," and those opposed thereto shall vote a ballot on which shall be written or printed the words "Against Bonds." If a majority of the qualified voters of the said graded school district shall vote "For Bonds," the trustees of the Mooresville Graded School District shall have the right to issue the said bonds hereinafter provided for: *Provided*, said bonds shall not bear more than six per cent interest, and shall not be sold for less than par value, but on failure of a majority of the qualified voters to vote "For Bonds," then the said trustees shall not have authority.

SEC. 2. That section two of chapter nineteen, Private Acts of extra session of one thousand nine hundred and eight, be amended by adding at the end of said section the following: "making the total amount of bonds issued already under authority of the original act of one thousand nine hundred and five, the act of one thousand nine hundred and eight, extra session, Private Laws, chapter nineteen, and by virtue of authority contained in this act to be issued, not to exceed thirty thousand dollars (\$30,000) in the aggregate. The amount of bonds provided for in this act is ten thousand dollars (\$10,000)."

SEC. 3. That section seven of chapter five hundred and fifty-six, Public Laws of one thousand nine hundred and five, be amended by striking out the words "thirty-three and one-third" in lines ten and eleven and insert in lieu thereof the word "fifty," and after the word "dollars" in line twelve add the words "and fifty cents:" *Provided*, this shall not be operative and in force until the same shall have been ratified by a majority vote of the qualified voters of the Mooresville Graded School District. That for the purpose of finding out if the majority of the qualified voters of the said school district are in favor of increasing the school tax rate in said district, the commissioners of the town of Mooreville, upon written request of the trustees of the said Mooresville Graded School District, shall call an election to be conducted under the laws governing municipal elections, and if at said election a majority of the qualified voters vote a ballot on which shall be written or printed the words "For Taxes," then the trustees of the said graded school district may levy such tax as may be necessary for running the schools and other legitimate purposes in said school district: *Provided*, the amount shall not exceed fifty cents on the one hundred dollars of property or one dollar and fifty

Order for election.
Notice of election.

Law governing election.

Ballots.

Issuance of bonds.

Proviso: Interest; sale below par forbidden.

Aggregate of bond issue.

Amount under this act.

Tax rate.

Request for election.

Special tax.

Proviso: tax rate.

Ballots against
tax.

Time of elections.

cents on each poll. If a majority of the qualified voters shall not vote "For Taxes," then the said trustees shall not be allowed to levy more than the amount of taxes authorized by the original act of one thousand nine hundred and five, to wit, thirty-three and one-third cents on the hundred dollars worth of property and one dollar on each poll. Those who shall oppose such increase in the tax rate may vote a ballot on which shall be written or printed the words "Against Taxes." The election under this section may be held at the same time as the election for increased bonds, or the commissioners may call an election to vote on the question of increasing the tax rate, and not for issuing bonds.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 134

AN ACT TO REPEAL THE CHARTER OF THE TOWN OF BONSAL, LOCATED IN WAKE AND CHATHAM COUNTIES.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter two hundred and seventeen of the Private Laws of nineteen hundred and seven be and the same is hereby repealed.

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 135

AN ACT TO AMEND CHAPTER 147 OF THE PRIVATE LAWS OF 1913, THE SAME BEING AN ACT TO ESTABLISH GLENWOOD GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

Partial repeal of
law.

SECTION 1. That so much of chapter one hundred and forty-seven of the Private Laws of one thousand nine hundred and thirteen as creates the body corporate by the name and style of "Glenwood Graded School," as fixes the number, terms of office, and election of the school committee, and as declares how the said graded school shall be managed, be and the same is hereby repealed, and the management and control of said school be and they are hereby transferred to and vested in the county board of education of McDowell County.

Management and
control of school.

SEC. 2. That the said district shall remain a special-tax graded school district to be known as the "Glenwood Graded School District." The special tax provided for, together with moneys which shall from time to time be appropriated under the general school laws to the said school district, shall be paid to the treasurer of the county board of education for the use of the said school district, and the said county board of education shall have and exercise all the powers and duties with respect to the said school district under the general school laws.

Official entitlement.

Special tax.

Apportionment.

SEC. 3. That this act shall be in force from and after May first, one thousand nine hundred and seventeen.

When act effective.

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 136

AN ACT FOR THE RELIEF OF MRS. DESSIE WRIGHT OF SCOTLAND COUNTY.

Whereas Mrs. Rachael Brigman of Scotland County, whose name was on the pension roll of said county, died prior to September the fifteenth, one thousand nine hundred and sixteen; and whereas her daughter, Mrs. Dessie Wright, cared for her mother during her last illness and paid the costs incident to such illness and burial expenses; and whereas said Mrs. Wright is in destitute circumstances: Now, therefore,

Preamble.

Preamble.

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the clerk of the court of Scotland County be and he is hereby authorized to deliver the pension warrant issued to Mrs. Rachael Brigman to her daughter, Mrs. Dessie Wright, who is hereby authorized to sign for and collect the same.

Delivery of pension warrant.

Collection.

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 137

AN ACT TO PAY MARY A. JONES, WIDOW OF ELIJAH JONES, OF WASHINGTON COUNTY, THE PENSION OF HER HUSBAND DUE IN 1913.

The General Assembly of North Carolina do enact:

SECTION 1. The treasurer of the State of North Carolina hereby authorized and directed to pay Mary A. Jones, of Wash-

Payment ordered.

ington County, the pension due her late husband, Elijah Jones, at the time of his death.

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 138

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE THE CITY OF DURHAM TO EXTEND AND CONSTRUCT A SYSTEM OF SEWERAGE AND TO PROVIDE THE FUNDS NECESSARY THEREFOR," SAME BEING HOUSE BILL No. 10, SENATE BILL No. 159, OF THE GENERAL ASSEMBLY OF NORTH CAROLINA OF THE SESSION OF 1917, SO AS TO CORRECT A TYPOGRAPHICAL ERROR.

Preamble: Passage of act.

Whereas the General Assembly of North Carolina, at its session of one thousand nine hundred and seventeen, passed an act entitled "An act to authorize the city of Durham to extend and construct a system of sewerage and to provide the funds necessary therefor," same being House bill number ten, Senate bill number one hundred and fifty-nine; and whereas a typographical error appears in the last sentence of section three of said bill, in that the word "signature" is omitted in said sentence: Now, therefore,

Preamble: Error.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of House bill number ten, Senate bill number one hundred and fifty-nine be and the same is hereby amended by inserting after the words "the coupons thereto attached shall bear the facsimile" and before the words "of the mayor of the said city," in the last sentence of said section, the word "signature," so that the said bill will read when amended: "The coupons thereto attached shall bear the facsimile signature of the mayor of said city engraved or lithographed thereon."

Error corrected.

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 139

AN ACT TO INCORPORATE MACEDONIA PENTECOSTAL HOLINESS CHURCH IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Incorporation.

SECTION 1. That Macedonia Pentecostal Holiness Church in Jacobs Fork Township, Catawba County, is hereby incorporated

under the name and style of the "Macedonia Pentecostal Church," Corporate name.
and by that name may acquire, hold, and convey real and personal Corporate powers.
property, sue and be sued, plead and be impleaded in any of the
courts of this State, and have continued succession for ninety-nine Term of existence.
years.

SEC. 2. That the officers of said church, selected in accordance Trustees.
with the rules and regulations and discipline, under the style of
"Trustees of Macedonia Pentecostal Church," shall be empowered
to carry out the provisions of this act in regard to the holding
and conveying of property and other powers incident thereto.

SEC. 3. That it shall be unlawful for any person to be found Drunkenness and
drunk or under the influence of liquor, to willfully and wantonly disorderly con-
shoot, halloo, or make any other loud noise on or near said duct forbidden.
church grounds to disturb the worship at said church.

SEC. 4. It shall be unlawful for any person to chew tobacco in Other forbidden
said church, or spit on the floor, or in any other manner efface or acts.
disfigure the church or disturb the worshipers. Any person vio- Misdemeanor.
lating any of the provisions of this act shall be guilty of a mis-
demeanor.

SEC. 5. That this act shall be in force from and after its ratifi-
cation.

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 140

AN ACT TO AUTHORIZE THE SCHOOL COMMITTEE OF
RALEIGH TOWNSHIP TO SUBMIT THE QUESTION TO THE
VOTE OF THE SAID TOWNSHIP OF ISSUING \$100,000 IN
BONDS FOR SCHOOL BUILDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That upon the written request of a majority of the Order for election.
school committee of Raleigh Township the board of county com-
missioners 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 Question to be de-
committee of Raleigh Township, Wake County, issue one hundred termined.
thousand dollars in bonds (par value) of the said township, with
interest coupons attached, bearing five per cent interest per
annum, in aid of the construction and equipment of new public
school buildings, and in addition to existing public school build-
ings in the said township?" That the said board of county com- Notice of election.
missioners shall not less than thirty days preceding the said elec-
tion give notice of said election and the purpose thereof by publi-
cation in one or more newspapers published in said county, and
at such other places and in such other manner as may be de-
termined upon by it.

Law governing election.	<p>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, and 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: <i>Provided</i>, that the said board of county commissioners shall appoint the necessary registrars and judges of election; and the registration of voters except as hereinafter 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 at the courthouse in the city of Raleigh, N. C., on the day after the election, at twelve o'clock m.; and the said board of county commissioners shall meet on said day and 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.</p>
New registration.	
Proviso: Election officers.	
Count and return of votes.	
Canvass of returns.	
Record of result.	<p>SEC. 3. That at said election ballots tendered and cast shall have written or printed upon same, "For School Bonds" or "Against School Bonds," and all qualified registered electors who may favor the issue of bonds shall vote a ticket on which shall be written or printed the words "For 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."</p>
Ballots.	
Preparation of bonds.	<p>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</p>
Denominations.	
Amount.	
Interest.	
Maturity.	
Authentication.	
Entitlement of bonds.	

bonds shall be styled "Bonds to aid in the construction and equipment of new public school buildings and in addition to existing public school buildings in Raleigh Township, Wake County, North Carolina."

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.

Bonds delivered to school committee.

Sale of bonds.

Specific appropriation.

SEC. 6. That 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.

Bonds numbered.

Authentication of coupons.

Record of bonds.

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 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 account 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.

Deposit of proceeds.

Funds and accounts kept separate.

Official bonds.

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 of June, or whenever it shall make the annual levy of taxes in each year, a special tax not exceeding four cents on the hundred dollars of property and twelve cents on the poll in Raleigh Township, Wake County, to provide for the payment of the interest upon said bonds and to create a sinking fund sufficient

Special tax.

Limit of rate.

- Collection and settlement. 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 said bonds, and
- Commissioner of sinking fund. next, to the creation of a sinking fund as aforesaid. That the chairman of the school committee of Raleigh Township, Wake County, shall be commissioner of the sinking fund for said bonds,
- Investments. 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 the sinking fund shall be required to execute such bond as the school committee of Raleigh Township, Wake County, shall direct for the safe keeping of said funds 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.
- Official bonds.
- Reports.
- Further elections. 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 written request of a majority of the school committee of Raleigh Township, from ordering another election under this act, under the same rules and provisions herein provided for the first election, at any time after the lapse 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 under this act.
- Application of act. SEC. 10. That this act shall apply only to Raleigh Township, Wake County, North Carolina.
- Repealing clause. 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 23d day of February, A. D. 1917.

CHAPTER 141

AN ACT TO AMEND CHAPTER 411 OF THE PRIVATE LAWS OF 1911 TO AUTHORIZE THE BOARD OF EDUCATION OF UNION COUNTY, NORTH CAROLINA, TO APPOINT TRUSTEES FOR WESLEY CHAPEL GRADED SCHOOL.

The General Assembly of North Carolina do enact:

SECTION 1. That all of section three of chapter four hundred and eleven, Private Laws of North Carolina, session nineteen hundred and eleven, be stricken out and the following to be inserted

in lieu thereof and to be known as section three of said act, namely: "That chapter four hundred and twenty-one of the Public Laws of one thousand nine hundred and one shall be amended by striking out the names of the trustees in section seven thereof, and that the board of education of Union County shall at its meeting on the first Monday in July, nineteen hundred and seventeen, appoint three trustees for said school: one for a term of two years, one for a term of four years, and one for a term of six years; and said county board of education shall appoint a successor of each as his term expires, for a term of six years, and shall fill all vacancies on said board of trustees occurring by death, resignation, or otherwise. Said trustees shall qualify within ten days after receiving notice of their appointments, by taking the usual oath prescribed by law."

Appointment of trustees.
Term of office.
Successors.
Vacancies.
Trustees to qualify.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 142

AN ACT TO REPEAL CHAPTER 364 OF THE PRIVATE LAWS OF 1899, IT BEING AN ACT RELATING TO THE TOWN OF SWANSBORO.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and sixty-four of the Private Laws of the State of North Carolina of the session of eighteen hundred and ninety-nine, entitled "An act to amend chapter two hundred and seven of the Private Laws of eighteen hundred and ninety-five, relating to the town of Swansboro," 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 27th day of February, A. D. 1917.

CHAPTER 143

AN ACT TO AMEND CHAPTER 324, PUBLIC LAWS OF NORTH CAROLINA, 1903, ENTITLED "AN ACT TO ESTABLISH GRADED SCHOOLS IN THE TOWN OF WELDON, AS AMENDED BY CHAPTER 162, PRIVATE LAWS 1905."

The General Assembly of North Carolina do enact:

That whereas the terms of the trustees of the graded schools in the town of Weldon have expired; and whereas the trustees

Preamble: Expiration of terms.
Preamble: Trustees holding over.

holding the said office as trustees of said graded schools have held the same pending the election and qualification of their successors:

Appointment of trustees.

SECTION 1. That W. E. Daniel, G. W. Fulghum, J. A. Musgrove, J. L. Shepherd, W. W. Wiggins, W. J. Ward, I. E. Green, J. W. Sledge, and A. S. Allen be and they are hereby appointed and constituted a board of trustees of the graded public schools of the Weldon Graded Schools of the district, who shall serve without compensation; that the three first named shall hold their office until the second Friday in July, one thousand nine hundred and seventeen; that the second three named shall hold their office until the second Friday in July, one thousand nine hundred and nineteen; and the last three named until the second Friday in July, one thousand nine hundred and twenty-one. Upon the termination of said dates the vacancies occurring by reason of the expiration of the terms of office of the trustees aforesaid shall be filled by the said board of trustees at a meeting for that purpose, the said terms of office being for six years.

Terms of office.

Election and term of successors.

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 27th day of February, A. D. 1917.

CHAPTER 144

AN ACT TO AMEND CHAPTER 770, PUBLIC-LOCAL LAWS 1911, AND TO AUTHORIZE GREENSBORO, NORTHERN AND ATLANTIC RAILWAY COMPANY TO SUSPEND CONSTRUCTION WORK FOR A PERIOD OF FIVE YEARS.

Preamble: Charter and change of name.

Whereas, by chapter seven hundred and seventy, Public-Local Laws of North Carolina of 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 amended by chapter one hundred and ninety, Public-Local Laws of one thousand nine hundred and fifteen, a charter was granted to "Greensboro, Roxboro and Norfolk Railway Company" (whose name was heretofore duly changed to "Greensboro, Northern and Atlantic Railway Company"), 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, Orange, and Durham, and thence to the Atlantic coast, or to a connection with some line of railway already extending thereto: And whereas, by section ten of said chapter seven hundred and

Preamble: Location and beginning of construction.

seventy Public-Local Laws of one thousand nine hundred and eleven, it is provided that "The board of directors shall, as soon as they deem it practicable, proceed to locate the said railroad, and may have one or more locations, from time to time, as they may deem expedient, and the construction of some of said railroad shall be begun within five years after the ratification of this act"; and whereas the board of directors of said corporation have heretofore proceeded to locate the said railroad, and have caused maps, profiles, and other incidental preliminary work to be done upon said contemplated line of railroad, and within five years after the ratification of said act of one thousand nine hundred and eleven, and up to the present time, have actually completed the physical graduation of approximately one-half mile of said line of railroad between the town of Chapel Hill in Orange County, a point on said road as surveyed and the city of Durham in Durham County, and entered upon the said work of grading said road, upon what then appeared satisfactory assurances of adequate financial support, at least, to carry to completion the section of line of railway between the cities of Greensboro and Durham; and whereas the general disturbance of economic conditions incident to and resulting from the occurrence and continuance of the existing world war has not only increased greatly the original estimated cost of constructing said road, but as well has caused to be withheld, for the time, the financial support on which reliance was had in entering upon the construction of said road, and has rendered necessary, for the time being, suspension of further work of construction: Now, therefore,

Preamble: Location made and construction begun.

Preamble: Failure of financial support.

The General Assembly of North Carolina do enact:

SECTION 1. That Greensboro, Northern and Atlantic Railway Company be and it is hereby fully authorized and empowered to suspend, for a period of five years from and after the ratification of this act, the work of construction of its chartered railway, without prejudice to any of the rights, powers, and privileges contained in its existing charter and amendments thereto, with full power and authority also to resume construction work, in the meantime, at its pleasure, or as soon as, in its judgment, it may effect such financial arrangements as may warrant such resumption.

Suspension of work authorized.

Power of resumption.

SEC. 2. That all the powers, rights, privileges, and benefits contained in the charter of said railroad and amendments thereto are hereby validated, perpetuated, and carried forward as fully as if the construction of said road heretofore entered upon had been prosecuted, without suspension, to completion.

Powers validated and perpetuated.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 145

AN ACT TO REPEAL CHAPTER 124, PRIVATE LAWS OF 1907, WHICH IS ENTITLED AN ACT TO INCORPORATE THE TOWN OF STOUT IN UNION COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Specific repeal.

SECTION 1. That chapter one hundred and twenty-four (124) of the Private Laws of nineteen hundred and seven (1907) be and the same is hereby repealed.

General repealing clause.

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 28th day of February, A. D. 1917.

CHAPTER 146

AN ACT TO AMEND CHAPTER 204 OF THE PRIVATE LAWS OF 1903, RELATIVE TO THE PAYMENT OF TAXES IN THE CITY OF BURLINGTON.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and four of the Private Laws of one thousand nine hundred and three be amended by inserting immediately following section twenty thereof and immediately preceding section twenty-one thereof, the following: "That all taxes levied by the proper authorities of the city of Burlington for any and all purposes shall be due and owing on September first of each year. That to those parties paying taxes during the month of October there shall be allowed a discount of one per cent; to those parties paying during the month of November there shall be allowed a discount of one-half per cent; if parties should fail to pay taxes on or before January first, following the year they are levied, then they shall pay a penalty of one-half of one per cent per month on all deferred payments, and this penalty shall be in all respects collectible as are the taxes so levied and assessed."

Taxes due and payable.

Discounts.

Penalties.

Law repealed.

SEC. 2. That chapter three hundred and ten of the Private Laws of one thousand nine hundred and thirteen be and the same is hereby repealed from and after September first, 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. 1917.

CHAPTER 147

AN ACT TO REGULATE PRIMARY ELECTIONS IN THE CITY OF WASHINGTON.

The General Assembly of North Carolina do enact:

SECTION 1. That every political party, association, or organization in the city of Washington, North Carolina, whose gubernatorial candidates at the preceding election received as many as five hundred votes in the county of Beaufort shall nominate its candidates for municipal offices in said city by a primary election held as hereinafter provided, and the primary for all political parties shall be held on the third Monday preceding the regular municipal election.

Parties required to nominate by primaries.

Date for primary.

SEC. 2. Candidates for nomination shall file with the city clerk, at least ten days prior to holding any primary, written notices of their intention to be candidates, stating for what nomination and at the hands of what party. The city clerk shall compare and cause to be printed the primary ballot of each political party for each ward or precinct in said city, and said ballot shall be arranged and printed substantially in the manner following:

Notice of candidacy.

Printing of ballots.

(1) At the top of the ballot shall be printed in large capital letters words designating the ballot; if a Democratic ballot, the designating words shall be "Democratic Primary Ballot"; if a Republican ballot, the designating words shall be "Republican Primary Ballot"; and in like manner for each political party.

Heading of ballots.

(2) Beginning not less than one inch below the designating word, the name of each office to be filled shall be printed in capital letters, the candidates for mayor coming first. Below the name of each office shall be printed in small letters the directions to the voters. "Vote for one"; "Vote for two"; "Vote for three," or a spelled number designating the number of the persons under that head that are to be voted for. Below the name of each office shall be printed in capital letters the names of all candidates (arranged in the order in which their declaration for nomination were filed) for the nomination of said office which are entitled to be placed upon the respective primary ballot. The names of all candidates on the primary ballot shall be printed in type of uniform size, and the names shall be printed in column. Immediately opposite in front of the name of each candidate shall be printed a square, and all squares upon the primary ballot shall be of uniform size. Spaces below the names of candidates under each office shall be uniform, and sufficient space shall separate the names of candidates for one office from the names of candidates for another office to avoid confusion. The size of the ballot shall be determined by the city

Names of offices.

Directions to voters.

Names of candidates.

Squares.

clerk. The names of candidates nominated by ward or precinct shall only appear on the ballot with the names of candidates for mayor in the ward or precinct they are nominated.

Candidates with-
out opposition.

SEC. 3. In all cases where there is only one aspirant for nomination for mayor to be voted for by his political party, and only two aspirants for nomination for aldermen in one ward, the city clerk, upon the expiration of the time for filing the notice as required in section two, shall declare him or them the nominee or nominees of his or their party, and his or their name shall not thereafter be placed on the primary ballot. In case there shall be any office for which no one has filed his declaration for nomination during the proper time, if the vacancy shall be for the office of mayor, it shall be filled by the members of the precinct executive committee of the several wards; and in case the vacancy shall be for an office to be voted for by a ward or precinct only, it shall be filled by the precinct executive committee of said ward; such vacancies shall be filled at least five days before the primary, and their nomination shall be certified by the city clerk as provided in this section.

Vacancies filled.

Distribution of
ballots.

SEC. 4. The city clerk shall cause to be delivered to the registrar of each precinct not less than twenty-four hours before the time fixed for the opening of the polls the official primary ballot of each political party, and the number thereof for each political party in each precinct shall be one hundred for each fifty votes cast in each precinct by the said political party at the last preceding election.

Number.

Elections.

SEC. 5. All electors who are duly qualified to register and vote under the provisions of the general election law of the State, and who is a member of any political party participating in said primary, shall have the right to register and vote in said primary election under the same penalties and subject to the same punishments for violations of the provisions of this act as are prescribed by the laws of the State of North Carolina. No person who has not paid his poll tax prior to May first preceding the primary shall be a qualified voter in said primary.

Payment of poll
tax.

Election officers.

SEC. 6. The board of elections of Beaufort County during the first week in March preceding a primary under this act shall appoint a registrar and two poll-holders for each ward or precinct, and the poll-holders in each ward shall be members of different political parties. The registrars shall open the municipal registration books for a period of ten days and said registration books shall be closed on the second Saturday preceding the day for holding the primary, and challenge shall be made, heard, and determined during the week preceding the day for holding the primary: *Provided*, the foregoing provisions shall not be construed to prevent any electors from challenging any one who offers to vote on the primary day. If there are no candidates to

Registration.

Challenges.

Proviso: Chal-
lenges on primary
day.

- be voted on in said primary of the same political party of the poll-holder, then such poll-holder shall not serve on primary day, nor shall he be entitled to any compensation. Any person offering to vote may be challenged by any elector, and if the party affiliation of the voter is in doubt, he shall be required to make oath of such affiliation. Any person otherwise qualified who has not voted in the last two November general elections shall have the right to elect his party affiliation, provided he does not vote against any candidate of the party in whose primary he enters at the ensuing general or municipal election. The test in all cases shall be the party affiliation of the person in the last general election, subject to the foregoing provisions, and any person who voted in said general elections for candidates of one political party, and who desires to enter the primary of another political party, shall make oath, upon being challenged, either to support the candidates of the political party that he enters, in the ensuing general or municipal elections, or that he will not vote in opposition to any candidate of that party. No person shall be allowed to vote in said primary for candidates of but one political party. Nothing in this section shall be construed to prevent any elector from scratching his ticket in any election. The registration books shall be open for the period hereinbefore mentioned for the registration of those voters who are not registered, but the county board of elections may call a new registration upon giving notice of same fifteen days prior to the time for opening the registration books.
- SEC. 7. The polls shall be open on the day of the primary from sixty-thirty a. m. to six o'clock p. m., and no longer.
- SEC. 8. One poll-holder of each political party shall keep a polling list, with the name of each voter voting in said primary of his respective political party. At the close of the primary the poll-holders and registrars shall proceed publicly to count the votes and to declare the results of their respective primaries. They shall certify the results of such primary and transmit with the poll lists all other papers relating to such primary, on the day after the primary, to the city clerk, who shall on the second day after said return open and canvass said returns and declare the results thereof. In the event that two names are marked or checked on the ballot for the same office, when the law provided only one can be elected, no credit shall be given either candidate as a vote for that office except in cases when more than one person can be nominated for the same office.
- SEC. 9. The candidate who received a plurality of the votes cast for the office for which he was a candidate shall be the nominee of said party for such office.
- SEC. 10. To provide funds for holding such primary and paying the expenses thereof, each candidate shall at the time of
- Oath on challenge.
- Party affiliation.
- Proviso: Vote in general election.
- Test of party affiliation.
- Oath of allegiance.
- Scratching tickets.
- Registration.
- Hours of voting.
- Polling lists.
- Count of votes.
- Returns.
- Canvass of returns.
- Ballots not counted.
- Nominees.
- Contribution to expense by candidates.

- their declaration of nomination pay to the city clerk the amounts named in this section, and, failing to pay the same, shall not be entitled to participate in the said primary. All candidates for mayor shall pay the sum of ten dollars and all candidates for aldermen or any other elective office shall pay the sum of two dollars (\$2). Should the city clerk find, after paying all expenses of the primary out of the funds raised by these assessments, that there is a deficit, then the city of Washington shall pay the remainder of said expense. In the event there is a balance in the hands of the city clerk after the expenses have been paid out of the assessments, then it shall be his duty to refund said balance pro rata to the candidates paying same. The registrars and poll-holders shall receive the same compensation allowed for conducting a general election, but no compensation shall be allowed for making the returns of said primary on the day after same. The city clerk shall receive no extra compensation for the duties imposed upon him in this act.
- Payment by city. Surplus refunded. Pay of election officers. Copies of ballots. Official ballots voted. Misdemeanor. Scratching tickets. Candidates of political parties not holding primaries. Voting booths. Ballot boxes. Ballots furnished. Deposit of ballots. Assistance to voters.
- SEC. 11. It shall be unlawful for any person to make or cause to be made any copy or copies of the official ballots as sent out by the city clerk, and no other ballots other than those provided in section two shall be used or voted in said primary. Any violation of this section by any person shall constitute a misdemeanor. Nothing in this act shall prevent any elector from writing or otherwise inserting any name on the ballot of a person for whom he wishes to vote.
- SEC. 12. Should any political party provided for in this act fail to enter the primary as herein prescribed and nominate their candidates accordingly, in that event no tickets bearing the name of any candidate or member of the political party so failing to comply with this act shall be permitted to be voted at the ensuing municipal election.
- SEC. 13. The election officials in each precinct may provide a table or shelf not less than ten feet from the ballot boxes, which table or shelf shall be supplied with pencils with which the voter may prepare his ballot for voting, checking, or marking in the square opposite the name of the candidate the person he desires to vote for. Each political party shall have one ballot box, which shall be labeled with the name of the political party, and the poll-holders of each political party shall keep before them at the ballot boxes the ballots of their respective party, and no ticket shall be placed on the shelf or table herein provided for, nor shall the poll-holders allow any person to carry away from said voting precinct any official ballot. The voter shall demand of the poll-holder the ballot that he desires, and may then take same to the table or shelf to prepare same. After the voter has prepared his ballot he shall take it to the ballot box of his political party and may deposit it himself in said box if he so desires. Any

voter shall have the right to request any one elector to assist him in marking and preparing his ballot.

SEC. 14. All the provisions of chapter ninety of the Revisal of one thousand nine hundred and five and the amendments thereto, together with any other section of said Revisal or amendments thereto, or other laws which relate to primaries or elections, not inconsistent with this act, shall apply as fully to the primary herein provided and to the acts and things done thereunder as to the general election; and all acts made criminal if committed in connection with a general election shall likewise be criminal, with the same punishment, if committed with reference to a primary election under this act. Application of general law.

SEC. 15. It shall be the duty of the city clerk to publish in some newspaper printed in the city of Washington, at least two weeks prior to the opening of the registration books, a notice stating the dates when said books will be open, the names of the registrars and location of the polling places, together with the date of the primary. Said notice shall be published at least three times. Notice of registration.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 148

AN ACT TO AUTHORIZE THE LEVY OF A SPECIAL TAX IN BURGAW SPECIAL SCHOOL DISTRICT, No. 1, PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of enabling the board of education of Pender County to enlarge the high school building in Burgaw to enable the said building to accommodate the pupils of said school, the county commissioners of Pender County shall levy a special tax not to exceed twelve cents on the one hundred dollars valuation of property and thirty-six cents on the poll on all the property and polls in the Special School-tax District, No. 1, of Burgaw Township, Pender County. Purpose of tax.
Tax rate.

SEC. 2. That said tax shall not be levied for a period of more than ten years. Period.

SEC. 3. The board of education shall notify the county commissioners from year to year of the amount necessary to be levied. Amount.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 149

AN ACT TO AMEND CHAPTER 55 OF THE PRIVATE LAWS OF 1915, ENTITLED "AN ACT TO PROVIDE FOR THE RAISING AND MANAGING OF A PENSION FUND FOR THE POLICE OF WILMINGTON."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter fifty-five of the Private Laws of one thousand nine hundred and fifteen, entitled "An act to provide for the raising, and managing of a pension fund for the police of Wilmington," be and the same is hereby amended as follows: In lines ten and eleven of section one strike out the following: "That J. T. King is hereby appointed a trustee to serve for two years, Walter G. McRae to serve for four years, and B. C. Moore to serve for six years," and insert in lieu thereof the following: "That F. A. Lord is hereby appointed a trustee to serve for six years, C. C. Cashwell to serve for four years, and C. P. Bolles to serve for two years."

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 150

AN ACT TO AMEND CHAPTER 3 OF THE PRIVATE LAWS OF 1905, WITH REGARD TO TAX IN LINCOLN GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That section five, chapter three, of the Private Laws of nineteen hundred and five, be and the same is hereby amended by striking out the word "thirty" in line three and inserting in lieu thereof the word "forty," and by striking out the words "one dollar and fifty cents" in lines four and five and inserting in lieu thereof the words "one dollar and twenty cents": *Provided*, that these amendments be adopted by a majority of the qualified voters in said district as is provided by this act.

SEC. 2. That at the municipal election to be held in the town of Lincolnton in nineteen hundred and seventeen the commissioners or governing body of said town shall submit to the voters of the Lincolnton Graded School District the question of the change in the special school-tax rate provided for in section one of this act. For this purpose a separate box shall be provided at each election precinct, marked "Special School Tax"

Trustees and terms.

Tax rate.

Proviso: Adoption by voters.

Vote at municipal election.

Ballot box.

and those persons desiring to vote for the amendments shall cast Ballots. a ballot with the words "For School Tax Amendments" written or printed thereon; and those with a contrary opinion may cast a ballot with the words "Against School Tax Amendments" written or printed thereon. Notice of the submission of such proposition shall be published in a newspaper published in the town of Lincolnton for four weeks prior to the election, and at the courthouse door and five other places in said town. Notice.

SEC. 3. That if the proposition shall be adopted by a majority Effect of election. of the qualified voters of the said school district, the amendments provided for in section one of this act shall be in full force and effect; but if the proposition be not so adopted, the provisions of chapter three of the Private Laws of nineteen hundred and five shall remain in full force and effect.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 151

AN ACT TO AUTHORIZE A SPECIAL TAX LEVY FOR SELMA GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Johnston County are hereby authorized and directed and shall on the day of, one thousand nine hundred and seventeen, order an election to be held to ascertain the will of the people within Selma Graded School District whether there shall be levied a special tax, not to exceed twenty cents on the one hundred dollars valuation of property and not to exceed sixty cents on the poll, on all property liable for taxation in Selma Graded School District, for the purpose of paying the salaries of additional school teachers and for supplementing the school fund of said district. Order for election. Question to be submitted.

SEC. 2. Said election shall be held in said district under the law governing general elections as near as may be. At said election those who are in favor of the levy and collection of said tax shall vote a ballot on which shall be printed or written the words "For Special Tax," and those who are opposed shall vote a ballot on which shall be printed or written the words "Against Special Tax." In case a majority of the qualified voters at said election is in favor of said tax, the same shall be annually levied in the manner prescribed for the levy of other taxes, and shall be collected by the sheriff of Johnston County and by him paid over as now authorized by law. Law governing election. Ballots. Majority of qualified voters.

Further elections. SEC. 3. In case a majority of the qualified voters at said election cast ballots on which are printed or written the words "Against Special Tax," then and in that event the board of county commissioners of Johnston County are hereby authorized and empowered to order another election for the same purpose as set forth in section one of this act at any time thereafter they may deem it proper, said election to be held in the same manner and under the same provisions as the election provided for in section two of this act.

Application of funds. SEC. 4. That said special tax provided for by this act shall be first applied towards the payment of the salaries of the additional teachers employed by the board of trustees of the Selma Graded School District, and after the payment of said salaries, if there be any surplus the same shall be used for the purpose of supplementing the fund now derived from all other sources for operating and maintaining the schools of said district.

Present levies. SEC. 5. That this act shall in no wise affect the present levies and collections made for school purposes in said district, but all laws otherwise in conflict with this act are hereby repealed.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 152

AN ACT TO CONFER POLICE POWERS ON THE SHERIFFS AND CONSTABLES OF HANES, FORSYTH COUNTY, AND TO PROHIBIT PUBLIC DRUNKENNESS AND DISORDERLY CONDUCT THERE.

The General Assembly of North Carolina do enact:

Duty of sheriffs and constables. SECTION 1. It shall be the duty of the sheriff, deputy sheriffs, or constables residing in the village of Hanes, Southfork Township, Forsyth County, North Carolina, or those appointed by the sheriff of Forsyth County for that section of Southfork Township in which the village of Hanes is situated, and he or they shall have power and authority to suppress all disturbance of the quiet and good order of and in the said village of Hanes, and to arrest all offenders against the same, and to prevent so far as possible all injury to property in said village.

Power and authority. Badges. SEC. 2. Such sheriffs, deputy sheriffs, or constables when on duty shall severally wear a metal shield or badge with the word "Policeman" inscribed thereon, and the said shield or badge shall always be worn in plain view except when said officers are employed as detectives.

SEC. 3. That every person who shall engage in boisterous and disorderly conduct on any of the public highways in the village of Hanes, and every person who shall engage in such conduct within one mile of the Bethesda Moravian Church in said village shall be guilty of a misdemeanor and shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Boisterous and disorderly conduct misdemeanor. Punishment.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 153

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE DUNN GRADED SCHOOL DISTRICT IN HARNETT COUNTY TO ISSUE BONDS AND LEVY A SPECIAL TAX, SUBJECT TO THE APPROVAL OF A MAJORITY OF THE QUALIFIED VOTERS RESIDING THEREIN.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of funding an indebtedness of the board of trustees of the Dunn Graded School in the county of Harnett, contracted in the enlargement and equipment of the Dunn Graded School buildings, and for the purpose of further enlarging and equipping said building, the board of trustees of Dunn Graded School District be and said board is hereby authorized to issue bonds in a sum not exceeding ten thousand dollars (\$10,000), in denominations of not more than one thousand dollars (\$1,000) each, maturing not more than twenty years after date, and bearing interest, payable annually or semiannually, at a rate of not exceeding six per centum per annum, said bonds to be executed by the chairman of said board of trustees, sealed with its common seal, and attested by its secretary, and to have interest coupons attached thereto calling for the payment of interest as the same shall become due, said coupons to be executed by the facsimile signature of the chairman of said board engraved or lithographed thereon, such bonds and coupons to be payable at such place as the board of trustees may designate.

Purpose of issue.

Bond issue authorized.

Amount. Denominations. Maturity. Interest.

Authentication.

SEC. 2. That said bonds shall not be sold, hypothecated, or otherwise disposed of for less than their par value, and the proceeds arising from said bonds shall be used for no other purpose than that stated in section one of this act, but the purchaser or purchasers shall not be responsible for the disposition of any moneys arising from any sale of said bonds.

Sale below par forbidden. Use of proceeds.

Obligation of purchasers released.

SEC. 3. That for the purpose of providing funds for the payment of the interest on said bonds as it shall become due, and for the purpose of paying the principal of said bonds at maturity,

Special tax.

and for the purpose of creating a sinking fund for said purpose, it shall be the duty of the board of commissioners of Harnett County annually at the time other taxes are levied for general purposes in the county of Harnett to levy upon all subjects of taxation in the Dunn Graded School District a sufficient annual tax to discharge said interest as it shall become due and said bonds as they may severally become due, and to create a sinking fund sufficient for the discharge of said bonds at maturity.

Collection and settlement.

Specific appropriation.

Proviso: Limit of tax rate.

Proviso: Appropriation of tax.

Such special tax shall be collected by the sheriff of Harnett County as other taxes are collected, and shall be paid over to the treasurer of the Dunn Graded School District, and the same shall be held as a separate and distinct fund and shall be used for no purpose other than for the payment of the interest on said bonds as the same shall become due, or securely invested under the authority of said board of trustees for the payment of said bonds as the same may become due, or for the payment of said bonds as they shall severally become due: *Provided*, that the board of commissioners of Harnett County shall not levy a special tax on subjects of taxation within said school district exceeding forty cents (40c) on every one hundred dollars (\$100) valuation of property therein nor exceeding one dollar and twenty cents (\$1.20) on each taxable poll therein, including the regular levy of thirty cents on each one hundred dollars valuation of property therein and ninety cents on each taxable poll therein, for the purpose of maintaining and conducting schools in said district: *Provided further*, that if for any cause the additional special tax of ten cents (10c) on each one hundred dollars valuation of property and thirty cents (30c) on each taxable poll be insufficient to pay the interest on said bonds as the same shall become due, or to pay the principal of said bonds as the same shall become due, then so much of said entire levy of forty cents (40c) on each one hundred dollars valuation of property and one dollar and twenty cents (\$1.20) on each taxable poll as shall be necessary for said purpose shall be set apart and so used by the treasurer of the board of trustees of Dunn Graded School as shall be necessary for said purpose.

Approval of majority of voters.

SEC. 4. That the additional tax herein authorized shall not be levied, however, until the same shall have been ratified and approved by a majority of the voters of said school district at an election to be called and held as hereinafter provided.

Call of elections.

SEC. 5. That the board of trustees of said school district are hereby authorized and empowered to call an election in said district, of which twenty days notice shall be given in some newspaper published in said district, at which those voters who favor the levy of the additional tax herein authorized shall vote a written or printed ballot containing the words "For School Bonds," and those voters opposing the levy of additional tax

Notice of election.

Ballots.

shall vote a ballot containing the words, printed or written, "Against School Bonds."

SEC. 6. That for the purpose of conducting said election said Election officers. board of trustees shall appoint a registrar and two judges and shall cause an entirely new registration of the voters in said New registration. district to be made, and otherwise as nearly as may be said registration and election shall be conducted as is now provided by law for the conduct of elections in the town of Dunn, and the Declaration of re- result. judges of the election, and a report thereof shall be filed and re- Record. corded in the office of the register of deeds of Harnett County and on the minutes of the board of trustees of said Dunn Graded School District.

SEC. 7. That should a majority of the ballots cast be for school bonds, then said additional school tax shall be levied as hereinbefore authorized; that should a majority of the voters fail to vote in favor of school bonds, then no additional tax shall be levied. Effect of elec- tion.

SEC. 8. That all laws and clauses of law in conflict with this Repealing clause. act be and the same are hereby repealed.

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 154

AN ACT TO REPEAL CHAPTER 92 OF THE PRIVATE LAWS OF THE EXTRA SESSION OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter ninety-two of the Private Laws of the Law repealed. extra 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 2d day of March, A. D. 1917.

CHAPTER 155

AN ACT TO EMPOWER AND TO REQUIRE THE SHERIFF OF WATAUGA COUNTY TO COLLECT THE SPECIAL TAXES IN BOONE SPECIAL-TAX SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Watauga County be and he is hereby empowered and directed to collect the school tax now due, and which may hereafter become due, in Boone Special-tax School Collection and settlement of tax.

- District, and account for such funds in the manner now provided by law; the intention of this act being to repeal all laws now authorizing the collection of said special taxes by local collectors.
- Intent of act.
- Repealing clause. 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 2d day of March, A. D. 1917.

CHAPTER 156

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY TO LEVY A SPECIAL TAX IN MARSHALL SCHOOL DISTRICT, THE SAME BEING DISTRICT No. 1 OF TOWNSHIP No. 1 OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

- SECTION 1. That the board of county commissioners of Madison County shall upon the written request of the county board of education of Madison County, at the time of levying other taxes, levy a special tax of not exceeding fifteen cents on each one hundred dollars worth of taxable property in Marshall Special-tax School District, the same being District Number One of Township Number One of Madison County.
- Special tax authorized.
- Rate.
- SECTION 2. That said tax shall be collected as other taxes are collected, and the proceeds of the same shall be applied to the payment of the indebtedness of said school district, and for the furnishing and repairing of the buildings of said district as the same shall be necessary from time to time.
- Collection of tax.
- Application of proceeds.
- Limit of time.
- Specific appropriation.
- Authority of voters.
- SECTION 3. That said tax shall only be levied for two years and shall only be used for the purposes herein named, and none other.
- SECTION 4. That said board of county commissioners shall not levy or collect said tax until they have been authorized and empowered so to do by a majority of the qualified votes cast by the voters of said district at an election to be held at such time as the board may appoint, not later than the tenth day of April, nineteen hundred and seventeen, of which election notice shall be given one each week for three weeks in some newspaper published in the town of Marshall. The board of county commissioners shall appoint a registrar and two poll-holders, and shall designate a polling place and order a new registration for such district, and the election shall be held in the district under the laws governing general elections, as near as may be, except that the registrar shall only keep open his books for the registration of voters for ten days, not including Sundays, and shall close
- Election.
- Notice of election.
- Election officers.
- Polling place.
- New registration.
- Laws governing election.
- Registration.

the same on the Saturday preceding the election, and the registrar and poll-holders shall canvass the votes cast and 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. At said election those who are in favor of the levy and collection of the tax shall vote a ticket on which shall be written or printed the words "For Special Tax," and those who are opposed shall vote a ticket on which is written or printed the words "Against Special Tax."

SEC. 5. That in the event a majority of the votes cast at any election held hereunder are "Against Special Tax," then said board of county commissioners shall, upon petition of one-third of the qualified voters of said district, indorsed by the county board of education of said county, call another election from time to time to pass upon said question, until a majority of the votes cast shall be "For Special Tax": *Provided*, no other election shall be called within six months of any election so held.

SEC. 6. In case a majority of the qualified votes cast at any election held hereunder are in favor of the tax, the same shall be levied and collected as hereinbefore provided.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 157

AN ACT TO AMEND CHAPTER 451, PRIVATE LAWS 1907, RELATING TO THE PUBLIC SCHOOL DISTRICT IN CROWDER'S MOUNTAIN TOWNSHIP IN GASTON COUNTY, WHICH IS NOW PART OF CLEVELAND COUNTY, AND THE ACTS AMENDATORY THEREOF.

Whereas, by chapter four hundred and fifty-one of the Private Laws 1907, entitled "An act to establish a public school district in Gaston County," etc., and acts amendatory thereof, and the elections held thereunder, a public school district was created and has been in existence in the territory in said acts defined, and whereas, by chapter two hundred and three, Public Laws of one thousand nine hundred and fifteen, and the election held pursuant thereto, and by an act of the General Assembly of one thousand nine hundred and seventeen, entitled "An act to establish the boundary line between the counties of Cleveland and Gaston," the territory covered by the aforesaid school district is now within the bounds of and a part of Cleveland County; and whereas it is desired to continue said school district and place same in the jurisdiction of the board of education of Cleveland County: Now, therefore,

Canvass of votes.

Returns.

Record.

Tickets.

Further election.

Proviso: Limitation.

Levy and collection of tax.

Preamble: Creation of district.

Preamble: Change of county line.

Preamble: Continuation and jurisdiction of district.

The General Assembly of North Carolina do enact:

- District continued. SECTION 1. That the public school district created by chapter four hundred and fifty-one of the Private Laws of one thousand nine hundred and seven, and the election held thereunder, and the acts amendatory thereof, shall be continued as a public school district.
- School committee. SEC. 2. That the county board of education of Cleveland County shall appoint a school committee for said public school district as prescribed by the general school law of this State.
- Apportionment of funds. SEC. 3. That the board of education of Cleveland County shall apportion to said district its proper share of the proper school fund of said county as is now or may hereafter be prescribed by the public school laws of the State.
- County of jurisdiction. SEC. 4. That section five of said chapter four hundred and fifty-one, Private Laws one thousand nine hundred and seven, be amended by striking out the words "except by the county of Gaston," at the end of said section five, and substituting therefor "except by the county of Cleveland."
- Special tax. SEC. 5. That a special tax of not exceeding fifteen cents on the one hundred dollars worth of property and forty-five cents on the poll shall be levied to supplement the school fund of said district, and shall be used for that purpose alone, and said tax shall be levied annually by the board of county commissioners of Cleveland County, and the same shall be collected as other taxes and paid to the treasurer of the school fund of said county for the benefit of said school district.
- Levy, collection, and settlement.
- Repealing clause. 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 full force and effect from and after its ratification.
- Ratified this the 2d day of March, A. D. 1917.

CHAPTER 158
AN ACT REGULATING THE DISTRIBUTION OF THE PUBLIC SCHOOL FUNDS IN THE GRADED SCHOOLS OF MT. AIRY.
The General Assembly of North Carolina do enact:

Apportionment
from county
funds.

SECTION 1. That the county board of education of Surry County, in apportioning the school fund of the said county, shall ascertain and determine the amount of the said fund to be used each year for the public graded schools of the town of Mount Airy by dividing the whole amount of school funds received by the county treasurer of Surry County, less his commissions or a part of his salary which is to be paid out of said funds, and less

the amount reserved by said county board of education for the office expenses and salary of the county superintendent of education and for the per diem and mileage of the said county board of education, by the total number of children of school age in said county as determined by the last census preceding such apportionment, and by multiplying the quotient so obtained by the total number of school children in the town of Mount Airy as determined by the last school census preceding such apportionment; and the amount so ascertained and determined is to be paid by the treasurer of the said county of Surry to the treasurer of the public schools of the town of Mount Airy, or such other official as may be legally designated to receive the same, to be used for the said public schools of the said town and under the control and direction of the board of school commissioners of the said town of Mount Airy.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 159

AN ACT AUTHORIZING THE COMMISSIONERS OF THE TOWN OF HAMPTON IN RUTHERFORD COUNTY, AND THE TOWN COUNCIL OF THE TOWN OF RUTHERFORDTON IN RUTHERFORD COUNTY, TO DECREASE THEIR CORPORATE LIMITS.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of the town of Hampton in Rutherford County, North Carolina be and they are hereby authorized and empowered to change the corporate limits of the said town of Hampton by decreasing the same, at a regular or special meeting of the mayor and commissioners of said town, by a majority vote of the commissioners thereof, in such way and manner as may seem best to the said commissioners: *Provided*, said change shall only affect that part of the corporate limits of said town lying north of Green Street which intersects with the Southern Railway at or near the southeastern boundary of the corporate limits of said town; and *Provided*, that said change shall likewise only affect the said corporate limits between the point above mentioned and the point on the road or street leading from the public square of the town of Rutherfordton to the Southern depot in the town of Hampton, where said corporate limits of the town of Hampton cross the said road or street.

Change authorized.

Proviso: Limitation.

Proviso: Further limitation.

Change as to
Rutherfordton.

SEC. 2. That the mayor and town council of the town of Rutherfordton be and they are hereby authorized and empowered to change the corporate limits of the town of Rutherfordton, Rutherford County, North Carolina, by decreasing the same, at a regular or special meeting of the mayor and town council of said town, by a majority vote of the town council thereof, in such way and manner as may seem best to the said town council: *Provided*, said change shall only affect that part of the corporate limits lying north of Green Street, and between Green Street and the street or road leading from the public square in the town of Rutherfordton by way of the cemetery, and by the residences of Judge M. H. Justice and A. L. Grayson, and intersecting with the ridge road at or near the residence of Polly Hunt.

Proviso: Limita-
tion.

Employment of
surveyor.

SEC. 3. That the commissioners of the town of Hampton and the town council of the town of Rutherfordton are hereby authorized to make the changes hereinbefore set forth at any time after the passage of this act, and are authorized to employ a surveyor to survey out and designate the said boundary according to the said change or changes; and it shall be the duty of the said commissioners and town council to adopt the report of the said surveyor and the calls of his survey as the new lines and boundaries of said incorporations, and when so adopted by an order of said commissioners and said town council, or either of them, and spread upon the minutes of the said town or towns, the same shall be and constitute the new corporate limits of the said town or towns, within the points and at the points specified and designated herein.

Report.

Adoption of re-
port.

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

Ratified this the 2d day of February, A. D. 1917.

CHAPTER 160

AN ACT TO AMEND CHAPTER 87, PRIVATE LAWS OF NORTH CAROLINA FOR SESSION 1905, AND CHAPTER 191 OF PRIVATE LAWS OF NORTH CAROLINA FOR SESSION 1909, AND TO ALLOW THE COMMISSIONERS OF THE TOWN OF GRAHAM TO APPROPRIATE CERTAIN SUMS FOR PUBLIC SCHOOLS, AND PROVIDING FOR THE APPOINTMENT OF TRUSTEES FOR SINKING FUNDS FOR BONDS ISSUED BY SAID TOWN.

The General Assembly of North Carolina do enact:

Tax rate.

SECTION 1. That section one of chapter one hundred and ninety-one of the Private Laws of North Carolina of the session of one thousand nine hundred and nine be amended by striking out the

word "sixty" in line five of said section and inserting in lieu thereof the words "seventy-five"; and by striking out the words "one dollar and eighty cents" in line eight of said section and inserting in lieu thereof the words "two dollars and twenty-five cents."

SEC. 2. The board of commissioners of the town of Graham may each year from the funds received from taxes levied for general municipal purposes by said town pay the interest upon and the amount necessary to set aside a sinking fund for the retiring of the bonds issued by said town under the provisions of chapter eighty-seven of the Private Laws of North Carolina for session one thousand nine hundred and five, and known as school bonds. In the event said commissioners of said town should deem it best and should order the payment of said sums from the general funds of said town, then all provisions of said chapter eighty-seven of Private Laws of North Carolina of one thousand nine hundred and five and all other provisions of law conflicting with this right and privilege given said commissioners are hereby repealed.

Appropriation for school bonds.

Clauses of law repealed.

SEC. 3. That at the first meeting of the board of commissioners of the town of Graham held after the first day of June, one thousand nine hundred and seventeen, there shall be elected by the commissioners of said town a board of trustees, consisting of three members, all of whom shall be citizens and residents of the town of Graham, to be known as sinking fund trustees. That when said trustees are elected they shall be designated as trustee number one, trustee number two, and trustee number three. That the term of office of trustee number one shall be five years; that the term of office of trustee number two shall be four years; that the term of office of trustee number three shall be three years. That the terms of office of all of said trustees shall begin the first day of July succeeding their election, and said trustees shall hold office until their successors are elected and qualified. The vacancies caused in the board of trustees by the expiration of their term of office shall be filled by the board of commissioners of the town of Graham, and the person elected to fill the vacancy shall hold office for three years and until his successor is elected and qualified. A vacancy arising in said board of trustees from any other cause shall be filled by the commissioners of the town of Graham, and the person elected to fill such vacancy shall hold office until the expiration of the term of the trustees whose place he takes, and until his successor is elected and qualified.

Election of sinking fund trustees.

Classification.

Terms of office.

Election and term of successors.

Vacancies.

SEC. 4. The commissioners of the town of Graham shall cause to be delivered to said trustees immediately after their election all funds and investments representing funds set aside by said town of Graham in previous years for the retiring of all bonds

Funds delivered to trustees.

- Annual payments. issued by said town. Once in each year the commissioners of said town shall cause to be paid and delivered to said trustees all sums provided by law to be set aside by said town as sinking funds for the retiring of bonds. Said trustees shall keep all funds placed in their hands so invested as that they shall be able to collect at least four per cent interest thereon, and to compound the same semiannually, and they shall once each year report to the commissioners of the town of Graham the sums in their hands and how the sums are invested. Said trustees shall receive no compensation, but the commissioners of said town shall pay the actual expenses necessarily incurred by said trustees in administering their trust.
- Investments.
- Annual reports.
- Pay of trustees.
- Repealing clause. SEC. 5. That all laws and parts 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 3d day of March, A. D. 1917.

CHAPTER 161

AN ACT TO AUTHORIZE THE TOWN OF SHELBY TO ISSUE BONDS FOR GRADED SCHOOL PURPOSES.

The General Assembly of North Carolina do enact:

- Purpose of issue. SECTION 1. That for the purpose of paying for additional grounds and of improving and enlarging the graded school building or buildings, making needed repairs, and providing necessary equipment for the graded schools, the board of aldermen of the town of Shelby is hereby authorized and empowered, and it shall be its duty, to submit to the qualified voters of said town a proposition to issue not more than twenty-five thousand dollars (\$25,000) in coupon bonds of said town, said proposition to be submitted at a general or special election whenever requested so to do by the trustees or school committee of the Shelby Graded Schools. The board of aldermen of the town of Shelby shall determine the amount of bonds proposed to be issued, the rate of interest, the time at which said bonds are to become due, the denomination of said bonds, and other details thereof, and shall submit to the qualified voters of said town the question of the approval of said issue of said bonds and the levying of the necessary taxes to pay the interest thereon and the principal.
- Election to be ordered.
- Question to be submitted.
- Notice of election. Notice of said election shall be published in a newspaper published in the town of Shelby for thirty (30) days prior to said election, and said notice shall explain the purposes of the pro-

posed issue and give the details thereof; that the vote on the said proposition shall be by ballot, which shall be written or printed, and those voting for the issue of said bonds shall have written or printed on their ballots "For Better Graded Schools," and those voting against the proposition shall have written or printed on their ballots "Against Better Graded Schools"; that if the proposition shall be adopted by a majority of the qualified voters of said town at said election it shall be the duty of the board of aldermen of said town to cause bonds to be issued in the name of the said town of Shelby in such denominations as they shall deem best bearing interest at a rate not exceeding six (6) per cent per annum and payable semiannually at such time and place as shall be determined by said board. Said bonds when issued shall be signed by the mayor of said town and countersigned by the secretary, or clerk, of the said board of aldermen, and shall have the common seal of said town affixed thereupon, and said board of aldermen shall sell said bonds and pay the proceeds arising therefrom into the town treasury, subject to the orders of the board of trustees or school committee of the Shelby Graded Schools, in paying for the expenditures for which said bonds were issued. It shall be the duty of said board of aldermen, when said bonds are issued and sold, to provide by taxation on all the subjects of taxation within the corporate limits of said town to meet the interest on said bonds and the principal as same may become due.

SEC. 2. That when the proposition shall be submitted to the qualified voters of the said town, as hereinbefore provided, if a majority of the qualified voters of said town shall vote against the proposition, then at any time after one year from the date of said election, and when requested in writing by the said trustees or school committee of the Shelby Graded Schools, it shall be the duty of the said board of aldermen to submit at a general or special election again the question of the issue of said bonds to the qualified voters of the said town, and if the proposition shall then be approved by a majority of such qualified voters, then said board of aldermen shall issue said bonds as hereinbefore provided; and the said proposition may be submitted at a general or special election to the said qualified voters of the said town as often as the said graded school committee may desire, or until the proposition is indorsed by a majority of said qualified voters: *Provided*, there shall not be an election on said issue oftener than once every twelve months.

SEC. 3. That the election or elections herein provided for shall be held and conducted in pursuance of the provisions of chapter seventy-three of the Revisal of one thousand nine hundred and five, and acts amendatory thereof, the exception of the town of Shelby by section two thousand nine hundred and forty-four

Proviso: New registration.

of the Revisal of one thousand nine hundred and five not being applicable to this act: *Provided*, that said board of aldermen of the town of Shelby shall order a new registration of the voters of said town for any election held under the provisions of this act.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 162

AN ACT TO AMEND THE ACT AUTHORIZING AN ELECTRIC LIGHT SYSTEM FOR THE TOWN OF YOUNGSVILLE, FRANKLIN COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Amount of bond issue.

SECTION 1. That chapter two hundred and fourteen, Private Laws of one thousand nine hundred and fifteen, be and the same hereby is amended by striking out in line five of section two the words "two thousand" and inserting in lieu thereof the words "five thousand." By striking out in line three of section three the word "six" and inserting in lieu thereof the word "eleven," and by striking out in line four of said section three the word "twenty" and inserting in lieu thereof the words "thirty-five."

Tax rate.

Law effective as amended.

SEC. 2. That as thus amended the said chapter two hundred and fourteen, Private Laws of one thousand nine hundred and fifteen, shall be and remain in full force and effect.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 163

AN ACT TO RAISE ADDITIONAL REVENUE FOR THE SUPPORT OF SHELBY GRADED SCHOOLS.

The General Assembly of North Carolina do enact:

Election on additional tax.

SECTION 1. That the board of aldermen of the town of Shelby is hereby authorized and empowered, and it shall be its duty so to do whenever said board shall be so requested by the trustees or school committee of the Shelby Graded Schools, to sub-

mit to the qualified voters of said town whether an additional special tax shall annually be levied thereunder for the support of the public or graded schools of said town, said additional special tax not to be more than ten (10) cents on the one hundred dollars valuation of property nor more than thirty (30) cents on the poll, said tax when levied and collected to be applied exclusively to the support and maintenance of the public or graded schools in the town of Shelby, and to be levied, collected, and disbursed in the same manner as the special tax now authorized is levied, collected, and disbursed. At any election held under the provisions of this act those favoring the levying of such special tax shall vote on a written or printed ballot "For Additional School Tax," and those who are opposed to the levying of such tax shall vote on a written or printed ballot "Against Additional School Tax."

Limit of rate.

Ballots.

SEC. 2. That if a majority of the qualified voters in said town shall vote in favor of such tax, the same shall be levied, collected, and disbursed in the same manner as the special tax for schools already authorized and existing is levied, collected, and disbursed.

Effect of election.

SEC. 3. If a majority of the qualified voters of said town shall fail to vote in favor of said additional tax at said election, then at any time after one year from the date of said election, and when requested in writing by the said trustees or school committee of the Shelby Graded Schools, it shall be the duty of the board of aldermen to resubmit said question at another election, and if the proposition shall then be approved by a majority of such qualified voters, then said tax shall be levied, collected, and disbursed as hereinbefore provided, and such election may be held as often as the graded school trustees or school committee may desire until the levying of said additional tax shall be indorsed by a majority of the qualified voters of the town of Shelby: *Provided*, there shall not be an election on said question oftener than once in every twelve months.

Further election.

SEC. 4. That the election or elections herein provided for shall be held and conducted in pursuance of the provisions of chapter seventy-three of the Revisal of one thousand nine hundred and five, and acts amendatory thereof, the exception of the town of Shelby by section two thousand nine hundred and forty-four of the Revisal of one thousand nine hundred and five not being applicable to this act: *Provided*, the said board of aldermen of the town of Shelby may order a new registration of the voters of said town for any election held under the provisions of this act.

Law governing election.

Proviso: New registration.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 164

AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN OF THE CITY OF GOLDSBORO TO EMPLOY A CITY MANAGER.

The General Assembly of North Carolina do enact:

Employment of manager directed.

SECTION 1. There shall be employed by the board of aldermen of the city of Goldsboro at its first meeting after the regular municipal election in May, nineteen hundred and seventeen, or as soon thereafter as practicable, and from time to time thereafter as may be necessary, a competent person to be known as city manager, whose employment shall be at the pleasure of the board of aldermen and who shall receive such compensation as the board of aldermen determine.

Term of employment.

Compensation.

Head of administrative departments.

Responsibility.

SEC. 2. The city manager shall have charge of and be the head of all the administrative departments of the city, subject to the supervision and direction of the board of aldermen. All of said departments shall be directly responsible to the city manager, and he shall be directly responsible to the board of aldermen for the conduct of each of said departments. In order to facilitate the business of the departments the city manager may designate any officer or employee in any department as the director of such department. All directors of departments shall be responsible to the city manager.

Directors of departments.

Enforcement of law.

SEC. 3. He shall see that the laws and ordinances are enforced.

Terms and conditions of franchises.

SEC. 4. He shall see that all terms and conditions imposed in favor of the city or its inhabitants in any public utility franchise are faithfully kept and performed; and upon knowledge of any violation thereof he shall call the same to the attention of the city attorney, who is hereby required to take such steps as are necessary to enforce the same.

Meetings of aldermen.

SEC. 5. He shall attend all meetings of the board of aldermen, with the right to take part in the discussions, but having no vote.

Recommendations to aldermen.

SEC. 6. He shall recommend to the board of aldermen for adoption such measures as he may deem necessary or expedient.

Monthly reports.

SEC. 7. He shall make monthly detailed financial reports of each department to the board of aldermen, and such other reports and statements as said board may require.

Fiscal year.

SEC. 8. The fiscal year of the city shall be from May the first to April the thirtieth, inclusive, and, not later than one month before the end of each fiscal year, the city manager shall prepare and submit to the board of aldermen an annual budget for the ensuing fiscal year, based upon detailed estimates furnished

Annual budget.

by the several departments and other divisions of the city government, according to a classification as nearly uniform as possible. The budget shall present the following information:

(a) An itemized statement of the appropriations recommended by the city manager for current expenses and for permanent improvements for each department and each division thereof for the ensuing fiscal year, with comparative statements, in parallel columns, of the appropriations and expenditures for the current and next preceding fiscal year, and the increase in the appropriations recommended; Itemized statement of appropriations.

(b) An itemized statement of the taxes required and of the estimated revenues of the city from all other sources for the ensuing fiscal year, with comparative statements, in parallel columns, of the taxes and other revenues for the current and next preceding fiscal year, and of the increases or decreases estimated or proposed; Itemized statement of taxes and revenue.

(c) A statement of the financial condition of the city; and Statement of financial condition.

(d) Such other information as may be required by the board of aldermen. Such budgets when adopted by the board of aldermen cannot be changed except at a regular meeting and upon a two-thirds vote of the whole board of aldermen. Other information. Change of budget.

SEC. 9. He shall act as purchasing agent for the city, but shall not be personally interested in any contract or purchase to which the city is a party. He shall act as sales agent for the city. Purchasing agent. Sales agent.

SEC. 10. He shall transmit to the heads of the several departments notice of all acts of the board of aldermen relating to the duties of their departments and see that the same are carried out, and shall make designation of officers to perform duties ordered to be performed by the board of aldermen. Notices to heads of departments. Detail of officers.

SEC. 11. He shall have access at all times to the books, vouchers, and papers of any officer or employe of the city, excepting the treasurer's books, which he may have access to only in the presence of the treasurer or some person designated by the board, and he shall have power to examine, under oath, any person connected therewith. Access to books and papers.

SEC. 12. He shall have power to revoke privilege licenses pending the action of the board of aldermen. Revocation of licenses.

SEC. 13. He shall have authority and charge over all public works, the erection of buildings for the city, the construction of all improvements, paving, curbing, sidewalks, streets, bridges, viaducts, and the repair thereof; he shall approve all estimates of the cost of public works and improvements, and recommend to the board of aldermen the acceptance or rejection of the work done or improvements made; he shall have control, management, and direction of all public grounds, bridges, viaducts, and public buildings; and he shall secure all rights of way and Charge of public works. Approval of estimates. Acceptance of work. Management of public grounds and buildings.

easements connected with the water-works or sewerage systems or the extension of the streets, etc. All powers herein enumerated, however, shall be exercised subject to the supervision and control of the board of aldermen.

Control of board of aldermen.

Officers to be appointed by aldermen.

SEC. 14. The board of aldermen shall at its first meeting in May, nineteen hundred and seventeen, and biennially thereafter, appoint a treasurer, a clerk, an auditor, an attorney, a sinking fund commissioner, and an electric light fund commissioner, and said board of aldermen shall during the month of May, nineteen hundred and seventeen, and biennially thereafter, appoint, from a list to be submitted by the city manager, a sanitary inspector and health officer, a tax collector, a superintendent of water-works, an engineer and street superintendent, a chief of police and assistant police, a chief of fire department and building inspector, and such other officers and employees as the board of aldermen may designate; and if the board of aldermen is unable or refuses to elect from the list so furnished, it shall call on the city manager from time to time for other lists, which it shall be his duty to furnish: *Provided, however,* that one person may fill one or more offices named in this section, and that said board of aldermen shall have the right to abolish and terminate any of the offices herein in this section provided for. The city manager shall have power to suspend and dismiss for incompetency or nonattention to duties any member of any department who has been appointed by the board of aldermen from lists furnished by him. Any person so suspended or dismissed may appeal to the board of aldermen and the board of aldermen shall hear such appeal and affirm or reverse the action of the city manager. The board of aldermen on its own initiative shall have the right to dismiss any officer or employee of the city for incompetency or nonattention to duties.

Appointments recommended by manager.

Proviso: Consolidation and abolition of offices.

Power of manager to suspend or dismiss officers.

Appeal to aldermen.

Dismissal by aldermen.

Annual statement.

Publication.

SEC. 15. He shall, on or before the first Monday in May in each year, prepare and submit to the board of aldermen a detailed financial statement of all receipts and disbursements of the general fund and of each department of said city. After the acceptance of the same by the board of aldermen, the city manager shall publish such statement in some newspaper in the city.

Other duties.

SEC. 16. He shall have and perform such other and further duties as the board of aldermen may prescribe.

Official bond.

SEC. 17. He shall give bond for the faithful performance of his duties and in such amount as the board of aldermen may prescribe.

Act to be voted on.

SEC. 18. That at the regular municipal election in May, nineteen hundred and seventeen, for mayor and aldermen in the city of Goldsboro there shall be an election held in said city of Goldsboro for the purpose of determining whether it is the

will of the qualified voters of said city that the foregoing and purposed amendments to the charter of the city of Goldsboro shall become law applicable to the city of Goldsboro.

SEC. 19. That said election shall be held by the same officers ^{Election officers.} who hold the next regular municipal election for mayor and aldermen in the city of Goldsboro, and the same shall be held, except as may be herein prescribed, under the same rules and regulations, and the result thereof ascertained in the same manner, as near as is practicable, as regular municipal elections for mayor and aldermen are now held and ascertained in said city. The officers who hold said election shall before entering upon their duties, take an oath to honestly and impartially conduct said election. The polling places for the election here- ^{Polling places.} in provided for shall be the same as are provided for the said regular municipal election, and the qualifications for voters shall be the same as are now prescribed by law for voters at regular municipal elections for mayor and aldermen in said city. A notice of said election shall be published in ^{Notice of election.} some newspaper in said city at least once a week for four successive weeks immediately preceding said election. Those voters of ^{Ballots.} the city of Goldsboro at said election who are in favor of said amendment to the charter of the city of Goldsboro shall vote a ballot on which shall be written or printed the words "For Amendment," and those voters at said election who are opposed to said amendment shall vote a ballot on which shall be written or printed the words "Against Amendment"; and if at such elec- ^{Effect of election.} tion the majority of the votes cast be "For Amendment," then the said amendment to the charter of the city of Goldsboro shall become law applicable to said city of Goldsboro; but if a majority of the votes cast at said election be "Against Amendment," then said amendment shall not become law applicable to said city. Registration books, ballot boxes, ballots, and all necessary equip- ^{Election equip- ment.} ment for holding said election shall be furnished by the board of aldermen of said city.

SEC. 20. That all laws, clauses or parts of law in conflict with ^{Repealing clause.} this act be and the same are hereby repealed.

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 165

AN ACT TO REPEAL CHAPTER 242 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and forty-two of the ^{Law repealed.} Private Laws of North Carolina, session one thousand nine hun-

Acts validated. dred and fifteen, be and the same is hereby repealed. All proceedings and action commenced and done under and by virtue of said chapter two hundred and forty-two of said Private Laws of North Carolina, session one thousand nine hundred and fifteen, are hereby made valid and binding as if the Public Laws of the General Assembly of North Carolina, session one thousand nine hundred and fifteen.

Repealing clause. 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 5th day of March, A. D. 1917.

CHAPTER 166

AN ACT TO INCREASE THE TRUSTEES OF THE ROWLAND HIGH SCHOOL DISTRICT FROM THREE TO FIVE MEMBERS.

The General Assembly of North Carolina do enact:

Appointment. SECTION 1. That A. W. Walker and A. T. McKellar be and the same are hereby appointed trustees of the Rowland High School District. That the term of office of A. T. McKellar shall begin the first Monday of July, nineteen hundred and seventeen, and continue for four years, and that the term of office of A. W. Walker shall begin the first Monday in July, nineteen hundred and seventeen, and continue for six years. Their successors in office shall serve for a term of six years and shall be appointed as provided in chapter fifty, section eleven, of the Private Laws of the State of North Carolina, extra session of nineteen hundred and thirteen.

Terms. Appointment and terms of successor.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 167

AN ACT TO AMEND CHAPTER 398 OF THE PRIVATE LAWS OF 1905, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF CREEDMOOR IN THE COUNTY OF GRANVILLE."

The General Assembly of North Carolina do enact:

Tax rate. SECTION 1. That section six of chapter three hundred and ninety-eight of the Private Laws of nineteen hundred and five

be amended by striking out the word "thirty" in line four and inserting in lieu thereof the words "fifty-five," and by striking out the word "ninety" in line five and inserting in lieu thereof the words "one dollar and sixty-five."

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 168

AN ACT TO AMEND THE CHARTER OF THE GRADED SCHOOLS OF THE TOWN OF ROANOKE RAPIDS.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and eighty-nine of the Private Laws of North Carolina, session nineteen hundred and seven, as amended by the several laws amendatory thereof, be and the same is hereby repealed and the following enacted as a substitute therefor: Laws repealed.

"SECTION 1. That all territory lying within the corporate limits of the town of Roanoke Rapids, and all of the portion of Halifax County not embraced within said corporate limits, but lying contiguous thereto within the following boundaries, to wit: Beginning at a point on Roanoke River, being the dividing line between the farms of the estate of M. A. Hamilton, deceased, and the late B. W. Bass tract; thence south to the canal of the Roanoke Navigation and Water Power Company; thence down the canal to Medlin and Fulghum's line; thence a straight line to the Weldon and Gaston County road; thence west along said county road to Tilghman's Cross Roads; thence along the southern fork of the county road to Chocoyote Creek; thence up Chocoyote Creek as it meanders to the dividing line between J. G. Simmon's tract and John D. Shaw's line; thence along the western line of J. G. Simmons' tract to the northwestern corner of said tract on the canal bank of the Roanoke Navigation and Water Power Company; thence from this last named point due north to the banks of the Roanoke River; thence down said river as it meanders to the point of beginning, shall be and is hereby constituted a public school district for white and colored children, to be known as the 'Roanoke Rapids Graded School District.' Boundary of district.

"SEC. 2. That for the purpose and benefits of this act the provisions of all laws governing the assessment of real estate and personal property, the levy and collection of municipal taxes, and the holding of municipal elections in the town of Roanoke Rapids shall be and are hereby extended to that portion of school Name.
Laws extended to district.

- district lying without the corporate limits of said town as fully as if the same lay within said corporate limits, and that in all elections held under this act the portion of said school district lying without the said limits shall be deemed a ward of said town.
- Elections.
- Bond issue authorized.
- Amount.
- Denominations.
- Interest.
- Maturity.
- Proviso: Issuance of bonds.
- Expenditure of proceeds.
- Sale below par forbidden.
- Exclusive use of proceeds.
- Exemption from taxation.
- Coupons receivable for debts to town.
- Special tax.
- “SEC. 3. That the board of school trustees hereinafter provided for shall be and is hereby authorized and empowered to issue bonds of said school district to an amount not exceeding seventy-five thousand dollars, of such denomination and of such proportion as said board of trustees may deem advisable, bearing interest thereof at a rate not exceeding six per centum per annum, with interest coupons attached, payable semiannually, at such time and at such place or places as may be deemed advisable by said board of trustees, said bonds to be of such form and tenor and transferable in such way and the principal thereof payable or redeemable at such place or places and at such time or times as said board of trustees may deem advisable and determine: *Provided*, that said board of trustees shall issue said bonds at such time or times, in such amount or amounts as may be required to meet the expenditures hereinafter provided for in section four of this act.
- “SEC. 4. That the proceeds arising from the sale of said bonds, or such part thereof as may be necessary, shall be expended by said board of trustees in providing, by purchase or otherwise, such graded school buildings as may be required, and in furnishing the same with school furniture and other necessary equipment.
- “SEC. 5. That none of said bonds shall be disposed of by sale, exchange, hypothecation, or otherwise, for less price than their par value; nor shall said bonds, nor their proceeds, be used for any other purpose than that declared in section four of this act.
- “SEC. 6. That said bonds and their coupons shall not be subject to taxation by the town of Roanoke Rapids until they become due, and tender of payment shall have been made, and such coupons shall be receivable in payment of all taxes and other dues of said town for any fiscal year in which said coupons become due or thereafter; and if the holder of said coupons shall fail to present the same for payment at the time or times and at the place or places therein named, he shall not be entitled to interest thereon for the time they shall have been outstanding after maturity.
- “SEC. 7. That for the purpose of providing for the payment of said bonds and the interest thereon, and of defraying the expenses of the public graded schools provided for in this act, the board of school trustees shall annually and at the time of levying the municipal taxes in the town of Roanoke Rapids, or as soon thereafter as practicable, commencing with the fiscal year begin-

ning the first day of May, nineteen hundred and seventeen, levy and lay a particular tax on all persons and property subject to taxation within the said limits of said school district, said particular tax to be not more than sixty cents on the one hundred dollars assessed valuation of property and not more than one dollar and eighty cents on each taxable poll. Limit of rate.

“SEC. 8. That said tax shall be collected by a tax collector to be appointed annually on the first day of May of each and every year, or as soon thereafter as practicable, by said board of school trustees, and shall be collected by said tax collector at the time and in the manner that the municipal taxes of the town of Roanoke Rapids are collected, and said tax collector shall pay over said taxes so collected to the treasurer of said board of school trustees, who shall be appointed by said board of school trustees at the same time that said tax collector is appointed. Said treasurer shall keep said taxes so paid over to him safely in his hands in such bank or banks as said board of school trustees may designate, and shall for the safe performance of his duties furnish such bond as may in the discretion of said board of school trustees be sufficient. The said treasurer shall pay out said taxes and other funds which may come into his hands for the use of said graded school only upon the warrant of the chairman and secretary of said board of school trustees or upon the warrant of either of said officers and two other members of said board. The compensation of said tax collector and said treasurer shall be fixed by said board of school trustees. Collection and settlement.
Treasurer.
Deposit of school funds.
Warrants.
Pay of tax collector and treasurer.

“SEC. 9. That the provisions of sections three and seven of this act shall be submitted to a vote of the qualified voters of said school district at an election on a day to be designated by the board of school trustees at any time after the ratification of this act. That thirty days notice of such election, containing a copy of the provisions of sections three and seven of this act, or a synopsis of the same shall be published in one or more weekly papers published in the county of Halifax and posted at three public places in said school district, as described in section one, and in all other respects said election shall be held and conducted under the provisions of the law governing the holding of municipal elections in said town. Those qualified voters approving the issue of bonds provided for in section three, and the levy and collection of the particular taxes provided for in section seven of this act, shall deposit a ballot containing the written or printed words ‘For Schools,’ and those disapproving the same shall deposit a ballot containing the written or printed words ‘Against Schools.’ If a majority of such voters shall vote ‘For Schools’ it shall be deemed and held that a majority of the qualified voters of said school district are in favor of granting the aforesaid board of school trustees authority to issue such bonds and levy such par- Election.
Notice of election.
Law governing election.
Ballots.
Effect of election.

- Proviso: Record of election. ticular tax, and said board of school trustees shall have such authority. But if a majority of such qualified voters shall vote 'Against Schools,' then the said board of trustees shall not have such authority: *Provided*, that the result of such election duly ascertained in accordance with law shall be enrolled among the public records of the town of Roanoke Rapids; and after thirty days from the date of such enrollment such record shall not be open to attack, but shall be held and deemed conclusive evidence of the truth of the facts therein recited: *Provided further*, that if a majority of the said qualified voters shall fail to vote in favor of issuing such bonds and of levying such special tax, the board of school trustees shall order another election at any time after the expiration of six months from the date of the former election and if at such election a majority of the qualified voters shall vote 'For Schools' it shall have the same force as if no election had been previously held.
- Proviso: Further elections. Trustees named. "SEC. 10. S. F. Patterson, C. A. Wyche, W. D. Tillery, J. B. Boyd, William Ivey, L. S. Cannon, John L. Patterson, R. W. Brown, and Louis Grimmer are hereby appointed and constituted a board of trustees for the graded schools of said district, who shall serve without compensation. The first three named shall hold their office for the term of two years, the second three named for a term of four years, the last three named for the term of six years. Vacancies occurring by reason of the expiration of the terms of office of trustees aforesaid, by death or otherwise, shall be filled by the said board of trustees at a meeting called for that purpose, and shall be for the unexpired term of trusteeship so filled, except when the vacancy occurs by reason of the expiration of the terms of office, when the term shall be for six years; a majority of the board shall constitute a quorum: *Provided*, that the acceptance of said office of school trustees shall not disqualify any person so accepting from holding any other office of trust or profit whatsoever under the laws of the State of North Carolina.
- Terms of office. Vacancies. Quorum. Proviso: Trustees not disqualified for other offices. Incorporation. Corporate name. Corporate powers. Establishment of schools. Use of funds.
- "SEC. 11. That said board of trustees and their successors be and are hereby constituted a body corporate by the name and style of the 'Board of School Trustees of Roanoke Rapids' and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, acquire by gift, purchase, or devise real and personal estate, hold, exchange, mortgage, or sell same, and exercise such rights and privileges as are incident to other corporations. And said corporation shall have a corporate seal, which it may break and change at pleasure.
- "SEC. 12. That it shall be the duty of said board of trustees to establish graded public schools for the white and colored children of said district; and said board of trustees shall appropriate and use the funds derived from said particular taxes and from

other sources in such manner as shall be deemed just to both races, providing equal school facilities for each, due regard being paid, however, to the difference in the cost of maintaining such schools: *Provided*, that all donations to said schools shall be applied as directed by the donors.

Proviso: Application of donations.

"SEC. 13. That said board of trustees shall have exclusive control of all public schools in said school district; shall prescribe rules and regulations not inconsistent with this act for their own government, and for the government of such schools; shall employ, prescribe the qualifications, and fix the compensation of all officers and teachers of such schools; shall cause to be taken from time to time, in accordance with the general school law of the State, an accurate census of the school population of the said school district, and shall exercise such other powers as may be necessary for the successful control and operation of said graded schools: *Provided*, that nothing in this act shall be held to authorize the county board of school directors nor the county superintendent of schools of Halifax County to exercise any authority or control whatever over the graded public schools of said school district or the officers and teachers thereof: *Provided*, that the schools established under this act shall be subject in all respects to the public school law regulating other public schools of Halifax County and of the State.

Powers of trustees.

Officers and teachers.

Census.

Proviso: County board and superintendent.

Proviso: General law.

"SEC. 14. That all public school funds derived from the State and from the county of Halifax for the use and benefit of the public schools in said school district shall be paid over to the treasurer of the board of school trustees by the treasurer of said county for the use and benefit of the graded schools in this school district; and the property, both real and personal, of the various school districts embraced within the limits of said school district shall become the property of said graded schools, and the title thereto shall be vested in said board of trustees in trust therefor, and said board of trustees may, in their discretion, sell the same or any part thereof and apply the proceeds to the use of the said graded schools.

School fund paid to treasurer.

School property.

Title vested in trustees.

Power of sale.

"SEC. 15. That said board of trustees may, if in their judgment necessary for the maintenance of said graded schools, require from each pupil entered therein an incidental fee of not more than two dollars per annum, payable as said board of trustees may direct: *Provided*, that such fee shall be applied exclusively to the maintenance of such grade in such schools as the paying pupil shall attend.

Incidental fees.

Proviso: Exclusive application.

"SEC. 16. That said board of trustees shall elect annually, at least thirty days before the opening of the fall term of said graded school, a superintendent, who shall supervise the graded public schools of said school district and exercise such other powers and discharge such other duties as said board of trustees may prescribe.

Superintendent.

- Curriculum and text-books. "SEC. 17. That said board of school trustees, together with the superintendent, are hereby authorized, in their discretion, to fix a curriculum of studies, and to adopt text-books for said graded schools, and to admit pupils residing without the limits of said school district upon such terms as said board of trustees may deem just and reasonable.
- Nonresident pupils. "SEC. 18. That the county board of education of Halifax County shall apportion the school funds coming to said school district direct thereto upon a per capita basis, in accordance with the provisions of the laws of North Carolina.
- Apportionment of funds. "SEC. 19. That all fines and penalties imposed and collected in the court of the mayor or recorder of the town of Roanoke Rapids shall be paid to the treasurer of the board of school trustees and by him credited to the fund for defraying the expenses of the graded schools provided in this act.
- Fines and penalties. "SEC. 20. Said board of school trustees may, in their discretion, upon two weeks published notice in some newspaper published in Roanoke Rapids, North Carolina, or if there be none, then in some paper published in Halifax County, prescribe an eight months compulsory attendance for all children embraced within the limits of the general compulsory attendance law, and may employ a truant officer to enable them to enforce attendance. The provisions of the general compulsory attendance statute as to penalties imposed on both parent and child shall apply to any additional attendance term prescribed hereunder.
- Compulsory attendance. "SEC. 21. That all laws and clauses of laws in conflict with this act are hereby repealed.
- Truant officers. "SEC. 22. That this act shall be in force from and after its ratification."
- Repealing clause. Ratified this the 5th day of March, A. D. 1917.

CHAPTER 169

AN ACT TO CONSOLIDATE THE CITY OF ASHEVILLE AND THE TOWN OF WEST ASHEVILLE IN THE COUNTY OF BUNCOMBE.

The General Assembly of North Carolina do enact:

- Date of election. SECTION 1. That on the first Saturday after the first Monday in June, one thousand nine hundred and seventeen, there shall be held in the city of Asheville and also in the town of West Asheville an election for the purpose of determining whether there shall be a consolidation of the city of Asheville and the town of West Asheville into a municipality to exist thereafter under the corporate name and style of the City of Asheville, with all the rights, powers, privileges, and immunities now belonging

to and vested in the city of Asheville by and under its charter which shall, if said consolidation is had, be and continue to be the charter of the city of Asheville. The effect of such consolidation being to incorporate into the city of Asheville the town of West Asheville, and to abrogate and repeal the charter of the town of West Asheville and all acts amendatory thereto, but the charter of the city of Asheville shall be thereby in no wise affected.

SEC. 2. That said election shall in all things be held and conducted in the manner provided by law for the election of members of the General Assembly of North Carolina, and shall be advertised by the respective mayors of the city of Asheville and the town of West Asheville for twenty days prior to holding thereof, and at such election all registered and duly qualified voters of the two respective municipalities shall be entitled to vote. Those voting in favor of a consolidation shall vote a ballot on which there shall be printed or written the words "For a Consolidation," and those against a consolidation shall vote a ballot on which shall be printed or written the words "Against Consolidation."

SEC. 3. It shall be the duty of the respective mayors of said municipalities to provide the necessary judges and poll-holders to hold and conduct said election, and, after the polls are closed, to count the ballots cast and certify the result of said election to the mayors of the said respective municipalities within forty-eight hours after said election is held; and within seventy-two hours thereafter the mayor and board of aldermen of the town of West Asheville and the mayor and commissioners of the city of Asheville shall meet in joint session in the city of Asheville at the city hall, and canvass the said vote and announce and declare the result of the said election, and cause said results to be spread upon the minutes of their respective municipalities. If it shall be ascertained that a majority of the ballots cast in each municipality at said election are for a consolidation of the respective municipalities, then and in such event the town of West Asheville shall be and become a part and parcel of the city of Asheville, and the mayor and board of aldermen of the town of West Asheville shall immediately take all necessary steps to properly and legally transfer to the city of Asheville all and every of the property of every kind, real, personal, and mixed, now belonging to the town of West Asheville, and the city of Asheville shall succeed to all the rights and title of the town of West Asheville thereto, and the municipal government of the town of West Asheville shall cease and determine, shall be and is abrogated and repealed.

SEC. 4. That in the event of said consolidation the said city of Asheville as then constituted shall and does assume all legal

obligations and contracts of the said town of West Asheville, and obligates and binds itself by the acceptance of the provisions of this act to pay all such obligations and to carry out and perform all such contracts, and after said consolidation the city of Asheville as then constituted shall be liable for all debts and obligations of the two respective municipalities consolidated by and under the provisions of this act.

Boundaries.

SEC. 5. That the boundaries of the city of Asheville as constituted and created by the said consolidation shall be the present boundaries of the town of West Asheville and the present boundaries of the city of Asheville, and in addition thereto the following boundaries: Beginning at a stake in the west bank of the French Broad River in the corporate line of West Asheville, ten feet south of the bridge across said river, known as Smith's bridge, and runs thence parallel with the southern line of said bridge to a stake in the eastern bank of said river ten feet south of said bridge, and the corporate line of the city of Asheville; thence with said corporate line of the city of Asheville southwardly to a stake ten feet north of and below the new concrete bridge now connecting the city of Asheville with the town of West Asheville; thence parallel with the northern line of said bridge to a stake in the western bank of said river ten feet north of and below said bridge, and in the corporate line of the town of West Asheville.

Additional territory.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 170

AN ACT TO AUTHORIZE AND ALLOW THE BOARD OF COMMISSIONERS OF THE TOWN OF GRIFTON TO ISSUE BONDS FOR PUBLIC IMPROVEMENTS AND LEVY TAXES FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

Authority for bond issue.

Amount.

Denominations.

Purpose.

SECTION 1. That the board of commissioners of the town of Grifton, North Carolina, be and the same are hereby authorized and empowered to issue coupon bonds in an amount not exceeding ten thousand dollars (\$10,000) in such denominations as may be fixed by the said board of commissioners, for the purpose of providing funds with which to pay for the present electric light plant and lighting system already installed, and to further extend, improve, construct, maintain, and operate the said plant and lighting system, and with which to pave and generally

improve the streets of said town, and with which to generally improve in other and additional ways the town of Grifton, as to the town board of commissioners may seem fit and proper.

SEC. 2. That the town board of commissioners may divide said bonds into classes and have them mature at different and convenient dates to be fixed by the town board of commissioners, but none of said bonds may mature later than the first day of January, one thousand nine hundred and thirty-eight (1938). That said bonds shall bear interest from the date of issue, at the lowest rate of interest obtainable, not exceeding six per cent per annum, to be due and payable semiannually on the first days of January and July of each year. That the said bonds shall be issued in the name of the town of Grifton, and all of such bonds and coupons thereto attached shall be numbered and shall be signed by the mayor of the town of Grifton, and countersigned by its clerk, and have the corporate seal of the said town affixed thereto; and the coupons thereto attached shall bear the lithographic or engraved facsimile of the signatures of the said mayor and the said clerk.

Bonds classified.

Maturity.

Interest.

Authentication.

SEC. 3. That the bonds hereby authorized to be issued shall not be sold below par; that records shall be kept of said bonds showing the numbers and denominations thereof, to whom sold, the dates of issuing thereof and when the same will mature, and the interest-bearing rate thereof, the amount received from the sale of said bonds and the date of paying the proceeds into the town treasury, and such other dates and data in relation to the same as the town board of commissioners may direct to be kept.

Sale below par forbidden.
Records.

SEC. 4. That the moneys derived from the sale of said bonds shall be paid to and received by the treasurer of the town of Grifton, and shall be held by him as a special fund of said town until expended for the purpose and as mentioned in section one of this act. No part of said money shall be disbursed except as ordered by said town board of commissioners, and the treasurer shall give and maintain a bond for the faithful accounting for all of said money which may be paid into his hands, which bond shall be approved by the town board of commissioners, and if approved shall be paid for from the funds realized from the sale of said bonds.

Special fund.

Orders for disbursement.
Bond of treasurer.

SEC. 5. That in order to pay the interest on said bonds as the same becomes due, and to create a sinking fund for the retirement of said bonds at their maturity, it is required and directed that a special tax shall be levied and collected in addition to all other taxes in the town of Grifton, which special tax shall not exceed forty cents on each one hundred dollars worth of taxable property and one dollar and twenty cents on each poll in said town, observing the equation of taxation between property and polls fixed by the Constitution of the State of North Carolina,

Special tax.

Limit of rate.

Proviso: Taxes kept separate.

for the purpose of State and county taxation: *Provided*, that the taxes collected under this act for the purposes aforesaid shall be kept separate and apart from all other taxes and shall be used for no other purposes than those expressed above.

Investment of sinking fund.

SEC. 6. That the sinking fund set aside each year for the retirement of the aforesaid bonds shall be handled in such manner and invested in such securities as may be approved by a majority of the members of the said board of commissioners acting at any regular meeting thereof.

Repealing clause.

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 5th day of March, A. D. 1917.

CHAPTER 171

AN ACT TO AUTHORIZE THE ISSUE OF BONDS AND LEVYING TAX IN AID OF THE GRADED SCHOOLS OF MOUNT AIRY.

Preamble.

Whereas the proceeds derived from a sale of bonds heretofore voted under the provisions of various acts of the General Assembly was insufficient for the purposes for which they were voted and issued; and whereas the number of pupils attending the graded schools of Mount Airy has so increased as to render necessary the erection of and improvement of other buildings, and an addition to its grounds requisite and necessary to meet the needs and requirements of the said schools, both white and colored: Now, therefore,

The General Assembly of North Carolina do enact:

Bond issue ordered.

SECTION 1. That it shall be the duty of the board of commissioners of the town of Mount Airy to issue coupon bonds in the name of the town of Mount Airy in such denomination and form as the said board of commissioners may determine, to an amount not to exceed thirty thousand dollars (\$30,000), and for the purposes hereinafter specified, which bonds are to bear interest from the date of issue at a rate not to exceed five per cent per annum, payable semiannually, and are payable thirty years after date at such place as the board of commissioners may determine. That the said bonds shall be signed by the mayor of the town and attested by the secretary and issued under the corporate seal of the town; and the interest upon said bonds shall be evidenced by interest coupons thereto attached in the usual form, and the said

Amount.

Interest.

Maturity.

Authentication.

bonds when issued, and the interest accumulating thereon, shall be fully binding upon the said town and its property and shall show upon their face that they were issued for school purposes.

SEC. 2. That said bonds when issued shall be delivered to the treasurer of the said town, who is *ex officio* treasurer of the board of school commissioners of Mount Airy, to be by him, under the direction of the board of commissioners of the town of Mount Airy, sold and converted into money after advertisement for thirty days, and the proceeds thereof disposed of under the direction of the board of school commissioners of Mount Airy for the purposes of paying off any indebtedness against the school board and for purchasing additional school grounds and erecting new school buildings and adding to and improving the present school ground and buildings, and for such other purposes as may be necessary for equipping and conducting successfully the said school: *Provided*, the said bonds shall not be sold for less than par value.

Delivery and sale of bonds.

Use of proceeds.

Proviso: sale below par forbidden.

SEC. 3. That the board of commissioners of the said town, upon issuing the said bonds, shall be authorized and empowered to levy and collect a tax annually upon all subjects of taxation which are now or may hereafter be embraced in the subjects of taxation under the charter of the town of Mount Airy sufficient to meet the interest on said bonds and pay the principal thereof when it shall become due and payable, and that the said taxes shall be levied by the board of commissioners of the town of Mount Airy on Tuesday after the first Monday of July of each year and shall be collected in like manner as the other taxes of the town and paid into the hands of the treasurer thereof for the purposes aforesaid.

Special tax.

Levy and collection.

SEC. 4. That said bonds shall not be issued nor said taxes levied until authorized by a vote of the majority of the qualified voters of the said town at a public election to be held as hereinafter provided. That the board of commissioners of the town of Mount Airy shall order the said election to be held at such time as the board of school commissioners of Mount Airy may suggest. That at the time of the ordering of the said election the board of commissioners of the town of Mount Airy shall appoint a resident of each of the wards or precincts in the said town as registrar for said election and two residents of each ward or precinct as judges for said election, and should the persons so named as registrars or judges refuse or decline to act, that the mayor of the town of Mount Airy is hereby authorized to fill said vacancy by appointing a suitable person in each ward to fill such position; that notice of said election shall be made twenty days before the day of election and shall be published in one or more newspapers in the town of Mount Airy. Said notice shall state the amount of the bond issue, the rate of interest, and the purposes for which

Majority of qualified voters.

Proviso: Order for election.

Election officers.

Notice of election.

New registration. the bonds are to be issued. There shall be a new registration of the
 Registration. qualified voters for said election in said town; that the registrars
 named shall open the registration books for the purpose of regis-
 tering the voters for ten days preceding the last Saturday before
 the election, excluding Sundays, and shall keep the books open
 on said days from nine o'clock a. m. until sunset; that the regis-
 tration books shall be kept open at some convenient place in each
 ward every day, and on Saturdays they shall be kept open at the
 Challenge day. voting precinct; that on the Saturday preceding the election
 there shall be no registration of voters, but the registrar and
 judges in each ward shall meet at the polling precinct for the
 purpose of hearing and determining any challenges that may be
 Challenges at made of any voter who has registered; that challenges will be
 election. allowed to be made on the day of election; that on the morning
 Hours of voting. of the election the polls shall be opened at seven o'clock a. m.
 and shall close at sundown; that immediately upon the closing
 Count and return of the polls the registrar and judges of the election shall count
 of votes. the ballots cast and shall place the returns in a sealed envelope
 and deliver same to the person selected by the registrar and
 judges, and he shall deliver same to the mayor of the town
 of Mount Airy, and the mayor shall immediately call together
 Canvass and rec- the board of commissioners of the town of Mount Airy and sub-
 ord of returns. mit to the board the returns so delivered to him, and they shall
 announce the result of said election and shall spread the same
 upon the record book of the town, and no other record of said
 election shall be necessary to be kept. That those favoring the
 Ballots. issue of said bonds shall vote a written or printed ballot with
 the words "For Schools"; those opposed to the issue of bonds
 shall vote a written or printed ballot with the words "Against
 Schools"; and if at such election the majority of the qualified
 voters of the said town shall vote ballots for schools written or
 printed thereon, then the said board of commissioners shall issue
 said bonds and levy tax sufficient to meet interest and principal
 thereof when used as herein specified; and the money from the
 sale of the said bonds shall be applied to the purposes and upon
 the terms and conditions herein stated: *Provided*, that if at
 Proviso: Further the election hereinbefore provided for a majority of the qualified
 elections. voters shall vote against schools, then authority is hereby con-
 ferred upon the said board of commissioners of the town of
 Mount Airy to order a second election at such time as the board
 of school commissioners of Mount Airy may suggest, and said
 second election shall be conducted in all respects as is provided
 for herein for the conduct of the first election; and that if at the
 second election the majority of the qualified voters of the town
 shall vote for schools, that then and in that event the board of
 commissioners of the town of Mount Airy shall issue said bonds
 and levy sufficient tax to meet the interest and principal in the

same way as is provided in case the majority of the qualified voters of the first election shall vote for schools.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 172

AN ACT TO AMEND AND SUPPLEMENT CHAPTER 173 OF THE PUBLIC LAWS OF 1913, AND TO ENLARGE SCHOOL ATTENDANCE PERIOD FOR TRYON GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and seventy-three of the Public Laws of nineteen hundred and thirteen be amended and supplemented by adding at the end of section nine of said chapter the following: "Provided, the compulsory attendance Attendance period. period for Tryon Graded School District shall be eight months, and that said period shall begin at the beginning of the school term."

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

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 173

AN ACT TO AMEND CHAPTER 126, SECTION 2, PRIVATE LAWS OF 1909, EXTENDING THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and twenty-six, section two, of the Private Laws of one thousand nine hundred and nine, be and the same is hereby amended to read as follows: "That the corporate limits of the said town, until Corporate limits. otherwise ordered, shall be as follows: Beginning at a stake in the easterly right-of-way line of the Snow Hill branch of the Norfolk and Southern Railway, where said line is intersected by the southern boundary line of the said town of Farmville, which line divides the R. L. Davis and Whitehurst lands, said beginning stake being the southeast corner of the said

town of Farmville; thence north forty-one degrees forty minutes east along the said easterly right-of-way line of the said Snow Hill branch of the said Norfolk Southern Railway one thousand two hundred feet to a staked corner located about sixty feet south of the section house of the said Norfolk Southern Railway; thence north seventy-two degrees nineteen minutes south seven hundred and ninety-one and five-tenths feet to a staked corner in the southerly right-of-way line of the said Norfolk and Southern Railway Company's main line running between Raleigh and Chocowinity; thence south seventy-five degrees twenty minutes east along said southerly right-of-way line of the said Norfolk and Southern Railway's main line, seven hundred and fifty-six feet to a staked corner, said corner being on a line dividing the lands of M. T. Horton and R. L. Davis; thence north thirty-eight degrees fifty minutes east along said dividing line between the M. T. Horton and R. L. Davis lands and crossing the said Norfolk and Southern main line, six hundred feet, to a staked corner located at Pitt and Church streets, in the same town; thence north forty-two degrees five minutes east along the easterly line of said Pitt Street one thousand six hundred and seventy-six feet to a staked corner located at Pitt Street and Horne Avenue; thence north fifty-five degrees ten minutes west along the northerly line of said Horne Avenue five hundred feet to a staked corner located at Horne Avenue Waverly Street; thence north forty-two degrees five minutes east long the easterly line of said Waverly Street, produced through the Murphrey lands, four hundred and sixteen and seven-tenths feet to a staked corner in the Murphrey lands; thence north fifty-five degrees ten minutes west through Murphrey's lands and on a line parallel with Horne Avenue four hundred and sixteen and seven-tenths feet to a staked corner in the easterly line of Green Street; thence north thirty-eight degrees ten minutes east along a line through the said Murphrey lands two hundred and twelve and eight-tenths feet to the southeasterly corner of the Farmville Cemetery; thence north forty-one degrees fifty minutes east along the easterly line of the said Farmville Cemetery four hundred and twenty feet to the northeast corner thereof, said northeast corner of said cemetery being the northeasterly corner of the said town of Farmville; thence north fifty-two degrees thirty minutes west along the north line of said cemetery four hundred and twenty feet to its northwest corner, it being on the easterly line of Contentnea Street; thence running diagonally to intersection of Jones Street and Moore's Lane; thence southerly with Moore's Lane to Lang Street; thence with Lang Street westerly to George Street, extended; thence with George Street southerly to the north line of Horne Avenue; thence with the north line of Horne Avenue westerly to the western side of the East Carolina Railway right of

way; thence with the west side of the East Carolina Railway right of way in a southerly direction to a staked corner near the center of Wilson Street; thence south nine degrees thirty minutes west along the right of way lands of the said East Carolina Railway and crossing the said Norfolk and Southern Railway Company's main line again, four thousand seven hundred and eight feet to a staked corner in R. L. Davis's lands, being the southwest corner of the said town; thence south forty-two degrees twenty minutes east, crossing the said East Carolina Railroad and along a line through the R. L. Davis lands four hundred and sixty-four and four-tenths feet to a staked corner on a line dividing the R. L. Davis and Whitehurst lands, thence south seventy-three degrees twenty minutes east on said line between R. L. Davis and Whitehurst lands, and crossing Main Street (formerly called the Marlborough road) and the Snow Hill Branch of the Norfolk and Southern Railway, one thousand one hundred and seven feet to a staked corner, the place of the beginning at the southeast corner of the said town of Farmville, North Carolina.

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 5th day of March, A. D. 1917.

CHAPTER 174

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINETOPS.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and sixty-four of the Private Laws of the State of North Carolina of one thousand nine hundred and three, A. D., entitled "An act to incorporate the town of Pinetops, Edgecombe County," be amended and read as follows: "That the corporate limits of the said town shall extend from the center intersection of the main line of the East Carolina Railway and Hamlet Street with said railway track north twenty-nine degrees thirty minutes forty chains to a stake in the center of said track; thence north sixty degrees thirty minutes west forty chains to a stake on the W. L. Dunn land; thence south twenty-nine degrees thirty minutes west eighty chains to a stake on A. J. Walston land; thence south sixty degrees thirty minutes east eighty chains to a stake on W. W. Walston land; thence north twenty-nine degrees thirty minutes east eighty chains to a stake on land of W. B. Pitt's estate; thence north sixty degrees thirty minutes west forty chains to the said stake in the center of the said railway track." Corporate limits.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 175

AN ACT TO PROVIDE FOR AN ELECTION IN THE CITY OF STATESVILLE ON THE QUESTION OF EXTENDING THE CORPORATE LIMITS OF SAID CITY AND TO DESIGNATE THE WARDS IN SAID CITY IN THE EVENT SAID ELECTION SHALL RESULT IN EXTENDING SAID CORPORATE LIMITS.

The General Assembly of North Carolina do enact:

Date for election. SECTION 1. That an election shall be held in the city of Statesville on the fourth day of September, one thousand nine hundred and seventeen, at which election there shall be submitted to the qualified voters residing within the boundaries hereinafter set out the question of extending the corporate limits of the city of Statesville so as to make said corporate limits include and circumscribe all the territory situated within the following boundaries:

Question to be submitted.

Boundary. Beginning at a stake thirty-two feet north of the center of the Mocksville road at a point where the new road connects East Broad Street with the Mocksville road; thence south eighty-four degrees, thirty minutes, west four thousand eight hundred and twenty-eight feet to a stake intersecting with Tradd Street, in the bottom, seventy-five feet north of the branch; thence north fifty-two degrees thirty minutes, west three thousand one hundred and eighty feet to an iron pipe in the Hartness woods and one hundred feet west of the corner of said woods; thence south forty-nine degrees thirty minutes, west one thousand four hundred and seventy-three feet to a stake on the east bank of the old Tanyard road about three hundred feet north of Orr's; thence south twenty-four degrees east one thousand eight hundred and twenty feet to a stake on the bank of a ditch sixty feet north of the center of the Statesville Air Line Railroad; thence with said railroad north eighty-eight degrees, west one thousand eight hundred and thirty-seven feet to a stake on east bank of Oakland Avenue; thence south sixty-seven degrees, fifteen minutes west two thousand three hundred and eighty-nine feet to a stake on the east side of the road, lying east of the pines owned by T. D. Miller; thence south one degree, thirty minutes west two thousand and fifty feet, crossing the Taylorsville Railroad to a stake one hundred feet from a negro church; thence south thirty-nine degrees, east five thousand four hundred feet to a stake and a small post oak fifty feet south of the Western North Carolina Railroad and one thousand two hundred and twenty-seven feet east of the twenty-seven mile-post of the Western North Carolina Railroad; thence north sixty-eight degrees, ten

minutes east, parallel with said railroad one thousand seven hundred and eighty-four feet to a stake near the present yard-limit post; thence south seven degrees, ten minutes east, passing twenty-five feet south of the Southern Power Company's switch-board three thousand nine hundred and sixty-seven feet to a stake in the path on the bank of the road one hundred and twenty-four feet east of a large persimmon tree at the forks of the road; thence north seventy-eight degrees, forty-five minutes east, crossing the Boulevard and the Charlotte road two thousand and forty-eight feet to the northwest corner of the Southern Power Company's tower standing thirty feet east of the Charlotte road; thence north nineteen degrees, thirty minutes west, one thousand seven hundred feet to a persimmon tree on the bank of a ditch fifty feet from the center of the Charlotte road; thence north eighty-five degrees, ten minutes east, one thousand four hundred and sixty-two feet to a stake forty-two feet east of the A. T. and O. Railroad, passing through whistle-post south of the second crossing below station of A. T. and O. Railroad; thence north ten degrees, forty minutes east, parallel with the A. T. and O. Railroad one thousand three hundred and twenty-three feet to a stake twenty feet north of Mills Street; thence north seventy-eight degrees, twenty-five minutes east two thousand one hundred and fifty-four feet to a stake in the edge of a field one hundred and forty feet north of the road; thence north five degrees, twenty-five minutes east, eight hundred and twenty-four feet to a stake forty-four feet north of the Western North Carolina Railroad; thence north thirteen degrees, thirty minutes west two thousand two hundred and fifty-nine feet to a stake in an old road one hundred and fifty feet south of the Salisbury Branch; thence north thirty-one degrees, five minutes west two hundred and twenty-nine feet to a manhole at the northwest corner of the bridge over the Salisbury Branch; thence north sixty degrees, fifteen minutes east two thousand and nineteen feet to an oak tree at or near the present southeast corner of the city of Statesville; thence about north about one thousand six hundred feet to a stake on the north side of Broad Street at the western end of the fill; thence about east with the north side of Broad Street to a stake on the west side of the new road that connects the Mocksville road and Broad Street; thence north nineteen degrees, thirty-three minutes west one thousand nine hundred and eleven feet with the west side of the said new road to the beginning.

SEC. 2. That at said election all qualified voters residing Voters. within the boundaries set out on section one of this act and who shall register for said election shall be entitled to vote. The Call of election. board of aldermen shall at a special meeting to be held in the office of the mayor of the city of Statesville, at eight o'clock

- p. m., on Monday night, the fourth day of June, one thousand nine hundred and seventeen, by resolution call said election to be held on said fourth day of September, one thousand nine hundred and seventeen, said election to be held at the polling places in the city of Statesville provided for holding the regular municipal elections in said city. The said resolution shall appoint two judges and a registrar for each one of the four wards of the city, and said registrars shall open their books on Monday, the ninth day of July, one thousand nine hundred and seventeen, and shall keep said books open until sundown on Saturday, the first day of September, one thousand nine hundred and seventeen, for the purpose of registering all voters residing within the boundaries set out in section one of this act, who may desire to vote in said election and who possess the qualifications required of voters in the general State elections. Said registrars shall be at the respective polling places in said city on each Saturday during the period in which the registration books are required to be kept open, from nine o'clock a. m. until sundown, for the purpose of registering all qualified voters who present themselves for registration. On the day of said election said registered voters shall be subject to challenge to be passed upon and determined by the registrar and judges of election. At said election all voters in favor of the said extension shall cast a written or printed ballot bearing the words "For Extension," and all voters opposing said extension shall cast a written or printed ballot bearing the words "Against Extension." Said judges and the registrars shall at the close of said election count the ballots and make a written return over their hands of the result of said election in their respective wards to the city clerk and treasurer on or before twelve o'clock m. on Thursday, the sixth day of September, one thousand nine hundred and seventeen. At twelve o'clock m. on Thursday, the sixth day of September, one thousand nine hundred and seventeen, the board of aldermen shall canvass and declare the result of said election. If a majority of the qualified voters registered for said election shall vote the ballots having written or printed thereon "For Extension," then on and after the thirtieth day of April, one thousand nine hundred and eighteen, the corporate limits of the city of Statesville shall include and embrace all the territory embraced in the boundaries set out in section one of this act.
- SEC. 3. That the city clerk and treasurer of the city of Statesville shall be required to publish in the *Statesville Sentinel* and the *Landmark* newspapers, published in the city of Statesville, for four consecutive weeks immediately following the passage of the resolution by the board of aldermen, a notice of said election, the time of holding the same, the voting places in the various
- Polling places.
- Election officers.
- Registration.
- Challenge.
- Ballots.
- Count and return of votes.
- Canvass of returns.
- Majority of qualified voters.
- Advertisement of election.

wards, the names of the registrars appointed by the board of aldermen, together with all essential parts of said resolution.

SEC. 4. In said election held under the provisions of this act ^{Voting precincts.} voters living within the present corporate limits of the city of Statesville shall vote at the following places in their respective wards, and the place of voting for all voters living outside the present corporate limits of the city of Statesville, but within the boundaries set out in section one of this act, shall be as follows:

(a) All outside voters living north of Broad Street and east ^{Votes in first ward.} of Center Street and the present Wilkesboro road shall register and vote in the polling place provided for voters in the First Ward.

(b) All outside voters living south of Broad Street and the ^{Second ward.} road forming the extension of said street and east of Center Street and the A. T. and O. Railroad shall register and vote in the polling place provided for voters in the Second Ward.

(c) All outside voters living west of Center Street and the ^{In third ward.} A. T. and O. Railroad and south of the Taylorsville road shall register and vote in the polling place provided for voters in the Third Ward.

(d) All outside voters living north of the Taylorsville road ^{In fourth ward.} and west of Center Street shall register and vote in the polling place provided for voters in the Fourth Ward.

SEC. 5. If at the election held under the provisions of this act ^{Wards if limits be extended.} a majority of the registered votes shall be cast "For Extension," then the wards of the city of Statesville shall be described and defined as follows:

Ward One: All that part of the territory included in the ^{Ward one.} boundaries set out in section one of this act, lying north of Broad Street and east of Center Street.

Ward Two: All that part of the territory included in the ^{Ward two.} boundaries set out in section one of this act lying south of Broad Street and east of Center Street and the A. T. and O. Railroad.

Ward Three: All that part of the territory included in the ^{Ward three.} boundaries set out in section one of this act lying west of Center Street and the A. T. and O. Railroad and south of a line with the center of Broad Street from the square west to Statesville Female College; thence north around the college building; thence with the center of Cherry Street to the point where the said line intersects with Patterson Street; thence with Patterson Street with the center of Front Street; thence with the center of Front street and the Taylorsville Road to the corporate limits.

Ward Four: All that part of the territory included in the ^{Ward four.} boundaries set out in section one of this act lying west of Center Street and north of the line forming the northern boundary line of the Third Ward.

Law governing
election.

SEC. 6. That the election held under this act shall be held under the rules and regulations prescribed by the general law of the State of North Carolina for the holding of municipal elections except as said rules and regulations may be changed by the provisions of this act.

Repealing clause.

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 5th day of March, A. D. 1917.

CHAPTER 176

AN ACT TO AMEND THE CHARTER OF THE TOWN OF GREENVILLE CHANGING THE CORPORATE LIMITS OF SAID TOWN.

The General Assembly of North Carolina do enact:

Corporate limits.
New boundary.

SECTION 1. That the corporate limits of the town of Greenville on the western end shall be enlarged by beginning at the Norfolk Southern Railroad on T. R. Moore's line and running up his eastern line to north side of old plank road, of Dickerson Avenue; thence eastwardly along Dickerson Avenue to the western side of Manhattan Street; thence along Manhattan Street to the northern side of Myrtle Avenue; thence along Myrtle Avenue to the old corporate line on said avenue, embracing and including all territory between this and the old line.

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. 1917.

CHAPTER 177

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF WEST BLADENBORO IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Limits extended.

SECTION 1. That the corporate limits of the town of West Bladenboro, in Bladen County, be and they are hereby extended so as to include the following three tracts or territories:

First tract.

First Tract. Beginning at a stake in the east edge of Bladenboro public road, corner of five-acre tract Bladenboro Cotton Mill now owns, and runs with said line north 76 east 4.45 chains to a stake, corner aforesaid tract; thence north 16 west with said

line 7 chains and 75 links to Pait's corner in said line; thence with said Pait line north 76 east 5.60 chains to a stake, Pait's corner; thence north 16 west with a ditch, Pait's line 3 chains, and .58 to Pait's corner in R. M. Hilburn's line; thence north 76 east 11 chains and .90 links with Hilburn line to a stake in R. M. Hilburn's line; thence south 16 east 13 chains and .58 with Ferguson line to a stake; thence south 76 west 21.95 chains to a stake in the east edge of said road; thence north 16 east 2.25 chains to the beginning, containing 22 $\frac{3}{4}$ acres of land.

Second Tract. Beginning at the eighth corner of the first tract aforesaid described and runs with said line north 76 east 4.45 chains to a stake in said line; thence south 16 east 2.71 chains to a stake; thence south 76 west 4.45 chains to a stake in the edge of said road; thence with said road north 16 west 2.71 chains to the beginning, containing 1.2 acres of land. Second tract.

Third Tract. Beginning at a stake, J. P. Hester's corner, the cotton mill's line and runs with Hester's line north 16 $\frac{1}{2}$ west 5.52 chains to a stake, R. M. Hilburn's corner; thence north 76 east 5.76 chains with Hilburn's line to a stake in same; thence south 16 east 11.40 chains to a stake; thence south 76 west 4.72 chains to a stake in the edge of said road the cotton mill's line; thence with said line north 16 west 5.40 chains to a stake corner of said cotton mill's tract of land; thence with said line north 83 west 1.22 chains to the beginning, containing 5.6 acres, more or less. Third tract.

SEC. 2. That the said additional and extended territory shall be a part of the town of West Bladenboro, and shall be subject to all the rules, regulations, and ordinances which now or may hereafter exist in and for the town of West Bladenboro, and subject to all the provisions set forth in chapter one hundred and seventy-five of the Private Laws of one thousand nine hundred and thirteen, just as if the same were originally included in the boundary of the original charter of said town. Territory part of town.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 178

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF ELLENBORO.

The General Assembly of North Carolina do enact:

SECTION 1. That the following territory be included in the corporate limits of the town of Ellenboro: Begins at a stake in present corporate line, which is south 47 west 40.00 chains Territory included.
Boundary.

from the Ellenboro depot, and runs south 47 west 70.00 chains to a stake northwest of overhead signal and twenty-four feet from railroad cut; then south 71½ east 65.50 chains to a stake south of Southern Railway and on east side of branch; thence north 12 east 62.50 chains to a stake in old corporate line, which is one-half mile from the Seaboard Air Line depot; thence a curved line to the right, whose radius is 40.00 chains, to the place of beginning.

Repealing clause.

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 5th day of March, A. D. 1917.

CHAPTER 179

AN ACT TO AMEND CHAPTER 101 OF THE PRIVATE LAWS OF 1903, CREATING TRYON GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter one hundred and one of the Private Laws of one thousand nine hundred and three be amended by striking out all of said section and adding in lieu thereof the following: "That for the purposes of this act there is created a board of school commissioners of said district, and this board shall consist of five members, divided into two classes, one consisting of three members, whose term of office shall expire at the end of two years from their election, and one consisting of two members, whose term shall expire at the end of four years from their election."

SEC. 2. That section seven of chapter one hundred and one of the Private Laws of one thousand nine hundred and three be amended by striking out all of said section and adding in lieu thereof the following: "That on the first Tuesday in May, one thousand nine hundred and seventeen, and biennially thereafter, an election shall be held at the polling place in said district for the purpose of electing such school commissioners; at the first election five of such commissioners shall be elected, three for two years and two for four years, and biennially thereafter such as whose term will expire at the date of such election, for the long and short terms as the terms expire. In the event of any vacancy on the said board the remaining commissioners shall elect a commissioner or commissioners to fill such vacancy or vacancies until the next general election, when a commissioner or commissioners shall be elected to fill the unexpired term. All

School commis-
sioners.

Classification and
terms.

Election of school
commissioners.

Vacancies.

Conduct of elec-
tion.

such elections shall be conducted by the judges and poll-holders selected or appointed for the municipal elections of the town of Tryon, but such elections shall be conducted according to the provisions of this act and of the general school law. The present commissioners of said graded school district shall hold office until their successors are elected as provided for by this act. Present commissioners shall hold over.

SEC. 3. All laws and clauses of laws in conflict with this act be and the same are hereby repealed. Repealing clause.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 180

AN ACT TO ALTER AND CHANGE THE BOUNDARY LINES OF THE CITY OF WINSTON-SALEM.

The General Assembly of North Carolina do enact:

SECTION 1. That the charter of the city of Winston-Salem, being chapter one hundred and eighty of the Private Laws of the General Assembly of one thousand nine hundred and fifteen, be and the same is hereby amended as follows:

That section two thereof be stricken out and the following inserted in lieu thereof as section two of said charter:

"That the corporate boundary lines of the city of Winston-Salem shall be as follows, to wit: Beginning at the bridge on the Belews Creek road over Brushy Fork Creek; thence up the westerly side of Brushy Fork Creek as it meanders to a point, the corner of Home Real Estate, Loan, Insurance Company and W. D. Temples; thence north five degrees sixteen minutes (5 degrees 16 minutes) east five hundred and forty (540) feet to an iron; thence north thirty-nine degrees, forty-four minutes (39 degrees 44 minutes) west eight hundred and twelve (812) feet to an iron; thence north twenty-one degrees, thirty-four minutes (21 degrees 34 minutes) west eight hundred twenty-five (825) feet to an iron; thence north eighty-nine degrees, four minutes (89 degrees 4 minutes) west eight hundred thirty-four (834) feet to an iron; thence north seven (7 degrees) west two thousand one hundred and eighty-two (2,182) feet to an iron in the south side of Fourteenth Street; thence along the south side of Fourteenth Street north sixty-one degrees, fifty-one minutes (61 degrees 51 minutes) west two hundred and thirty (230) feet to an iron; thence north five degrees, twenty-one minutes (5 degrees 21 minutes) west three thousand seven hundred twenty-two (3,722) feet to an iron; thence north seventy-six

degrees, one minute (76 degrees 1 minute) west three hundred sixty-five (365) feet to an iron, the present northeast corporation corner of the city of Winston-Salem; thence north seventy-nine degrees and thirty-five minutes (79 degrees 35 minutes) west two thousand one hundred and eighty and three-tenths (2,180.3) feet to the center line of the siding of the Norfolk and Western Railway Company; thence north forty-nine degrees and fifteen minutes (49 degrees 15 minutes) west two thousand nine hundred and seventy-four (2,974) feet to the southeast corner of the Old Fair Ground tract on the west side of Patterson Avenue (Depot Street), the same being the north side of a ten-foot alley or drive; thence with the north side of drive and where the south fence of the Old Fair Ground formerly stood south eighty-nine degrees and no minutes (89 degrees 0 minutes) west one thousand and seventeen and eight-tenths (1,017.8) feet to an iron in the line where the west fence of the Old Fair Ground formerly stood; thence approximately parallel to Patterson Avenue (Depot Street) south one degree and fifty-five minutes (1 degree 55 minutes) west four thousand two hundred and forty-one and two-tenths (4,241.2) feet to a point in a field adjoining the Old Water-works tract, referenced by an iron south eighty-eight degrees and five minutes (88 degrees 5 minutes) east seventy-seven and eighty-four one-hundredths (77.84) feet from the point (iron being near a fence); thence south thirty-one degrees and fifty-five minutes (31 degrees 55 minutes) west two thousand seven hundred and forty and ninety-five one-hundredths (2,740.95) feet to an iron north of the abattoir, in line of the face extended, and fifty-three and six-tenths (53.6) feet from the northeast corner; thence north eighty-nine degrees (89 degrees) west five thousand five hundred and five and six-tenths (5,505.6) feet to an iron on the east side of Bethania road; thence with the east side of the Bethania and Brookstown roads to the right of way of the North Carolina Midland Railway Company; thence in a southwesterly direction with the right of way of the said railway company to a point where the said right of way intersects with the old Shallowford road at the overhead bridge on said road, the said place being known as Atwood Hill; thence with the north side of the Old Shallowford road in a southeasterly direction to the easterly side of Peter's Creek; thence in a southeasterly direction down the easterly side of Peter's Creek as it meanders to the Paper Mill bridge over Peter's Creek; thence south sixty-four degrees and thirty minutes (64 degrees 30 minutes) east eight hundred and fifty-two and seven-tenths (852.7) feet to an iron on the north side of Academy Street and in the old corporation line; thence south five degrees and thirty-five minutes (5 degrees 35 minutes) east two thousand two hundred and thirty-eight and seven-tenths (2,238.7) feet to an iron

in the field; thence north eighty-four degrees and twenty-five minutes (84 degrees and 25 minutes) east one thousand three hundred and twenty (1,320) feet to a stake in a field; thence south five degrees and thirty-five minutes (5 degrees 35 minutes) east seven hundred and sixty (760) feet, more or less, to the northerly side of Salem Creek; thence up the northerly side of Salem Creek as it meanders to the mouth of Brushy Fork Creek; thence up the westerly side of Brushy Fork Creek as it meanders to the bridge over said creek at the Belews Creek road, the point of beginning.

SEC. 2. That all acts and parts of acts in conflict with this Repealing clause. amendment be and the same 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. 1917.

CHAPTER 181

AN ACT TO REPEAL HOUSE BILL 492, SENATE BILL 491, OF THE SESSION OF 1917, RELATIVE TO ALLOWING BOARD OF ALDERMEN OF TOWN OF HILLSBORO TO REMOVE BODIES AND SELL PRESENT SITE OF COLORED CEMETERY.

The General Assembly of North Carolina do enact:

SECTION 1. That House bill four hundred and ninety-two, Sen- Law repealed. ate bill four hundred and ninety-one, passed at the session of nineteen hundred and seventeen of the General Assembly of North Carolina, be and the same 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. 1917.

CHAPTER 182

AN ACT FOR THE RELIEF OF WILLIAM M. NORMAN.

Whereas William M. Norman, now nineteen years of age, while Preamble. engaged in the performance of his duties on the farm owned by the State at Blantyre in Transylvania County, on January fourth. one thousand nine hundred and fifteen, was irreparably injured by having his right arm torn off by a corn shredder, so that he has been rendered unable to earn his living; and whereas the Preamble. board of agriculture is without authority to grant relief; and,

Preamble.

whereas the said Board of Agriculture has disposed of said farm at a large profit over the purchase price thereof, and has a large part of said money on hand: Now, therefore,

The General Assembly of North Carolina do enact:

Instruction and living expenses.

SECTION 1. That the Board of Agriculture be and it is hereby authorized and directed forthwith to furnish said William M. Norman a four-year course at Cullowhee Training School and actual living expenses while a student at said school, not to exceed in amount two hundred and fifty dollars per year.

Limit of amount.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 183

AN ACT AMENDATORY OF THE ACT ESTABLISHING THE GUILFORD GRADED SCHOOL, GUILFORD COUNTY, IN 1901.

The General Assembly of North Carolina do enact:

High school

SECTION 1. That the word "graded" in said title is hereby changed to "high," and wherever in the original act or subsequent amendments thereto the word "graded" occurs, the word "high" is substituted therefor.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 184

AN ACT TO RATIFY THE \$5,000 SCHOOLHOUSE BOND ISSUE OF DISTRICT No. 4, WHITE, LIMESTONE TOWNSHIP, KNOWN AS BEULAVILLE SPECIAL-TAX DISTRICT, IN DUPLIN COUNTY.

Preamble.

Whereas, on the third day of April, one thousand nine hundred and sixteen, pursuant to chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen, upon petition of the board of education of Duplin County, the board of commissioners of Duplin County ordered an election to be held on the thirteenth day of May, one thousand nine hundred and sixteen in District Number Four, White, Limestone Township, Duplin County, North Carolina, known as Beulaville Special-tax District, bounded as follows: Beginning at the Miller bridge on

Limestone Creek; thence with the road to Beulaville road; thence down the Beulaville road to A. C. Sandlin's to an old path leading by J. G. Bostic's to Mr. Carroll's; thence with said old path to the Muddy Creek road; thence with the Muddy Creek road to Hanty Branch; thence down the Hanty Branch to Muddy Creek; thence with said creek to J. S. Thomas's line; thence with his line to Bryant Thomas's line; thence with his line to Muddy Creek; thence up Muddy Creek to Haystack Branch; thence up said branch to the Haw Branch public road; thence with the said road to Taylor's Branch; thence down Taylor's Branch to Limestone Creek; thence down the creek to the beginning. Said election to ascertain whether the voters of said district were in favor of issuing bonds in the sum of five thousand dollars (\$5,000) bearing interest at the rate of six per centum, payable semiannually, to run not over fifteen years, to be paid by levying a tax in said district of thirty cents on the one hundred dollars valuation of property and ninety cents on the poll, said bonds to be used for the purpose of building, rebuilding, and repairing schoolhouses in said district, as provided for in said act of the General Assembly; and, whereas said election was regularly and legally held on said day, and said bond issue was duly approved by a majority of the qualified registered voters of said district, and whereas the board of commissioners of Duplin County did on the first day of January, one thousand nine hundred and seventeen, pursuant to request of the county board of education of Duplin County, order said bonds to be issued bearing date of the first day of January, one thousand nine hundred and seventeen, with interest from said date at six per centum, payable semiannually, in the denomination and due on the following dates, to wit: First bond, in the denomination of seven hundred and fifty dollars (\$750), due and payable on the first day of January, one thousand nine hundred and seventeen; second bond, in the denomination of five hundred dollars (\$500), due and payable on the first day of January, one thousand nine hundred and eighteen; third bond, in the denomination of five hundred and twenty-five dollars (\$525), due and payable on the first day of January, one thousand nine hundred and nineteen; fourth bond, in the denomination of five hundred and twenty-five dollars (\$525), due and payable on the first day of January, one thousand nine hundred and twenty; fifth bond, in the denomination of six hundred dollars (\$600), due and payable on the first day of January, one thousand nine hundred and twenty-one; sixth bond, in the denomination of six hundred and fifty dollars (\$650), due and payable on the first day of January, one thousand nine hundred and twenty-two; seventh bond, in the denomination of seven hundred dollars (\$700), due and payable on the first day of January, one thousand nine hundred and

twenty-three; and the eighth bond, in the denomination of seven hundred and fifty dollars (\$750), due and payable on the first day of January, one thousand nine hundred and twenty-four, and ordered the same to be delivered to the board of education of Duplin County, to be disposed of according to law; Now, therefore,

The General Assembly of North Carolina do enact:

Bond issue legalized.

SECTION 1. That the said five thousand dollars (\$5,000) bond issue of said District Number Four, white, Limestone Township, Duplin County, known as Beulaville Special-tax District, authorized by an order of the board of commissioners of Duplin County on the third day of April, one thousand nine hundred and sixteen, upon petition of the board of education of Duplin County, and heretofore referred to in the preamble of this act, be and the same is hereby in all respects legalized, ratified, and confirmed; and the board of commissioners of Duplin County is hereby authorized and empowered to prepare, execute, and deliver said bonds to the board of education of Duplin County, as provided by law, and the said board of commissioners of Duplin County is hereby authorized and directed to levy an annual special tax in said district of thirty cents on the one hundred dollars valuation of property and ninety cents on the poll, for the purpose of paying the principal of the said bonds at maturity and interest thereon as it becomes due; and the said bonds when issued and sold shall become binding obligations of said special-tax district to the amount of principal and interest of said bonds.

Execution and delivery of bonds.

Special tax.

Repealing clause.

SEC. 2. 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 conflict herewith.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 185

AN ACT TO ABOLISH THE MUNICIPAL CORPORATION OF WALNUT, MADISON COUNTY.

The General Assembly of North Carolina do enact:

Corporation abolished.

SECTION 1. That the municipal corporation of Walnut, Madison County, North Carolina, be and the same is hereby abolished.

Law repealed.

SEC. 2. That chapter one hundred and fifty-nine of the Private Laws of one thousand nine hundred and fifteen, creating the municipality of Walnut, be and the same is hereby repealed.

SEC. 3. That for the protection of the schools and churches located at Walnut, the sheriff of Madison County is hereby authorized and required to appoint a special deputy sheriff, who shall be a man of good moral character and who shall reside at Walnut. Special deputy sheriff.

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

SEC. 5. That this act shall take effect from and after its ratification.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 186

AN ACT TO AMEND CHAPTER 341, PRIVATE LAWS OF
NORTH CAROLINA, SESSION 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That section one hundred and twenty-four of chapter three hundred and forty-one of the Private Laws of North Carolina, session one thousand nine hundred and fifteen, be amended by striking out all after the word "collector" in line four of section one hundred and twenty-four, down to the word "provided" in line sixteen of said section. Penalties rescinded.

SEC. 2. That this act shall be in force from and after July first, one thousand nine hundred and seventeen. When act effective.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 187

AN ACT FOR THE RELIEF OF W. M. WALKER, CLERK OF
THE COURT OF CUMBERLAND COUNTY, AND THE
SURETIES ON HIS OFFICIAL BOND.

Whereas W. M. Walker, the clerk of the Superior Court of Cumberland County, on the twenty-fourth day of January, one thousand nine hundred and sixteen, deposited with the Fourth National Bank of Fayetteville, North Carolina, the sum of six hundred forty-nine dollars and thirty cents (\$649.30), which he had collected subsequent to the first Monday in January, of one thousand nine hundred and sixteen, as inheritance tax due the State of North Carolina by certain parties and estates of the county of Cumberland, State of North Carolina; and whereas, under chapter two hundred and eighty-five of the Public Acts of North Carolina, session one thousand nine hundred and fif- Preamble.

Preamble.

teen, and section twenty-one thereof, the clerks of the several courts of the counties of the State of North Carolina were required to pay over the funds collected as inheritance tax on the first Monday of the succeeding month after the collections were paid to the clerks of the court; and whereas the first Monday succeeding the collection of this fund by W. M. Walker, as clerk of the Superior Court of Cumberland County, was February seventh, one thousand nine hundred and sixteen; and whereas the said W. M. Walker, as clerk of the court, had no intimation nor reason to believe that the Fourth National Bank of the city of Fayetteville was insolvent or in imminent danger of becoming so, and deposited said funds in said bank in good faith; and whereas, on the third day of February, one thousand nine hundred and sixteen, which was four days before the time in which the statute permitted him to settle with the State of North Carolina for said inheritance tax, the Fourth National Bank of Fayetteville was closed by the National Bank examiner, and not permitted to do further business; and whereas the said W. M. Walker did faithfully and honestly fulfill the duties of his office in collecting said tax according to law, except in so much as he was unable to do by reason of the failure of said bank four days before he could have made his return on the payment thereof to the State Treasurer of North Carolina under the act aforesaid; and whereas the receiver of the Fourth National Bank of Fayetteville has paid a dividend of fifty per cent to the depositors in said bank; and whereas the said W. M. Walker, clerk of the Superior Court of Cumberland County, now has on hand the sum of three hundred and twenty-four dollars and sixty-five cents, being the dividend paid by the receiver of said bank, and it appears that there is the likelihood of the receiver of said bank paying additional dividends on the amount owed to said bank:

The General Assembly of North Carolina do enact:

SECTION 1. That the said W. M. Walker shall pay to the Treasurer of the State of North Carolina the amount of the funds that he now has on hand, and assign to the Treasurer of the State of North Carolina on behalf of the State of North Carolina all claims against the Fourth National Bank of Fayetteville, or its receiver, by virtue of the remaining part of said deposit now unpaid, accompanied by a transfer, conveyance, and proper assignment to that effect.

SEC. 2. That thereupon the said Treasurer of the State of North Carolina is hereby authorized to issue to said W. M. Walker, clerk of the Superior Court of Cumberland County, receipt in full for the amount of the tax as above stated, and upon the issuance of said receipt the said W. M. Walker, clerk

of the Superior Court of Cumberland County, and the sureties on his bond as such, shall be and they are hereby relieved from all liability by virtue of the tax aforesaid.

SEC. 3. That all future dividends paid by said bank after the assignment of said claim by the said clerk to the Treasurer of the State shall be collected by the Treasurer of the State and credited to his account. Future dividends.

SEC. 4. All laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 5. This law shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 188

AN ACT TO PROVIDE FOR THE PAYMENT OF A PENSION WARRANT ISSUED TO MRS. SARAH H. BROWN OF ONSLOW COUNTY TO THE SON OF SAID PENSIONER.

The General Assembly of North Carolina do enact:

SECTION 1. That the State Treasurer be and he is hereby authorized and directed to pay pension warrant number four thousand two hundred and six, issued for the year nineteen hundred and sixteen to Mrs. Sarah H. Brown of Onslow County, to Ephriam Brown, son of said deceased pensioner. 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. 1917.

CHAPTER 189

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF AYDEN IN PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and sixty-seven of the Private Laws of North Carolina of one thousand nine hundred and thirteen be amended by striking out all boundaries as set forth in said chapter, that conflict with the following boundaries, which following boundaries shall hereafter be the corporate limits and boundaries of the town of Ayden, to wit:

Beginning at an iron post on J. S. Harts land 65 feet east from the center of the right of way of the Atlantic Coast Line Railroad; thence 300 feet east to a point parallel with Blount Street; Boundaries.

thence south to the original line; thence with the original line to a point at the east end of Third Street; thence south 300 feet; thence a westerly course parallel with Third Street to a point opposite the eastern boundary of Ayden Cemetery; thence a direct course to the southeast corner of said cemetery; thence a south westerly course to the east end of the alley between M. F. Sumrell's land and R. C. Cannon and C. L. Tyson; thence with said alley to the Ayden-Grifton road; thence a southerly course with said road to Jessie Hart, Jr., line; thence a westerly course with said Hart's line and Mrs. J. J. Smith's line to the northeast corner of the Jessie Garris land; thence a westerly course with said Garris line and F. S. Harris south line to the Ayden-Snow Hill road; thence a westerly course with said road to Harrington Avenue; thence with said avenue north to Sixth Street; thence westerly with said street to Juanita Avenue; thence north with said avenue to a ditch on the west side of said avenue; thence a northwestwardly course with said ditch to Laurinburg Street; thence north with said street to Second Street; thence a northeastwardly course direct to the northwest corner of the original line, said corner being at a pine tree as shown on the charter as amended by the General Assembly of one thousand nine hundred and thirteen; thence with said line, as amended, to the beginning.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 190

AN ACT TO AMEND THE CHARTER OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the charter of the city of Winston-Salem, it being chapter one hundred and eighty (180) of the Private Laws of one thousand nine hundred and fifteen (1915), be and the same is hereby amended by adding at the end of section two the following: "*Provided*, that on the petition of at least twenty-five per cent of the voters of any territory adjacent to the foregoing, presented in writing to the board of aldermen of said city of Winston-Salem, asking that said contiguous territory be taken in the incorporated limits of said city of Winston-Salem, the board of aldermen may, by resolution, define the territory to be annexed and may order an election to be held in said adjacent territory; that the appointment of registrars and judges to hold said election, the advertisement thereof, the holding of

Proviso: Petition
for extension.

Order for election.

Law governing
election.

said election and canvassing of the returns, and all other matters pertaining to said election shall be as provided by law for the holding of bond elections of said city; the city shall also furnish ballots, size to be defined by it, on which shall be written or printed the words 'For Annexation,' or 'Against Annexation'; and should, at said election, a majority of the voters resident in said territory and qualified to vote for members of the General Assembly, vote for 'For Annexation,' the board of aldermen shall so declare, and thereupon said territory shall be a part of the said city and subject to the government thereof as fully and to the same extent as the original territory described in section two amended." Ballots.
Effect of election.

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 its ratification.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 191

AN ACT TO AMEND THE CHARTER OF SNOW HILL.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor and the board of commissioners of the town of Snow Hill, out of any funds available from bonds sold or from other available funds, shall have full power and authority to grade, pave, macadamize, and otherwise improve for travel and drainage the streets of said town and to construct sidewalks, pave the same and put down crossings, curbings, and cross-drains, and otherwise properly improve them. Street and sidewalk improvement.

SEC. 2. In order to more effectually carry out the authority now existing and by this act delegated, to improve the streets and sidewalks of said town, the said mayor and board of commissioners shall have the right to assess not exceeding three-fourths of the cost of grading, paving, and otherwise improving the sidewalks of said town and necessary curbing for the same, on the real estate abutting on the streets and on the side of the streets on which sidewalks are so improved, and each lot shall be charged with its ratable proportion of said assessment according to its frontage. Assessment for sidewalks.
Lots charged ratably.

SEC. 3. In order to more effectually carry out the authority now existing and by this act delegated, to improve the streets and sidewalks of said town, the mayor and the board of commissioners shall have the right to assess not exceeding one-third of the cost of grading, paving, macadamizing, constructing side-drains, cross-drains, and all other necessary drains and Assessments for street improvements.

- crossings, or otherwise improving the roadway or street proper, on the real estate abutting on each side of the street so improved or repaired, and each lot shall be charged with its ratable proportion of said assessment according to its frontage.
- Lots charged ratably.** Owners to improve sidewalks. **SEC. 4.** That every owner of a lot, or person having as great an interest therein as a lease for three years, which shall front any street on which a sidewalk has been established, shall improve in such manner as the mayor and board of commissioners may direct such sidewalk as far as it may extend along such lot, and on failure to do so within twenty days after notice by the town government to said owner, or, if he be a nonresident of the county of Greene, to his agent, or if such nonresident have no agent in Greene County, then after publication of a notice by the board of commissioners for ten days in some newspaper published in Greene County, calling on the owner to make such repairs, the commissioners may cause the same to be repaired, either with brick, gravel, or other material, at their discretion, and the cost thereof may be assessed upon said property and entered upon the tax lists of said town against said property.
- Work done by town.** **SEC. 5.** The amount of such assessments for the improvement of the streets and sidewalks as authorized in the three preceding sections on each piece of real estate or lot shall be and constitute a lien upon said property, and the same may be collected either in the same manner that other taxes are collected or by an action instituted in the name of the town of Snow Hill against said owner in the Superior Court of Greene County in the nature of an action of foreclosure, in which action judgment may be taken for the sale of said property to satisfy the amount due said town from the owner thereof as aforesaid.
- Assessment of cost.** **SEC. 6.** That this act shall be in force from and after its ratification.
- Liens on property.**
- Collection.**

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 192

AN ACT TO ENLARGE THE CORPORATE LIMITS OF THE TOWN OF GREENVILLE.

The General Assembly of North Carolina do enact:

- Limits enlarged.** **SECTION 1.** That the incorporate limits of the town of Greenville shall be enlarged so as to include the territory between the old line and the line hereinafter recited, as follows: "Beginning on the southern side of the Washington and Greenville road on the line between the Munford and Johnson property, and being the old town line; thence with the said southern side of the said road to the eastern side of Biltmore Street; thence
- Boundary.**

along the said eastern side of said Biltmore Street southwardly to and across Fifth Street to the present old line.”

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. 1917.

CHAPTER 193

AN ACT TO AMEND CHAPTER 16, PRIVATE LAWS OF 1903, INCORPORATING CHARLOTTE CARNEGIE PUBLIC LIBRARY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter sixteen, Private Laws of nineteen hundred and three, be and the same is hereby amended by striking out the words “the General Assembly of this State and,” in the last clause of said section, so as to make said clause read: “It shall not have the power to sell and convey its real estate without the assent of the board of aldermen of the city of Charlotte.” Conveyance of real estate.

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

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 194

AN ACT TO AMEND H. B. No. 7, S. B. No. 167, OF THE PRIVATE LAWS OF 1917.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section one, House bill number seven, Senate bill number one hundred and sixty-seven, of the Private Laws of one thousand nine hundred and seventeen, relating to special laws of Durham, by striking out the words in the latter part of said section: “the mayor or any other city official or employee or any other.” Words stricken out.

SEC. 2. That if this act or any part of this act should be construed to be unconstitutional, it shall not have the effect of invalidating any other laws or clauses of law. Construction of act.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 195

AN ACT FOR THE RELIEF OF M. C. STANLEY FOR INJURY SUSTAINED WHILE GRATUITOUSLY AIDING THE PASQUOTANK HIGHWAY COMMISSION.

Preamble.

Whereas M. C. Stanley was seriously injured while voluntarily helping to construct the highway of Pasquotank County, and said assistance given by said Stanley was without compensation; and that whereas the injury sustained by said Stanley is apparently permanent and said injury has rendered the said M. C. Stanley helpless so far as the use of one of his legs is concerned: Now, therefore, for the reason above set out,

The General Assembly of North Carolina do enact:

Payment authorized.

SECTION 1. That the board of county commissioners of Pasquotank County be and they are hereby authorized and empowered to pay to M. C. Stanley, for a period of two (2) years from March first, one thousand nine hundred and seventeen, the sum of ten dollars (\$10) per month, payable on the first day of each month, beginning with March first, one thousand nine hundred and seventeen.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 196

AN ACT TO REPEAL HOUSE BILL 182, SENATE BILL 326, OF THE GENERAL ASSEMBLY OF 1917, IT BEING AN ACT RELATING TO THE CHARTER OF THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That an act entitled "An act to amend chapter one hundred and sixty-nine of the Private Laws of one thousand nine hundred and fifteen," relating to the charter of the city of High Point, ratified on the ninth day of January, one thousand nine hundred and seventeen, and being House bill one hundred and eighty-two, Senate bill fifty-nine, session of nineteen hundred and seventeen, be and the same is hereby repealed.

General repealing clause.

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 7th day of March, A. D. 1917.

CHAPTER 197

AN ACT TO AMEND SECTION 1, CHAPTER 17 OF THE PRIVATE LAWS OF 1911, RELATING TO THE CORPORATE LIMITS OF THE TOWN OF MARBLE IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the corporate limits of Marble as set out in New boundary. section one of chapter seventeen of the Private Laws of North Carolina, session one thousand nine hundred and eleven, be changed so as to conform to the following survey, to wit: Starting in line of number fifty-one, and District Number Six, on bank of State road and running with same to the corner of number fifty-four, thence with line of number fifty-four east direction to Valley River.

SEC. 2. All 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 7th day of March, A. D. 1917.

CHAPTER 198

AN ACT TO AMEND THE CHARTER OF THE TOWN OF WINTERVILLE, PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That upon the petition of the majority of the Petition for street improvement. property owners, both in running foot frontage and signers along any one street, the board of aldermen of Winterville shall borrow Power to borrow money and improve streets. such money as is necessary to build a paved sidewalk, with curbing, along said street, and build a drainway and improve said street. The expense of the sidewalk to be taxed against the Division of expense. adjacent property, and the expense of improving the said street, with curbing and drainway, shall be divided one-third to the property owner on each side and one-third to be borne by the town, which the expense of said improvements, with interest, Lien on property. shall be a lien against the adjacent property, and shall be collected in ten installments, as all other taxes.

SEC. 2. That all property owners shall be required to connect Drainage connections. all drains into drainways provided by the town, the expense of the connections to be borne by the property owner, but installed by the town, and collected as provided above.

SEC. 3. That the board of aldermen shall have power and Powers of aldermen as to sanitation. authority to condemn and require property owners to remove

all such buildings, trash and garbage as shall become a nuisance, fire-traps or sources of disease, and shall have authority to require all property owners to fill holes and cover drains, with authority to condemn and open up streets and crossways and all authority that is necessary to protect the health and safety of the town, and impose proper penalties for the enforcement of ordinances, in compliance with this purpose.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 199

AN ACT TO REGULATE THE SALE OF SOFT DRINKS, CIDER, ETC., AT THE ANNUAL MASONIC PICNIC IN HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

Huckstering unlawful.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to offer for sale within one mile of the Stony Creek Picnic Grounds in Ahoskie Township, Hertford County, on the day of the annual Masonic Picnic, any food, fruits, confectioneries, cider, or other drinks of any kind whatsoever, without the written permission of the Masonic committee in charge of said picnic.

Misdemeanor.

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

Punishment.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 200

AN ACT TO INCREASE PUBLIC EDUCATIONAL FACILITIES IN SCHOOL DISTRICT No. 2, WHITE RACE, HOUSE'S CREEK TOWNSHIP, WAKE COUNTY.

The General Assembly of North Carolina do enact:

New school house.

SECTION 1. That the county board of education of Wake County shall build a new schoolhouse in School District Number Two, white race, House's Creek Township, in Wake County, under such rules and regulations as it may adopt.

SEC. 2. That the county board of education of Wake County may maintain two schools for the white race in said School District Number Two, white race, House's Creek Township, Wake County, and shall have the power to designate which of said schools the children of said district shall attend. Two schools may be maintained.

SEC. 3. That so much of section four thousand one hundred and twenty-nine of the Revisal of one thousand nine hundred and five, and the laws of North Carolina amendatory thereof, as provide that the county board of education shall establish no new school in any township within less than three miles by the nearest traveled route of some school already established in said township, shall not apply to said School District Number Two, white race, House's Creek Township, Wake County, North Carolina. Revisal not to apply.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 201

AN ACT TO RATIFY AND MAKE EFFECTIVE AN AGREEMENT BETWEEN SPECIAL SCHOOL-TAX DISTRICT OF BILTMORE, WEST CHAPEL, AND GASH'S CREEK SPECIAL SCHOOL-TAX DISTRICTS IN BUNCOMBE COUNTY.

Whereas the following agreement was entered into March eighth, one thousand nine hundred and sixteen, by and between the school committeemen of Biltmore School District, West Chapel School District, and Gash's Creek School District, in the county of Buncombe, which agreement is in words and figures as follows: Preamble.

1. That the board of education of Buncombe County be requested to allot the Biltmore general school fund to West Chapel and Gash's Creek districts as it may be required. Copy of agreement.

2. That any pupil from West Chapel and Gash's Creek School District above the seventh grade may attend the Biltmore school free of tuition.

3. That said general school fund mentioned in paragraph one be equally divided between West Chapel and Gash's Creek School districts: *Provided*, that the board of education may vary the allotted amount, except that neither of these school districts receive more than sixty per cent of this fund.

4. That Biltmore District agrees to operate an automobile truck for West Chapel and Gash's Creek High School pupils, and to transport them to and from the Biltmore school free of

charge: *Provided*, that said truck be operated within a reasonable walking distance of pupils, not beyond John Sorrells'.

5. That the chairman of the board of education and Mr. J. P. Kitchen, draft a bill asking the Legislature to give the board of education the power to carry out these provisions: Now, therefore,

The General Assembly of North Carolina do enact:

Powers to county board of education.

SECTION 1. That the county board of education of Buncombe County is hereby authorized and fully empowered to apportion the school funds so as to effect said agreement, and the county board of education is hereby fully empowered to carry out the above agreement in good faith according to its tenor and terms, and the county board of education is hereby given the necessary power to carry out the spirit and purpose of said agreement.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 202

AN ACT TO PROVIDE FOR THE PAYMENT OF CERTAIN INDEBTEDNESS OF LILLINGTON HIGH SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

Certificates of indebtedness.

SECTION 1. That the board of trustees of Lillington High School District be and they are hereby authorized to issue in their corporate name interest-bearing certificates of indebtedness, maturing serially over a period of not exceeding five years, for a gross amount of not more than five thousand dollars; and out of the proceeds derived from the sale of such certificates of indebtedness to pay any indebtedness that has been incurred by said board of trustees of Lillington High School District for necessary expenses in providing buildings, equipment, and purchase of land for carrying on the work of the schools of said district.

Maturity.

Amount.

Use of proceeds.

Payment of interest and principal.

SEC. 2. That the said board of trustees of Lillington High School District are authorized and directed to pay the interest and principal of said certificates of indebtedness as they shall severally mature out of the current income of said district as now provided by law: *Provided*, that not more than fifteen hundred dollars of said funds in any one school year shall be used for said purpose.

Proviso: Limitation.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act, in so far as they conflict, are hereby repealed. Repealing clause.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 203

AN ACT TO REIMBURSE MRS. NOLAN KNIGHT FOR AMOUNT EXPENDED BY HER IN THE CASE OF STATE v. MRS. NOLAN KNIGHT.

The General Assembly of North Carolina do enact:

SECTION 1. That the State Treasurer be and he is hereby authorized to pay Mrs. Nolan Knight the sum of forty-nine and sixty-five one hundredths dollars out of any unappropriated funds in his hands, for the purpose of reimbursing her for the amounts paid out in fees for her commission as notary public and costs in testing the constitutionality of the act of the General Assembly of North Carolina. Payment authorized.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 204

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF TODD IN ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the corporate limits of the town of Todd, in Ashe County, be extended so as to include all the territory in a circle within a radius of one-half a mile in every direction from the depot of the Virginia-Carolina Railway in that town. Extension.

SEC. 2. That the said additional and extended territory shall be a part of the town of Todd and shall be subject to all the rules, regulations, and ordinances which now or may hereafter exist in and for the town of Todd, and subject to all the provisions set forth in the original charter of said town and all amendments thereto, just as if the same were originally included in the boundary of the original charter of said town. Effect of extension.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 205

AN ACT TO AMEND CHAPTER 173 OF THE PRIVATE LAWS OF 1909, RELATIVE TO THE TOWN OF STANTONSBURG IN THE COUNTY OF WILSON.

The General Assembly of North Carolina do enact:

Tax rate.

SECTION 1. That that part of section five of chapter one hundred and seventy-three, Private Laws of one thousand nine hundred and nine, which refers to and follows that section of the general law as outlined in section two thousand nine hundred and twenty-four of the Revisal of one thousand nine hundred and five, relative to the amount of taxes to be levied by municipal corporations, be and is hereby amended in so far as it applied to the town of Stantonburg, and no farther, by striking out the words "fifty cents" in line three of section two thousand nine hundred and twenty-four of the Revisal of one thousand nine hundred and five and inserting in lieu thereof the words "sixty-six and two-thirds cents," and by striking out the words "one dollar and fifty cents" in lines three and four of this section and inserting in lieu thereof the words "two dollars"; said section as herein amended reading as follows: "The board of commissioners may annually levy and cause to be collected for municipal purposes a tax not exceeding sixty-six and two-thirds cents on the hundred dollars, and two dollars on each poll, on all persons and property within the corporation which may be liable to taxation for State and county purposes, etc."

Tax rate.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 206

AN ACT TO INCORPORATE THE BATTLE OF KINGS MOUNTAIN MEMORIAL ASSOCIATION.

Preamble.

Whereas the citizens of the town of Kings Mountain and vicinity aim to perpetuate the memory of the victory of the American patriots at the Battle of Kings Mountain in the decisive conflict of October seventh, one thousand seven hundred and eighty, "which turned the tide of battle in favor of the American Colonies," and to celebrate publicly from time to time the said victory, and otherwise carry into execution the educational and patriotic purposes for which the said association is formed, its members desire a corporate existence: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That W. A. Ridenhour, F. E. Finger, C. K. Bell, R. L. Mauney, L. A. Kiser, M. E. Herndon, J. B. Thomasson, J. R. Davis, and H. T. Fulton, together with their associates and successors, are hereby formed into an incorporate body, with its principal at Kings Mountain, N. C.

Corporators.

Incorporation.

Principal office.

SEC. 2. That the name of said corporation shall be "The Battle of Kings Mountain Memorial Association," and that by said name it shall have perpetual succession, with the rights, privileges, immunities, and powers incident to or belonging to corporations under the law.

Corporate name.

Corporate powers.

SEC. 3. That said corporation may, by purchase, devise, gift or bequest, take and hold such real estate and all such personal property as may be deemed by its members or directors necessary or in any way conducive to the interest, welfare, and purposes of said corporation, and may sell and convey the same at pleasure: *Provided, however,* that any or all of aforesaid property shall not be held or used for personal or individual gain or profit, but shall be for civic and patriotic purposes only.

Power to purchase and hold property.

Proviso: Uses of property.

SEC. 4. That the said corporation shall adopt such constitution and by-laws as it may deem proper, and change or modify the same from time to time, in order to further the purposes and aims of the association.

Constitution and by-laws.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 207

AN ACT TO AUTHORIZE THE BOARD OF TOWN COMMISSIONERS OF AURORA TO ISSUE BONDS FOR WATER, SEWERAGE, AND STREET PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of Aurora is authorized and empowered to issue bonds in an amount not exceeding twenty-five thousand dollars, for water, sewerage, and street purposes.

Bond issue authorized. Amount and purpose.

SEC. 2. That said bonds shall bear interest from the date of issue at a rate not exceeding six per cent per annum, to be due and payable semiannually on the first days of January and July of each year. Such bonds shall be in denominations of one hundred dollars or multiples thereof. Said bonds shall be issued in the name of the town of Aurora and be made payable to bearer at a time to be fixed by the said board of commissioners and

Interest.

Denominations.

Maturity.

Authentication.	named therein, not to be more than thirty years from the date thereof. Such bonds and coupons shall be numbered and shall be signed by the mayor of the town and countersigned by its clerk, and have the corporate seal of the town attached thereto; and the coupons thereto attached shall bear a facsimile signature of the
Record of bonds.	mayor of the town engraved or lithographed thereon; that a record shall be kept of said bonds, showing the numbers and denominations thereof, when the same shall mature, and the interest-bearing rate thereof; the amount received from the sale of the same, and any other data in relation thereto that may be ordered kept by the board of commissioners.
Sale below par forbidden.	SEC. 3. 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 par value. Nor shall said bonds or their proceeds be used for any other purposes than those declared in this act.
Specific appropriation.	
Issue to be authorized by voters.	SEC. 4. That said bonds shall not be issued until authorized by a majority of the qualified voters of the said town of Aurora at an election to be held on a date to be designated by the board of commissioners of said town, at any time after the ratification of this act prior to May the first, one thousand nine hundred and
Election.	seventeen. At such election those qualified voters favoring the issuance of said bonds for water, sewerage, and street purposes may vote a written or printed ballot containing the words "For Improvement Bonds"; and those who oppose the issuance of said
Ballots.	bonds may vote a written or printed ballot containing the words "Against Improvement Bonds." Such election shall be held after thirty days notice published in some newspaper of Beaufort
Notice of election.	County. That the result of said election, stating the number of votes cast for bonds and the number of votes cast against bonds, shall be certified to the register of deeds of Beaufort County and to the mayor of the town of Aurora by the registrar and judges of
Certificate of result.	said election; such certificates shall be made and forwarded within forty-eight hours after the closing of the books for said election. Such returns shall be recorded by the register of deeds in his office.
Returns recorded.	SEC. 5. That the said election shall be conducted under the same rules, regulations, and penalties as are provided by law for the election of members of the General Assembly, except as herein
Law governing election.	otherwise provided. The registrars and judges for holding such election shall be appointed by the board of town commissioners of said town prior to the publication of the said notice of election.
Election officers.	There shall be an entirely new registration of voters, under the provisions of the general election laws of the State, of all voters who are entitled to register in said town of Aurora, and only such persons who register under the provisions of this act shall be entitled to vote in said election. The registration books shall be
New registration.	
Registration.	

open for ten consecutive secular days next preceding the Saturday before the holding of the election, and said Saturday next before holding said election shall be challenge day, and all challenges shall be heard and determined by the registrar and judges of election; but challenges may be made, heard, and determined on election day.

Challenge day.

Challenges on election day.

SEC. 6. That the board of commissioners of said town shall have authority to purchase and condemn property for the purposes herein expressed, and to hold such real estate and to acquire all such rights and privileges as may be deemed necessary for the improvement and extension of the water, sewerage, and street systems of said town.

Power to condemn and hold property.

SEC. 7. That for the purposes aforesaid the commissioners shall have the authority to enter upon the lands of all persons for the purpose of constructing, erecting, and maintaining the improvements herein set forth, and to make all surveys, drains, and to do such other things as may be necessary to carry into effect the provisions of this act.

Entry on lands.

SEC. 8. That the said board of commissioners of the town of Aurora shall levy a tax on all the taxable property and polls, observing the constitutional equation, within the said town, annually, sufficient to pay the interest on said bonds as the same shall fall due, and to provide a sinking fund for the redemption of said bonds at maturity.

Special tax.

SEC. 9. That the sinking fund set aside each year shall be invested in such securities as may be approved by a majority of the members of the said board acting at any regular meeting thereof.

Investment of sinking fund.

SEC. 10. That if at the election herein provided for a majority of the qualified voters of the said town of Aurora shall vote "For Improvement Bonds," then the board of commissioners of said town shall issue such bonds in accordance with the provisions of this act. Should a majority of the ballots cast at said election be "Against Improvement Bonds," then and in that instance no bonds shall be issued on authority of this act.

Effect of election.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 208

AN ACT TO PLACE CERTAIN PERSONS ON THE CONFEDERATE PENSION ROLL.

The General Assembly of North Carolina do enact:

SECTION 1. That the pension board of Mitchell County are hereby authorized and directed to place the name of James R. Huskin of Mitchell County on the pension rolls of his county.

Authority to pension board.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 209

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE RAEFORD GRADED AND HIGH SCHOOL DISTRICT TO ISSUE BONDS IN THE SUM OF \$10,000 FOR THE ERECTION OF A SCHOOL BUILDING AND TO PROVIDE FOR THE PAYMENT OF SAID BONDS BY TAXATION.

The General Assembly of North Carolina do enact:

Purpose of bond issue.	SECTION 1. That for the purpose of erecting a public school building in the Raeford Graded and High School District the board of trustees of said district are hereby authorized and empowered to issue bonds of said district, not to exceed the sum of ten thousand dollars, to draw a rate of interest not to exceed six per centum per annum, and to mature at such time or times and to be payable at such place or places and to be in such denominations as the said board of trustees may determine.
Issue authorized.	
Amount.	
Interest.	
Maturity.	
Use of proceeds.	SEC. 2. That the proceeds of said bonds shall be used by the said board of trustees for the erection of a public school building in the aforesaid district.
Special tax.	SEC. 3. That the board of county commissioners of the county of Hoke are hereby authorized and empowered to levy annually on property and polls taxable in said district a special tax of sufficient sum to pay the interest on said bonds as it becomes due and the principal at maturity.
Sale of bonds.	SEC. 4. That the said board of trustees shall sell said bonds in such manner as they shall deem best, at either public or private sale, such sale, however, not to be in derogation of the general laws of the State.
Election.	SEC. 5. That for the purpose of ascertaining the wishes of the voters in the said district upon the questions of issuing said bonds and of levying a special tax as provided for in this act, the board of county commissioners of the said county of Hoke, upon request of the board of trustees of said district, shall order an election to be held in said district on a day certain and shall duly advertise the same for at least thirty days immediately preceding said day certain, and if said board of commissioners deem it advisable, a new registration shall be had of the voters in said district for the purposes of said election. Those who favor the purpose of this act shall vote a ticket with the words "For School Bonds"
Advertisement of election.	
Tickets.	

printed thereon, and those who oppose the purpose of this act shall vote a ticket with the words "Against School Bonds" printed thereon; and if a majority of the voters of said district who are qualified to vote in said election shall vote "For School Bonds," then said bonds shall be issued and sold and said special tax shall be levied as hereinbefore provided; otherwise said bonds shall not be issued and said special tax shall not be levied. ^{Effect of election.}

SEC. 6. That the board of county commissioners of the said county of Hoke, in case the bond issue is approved by the voters as aforesaid, shall levy annually the special tax provided for in section three of this act, the levy to be made at the time of the levy of the county tax, commencing with the fiscal year beginning next after the approval of the bond issue by the voters at the aforementioned election. ^{Levy of tax.}

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

Ratified this the 7th day of March, A. D. 1917.

STATE OF NORTH CAROLINA,
OFFICE OF SECRETARY OF STATE.

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

In witness whereof, I have hereunto set my hand and affixed my official seal.
Done in office at Raleigh, this 18th day of May, in the year of our Lord 1917.

J. BRYAN GRIMES,
Secretary of State.

[Official Seal]

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