

Library
OF THE

University of North Carolina

This book was presented by

The Secretary of State

345.1-1187

*P. b. loc.
+ private
1919*

UNIVERSITY OF N.C. AT CHAPEL HILL



00035474691

*This book must not
be taken from the
Library building.*

~~FEB 28 1965~~

LUNC-5M Ja 36
OP 12276

STATE OF NORTH CAROLINA

PUBLIC-LOCAL LAWS

PASSED BY THE

GENERAL ASSEMBLY

AT ITS

SESSION OF 1919

BEGUN AND HELD IN THE CITY OF RALEIGH

ON

WEDNESDAY, THE EIGHTH DAY OF JANUARY, A. D. 1919

PUBLISHED BY AUTHORITY

RALEIGH
EDWARDS & BROUGHTON PRINTING CO.
STATE PRINTERS
1919

CAPTIONS

OF THE

PUBLIC-LOCAL LAWS

SESSION 1919

CHAP.	PAGE
1. An act to authorize the commissioners of the City of Asheville and County of Buncombe to appropriate money.....	3
2. An act to amend the prohibition law and to provide for the better enforcement of the same in Burke County.....	3
3. An act to amend chapter 80, Public Laws of the extra session of 1913, and to prevent the killing, selling and shipping of veal in Rutherford County	4
4. An act to provide cancellation fee for register of deeds of Gates County	5
5. An act to fix the per diem of members of the board of commissioners of Transylvania County.....	5
6. An act to repeal chapter 408, Public-Local Laws, Session 1917, relating to stock law in Jackson County.....	6
7. An act to amend chapter 114, Public-Local Laws of 1913, entitled "An act to provide rural policemen for the county of Scotland"	6
8. An act to amend section 2785, Revisal of 1905, so as to allow commissioners of Clay County \$3 per day.....	7
9. An act to repeal chapter 385 of the Public-Local Laws of the Session of 1917, relating to the county treasurer of Transylvania County	7
10. An act to incorporate the Pleasant Hill Baptist Church in Macon County	8
11. An act to repeal chapter 80, Public-Local Laws, Session of 1915....	8
12. An act authorizing the commissioners of Rutherford County to levy a special tax for bridge purpose.....	9
13. An act to fix the fees of cotton weigherers in Union County.....	10
14. An act repealing chapter 1 of the Public-Local Laws of 1917, relating to the office of school census taker for Warren County.....	10
15. An act to pay the county commissioners of Macon County the sum of \$4 for each meeting of the board.....	10
16. An act to regulate the fees of the jailor of Alleghany County.....	11
17. An act to fix salaries of certain public officers in Perquimans County	11
18. An act to authorize the board of commissioners for the county of Beaufort to levy a special tax to pay indebtedness and current expenses	13

92349

CHAP.	PAGE
19. An act to amend chapter 70, Public-Local Laws, Session 1917, relating to pure-blood cattle in Mitchell County.....	13
20. An act to amend chapter 590, Public-Local Laws of North Carolina, Session of 1913, relating to the salaries of certain public officers in Bertie County and increasing the salaries of said officers....	14
21. An act to ratify and validate special tax levied by the commissioners of Martin County in the year 1918 and authorize the levy of a similar tax for the years 1919 and 1920.....	15
22. An act to allow the county commissioners of Macon County to levy a special tax for the purpose of building and repairing bridges..	16
23. An act to reestablish the office of county treasurer in the county of Ashe	16
24. An act to fix the compensation of the jailor of Ashe County.....	17
25. An act to provide for the collection of taxes in Gates County.....	17
26. An act to amend the road laws of Buncombe County.....	18
27. An act to induce the prompt payment of taxes in Perquimans County	19
28. An act to amend chapter 814 of the Public Laws of 1907, establishing the Rocky Mount Road District.....	19
29. An act to increase the pay of members of the board of county commissioners of Gates County and cause the chairman to audit certain accounts	20
30. An act to amend chapter 807 of the Public Laws of 1909, authorizing and directing sheriffs and other officers to seize and destroy distilleries used in the illegal manufacture of liquor in Madison County	21
31. An act to prevent depredation of domestic fowls in Macon County..	22
32. An act to require municipal corporations in Jackson County to publish periodical statements.....	22
33. An act to amend chapter 840 of the Public Laws of 1909 relating to the better enforcement of the game laws in certain counties....	23
34. An act to amend chapter 344 of the Public-Local Laws of 1911, and chapter 467 of the Public-Local Laws of 1915, fixing the salaries of the officers of Nash County.....	24
35. An act to amend chapter 74 of Public-Local Laws of 1917 authorizing Person County to sell bonds to build roads.....	24
36. An act to repeal chapter 787 of the Public-Local Laws of 1913, fixing the time for the termination of farm leases of Chatham County	26
37. An act to amend chapter 46 of the Public-Local Laws of 1915, entitled "An act to fix salaries for public officers in Orange County"	26
38. An act to authorize the board of commissioners of Wilson County, jointly with the board of commissioners or other governing body, of any incorporated city or town in the county of Wilson, to purchase scales for the weighing of cotton.....	27
39. An act to authorize the Bank of Faison to pay to school board of Faison graded school moneys belonging to stock-law territory..	28
40. An act to provide for rural policemen for Rutherford County.....	28

CAPTIONS OF THE PUBLIC-LOCAL LAWS

v

CHAP.	PAGE
41. An act to authorize Buncombe County to fund its floating indebtedness and complete certain necessary contracts let.....	31
42. An act to authorize the board of aldermen and the county commissioners to regulate and fix the salaries of certain officials of Durham Township and Durham County.....	32
43. An act to amend the public road law of Orange County.....	34
44. An act to submit to the qualified voters of Pasquotank County the question of stock law.....	34
45. An act to protect game, squirrels, and fur-bearing animals in Macon County	35
46. An act to protect game and stock in Graham County.....	36
47. An act to amend section 1675 of the Revisal of 1905, relative to stock law, so that the provisions of said section will apply to Chowan County	36
48. An act to authorize the board of commissioners of Wilson County to build a new courthouse, and to issue bonds therefor.....	37
49. An act to repeal section 4, chapter 400, of the Public Laws of 1917, in reference to squirrel hunting in Durham County.....	40
50. An act to reenact chapter 234, Public-Local Laws of North Carolina, Session 1911	40
51. An act to protect opossums in Union County.....	41
52. An act to regulate the assessment of taxes for maintenance purposes in Mattamuskeet Drainage District.....	41
53. An act to authorize the boards of commissioners of Martin and Bertie counties to build a bridge over the Roanoke River at Williamston and for other purposes.....	42
54. An act to incorporate First Congregational Church of Albemarle, N. C.	43
55. An act to amend chapter 109 of the Public-Local Laws of 1917, relating to the public roads of Yadkin County.....	44
56. An act to repeal chapter 795, Public-Local Laws 1915, providing for rural policemen for Columbus County.....	45
57. An act repealing section 4 of chapter 581 of the Public Laws of 1899, relating to free road labor in Warren County.....	45
58. An act repealing chapter 11 of the Public-Local Laws 1917, relating to highway commission for Warren County.....	45
59. An act repealing chapter 90 of the Public-Local Laws of 1915, relating to tax on dogs for Warren County.....	46
60. An act to provide for an iron or steel bridge spanning the Yadkin River, and empowering the boards of county commissioners of Rowan and Davidson counties to build and maintain same.....	46
61. An act to authorize the Central Highway Commission of Person County to use certain money for repairing and improving the public roads of said county.....	47
62. An act to amend chapter 6 of the Public-Local Laws of 1917, relating to the roads of Macon County.....	48

CHAP.	PAGE
63. An act to promote cattle raising in Wilkes County.....	50
64. An act to prevent importation of diseased cattle into Rowan County	50
65. An act to repeal chapter 637 of the Public-Local Laws of North Carolina, Session 1917, relating to the salary of the county treasurer of Alexander County.....	51
66. An act to amend and revise chapter 300 of the Public-Local Laws of one thousand nine hundred and seventeen, providing for the maintenance of public roads in Clay County.....	52
67. An act to provide a tax levy and validate the tax levy for courthouse bonds and other necessary expenses in Mitchell County....	56
68. An act to provide for the redemption of the bonds issued by the board of road trustees of Jacksonville Township, in Onslow County, under provision of chapter 221 of Public-Local Laws, Acts of 1913 and acts amendatory thereof.....	57
69. An act to authorize the commissioners of Transylvania County to levy a special tax.....	58
70. An act to provide for the maintenance and improvement of the public roads of Avery County.....	59
71. An act to amend section 2785 of the Revisal of 1905 of North Carolina, relating to the pay of the county commissioners of Cabarrus County	61
72. An act to amend chapter 201 of the Public Laws of North Carolina, Session 1907, relating to the public roads of Cabarrus County....	62
73. An act to provide for the proper drainage of the lands of Henderson County	63
74. An act to provide good roads in Harris Township, Franklin County	65
75. An act to empower the board of county commissioners of Swain County to erect a concrete bridge across the Tuckasegee River at Bryson City.....	70
76. An act to regulate fox hunting in Randolph County.....	71
77. An act to amend section 2785 of the Revisal of 1905 so as to pay the county commissioners of Graham County \$3 per day when in session	72
78. An act to fix the compensation of the county commissioners of Lincoln County	72
79. An act to aid in the collection of taxes.....	73
80. An act to provide compensation for the county officers of Dare County	73
81. An act to amend section 5245 of the Revisal of 1905, relating to compensation allowed sheriffs for the collection of taxes, and regulating the compensation allowed the sheriff of Lee County.....	74
82. An act to amend chapter 180, Public Laws 1907, relative to the criminal court of Pasquotank County.....	74
83. An act to amend chapter 190 of the public laws of North Carolina of 1913, fixing the salaries of certain officers of Gaston County..	75

CHAP.	PAGE
84. An act to provide good roads in Gold Mine Township, Franklin County	77
85. An act to allow the several townships of Macon County, North Carolina, to borrow money to build or improve roads, and provide a special tax therefor	82
86. An act to authorize the board of county commissioners of Randolph County to issue bonds for the purpose of erecting buildings for a county home for the aged and infirm; and to provide for the removal of said home from its present site.....	85
87. An act to amend chapter 551 of the Public-Local Laws of 1913, relating to the issue of township bonds for the improvement of roads in Halifax County.....	86
88. An act to prohibit the obstruction of creeks and drainways emptying into Scuppernong River.....	87
89. An act to authorize the county commissioners of Graham County to put a good wire or steel fence around the courthouse and keep all the public buildings in good sanitary condition.....	87
90. An act to amend chapter 575 of the Public-Local Laws of 1915, for the payment of the salary of the county superintendent of public instruction of Robeson County.....	88
91. An act to amend chapter 107 of the Public-Local Laws of 1911, relating to development of public roads in Murphy Township, Cherokee County.....	88
92. An act to repeal sections 2, 3, 4, 5, 6, 7, and 8 of chapter 295 of the Public Laws of 1901, relating to Rowan County in regard to fishing	91
93. An act to amend section 8, chapter 508, Public-Local Laws of 1915, relating to the duties of sheriff of Lincoln County.....	92
94. An act to abolish office of tax collector for McDowell County.....	93
95. An act to amend chapter 238 of the Public Laws of North Carolina, Session 1895, relating to the pay of the cotton weigher of Cabarrus County	94
96. An act to increase the compensation of the county commissioners of Polk County and provide a method for their election.....	95
97. An act to amend chapter 87 of the Public-Local Laws of 1915, relating to the office of tax collector of Buncombe County, etc.....	96
98. An act to fix the salaries of certain officers of Richmond County....	96
99. An act to authorize the board of commissioners of Durham County to employ an additional deputy register of deeds.....	97
100. An act to amend chapter 12, Public-Local Laws of the session of 1913	98
101. An act to prescribe the compensation of the county commissioners and certain other officials in Guilford County.....	98
102. An act to fix salaries for public officers in Granville County and to provide for the auditing of their accounts.....	99
103. An act to amend chapter 697 of the Public-Local Laws of 1913.....	103

CHAP.	PAGE
104. An act to provide for the building of a new county home for the aged and infirm in the County of Watauga.....	104
105. An act to amend section 3715 of the Revisal, relating to gambling..	105
106. An act to amend section 1409 of the Revisal of 1905, relative to electing justices of the peace for Montgomery County.....	106
107. An act to provide a dog tax for Dare County and to regulate dogs running at large in Dare County.....	106
108. An act to fix salary of the sheriff of McDowell County.....	107
109. An act relating to the compensation of the county commissioners of Alamance County.....	108
110. An act to fix the compensation of the county commissioners of the county of Dare.....	108
111. An act to enable Brunswick County to assist to eradicate the cattle fever tick.....	109
112. An act to repeal chapter 253, Public Laws 1903, relative to road law in Chowan County.....	110
113. An act to amend chapter 680, Public-Local Laws of 1915, authorizing the road commissioners in Tyrrell County to condemn material for road construction.....	110
114. An act to authorize the board of county commissioners of Union County and the board of aldermen of the city of Monroe and other municipalities in Union County to contribute to the Ellen Fitzgerald Hospital	111
115. An act to fix the compensation of the county commissioners of Wilson County	112
116. An act to increase the compensation of the county commissioners of Durham County.....	113
117. An act to amend chapter 243 of the Public-Local Laws of 1917, for the maintenance of the public roads and highways of Yancey County	113
118. An act to amend chapter 635, Public-Local Laws of 1917.....	114
119. An act to regulate the sale of cider in Wilson County.....	114
120. An act to fix the compensation of the board of county commissioners of Martin County.....	115
121. An act for the protection of fish and for the conservation of the public health.....	115
122. An act to amend chapter 174, Public-Local Laws of 1913, which act provides for the appointment of the court stenographer of Wake County	116
123. An act repealing chapter 542 of the Public Laws of the Session of 1889 in regard to putting timber logs in Upper Broad Creek.....	116
124. An act to amend chapter 335 of the Public-Local Laws of 1915, relating to the working of the public roads of Wiccacanee Township in Northampton County	116

CHAP.	PAGE
125. An act to amend chapter 97 of the Public-Local Laws of 1903, relating to price to be paid in lieu of labor on the public roads in Jackson County	117
126. An act to amend chapter 539 of the Public-Local Laws of 1913 relating to the Hickory Nut Gap Road.....	117
127. An act to authorize the board of commissioners of Caswell County to levy a special tax.....	118
128. An act relating to the public roads of Cherokee County.....	118
129. An act to regulate the fees of the various justices of the peace of Guilford County.....	119
130. An act to define the duties of the road commission of Watauga County, and for other purposes.....	120
131. An act to revise chapter 411 of the Public-Local Laws of 1915, relating to rural police for Robeson County.....	121
132. An act to provide for the rental of text-books to pupils attending the public schools of Montgomery County.....	124
133. An act to repeal chapter 158 of the Public-Local Laws of 1917, and chapter 226 of the Public-Local Laws of 1917, relating to the salaries of certain officers in Robeson County.....	125
134. An act to provide for the compensation of the clerk of the Superior Court, register of deeds, sheriff, and tax collector of Swain County	127
135. An act to amend chapter 168 of the Public-Local Laws of 1913 relating to the road law of Hamilton Township, Martin County.....	129
136. An act to prohibit carnival companies from exhibiting in the county of Beaufort.....	129
137. An act to ratify and validate certain special taxes levied by the county commissioners of Transylvania County in the year 1917 and the year 1918, and to authorize the levy of similar tax for the years 1919 and 1920.....	130
138. An act to create a joint board of health for the county of Wake and the city of Raleigh, to provide for its election and for the election of the Superintendent of Health of said county of Wake and city of Raleigh.....	131
139. An act to amend section 1, chapter 213 of the Public-Local Laws of 1913, entitled "An act to amend 'An act to provide good roads in Enfield Township, Halifax County,'" and to amend section 10, chapter 205 of the Public-Local Laws of North Carolina, Session 1913, entitled "An act to provide good roads in Enfield Township, Halifax County".....	133
140. An act to levy a special tax to construct and keep in repair the public roads of Mitchell County, and for other purposes.....	134
141. An act to amend section 1675, Revisal of 1905, relating to the stock law of Swain County.....	141
142. An act for the protection of birds and deer in Cumberland County..	141
143. An act relating to the burial of dead animals in the county of Scotland	142

CHAP.	PAGE
144. An act to provide for the improvement of the public roads of Chatham County	142
145. An act to amend chapter 276 of Public-Local Laws, 1917, being an act to build roads in Hasletts Township, Gates County.....	145
146. An act to authorize the commissioners of Guilford County to levy a special tax with which to construct permanent or hard surface roads	145
147. An act to authorize the board of commissioners of Craven County to issue bonds to complete contracts for construction and repair of the highways and bridges of said county and to fund its debt for the construction and repair of the roads and bridges of said county, etc.	149
148. An act to amend section 3733, Revisal 1905, in regard to public drunkenness by adding the word Union after the word Rutherford	152
149. An act to amend chapter 129 of the Public-Local Laws of 1915, relating to hunting in Caswell County.....	152
150. An act to codify and amend the road laws of Macon County.....	152
151. An act to prevent the killing, selling and shipping of heifer calves in Surry County.....	161
152. An act to fix the compensation of county commissioners, members of the board of road commissioners, and members of the county board of education of Chatham County	162
153. An act to amend section 2 of chapter 41 of the Public Laws of 1909, fixing the per diem of the board of commissioners of Johnson County	162
154. An act to amend chapter 260 of the Public Laws of 1917, regulating the fees of justices of the peace in Rowan County.....	163
155. An act to authorize the board of commissioners of Vance County to sell the land known as the County Farm.....	163
156. An act to fix the compensation of the county commissioners of Camden County	164
157. An act to amend chapter 130 of the Public-Local Laws of 1917, relating to the improvement of the public roads of Rutherford County	164
158. An act to require municipal corporations in Yadkin County to publish periodical statements.....	165
159. An act to prevent the killing, selling, and shipping of veal in Lincoln County.....	166
160. An act to amend chapter 193, Public-Local Laws of 1915.....	166
161. An act to authorize the commissioners of Tyrrell County to levy a special tax.....	167
162. An act to enlarge a certain stock-law territory in Columbus County and prevent live stock from running therein.....	168
163. An act for the protection of game in Pender County.....	170
164. An act to appoint highway commissioners for Stanly County.....	170
165. An act to protect game in Anson County.....	171

CHAP.	PAGE
166. An act amending section 69 of the Public-Local Laws of the Special Session of 1913.....	172
167. An act to authorize and direct the use of county funds in conjunction with Federal or State funds for road construction in Brunswick County.....	173
168. An act to protect game in Surry County.....	173
169. An act to amend section 20 of the Public-Local Laws of North Carolina of 1913, relating to hunting and fishing in Warren County..	174
170. An act to repeal chapter 372 of the Public-Local Laws of North Carolina of 1915, and amendatory acts thereto, providing for recorder's courts and county court for Columbus County.....	175
171. An act to authorize the board of commissioners of Yadkin County to borrow money to enable them to continue road work until bonds are collected for.....	176
172. An act to fix the salaries of the officers of Beaufort County.....	176
173. An act to provide good roads in Sandy Creek Township, Franklin County	179
174. An act to amend chapter 722 of the Public-Local Laws of 1911, relative to the sheriff's office of Buncombe County.....	185
175. An act to amend chapter 590, Public-Local Laws of North Carolina, Session 1913, relating to the school fund of Bertie County.....	186
176. An act to abolish office of auditor in McDowell County.....	186
177. An act to amend chapter 210, Public Laws of North Carolina, Session 1905, it being "An act to improve the public roads in Valleytown Township in Cherokee County".....	187
178. An act to permit communities in Jackson County to exclude themselves from stock-law territory.....	187
179. An act relating to the Children's Home in Buncombe County.....	188
180. An act to increase the compensation of members of board of commissioners of McDowell County, North Carolina.....	189
181. An act to authorize the board of commissioners of Alamance County to employ a county purchasing agent and auditor of bills, and to employ a county jailor, and make arrangements for the keeping of prisoners.....	189
182. An act to appoint two highway commissioners for North and South Albemarle townships of Stanly County.....	190
183. An act to authorize the board of county commissioners of Union County and the board of aldermen of the city of Monroe to build a cotton platform.....	190
184. An act to amend chapter 658, Public-Local Laws of North Carolina at the regular session of the Legislature for 1917, relating to game laws in Buncombe County.....	191
185. An act to amend chapter 61 of the Public-Local Laws of 1915, relating to the salary of the clerk of the Superior Court of Pasquotank County	192

CHAP.	PAGE
186. An act to repeal chapter 617, Public-Local and Private Laws, Session 1917, as to Scotland County only, and to enable the county commissioners to extend aid to the Confederate Veterans of Scotland County	192
187. An act to amend chapter 46 of the Public-Local Laws of 1917, relating to the disbursements of the public funds in the county of Robeson	193
188. An act to amend the prohibition law and to provide for the better enforcement of the same in every county.....	193
189. An act to provide for the repair and maintenance of the public roads of Columbus County.....	194
190. An act to amend chapter 165 of the Public-Local Laws of 1911, relating to public drunkenness in Transylvania County.....	198
191. An act to prevent the killing, selling and shipping of calves for veal in Buncombe County.....	198
192. An act to authorize the commissioners of Caldwell County to make subscription to any railroad purposed to be built through any township of said county upon petition of voters of such township, and to provide machinery for an election thereon and for the payments of such bonds.....	199
193. An act to authorize the board of county commissioners of Vance County to levy an additional school tax in Henderson Township, Vance County.....	201
194. An act to authorize the commissioners of the town of Williamston, North Carolina, to issue bonds for waterworks, sewerage, and other purposes.....	203
195. An act to authorize and empower Dry Wells Township Road District of Nash County to borrow money for road purposes.....	204
196. An act to authorize and empower the board of county commissioners of Stokes County to issue bonds to be used in the construction of permanent roads in Yadkin Township, Stokes County.....	207
197. An act to provide for the working of the public roads of Graham County, North Carolina.....	211
198. An act to authorize the boards of commissioners of Halifax, Northampton and Bertie counties to build a bridge over the Roanoke River at, or near, Norfleet's ferry and for other purposes.....	213
199. An act to amend chapter 602, Public-Local Laws of North Carolina of 1915; and to provide for deputy sheriffs in Alamance County to receive fees provided by law for serving papers actually served by such deputy sheriffs.....	214
200. An act to amend section 3733 of the Revisal of 1905, relating to public drunkenness in Greene County.....	215
201. An act to prevent public drunkenness and disorderly conduct in Polk County.....	215
202. An act to provide for the improvement of public roads in Brunswick County	216

CHAP.	PAGE
203. An act to authorize the commissioners of Jackson County to levy special taxes to meet the general indebtedness and for other purposes	219
204. An act to abolish the office of county auditor of Gaston County....	220
205. An act to authorize a special tax in Brunswick County.....	220
206. An act abolishing the recorder's court of Cumberland County and repealing all Public-Local legislation relating thereto.....	221
207. An act to authorize and empower the Pasquotank Highway Commission of Pasquotank County to issue bonds to be used in the construction and maintenance of permanent roads of that county..	222
208. An act to provide for the improvement of the public roads of Griffins Township, Martin County.....	224
209. An act to amend chapter 690 of the Public Laws of 1901, relating to the building of pulp and paper mills and tanneries in the counties of Haywood and Swain.....	226
210. An act relating to the reestablishment of the county treasurer of Catawba County.....	227
211. An act to authorize the board of commissioners of Guilford County to issue and sell \$250,000 of bonds, the proceeds of which are to be used in completing, furnishing and equipping the new courthouse	227
212. An act to prohibit the manufacture and sale of cider, wine, beer, beerine, malt or other intoxicating drinks in certain localities..	229
213. An act to amend chapter 833, Public Laws of 1909, to increase the special tax for public roads in Nashville Township, Nash County, and to authorize the road commissioners of said township to purchase road machinery	230
214. An act to authorize the issue of township road bonds for the townships of Robeson County	231
215. An act to provide funds, ratify tax levy and authorize issuing refunding bonds for roads for Holly Grove Township, in Gates County	234
216. An act to protect game in Orange County.....	240
217. An act to amend the Henderson County Road Law, chapter 3 of the Public-Local Laws of North Carolina, Session 1913.....	240
218. An act to amend chapter 338 of the Public-Local Laws of 1913, authorizing a special tax in Scuppernong Township, Tyrrell County	249
219. An act to regulate the fees to be charged in Guilford County.....	250
220. An act to amend chapter 269 of the Public-Local Laws of 1913, relating to the public roads in Sylva, Dillsboro, and Cullowhee Townships, in Jackson County.....	252
221. An act to amend section 1283 of the Revisal of 1905, relative to the fees of county officers.....	253
222. An act to fix the compensation of the register of deeds for Union County	253

CHAP.	PAGE
223. An act to regulate the compensation of the members of the board of commissioners of Harnett County.....	254
224. An act to amend section 2785 of the Revisal of 1905, in regard to the compensation allowed county commissioners for the county of Union	254
225. An act to authorize the board of commissioners of Wilson County to pay the financial agent of Wilson County compensation for his services	255
226. An act to authorize the board of commissioners of Durham County to issue bonds for building, repairing, and maintaining the public roads of Durham County.....	255
227. An act to fix the amount of bond required of the treasurer of Lincoln County	257
228. An act to amend chapter 737 of the Public Laws of 1907, and chapter 613, Public Laws of 1909, relating to the pay of certain county officers in Rutherford County	257
229. An act to repeal chapter 92 of the Public-Local and Private Laws of 1917, and chapter 424 of the Public-Local and Private Laws of 1917, amendatory thereof, the said acts being acts regulating time of payment of employees in manufacturing, mining, and lumbering plants in Avery and Mitchell counties, and to provide for the payment of employees of Avery County.....	258
230. An act to provide for the repair and maintenance of the public roads of Bladen County.....	259
231. An act to repeal chapter 333, Public-Local and Private Laws of 1917, to return of warrants of justices of the peace of Pender County..	262
232. An act to amend the school law of North Carolina in its application to Buncombe County.....	262
233. An act to provide money to extend and maintain the public roads of Davidson County; to provide for funding and paying the floating indebtedness of the board of road commissioners of said county, and to regulate the use of the public roads of said county by traction engines and motor trucks.....	263
234. An act to amend chapter 525 of the Public-Local Laws of 1917, fixing the salary of the county treasurer of Lincoln County.....	265
235. An act to create a highway commission for Surry County for the improvement of the public roads.....	265
236. An act to allow the county commissioners of Macon County to build and maintain a bridge in the county of Swain.....	273
237. An act to allow the road commission of Lovelady Township, Burke County, to borrow money until bonds are sold, and for other purposes	274
238. An act to authorize the board of commissioners of Gates County to cancel a debt of the board of education of said county.....	277

CHAP.	PAGE
239. An act to prohibit the buying and receiving of any farm produce in the night time or on Sunday in the counties of Hertford and Northampton	277
240. An act to prohibit the felling of timber or throwing the carcasses of animals in the French Broad River or any of its tributaries in Transylvania County.....	278
241. An act to appoint a superintendent of roads for Lincoln County..	279
242. An act to amend chapter 603 of the Public-Local Laws of 1915, relating to the office of auditor of Richmond County.....	279
243. An act to authorize the board of county commissioners of Cherokee County to employ assistants to said board.....	280
244. An act to authorize the board of county commissioners of Cumberland County and the board of aldermen of the city of Fayetteville to build a cotton platform.....	280
245. An act to amend chapter 220 of the Public-Local Laws of 1913, relating to the highways of Manning's Township, Nash County..	281
246. An act relative to the working of the public roads of Davidson County, and the corporate towns thereof.....	282
247. An act providing a penalty for the destruction of bridges in Washington County.....	283
248. An act to authorize the commissioners of Mecklenburg County to refund its bonded indebtedness of \$300,000 authorized by chapter 146 of the Public Laws of 1889, and other acts.....	283
249. An act to provide compensation for the county commissioners and members of the board of education of Jones County.....	288
250. An act to authorize the board of commissioners of Mecklenburg County to donate certain land for reformatory or home for fallen women	288
251. An act to regulate the drawing of regular jurors to serve in the Superior Courts and Forsyth County courts of Forsyth County..	289
252. An act to repeal chapter 618 of the Public-Local Laws of 1917, defining the duties of the county solicitor of New Hanover County..	289
253. An act to appoint two additional road commissioners for Icard Township, Burke County.....	290
254. An act to abolish the office of county treasurer of Alamance County, and to provide for the handling of the funds of Alamance County	290
255. An act to fix compensation for the clerk of the Superior Court and of register of deeds of McDowell County.....	291
256. An act to authorize the board of county commissioners of Bladen County to issue bonds for the purpose of building a free or toll bridge across Cape Fear River with suitable approaches.....	292
257. An act to provide machinery by which a cart road or timber road can be laid out and established in Clay County.....	295
258. An act to regulate squirrel hunting in Pasquotank County.....	295

CHAP.	PAGE
259. An act to prohibit in Buncombe, McDowell, and Craven counties the solicitation of passengers for automobiles or public hacks on railroads.....	296
260. An act to provide for the enforcement of the game laws and for the protection of game and furbearing animals in Clay County.....	296
261. An act to amend chapter 2, Public-Local and Private Laws of North Carolina 1917, relative to salary of county treasurer.....	298
262. An act to regulate the pay of jurors in Cartaret County.....	299
263. An act to submit to the voters of Brunswick County the question of the location of the county seat, and to provide county buildings	299
264. An act to authorize the county commissioners of Cherokee County to levy a special tax to pay off present county indebtedness.....	304
265. An act to provide for the erection of a new courthouse in Richmond County and to authorize a bond issue therefor.....	304
266. An act to authorize Wake County to issue bonds and to provide for the payment thereof.....	306
267. An act to protect the public roads of Bladen County.....	308
268. An act to amend chapter 582 of the Public-Local Laws of 1915, relating to the public roads of Randolph County.....	308
269. An act to provide additional pay for Henderson County officials....	309
270. An act to amend chapter 445, Public-Local Laws of 1913, relative to good roads in Pender County.....	310
271. An act to validate certain tax levy made by the county commissioners of Yancey County.....	312
272. An act to repeal section 2 of the Guilford County Farm-Life School Law as it applies to Rowan County Farm-Life School and to name the board of trustees of the said Rowan County Farm-Life School	314
273. An act to establish an auditor for Davidson County.....	315
274. An act to amend chapter 353, Public-Local Laws of 1913, relating to fees of officers of Burke County.....	317
275. An act to provide for funds for the necessary expenses of Transylvania County	318
276. An act to prevent the sale of quail in Rockingham County.....	320
277. An act to amend chapter 346, Public-Local Laws, Session 1915, relative to taxing vehicles hauling logs and timber over the public roads of No. Six Township, Edgecombe County.....	320
278. An act to fix salaries for the officers of Vance County and provide for the auditing of their accounts.....	321
279. An act to authorize and empower the board of county commissioners of Forsyth County to refund floating indebtedness of the county...	326
280. An act to amend and supplement chapter 562 of the Public-Local Laws of 1913, relating to the working of roads in Hertford County	329

CHAP.	PAGE
281. An act to authorize the board of commissioners of Wilson County to issue bonds for the purpose of building a county home and hospital, and for other purposes.....	329
282. An act to regulate the hunting of foxes in Granville County.....	333
283. An act to amend chapter 4, Public-Local and Private Laws of 1917, relative to salary of clerk of the superior court for Columbus County.....	334
284. An act to amend chapter 126, Public-Local Laws of 1915, relating to the highway commission of Pasquotank County.....	334
285. An act for the better enforcement of the game law in Pender County.....	335
286. An act to protect game in Gaston County.....	336
287. An act to amend chapter 807 of the Public Laws of 1909, relating to the destruction of illicit distilleries in Caswell County.....	337
288. An act to amend chapter 676 of the Public-Local Laws of 1917, relating to the license tax on motor vehicles used and operated in Gaston County.....	338
289. An act to provide for the nomination and election of county commissioners of Robeson County.....	338
290. An act to amend chapter 46, Public-Local Laws, 1913, relating to the road law of Lenoir County and especially fixing the rate of special taxation therefor.....	340
291. An act to authorize Caswell County to issue road improvement bonds and to provide for the payment thereof.....	340
292. An act to provide for good roads and to issue bonds in South Mills Township therefor.....	344
293. An act to authorize the board of commissioners of Montgomery County to designate and purchase a new site and build a courthouse and jail upon the same.....	347
294. An act to amend chapter 123, Public Laws of Session, 1917, relating to mining in Mitchell County.....	348
295. An act to amend chapter 451 of the Public-Local Laws of 1911, relating to the public roads in the different townships of Nash County.....	348
296. An act to provide for the working of public roads of Pleasant Hill and Roanoke Townships in Northampton County.....	349
297. An act to amend chapter 65, Revisal of 1905, relating to free road labor in North Carolina.....	355
298. An act to amend chapter 439, Public-Local Laws of 1915; also chapter 108, Public-Local Laws of 1917, which said laws relate to the improvement of the public roads and highways of Wake County.....	356
299. An act to amend chapter 503, Public-Local Laws of 1913, and to increase the special tax for public roads in Hoke County.....	359
300. An act to authorize the levy of a special tax for road maintenance in Sampson County.....	359

CHAP.	PAGE
301. An act to authorize and empower the commissioners to levy a special tax for building bridges and causeways in Pender County..	360
302. An act authorizing the commissioners of Cumberland County to issue bonds	361
303. An act amending chapter 453 of the Public-Local Laws of 1913, which is the Cumberland County Road Law.....	362
304. An act to authorize Chowan County to issue bonds and to provide for the payment thereof.....	363
305. An act prohibiting carnivals in Union, Craven, Perquimans and Richmond counties	366
306. An act to repeal chapter 562, Public-Local and Private Laws of 1917, relative to appointment of a standard keeper for Cumberland County	367
307. An act to authorize the issuance of road bonds for Sampson County	367
308. An act to amend chapter 156 of the Public-Local Laws of North Carolina at its session of 1915, in regard to jail fees in Duplin County	369
309. An act for the protection of the public roads of Buncombe County..	369
310. An act authorizing the commissioners of Bladen County to pay deputy clerk of the superior court of said county during the terms of the superior court in said county	370
311. An act to regulate the fees of the county surveyor of Wayne County	371
312. An act providing for the erection of a Confederate monument in the town of Waynesville, in Haywood County.....	371
313. An act to increase the fees of the sheriff of Greene County.....	371
314. An act for the compensation of rural policemen in Anson County..	372
315. An act to amend chapter 388 of Public Laws of 1895, as amended by chapter 279 of Public Laws of 1903, relative to fees of cotton weighers in Franklin County.....	372
316. An act to repeal section 2, chapter 141, Public-Local Laws of 1913, Extra Session.....	373
317. An act to regulate in Forsyth County the carrying of deadly weapons	373
318. An act to amend chapter 650 of the Public-Local Laws of 1917, relating to local improvements in certain counties of North Carolina	375
319. An act to regulate the publication of the annual reports of certain officers of Robeson County	375
320. An act to regulate sales on Sunday in Forsyth County.....	376
321. An act relating to grand juries in the county of Buncombe.....	376
322. An act to provide compensation for deputies and clerical assistants to the sheriff, clerk of the Superior Court and Register of Deeds, and to increase the salary of the treasurer of Iredell County....	377
323. An act to authorize the board of county commissioners of Yadkin County to issue bonds for road improvements.....	378
324. An act to authorize the board of commissioners of Greene County to levy a special tax.....	379

CHAP.	PAGE
325. An act to authorize the levy of a special tax in each township in Sampson County to build and maintain public highways.....	380
326. An act to authorize the board of commissioners of Alleghany County to levy a special tax to pay the interest on road bonds and other purposes.....	383
327. An act to protect Cold Water Creek and its tributaries of Burke County from contamination.....	384
328. An act to appoint a board of road commissioners for Bertie County and to inaugurate a better system of working the roads of said county and to issue bonds therefor.....	385
329. An act to authorize the board of commissioners of Pitt County to increase the levy of taxes for road purposes in certain townships in Pitt County.....	397
330. An act to authorize the board of commissioners of Pitt County to issue bonds for the purpose of paying the floating indebtedness of Pitt County.....	398
331. An act to increase the number of county commissioners of Pamlico County, to provide for superintendent of roads and to provide a special tax to meet outstanding indebtedness, etc.....	400
332. An act to amend chapter 12 of the Public-Local Laws of 1913, relating to the highway commission of Forsyth County.....	406
333. An act to fix the salary of the clerk of the Superior Court of Alexander County	407
334. An act to regulate fees of the clerk of the Superior Court of Montgomery County, and for other purposes.....	408
335. An act to authorize Perquimans County to issue bonds and to provide for the payment thereof.....	412
336. An act to provide better roads for Anson County.....	415
337. An act in relation to certain road bonds of Watauga County.....	420
338. An act to amend chapter 144 of the Public-Local Laws of North Carolina, Session of 1917, relating to the construction and repair of the public roads and bridges of Robeson County, and to levy a special tax therefor.....	422
339. An act to authorize and empower the county of Pitt to issue bonds, to construct and build permanent hard surface roads and bridges in Pitt County.....	423
340. An act to authorize and empower the board of county commissioners of Robeson County to issue bonds to be used in the construction and maintenance of permanent bridges in Robeson County	426
341. An act to empower the board of commissioners of Hyde County to use all moneys arising from special taxes levied for payment of bonded indebtedness of said county, in excess of amount needed for payment of outstanding bonds and interest coupons, for the purpose of payment of indebtedness of said county incurred for necessary expenses thereof, since issuance of said bonds, and to amend Chapter 612 of the Public Laws of 1917.....	428

CHAP.	PAGE
342. An act to repeal the third proviso of section 43 of chapter 284 of the Public Laws of 1917, in regard to commutation for labor on roads	430
343. An act to amend chapter 41 of the Public-Local Laws of 1913, authorizing tax levies for maintenance of public highways in Stokes County	430
344. An act to amend chapter 630 of the Public Laws of 1907, authorizing the board of county commissioners of Union County to increase a special levy of taxes for erecting, repairing and keeping in good condition the bridges on public roads in said county	431
345. An act to authorize the board of commissioners of Rutherford County to issue bonds for road purposes in Cool Springs Township, Rutherford Township, Green Hill Township, and Chimney Rock Township, in said county.....	432
346. An act to authorize the road commissioners of Waynesville Township to borrow money for road improvement and provide for better roads in said township, and to amend chapter 375 of the Public Laws of 1903, and chapter 716 of the Public Laws of 1905	434
347. An act to fix the pay of the county surveyor of the county of Randolph	437
348. An act to amend chapter 236 of the Public-Local Laws of 1915, incorporating Matthews Township, Chatham County, into a special road district.....	437
349. An act to provide good roads in Meadow Township, Johnston County	438
350. An act to provide good roads in Banner Township, Johnston.....	443
351. An act to construct and maintain certain bridges across Lumber River	447
352. An act to authorize the commissioners of Madison County to issue bonds to be used in the construction and maintenance of roads in Number Twelve Township.....	448
353. An act to regulate the salary of the Register of Deeds of Pasquotank County	450
354. An act to protect game in Pamlico County.....	451
355. An act for the working, improving and repairing the public roads in Haywood County	454
356. An act to amend chapter 41 of the Public-Local Laws of 1913, being "An act to promote highways in the several townships of Stokes County and to authorize Big Creek Township to issue Bonds"	458
357. An act to provide additional regulation for the working of public roads in Beulah Township, Johnston County.....	458
358. An act to amend chapter 135, Public Laws of 1907, relative to the cotton weigher of Denson, Johnston County.....	464
359. An act to authorize the board of commissioners of Anson County to levy special taxes.....	464

CHAP.	PAGE
360. An act to amend chapter 386, Public-Local Laws of 1917, relating to stock law territory in Clay County.....	465
361. An act to authorize the board of commissioners of Pamlico County to issue bonds for the purpose of laying out, establishing, building, constructing, repairing, and relocating necessary public roads and bridges in said county and provide for a special tax to pay the interest and establish a sinking fund for said bonds....	466
362. An act to enable the commissioners of Granville County to inaugurate a better system of working the roads of Granville County..	472
363. An act to promote the construction and maintenance of Public Highways in Quaker Gap Township, Stokes County.....	481
364. An act to provide a new highway commission for Wayne County and to provide funds for road building.....	486
365. An act relating to the better enforcement of the law against the manufacture and sale of intoxicating liquors in Iredell County and fixing the fees for service of civil and criminal process in said county	498
366. An act to authorize the board of commissioners of Cherokee County to levy a special tax for jurors, county home and jail....	500
367. An act to create a game commission in Cumberland County.....	501
368. An act to empower Burke County to issue bridge and road bonds..	502
369. An act to amend chapter 357, Public-Local Laws of 1917, relating to the compensation of the clerk of the Recorder's Court of Transylvania County	504
370. An act to amend an act fixing salaries for the public officers of Halifax County. The same being chapter 287, Public-Local Laws of North Carolina 1913, as amended by chapter 572, Public-Local and Private Laws of 1917.....	504
371. An act to revise, amend and consolidate the road laws of Carteret County, for permanent construction and better maintenance thereof, and providing of revenues therefor.....	505
372. An act to repeal the salary law for officers of Pender County.....	513
373. An act to amend chapter 291, of the Public-Local Laws of 1915, relating to the road law of Pender County.....	514
374. An act to increase the compensation of the county commissioners of Lenoir County.....	514
375. An act to protect game and regulate hunting in Bertie County....	515
376. An act to amend chapter 449 of the Public-Local Laws of 1917 for the protection of certain churches in Brunswick County.....	516
377. An act to fix the salaries of certain public officers in Stokes County	516
378. An act to authorize the commissioners of Pitt County to levy a special tax	517
379. An act to amend chapter 782 of the Public Laws of 1909, relative to fixing the fees and salaries of public officers of Pitt County..	518

CHAP.	PAGE
380. An act to authorize the board of commissioners of Durham County to levy a tax to pay the principal and interest of the courthouse bonds	518
381. An act to prohibit the killing for sale and the selling of squirrels killed in Swain County.....	519
382. An act to provide for the improvement of the public roads of Hyde County and for other purposes.....	520
383. An act to authorize the commissioners of Randolph County to submit to the voters of the county the question of issuing bonds to make and improve the public roads of said county.....	522
384. An act to repeal chapter 384 of the Public-Local Laws of 1911, being commonly known as the Dog Law of Forsyth County.....	526
385. An act to authorize the commissioners of Bladen County to levy a special tax	526
386. An act to amend chapter 730 of the Public Laws of 1907 relative to stock law boundary in Haywood County.....	527
387. An act to build certain bridges in Haywood County.....	527
388. An act to authorize the commissioners of Pasquotank County to levy a special tax.....	528
389. An act to authorize the board of county commissioners of Montgomery County to issue bonds to be used in the construction and maintenance of the public roads of Troy Township.....	528
390. An act to authorize and empower the county commissioners of Johnston County to levy a special tax for road maintenance in Beulah Township	531
391. An act to authorize and empower the county of Lenoir to issue bonds to construct and build the public roads of the county.....	531
392. An act to repeal chapter 411, Public-Local Laws 1911, relating to the improvements of public roads in Lanesboro Township, Precinct Number 2, Anson County.....	540
393. An act authorizing Union County to levy a special tax for road and bridge purposes	541
394. An act to authorize the commissioners of Chatham County to levy a special tax for working the public roads in the various townships of the county.....	541
395. An act to amend chapter 431 of the Public Laws of 1909 providing for clerks and assistants for the officers of Rockingham County..	542
396. An act to amend chapter 664, Public-Local Laws of 1911, and for the better protection of game in Cabarrus County.....	543
397. An act to amend chapter 140 of the Public-Local Laws of 1917, being entitled "An act to provide good roads in Dunns Township, Franklin County"	543
398. An act to increase the fees of the Register of deeds for Watauga County	544
399. An act to authorize the commissioners of Alexander County to levy a special tax for the construction of a public highway.....	544

CHAP.	PAGE
400. An act to amend chapter 606, Public-Local Laws of 1917, known as Australian Ballots Law, section forty-three-a (43A) by adding the county of Graham thereto.....	545
401. An act to provide for the maintenance and improvement of the roads and bridges of Madison County and for the appointment and election of highway or road commissioners.....	546
402. An act to repeal chapter 542 of Public-Local Laws of 1917, relating to election of democratic executive committee for the precincts of Pender County.....	551
403. An act to prohibit the liberating of foxes in certain parts of Randolph County	551
404. An act to protect game in Henderson County.....	552
405. An act to supply office of the clerk of Superior Court of Hyde County with reprints of the Supreme Court Reports for the purpose of replacing and making complete the set of said reports in said office.....	554
406. An act relating to the compensation allowed the clerk of the Superior Court of Hyde County.....	554
407. An act to protect the fish in Clay County.....	555
408. An act to punish persons who knowingly assist a tenant or cropper after he has located on land of another and has received advances, to break his contract.....	555
409. An act to create a treasurer or financial agent for Wayne County Drainage District Number Two.....	556
410. An act to amend chapter 691, Public-Local Laws of 1915, relating to the salaries of officers of Franklin County.....	557
411. An act to appoint William T. Griggs and J. J. Ferebee members of the highway commission of Currituck County.....	558
412. An act to preserve the fish and game of Yancey County.....	558
413. An act to protect partridges in Montgomery County and to appoint game wardens	559
414. An act to amend chapter 526, of the Public-Local Laws of 1913, relative to the compensation of the members of the board of education of Robeson County.....	560
415. An act to provide for the issuing of bonds in Beulah Township Road District	561
416. An act to protect squirrels in Seventy-first Township, Cumberland County	562
417. An act to amend chapter 552 of the Public-Local Laws of 1913, increasing the allowances for assistance in the offices of the clerk of the Superior Court, sheriff, and register of deeds of Mecklenburg County, providing for an additional stenographer, and increasing the pay of the members of the county board of commissioners and of the county board of education of said county.....	563

CHAP.	PAGE
418. An act to amend chapter 700 of the Public-Local Laws of 1917, relating to the auditor and clerk of the Recorder's Court of Cumberland County	564
419. An act to prescribe the duties and fix the compensation of standard keeper for Mecklenburg County.....	565
420. An act to amend chapter 548 of the Public-Local Laws of 1917, providing certain assistants for county officers of Stokes County....	567
421. An act relating to the compensation of the clerk of the Superior Court of Transylvania County.....	568
422. An act to repeal chapter 99, Public-Local and Private Laws of one thousand nine hundred and fifteen, relating to Stock Law in Pender County	569
423. An act relative to hunting game in Alamance County.....	569
424. An act to appoint a game warden for Alexander County.....	569
425. An act relating to the salaries of certain of the county officers of Lenoir County	570
426. An act to create and establish the office of meter adjuster for the county of New Hanover.....	571
427. An act to authorize Union County to issue road and bridge bonds and to provide for the payment thereof.....	573
428. An act to amend chapter 522 of the Public-Local Laws of 1915, relating to pay of commissioners of Wayne County.....	577
429. An act to amend chapter 112 of the Public-Local Laws of 1917, in order to furnish additional clerical assistance for the office of register of deeds of Forsyth County.....	578
430. An act to fix the compensation of the board of commissioners for Duplin County	578
431. An act to amend section 2, chapter 805, of the Public-Local Laws of 1915, relative to compensation of cotton weighers of Edgecombe County, No. 1 Township.....	579
432. An act to encourage the breeding of pure-bred cattle in Union County	579
433. An act to authorize the board of county commissioners of Madison County to issue bonds to be used in the construction and maintenance of roads in No. 8 Township, said county.....	579
434. An act to provide a system of working the public roads of Notla Township, Cherokee County.....	582
435. An act to provide good roads in Banner Township, Johnson County	586
436. An act to authorize additional compensation for the clerk of the Court of Tyrrell County.....	591
437. An act to prevent Sunday selling in Wilson County.....	591
438. An act to authorize the auditing of the books of the various county officers of Davie County.....	592
439. An act to amend chapter 52, Public-Local Laws of General Session of 1913, relative to salary county officers of Columbus County....	592

CHAP.	PAGE
440. An act to invalidate the bond issues of Baldwin and Williams Townships of Chatham County.....	593
441. An act empowering the board of commissioners of Rockingham County to change the location of certain graveyards in said county	593
442. An act relating to the salary of the county treasurer of Lenoir County	594
443. An act to authorize the commissioners of Wilkes County to issue bonds for the completion of the grading of the Boone Trail highway to the Watauga County line.....	594
444. An act to provide for the construction of a public bridge or bridges at or near the fork of Lewis Fork Creek in Wilkes County.....	596
445. An act validating certain road and bridge bonds heretofore issued by Rockingham County and providing a special tax to pay the interest on same.....	597
446. An act to provide a court stenographer for Orange County.....	597
447. An act to amend section 3 of chapter 317 of the Public-Local Laws of 1913, entitled "An act to create a road commission for Edgecombe County"	599
448. An act to regulate the pay of sheriff and treasurer of Alexander County for handling the road funds derived under Senate Bill Number 582	600
449. An act to amend the Revisal of 1905, relative to pension boards of the counties	600
450. An act to amend chapter 305, Public-Local Laws of 1913, relating to board of road trustees of Charlotte Township, Mecklenburg County, North Carolina.....	600
451. An act to authorize the commissioners of Wilkes County to issue bonds for road purposes.....	601
452. An act to repeal chapter 723 of the Public-Local Laws of 1915 and to amend chapter 581 of the Public Laws of 1899, relating to the office of road superintendent of Rockingham County and the working and building of public roads in Rockingham County....	608
453. An act to create a highway commission for the county of Pitt.....	611
454. An act to amend chapter 786 of the Public-Local Laws of 1913 relating to certain police powers in Rockingham County.....	621
455. An act providing for the construction of highways in McDowell County	621
456. An act to create a road commission and to provide a system for the working and maintenance of the public roads of Polk County....	627
457. An act to regulate the collection and disbursements of drainage taxes in the county of Beaufort.....	639
458. An act to regulate the hunting of partridges in Granville County..	640
459. An act to repeal section 30 of House Bill 401, Senate Bill 477, ratified February the 28th, 1919, entitled "An act to amend the Henderson County Road Law, chapter 3 of the Public-Local Laws of North Carolina, Session of 1913".....	640

CHAP.	PAGE
460. An act regulating the expenditure of revenue derived from the dog tax in Wake County.....	641
461. An act to fix the salaries of the chairman and commissioners of Perquimans County	641
462. An act to amend Senate Bill 141, House Bill 273, ratified February 11, 1919, by adding Graham County thereto.....	642
463. An act to enable Cleveland County to establish and maintain a public memorial hospital, to levy a tax and issue bonds therefor, appoint hospital trustees, maintain a training school for nurses, etc.	642
464. An act to amend House Bill 553, Senate Bill 370, file number 328 of the Session of 1919, relative to township subscription to the capital stock of any proposed railroad in Caldwell County.....	648
465. An act to amend chapter 659, Public-Local Laws, 1917, relative to sale of seed cotton in Cumberland County.....	649
466. An act to fix the salaries of the recorder and solicitor in the recorder's court of New Hanover County and to provide for certain records in said court.....	649
467. An act to provide a public road law for Ashe County.....	650
468. An act to allow additional compensation to county officers in Duplin County	655
469. An act to issue bonds for the permanent improvement of the public roads of Catawba County.....	656
470. An act to fix the per diem of the commissioners for Craven County, North Carolina	662
471. An act for the purpose of maintaining and repairing the public roads of Lincoln County.....	662
472. An act for the levying of a special tax for maintaining and repairing public roads in Lincoln County.....	665
473. An act to repeal chapter 429, Public-Local Laws of 1917, and to appoint a board of education for Gates County.....	665
474. An act to amend chapter 50, Public-Local Laws, Session 1917, and Chapter 334, Public Laws, Session 1915, relative to working public roads	666
475. An act to fix the salaries for the county officers of Wayne County and with reference to their duties.....	666
476. An act to authorize and empower the board of county commissioners of Davie County to issue bonds to be used in the construction and maintenance of the public roads.....	671
477. An act to provide for the proper drainage of the lands of Transylvania County	673
478. An act to protect game birds and fur bearing animals in Rockingham County	675
479. An act to authorize the board of commissioners of Durham County to issue bonds in the amount of \$750,000 for building and improving the public roads of Durham County.....	676

CHAP.	PAGE
480. An act to consolidate the law relating to the protection of game in Iredell County	679
481. An act to authorize and direct the commissioners of Halifax County to levy a special tax for road purposes in Brinkleyville Township, Halifax County.....	681
482. An act to regulate beekeepers in towns of Surry County.....	682
483. An act to provide for pensions to be paid to retired public school teachers in New Hanover County	682
484. An act to amend chapter 62, of the Public-Local Laws of 1917.....	683
485. An act to establish a highway commission for Caswell County....	684
486. An act authorizing Chowan County to levy a special tax for road and bridge purposes.....	687
487. An act to authorize the issuance of bonds of Selma Township, Johnston County, for road purposes.....	688
488. An act authorizing Union County to levy a special tax for road and bridge purposes	691
489. An act to amend chapter 282 of the Public-Local Laws of 1917, relating to the recorder's court in the town of Apex in Wake County	691
490. An act to create and establish the office of auditor in Rockingham County	692
491. An act to amend chapter 280 of the Public Local Laws of North Carolina, Session of 1917, relative to the recorder's court of Middle Creek Township in Wake County.....	694
492. An act to appoint members of the board of education of Bertie County	696
493. An act to amend chapter 334, Public Laws of North Carolina for the Session 1903, by changing the basis of taxation from an acreage basis to a valuation basis in a certain portion of Washington Township, Beaufort County.....	696
494. An act to enable the county of Polk to levy a special tax.....	697
495. An act to authorize the county of New Hanover to issue bonds for school buildings and for other purposes.....	698
496. An act to create a highway commission of Nash County to be known and designated as the Nash County Highway Commission	701
497. An act to authorize the commissioners of Pitt County to levy a special tax of fifteen cents for maintenance of roads.....	703
498. An act to provide for a court stenographer for Sampson County....	704
499. An act to protect the public roads of Duplin County.....	704
500. An act to amend chapter 426 Public-Local Laws, Session 1917, relating to game in Cleveland County.....	705
501. An act to curtail or prevent drunkenness in Ashe and Watauga counties, North Carolina, and to provide for the judges of the Superior Court, holding the Superior Courts of Ashe and Watauga counties to make inquiry as to sales of liquor in Ashe and Watauga counties	705

CHAP.	PAGE
502. An act to regulate certain official fees and salaries in Mecklenburg County	706
503. An act to amend chapter 415 of the Public-Local Laws of 1917, relative to fishing in the streams of Robeson County.....	707
504. An act relating to fees of deputy sheriffs of Rockingham County	708
505. An act to amend chapter 629 of the Public-Local Laws of 1917, relating to the recorder's court of Leaksville Township, Rockingham County	708
506. An act to provide rural policemen for the county of Wilson.....	709
507. An act to amend House Bill Number 622, Senate Bill Number 634, ratified March 3d, 1919, relating to hunting in Clay County.....	710
508. An act to amend chapter 662, Public Laws of 1909, for the protection of fish in Potecasi Creek in Hertford and Northampton counties	710
509. An act to amend section 3733, Revisal of 1905, so as to make the same apply to Davidson County.....	711
510. An act to amend chapter 1 of the Public-Local Laws of 1913 relating to road commissioners of Davie County.....	711
511. An act relating to the duties of the sheriff of Madison County, and to encourage the enforcement of the Revenue Law.....	712
512. An act to provide for the erection of a new courthouse in Lincoln County authorizing a bond issue therefor	712
513. An act to authorize the board of county commissioners of Lee County and the board of aldermen of the town of Sanford to appropriate money for soldiers' memorials, etc.....	714
514. An act to amend chapter 680 of the Public-Local Laws of 1917, relating to the fees of coroners.....	714
515. An act to regulate the fees of certain officers and court officials of Rowan County.....	715
516. An act to increase the fees of justices of the peace, in Pitt County.	716
517. An act to promote the fish industry in Henderson County	717
518. An act to provide for the issuing of bonds in Smithfield Township Road District, Johnston County.....	718
519. An act to consolidate the health departments of the city of Fayetteville and the County of Cumberland.....	719
520. An act to authorize the commissioners of Gaston County to submit to the voters of said county the question of issuing bonds to build and improve the public roads thereof.....	722
521. An act to authorize the Board of County Commissioners of Montgomery County to issue bonds to be used in the construction and maintenance of the public roads of Biscoe Township.....	726
522. An act to authorize Lenoir County to issue bonds and to provide for the payment thereof.....	728
523. An act for better enforcement of the Statewide Dog Law in the county of Guilford.....	730
524. An act to amend chapter 425 of the Public-Local Laws of 1913, relating to records court of Stanly County.....	731

CHAP.	PAGE
525. An act to repeal chapter 502, Public-Local Laws of 1915, and to fix the salaries and duties of officers of Caswell County.....	731
526. An act to regulate the hunting of squirrels in Perquimans and Camden counties	734
527. An act to amend chapter 452 of the Public-Local Laws of 1911, being an act to fix salaries for the county officers of Wake County	734
528. An act to amend chapter 367 of the Public-Local Laws of 1917, fixing the salaries of certain officers of Davie County.....	735
529. An act to authorize Rowan County to issue road development bonds and to provide for the payment thereof.....	736
530. An act to amend chapter 764, Public-Local Laws of 1913.....	739
531. An act relating to the county board of education of Rockingham County, and appointing additional members thereon.....	740
532. An act authorizing the county commissioners of Polk County to issue bonds to provide funds for purchase of a site and building a county home for the aged and infirm.....	741
533. An act for the protection of game in Moore County.....	743
534. An act relating to public roads and bridges in Halifax County....	743
535. An act to authorize a tax levy for the townships of Duplin County for roads	750
536. An act to authorize Rockingham County to issue road and bridge bonds and to provide for the payment thereof.....	751
537. An act to increase the number of commissioners of Haywood County	753
538. An act to provide official weighers of cotton and peanuts for Hertford County	753
539. An act to secure the better enforcement of the law against the manufacture and sale of intoxicating liquors in Lee County....	754
540. An act to amend section 9, chapter 305, of the Public Laws of 1909 relative to public roads of Montgomery County.....	755
541. An act to prevent depredations of domestic fowls.....	756
542. An act authorizing the clerk of the Superior Court of Henderson County to appoint constabulary for policing the grounds and estate of the Carolina Military-Naval Academy, Inc., in Henderson County	756
543. An act to repeal chapter 116, Public Laws of 1907, relating to Primary in Union County.....	757
544. An act to amend section 1 of chapter 737 of the Public Laws of North Carolina, Session 1909, relating to the compensation and duties of the chairman of the board of county commissioners of Mecklenburg County.....	757
545. An act to authorize the board of commissioners of Buncombe County to contribute to the Lindley Training School.....	758
546. An act to prevent hunting in Cape Fear Township, Lee County....	758
547. An act to make applicable section 1066 of the Revisal of 1905, in certain cases, in reference to small roads hauling freight.....	759

CHAP.	PAGE
548. An act to amend the Prohibition Law and to provide for the better enforcement of the same in Clay County.....	759
549. An act to establish a reformatory for a manual training school for the detention of the criminal youth of Buncombe County.....	760
550. An act to amend chapter 660 of the Public-Local and Private Laws of the Session 1917, fixing the salaries of the officers of Chatham County	764
551. An act to regulate fees of justices of the peace.....	765
552. An act relating to the compensation and duties of the sheriff of Yancey County	766
553. An act for the protection of growing crops in Wake County.....	767
554. An act to authorize the board of county commissioners of Catawba County to levy a special tax to meet the bonded indebtedness of said county	768
555. An act for the protection of game in Union County.....	768
556. An act to authorize Halifax County to issue road and bridge bonds and to provide for the payment thereof.....	769
557. An act to fix the compensation of the sheriff and treasurer of Haywood County	772
558. An act to equalize the fees of the clerk of the court, register of deeds, sheriffs and tax collectors of Hertford County.....	772
559. An act to appoint the members of the road electorate for Union County	773
560. An act to amend chapter 421 of the Public-Local Laws of 1913, relating to the Dunn Road District.....	774
561. An act to authorize the commissioners of Forsyth County to refund the amount of poll tax paid by the soldiers and sailors who participated in the late World War.....	774
562. An act to authorize the board of county commissioners of Union County to erect a suitable memorial to the men of Union County for the services they rendered the Nation in the war between the Allies and Germany.....	775
563. An act to fix the salary of the sheriff of Union County.....	775
564. An act to create the office of Treasurer of Avery County.....	776
565. An act to authorize Buncombe County to issue bonds and to provide for the payment thereof.....	777
566. An act authorizing the county of Columbus to issue bonds and levy a tax to liquidate certain floating indebtedness.....	780
567. An act amending chapter 606, Public-Local Laws, passed by the General Assembly of North Carolina at its Session of 1917, ratified on the 5th day of March, 1917, entitled "An act to provide the Australian ballot"	781
568. An act to amend chapter 561 of the Public-Local Laws of 1913 and act amendatory thereof, relating to the salaries of officers of New Hanover County	782

CHAP.	PAGE
569. An act to amend House Bill 252, Senate Bill 279, passed at the present session of the General Assembly, said bill being entitled "An act to repeal chapter 372 of the Public-Local Laws of North Carolina, 1915, and amendatory acts thereto, providing for recorder's courts and county court for Columbus County".....	783
570. An act to repeal chapters 116, 505 and 642 Public-Local Laws of 1915 relative to stock laws in Pender County.....	783
571. An act to increase the fees of the clerk of the Superior Court, Watauga County	784
572. An act to amend chapter 496 of the Public Laws of 1913, relating to the Primary Law of Lee County.....	785
573. An act to create a road district for the counties of Chowan, Perquimans, Pasquotank, Camden, and Currituck, and to provide for a bond issue and levy of taxes to pay for the cost of said roads	785
574. An act to increase the salaries of the clerk and deputy clerk of the Superior Court of Union County.....	793
575. An act to amend chapter 67, Public-Local Laws 1917, relating to improvement and maintenance of public roads in Caldwell County	793
576. An act to provide schedule of fees to be collected by the clerk of the Superior Court in Guilford County.....	793
577. An act to repeal all Private, Local, Special, and Public-Local acts relating to road work in Union County and the subdivisions thereof, and to abolish free labor from the public roads of Union County	797
578. An act to amend H. B. 1070, S. B. 1035, providing additional rules and regulations for the working of the public roads in Beulah Township, Johnston County.....	798
579. An act to authorize the board of commissioners of Montgomery County to sell the old jail lot.....	799
580. An act to require the sheriff of Pitt County to perform the duties of constable in Greenville Township, Pitt County, and receive the fees therefor while so serving.....	799
581. An act to authorize the erection of a bridge across Smith's Creek, Pamlico County	800
582. An act to amend chapter 439 of the Public-Local Laws of 1913, creating the office of Auditor for Mecklenburg County.....	800
583. An act to amend chapter 684 of the Public-Local Laws of North Carolina enacted at the Session of 1915, it being an act to place the officers of Harnett County upon a salary basis.....	801
584. An act to provide for the payment of the increase in bond of the sheriff and of the treasurer of Haywood County.....	802
585. An act to require the use of lights after dark on vehicles using the hard-surface public roads of New Hanover County.....	802
586. An act to secure the better enforcement of the law against the manufacture and sale of intoxicating liquors in Chatham County	803

CHAP.	PAGE
587. An act for the protection of the public roads of Buncombe County	804
588. An act relating to funds for school purposes in McDowell County	805
589. An act to amend chapter 667 of the Public-Local Laws of 1917 relating to sale of partridges.....	805
590. An act requiring the treasurer and commissioners of Jackson County to deposit county funds at interest.....	806
591. An act supplemental to an act to levy a special tax to construct and keep in repair the public roads of Mitchell County, and for other purposes, passed during present session of the General Assembly of 1919	807
592. An act to amend H. B. 1109 and S. B. 1186 of the present session..	807
593. An act to repeal House Bill 679, Senate Bill 731, File Number . . in office of Secretary of State, ratified February 26, 1919, it being an act preventing the killing, selling, and shipping of calves for veal in Buncombe County.....	808
594. An act to amend chapter 307 of the Public-Local Laws of 1913, relating to the auditor of Forsyth County.....	808
595. An act to regulate fees of county surveyor and mileage in Surry County	809
596. An act to authorize the commissioners of Mecklenburg County to refund its bonded indebtedness of \$300,000 authorized by chapter 146 of the Public Laws of 1889 and other acts.....	809
597. An act to authorize the commissioners of Chatham County in their discretion to issue bonds for the purpose of constructing and maintaining the roads of said county.....	813
598. An act to amend section 12 of chapter 143, Public-Local Laws of 1917, and to authorize the board of county commissioners of Robeson County to hire out the convicts of said county.....	815
599. An act to amend chapter 643, Public Laws of 1913, relative to cotton weigher for Raeford Township, Hoke County.....	815
600. An act to amend H. B. 1109 and S. B. 1186 of the present session..	816
601. An act supplemental to an act passed at this General Assembly, it being an act to prohibit solicitation of passengers on railroad trains in Buncombe and other counties, and known as H. B. 670, S. B. 748, File Number 415, in office of Secretary of State and ratified March 3, 1919.....	817
602. An act to authorize the commissioners of Chatham County to issue bonds to pay for certain road improvement.....	817
603. An act to authorize the commissioners of New Hanover County to levy a special tax.....	818
604. An act to regulate the fees to be charged by the justices of peace in Iredell County.....	818
605. An act to authorize the commissioners of Buncombe County to set apart and appropriate to the Asheville Board of Trade, Inc., such a sum of money as they, in their discretion, may deem wise for the advancement and development of the resources of Buncombe County, not exceeding the sum of \$2,500 in any year.....	819

CHAP.	PAGE
606. An act to supplement an act to allow additional compensation to county officers in Duplin County.....	819
607. An act relative to probate and registration fees of Harnett County	820
608. An act to authorize and empower Griffins Township Road District of Nash County to issue bonds for road purposes.....	820
609. An act for the better administration of the public roads in Warren County	822
610. An act to provide for the fixing and charging of stenographic fees in bills of cost of cases in the Superior Court of Pender County	825
611. An act to enable the counties of Wilkes, Surry, and Alleghany, to construct a modern highway across the Blue Ridge Mountain from Doughton, North Carolina, to Roaring Gap, North Carolina	825
612. An act to amend section 2721 of the Revisal of 1905, relating to working free labor on public roads.....	827
613. An act to authorize Topsail Township, Pender County, to issue bonds for improvement of roads.....	828
614. An act relating to the public roads of Aversboro Township, Harnett County	832
615. An act to authorize the commissioners of Person County to issue bonds for the purpose of erecting a new courthouse and jail....	833
616. An act to amend an act ratified March 3, 1919, entitled "An act to authorize the board of commissioners of Wilson County to issue bonds for the purpose of building a county home and hospital, and for other purposes".....	834
617. An act to amend an act ratified February 4, 1919, entitled "An act to authorize the board of commissioners of Wilson County to build a new courthouse, and to issue bonds therefor".....	837
618. An act to validate the levy and collection of taxes in Gaston County under chapter 88 of the Public Laws of 1913 and chapter 109 of the Public Laws of 1917.....	839
619. An act to authorize certain townships in Hoke and Robeson counties to issue bonds for the purpose of investing in the construction of the Aberdeen and Rockfish Railroad.....	840
620. An act to authorize the commissioners of Halifax County to levy a tax for the purpose of constructing and maintaining the public roads in certain townships.....	845
621. An act to amend S. B. 598, H. B. 861, ratified February 28, 1919, by the General Assembly of North Carolina, Session of 1919, entitled "An act to authorize the issue of township road bonds for the townships of Robeson County".....	846
622. An act to authorize the good roads commission to disburse certain road funds of the county.....	847
623. An act to provide funds for the improvement of the roads of Duplin County	847

PUBLIC-LOCAL LAWS

OF THE

STATE OF NORTH CAROLINA

SESSION 1919

PUBLIC-LOCAL LAWS

OF THE

STATE OF NORTH CAROLINA

SESSION 1919

CHAPTER 1

AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE CITY OF ASHEVILLE AND COUNTY OF BUNCOMBE TO APPROPRIATE MONEY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the city of Asheville be, and said commissioners hereby are, fully authorized and empowered to appropriate and expend an amount of money not exceeding two thousand five hundred dollars for the purpose of providing entertainment and welcome to homecoming soldiers, sailors, marines and nurses now and lately in the service of the United States.

Commissioners of Asheville to expend money. Amount. Purpose.

SEC. 2. That the board of commissioners of Buncombe County be, and said commissioners hereby are, fully authorized and empowered to appropriate and extend a like sum for the same purposes.

County commissioners given like authority.

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

Ratified this the 14th day of January, A. D. 1919.

CHAPTER 2

AN ACT TO AMEND THE PROHIBITION LAW AND TO PROVIDE FOR THE BETTER ENFORCEMENT OF THE SAME IN BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person who shall manufacture or sell spirituous liquors shall be guilty of a felony, and upon conviction thereof, for the first offense, shall be fined or imprisoned in the discretion of the court, and for all additional offenses shall be imprisoned on the chain-gang or in the penitentiary for not less than twelve months nor more than two years.

Manufacture or sale of spirituous liquors felony. Punishment.

Fee for conviction.

SEC. 2. That for every conviction of any person for manufacturing spirituous liquors, the officer who furnishes the evidence shall be entitled to fifty dollars (\$50), to be taxed against the party convicted, and said officer shall also be entitled to the still run by the said party so convicted, after the same has been cut up, by or in the presence of the board of the county commissioners.

Officer entitled to still.

Fee to officer for convicting evidence.

SEC. 3. That for every person convicted of selling, transporting, or having spirituous liquors in his possession for sale, the officer who furnishes the evidence to convict such person, shall be entitled to twenty-five dollars (\$25) to be taxed against the party convicted.

Sale of wine in certain quantities prohibited.

SEC. 4. That it shall be unlawful to sell wine as a beverage in quantities of less than ten gallons, and any person convicted of the same shall be fined or imprisoned in the discretion of the court.

Sheriff to appoint special officers.

SEC. 5. That to the end that the provisions of this act may be carried out, the sheriff of the county, upon the recommendation of the solicitor of the district, shall appoint one or more special officers for such time as the solicitor shall designate, who shall have the same power as a deputy sheriff, and receive the same fees allowed by law to deputy sheriffs, but nothing in this act shall relieve the sheriff of the duty of enforcing the prohibition laws, and he shall be paid for the same as provided in this act.

Fees of special officers.

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

Secretary of State to mail certified copy.

SEC. 7. That upon the ratification of this act the Secretary of State shall mail a certified copy of the same to the solicitor of the Sixteenth Judicial District.

SEC. 8. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 23d day of January, A. D. 1919.

CHAPTER 3

AN ACT TO AMEND CHAPTER 80, PUBLIC LAWS OF THE EXTRA SESSION OF 1913, AND TO PREVENT THE KILLING, SELLING AND SHIPPING OF VEAL IN RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That section three, chapter eighty, 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 "Rutherford" in line five.

SEC. 2. That it shall be unlawful for any person or persons, firm or corporation, to buy or sell or engage in the business of buying or selling or shipping heifer calves for veal under the age of six months, either dead or alive: *Provided*, that this act shall not apply to persons buying or selling heifer calves to be raised for milch cows. Traffic in heifer calves prohibited.
Not to apply to calves for milch cows.

SEC. 3. That any person, firm or corporation violating the provisions of section two of this act shall be deemed guilty of a misdemeanor, and upon conviction shall pay a penalty of not less than fifteen dollars (\$15) nor more than thirty dollars (\$30) or be imprisoned for not less than twenty nor more than thirty days, or both, in the discretion of the court, for each and every offense. Violation misdemeanor.
Penalty.

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

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

Ratified this the 24th day of January, A. D. 1919.

CHAPTER 4

AN ACT TO PROVIDE CANCELLATION FEE FOR REGISTER OF DEEDS OF GATES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the passage of this act, it shall be lawful for the register of deeds of Gates County to charge and collect a fee of ten cents for the cancellation of a mortgage or deed of trust, of record in his office, against the party making the deed of trust or mortgage, and the register of deeds shall not be required to make the cancellation, or marginal index cancellation, till the fee of ten cents is paid. Amount of fee.
Who pays.

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

Ratified this the 23d day of January, A. D. 1919.

CHAPTER 5

AN ACT TO FIX THE PER DIEM OF MEMBERS OF THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the members of the board of commissioners of Transylvania County shall receive for their services a per diem of three dollars (\$3) when attending regular sessions of the board and two dollars (\$2) when attending special sessions. County commissioners to receive per diem.
Rates fixed.

Additional compensation.

SEC. 2. That in addition to his per diem the chairman of said board shall receive the sum of two hundred dollars (\$200) per year as provided in chapter two hundred and fifty-two of the Public-Local Laws of one thousand nine hundred and eleven.

SEC. 3. That all laws and clauses of laws in conflict with 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 24th day of January, A. D. 1919.

CHAPTER 6

AN ACT TO REPEAL CHAPTER 408, PUBLIC-LOCAL LAWS, SESSION 1917, RELATING TO STOCK LAW IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Amendment to county stock law permitting townships to vote on question repealed.

SECTION 1. That chapter four hundred and eight of the Public-Local Laws of the session of the North Carolina Legislature of 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 24th day of January, A. D. 1919.

CHAPTER 7

AN ACT TO AMEND CHAPTER 114, PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO PROVIDE RURAL POLICEMEN FOR THE COUNTY OF SCOTLAND."

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That section two of chapter one hundred and fourteen of the Public-Local Laws of nineteen hundred and thirteen be stricken out and the following substituted in lieu thereof:

Appointment of rural police.

"That at the first regular meeting of the board of county commissioners of Scotland County held after the ratification of this act, the said board of county commissioners shall appoint such number of able-bodied men as in their judgment may be necessary,

Qualifications.

of good habits and known as men who are not addicted to the use of alcoholic liquors, and are men of good moral character, and shall commission them as rural police for the county of

Term of office.

Scotland, whose terms of office shall continue until the first Monday in December, nineteen hundred and twenty, and until their

Succession.

successors shall be appointed and qualified. That on the first

Monday in December, nineteen hundred and twenty, and biennially thereafter the said board of commissioners shall appoint such a number of men as in their judgment may be necessary possessing the qualifications stated in this section, to said office for a term of two years. That any policeman appointed under and by virtue of this act shall be subject always to removal by said board of commissioners for cause; and any degree of intoxication on the part of any policeman appointed under this act caused by the use of alcoholic liquors is hereby declared to be a sufficient cause for removal.”

Subject to removal.

Cause for removal specified.

SEC. 2. That section three of said chapter one hundred and fourteen, Public-Local Laws of nineteen hundred and thirteen, be amended by striking out in line two thereof the words, “seventy-five dollars per month,” and substituting in lieu thereof the words, “fixed by the said board of county commissioners.”

To fix salaries.

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

Ratified this the 24th day of January, A. D. 1919.

CHAPTER 8

AN ACT TO AMEND SECTION 2785, REVISAL OF 1905, SO AS TO ALLOW COMMISSIONERS OF CLAY COUNTY \$3 PER DAY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand seven hundred and eighty-five, Revisal of one thousand nine hundred and five, be amended by adding thereto the following: “The county commissioners of Clay County shall each receive three dollars per day and five (5) cents per mile each way to and from their homes.”

Law amended.

Compensation of commissioners fixed.

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

Ratified this the 24th day of January, A. D. 1919.

CHAPTER 9

AN ACT TO REPEAL CHAPTER 385 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1917, RELATING TO THE COUNTY TREASURER OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and eighty-five of the Public-Local Laws of the session of one thousand nine hundred and seventeen and all other laws and clauses of laws in reference thereto are hereby repealed.

Law repealed.

Treasurer
appointed.

SEC. 2. That Samuel Lance be and he is hereby appointed county treasurer of Transylvania County from and after the ratification of this act, and to hold said office until the first Monday in December, one thousand nine hundred and twenty, and until his successor is duly elected and qualified.

Successor.

Bond required.

SEC. 3. That said Samuel Lance shall make such bond as is required by law which bond shall be passed upon and accepted by the board of county commissioners of Transylvania County before entering upon the duties of said office of county treasurer.

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

Ratified this the 24th day of January, A. D. 1919.

CHAPTER 10

AN ACT TO INCORPORATE THE PLEASANT HILL BAPTIST CHURCH IN MACON COUNTY.

The General Assembly of North Carolina do enact:

Unlawful to dis-
turb religious
worship.

SECTION 1. That it shall be unlawful to swear, gamble, fight, sell liquor, use any loud or boisterous language, drink liquor or in any other way or manner disturb religious worship in, at or about the Pleasant Hill Baptist Church in Franklin Township in Macon County.

A misdemeanor.

SEC. 2. 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.

State law
unaffected.

SEC. 3. That this act shall not affect the general law of the State punishing the crimes herein named but the penalties herein named shall be cumulative thereto.

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

Ratified this the 24th day of January, A. D. 1919.

CHAPTER 11

AN ACT TO REPEAL CHAPTER 80, PUBLIC-LOCAL LAWS, SESSION OF 1915.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter eighty, Public-Local Laws, session of nineteen hundred and fifteen, be and the same is hereby repealed.

Treasurer
appointed.

SEC. 2. That Leonard Gouge be and he is hereby appointed treasurer of Mitchell County for a term of two years beginning

on the first day of February, nineteen hundred and nineteen, upon a salary of eight hundred dollars a year, to be paid by the county commissioners in monthly installments.

SEC. 3. That said Leonard Gouge shall, as soon as practicable after the ratification of this act, file with the board of county commissioners a bond for the faithful performance of his duties as treasurer, said bond to be approved by the board. Bond required.

SEC. 4. That at the general election in nineteen hundred and twenty a treasurer shall be elected for two years, whose term of office shall begin at the end of the two years of his predecessor, and shall continue until the first Monday in December following the general election of nineteen hundred and twenty-two. Successor.

SEC. 5. That the county commissioners be and they are hereby authorized and empowered to pay D. A. Greene, temporary treasurer of Mitchell County, at the rate of fifty dollars a month from the first Monday in December, nineteen hundred and eighteen, till the first Monday in February, nineteen hundred and nineteen, or until the treasurer appointed by this act shall have been sworn in as treasurer of the county, and no longer. That the said Greene shall, at the expiration of his term of office as above set out, refund to the county commissioners or his successor in office all the unused premium on his bond as temporary treasurer of the county. Temporary
treasurer.
Compensation.

Refund of unused
premium.

SEC. 6. That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

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

Ratified this the 24th day of January, A. D. 1919.

CHAPTER 12

AN ACT AUTHORIZING THE COMMISSIONERS OF RUTHERFORD COUNTY TO LEVY A SPECIAL TAX FOR BRIDGE PURPOSE.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Rutherford County are hereby authorized to levy a special tax of not exceeding twenty (20) cents on the one hundred dollars (\$100) worth of property for the purpose of building and repairing bridges in Rutherford County and paying for bridges already constructed or contracted for; said tax to be levied for the years one thousand nine hundred and nineteen (1919) and one thousand nine hundred and twenty (1920). Commissioners to
levy 20 cents for
bridges.
Rate.
Purpose.

Limit of time.

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

Ratified this the 27th day of January, A. D. 1919.

CHAPTER 13

AN ACT TO FIX THE FEES OF COTTON WEIGHERS IN UNION COUNTY.

The General Assembly of North Carolina do enact:

Fee fixed.

SECTION 1. That from and after the passage of this act the fee for weighing cotton in Union County shall be twelve cents per bale, the seller and purchaser to pay six cents each. The purchaser to retain six cents of the purchase price and to be responsible to the weigher for his fees.

Division of payment.

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 January, A. D. 1919.

CHAPTER 14

AN ACT REPEALING CHAPTER 1 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE OFFICE OF SCHOOL CENSUS TAKER FOR WARREN COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter one, Public-Local Laws of nineteen hundred and seventeen, be and the same is hereby repealed.

SEC. 2. That this act shall be in force from and after the first day of April, one thousand nine hundred and nineteen.

Ratified this the 27th day of January, A. D. 1919.

CHAPTER 15

AN ACT TO PAY THE COUNTY COMMISSIONERS OF MACON COUNTY THE SUM OF \$4 FOR EACH MEETING OF THE BOARD.

The General Assembly of North Carolina do enact:

Compensation.

SECTION 1. That the county commissioners of Macon County shall receive for their services the sum of four dollars (\$4) per day and mileage as at present.

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

Ratified this the 27th day of January, A. D. 1919.

CHAPTER 16

AN ACT TO REGULATE THE FEES OF THE JAILOR OF ALLEGHANY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the jailor of Alleghany County shall receive Jailor's fees fixed. for furnishing prisoners with board, fuel, water and attendance, as required by section twenty-seven hundred and ninety-nine (2799) of the Revisal of nineteen hundred and five, a sum not exceeding fifty cents per day, unless the board of commissioners Commissioners may change. of said county shall deem it expedient and just to increase the fees, which it may do, provided such increase shall not exceed twenty per cent of the above sum.

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

Ratified this the 27th day of January, A. D. 1919.

CHAPTER 17

AN ACT TO FIX SALARIES OF CERTAIN PUBLIC OFFICERS IN PERQUIMANS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff, register of deeds, and Superior Fees of county officers. Court clerk of the county of Perquimans shall not hereafter collect or retain for their own use any fees, commissions, emoluments or other compensation for their services other than is hereinafter mentioned, but they shall demand, collect and receive all fees, commissions, emoluments and other pay which is Collected for benefit of county. now or may hereafter be allowed by law to sheriffs, clerks, register of deeds, and shall account for any pay over the same, as hereinafter directed.

SEC. 2. That the said sheriff shall receive a salary of one thousand eight hundred dollars per annum and no other compensation Sheriff's salary. whatever except necessary expenses for conveying prisoners Certain expenses. to jail in other counties and to the State Prison.

SEC. 3. That the said register of deeds shall receive a salary Register of deed's salary. of one thousand five hundred dollars per annum and no other compensation whatever.

SEC. 4. That the said clerk of the Superior Court shall receive Clerk of Court's salary. a salary of one thousand dollars per annum and no other compensation whatever.

SEC. 5. That whenever the sheriff of the county shall fail or Bonds of sheriff. neglect to execute the bonds required of him by the law for the

- Proceeding when sheriff fails to make bond for taxes. collection of taxes, and it shall become necessary to appoint a tax collector, the board of county commissioners shall fix and determine the salary of such tax collector, and the same shall be deducted from the salary herein allowed to the sheriff.
- Amount of bonds. Sheriff's bond. Register of deed's bond. Clerk of Court's bond. SEC. 6. That the said sheriff shall execute a bond for twenty thousand dollars, the said register of deeds shall execute a bond for five thousand dollars, and the said clerk of the Superior Court shall execute a bond for ten thousand dollars in some bonding or security company authorized by the laws of this State to execute such bonds, and one-half the cost thereof shall be paid by the said officers and one-half shall be paid by the county out of the general county fund.
- Cost of bonds.
- Fees to be paid to County treasurer. SEC. 7. That all fees, commissions, profits and emoluments of any kind, except those hereinafter excepted which are now or may hereafter be allowed by the general laws of this State to similar officers, shall be faithfully collected by the aforesaid sheriff, register of deeds, and clerk of the court, and by them
- Time of payment. paid over to the county treasurer on the first Monday in each month, and at the same time they shall file with the board of county commissioners an itemized statement of the same, duly subscribed and sworn to by them. The board of county commissioners shall appoint some member of the board or other suitable person to audit and approve the monthly reports of said officers, who shall have the right and power and it shall be his duty to examine all papers and books of every kind and description kept by and in the custody of said officers, and require a full and complete itemized statement, to be filed with him for the use of the board, of all fees, profits, and emoluments received or which ought to have been received by them, which reports shall be recorded by him monthly in a book to be kept by the board for that purpose; that the board of county commissioners are authorized to pay as compensation for such services a sum not to exceed twenty dollars per month, as in their judgment may seem right and proper.
- Statement to be filed with commissioners.
- Statements to be audited.
- Itemized statements required.
- Compensation of auditor.
- Salaries paid by county treasurer. SEC. 8. That the salaries herein provided for shall be paid by the county treasurer, upon warrants issued by the board of county commissioners in favor of said officers, in monthly installments: *Provided*, that said salaries may be paid in warrants of irregular amounts, according to the needs of said officers, but shall never exceed for the year the annual salary herein fixed.
- Manner of payment.
- County general fund. SEC. 9. That all moneys paid to the county treasurer by virtue of this act shall be by him turned in to the general county fund.
- Duties of officers. SEC. 10. That the said sheriff, register of deeds, and clerk shall perform all the duties imposed upon them by law, and shall receive no other compensation or allowance whatever than the above mentioned for any extra or additional services rendered to the county, State or other governmental agencies, and they

shall be liable to all the pains and penalties which are or may be prescribed by law for failure to perform the duties of their several offices. Liabilities.

SEC. 11. Any officer 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 guilty of a misdemeanor. Failure of officer to collect proper fee.
Misdemeanor.

SEC. 12. That this act shall be in full force and effect from and after the first day of January, one thousand nine hundred and twenty.

Ratified this the 27th day of January, A. D. 1919.

CHAPTER 18

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

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners for the county of Beaufort be and they are hereby empowered and authorized 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 of one thousand nine hundred and nineteen (1919) and one thousand nine hundred and twenty (1920) to be expended and applied to the payment of the indebtedness and current expenses of said county. Special tax of 13 1-3 cents to pay off indebtedness.
Purpose of tax.

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

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

Ratified this the 29th day of January, A. D. 1919.

CHAPTER 19

AN ACT TO AMEND CHAPTER 70, PUBLIC-LOCAL LAWS,
SESSION 1917, RELATING TO PURE-BLOOD CATTLE IN
MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seventy, Public-Local Laws, session nineteen hundred and seventeen, be and the same is hereby amended by striking out all of the first section of said chapter immediately after the words "Mitchell County" in the third line Law amended.

- of said section and inserting in lieu thereof the following, to wit:
- Selection of man to keep bull. "That they shall select in each township a suitable man to take, properly feed and care for said bull at his own expense, and to enable him so to do he is hereby authorized and empowered to charge for the service of such bull a sum not to exceed one dollar and a half, and that the keeper of such bull shall apply the receipts of such service to his own use: *Provided*, that if the said commissioners are unable to have said bulls properly cared for as above set out, they are hereby authorized and required to sell or otherwise dispose of them in such manner as to get the highest price for them and turn the same over to the county treasurer, to be covered into the general county fund.
- Fee for service.
- Proviso: To sell bulls under certain conditions.
- Person may buy and keep bull; exception.
- Scrub bull not permitted.
- SEC. 2. That any person desiring so to do is permitted to buy and keep a bull of any pure blood, except a Jersey bull, and charge the same service fee as provided in section one of this act, and apply the same to his own use.
- SEC. 3. That any one who shall keep a "scrub bull" and permit same to do service for pay or otherwise shall be liable to a fine of ten dollars for each and every offense.
- SEC. 4. That this act shall be in force from and after its ratification."
- Ratified this the 29th day of January, A. D. 1919.

CHAPTER 20

AN ACT TO AMEND CHAPTER 590, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1913, RELATING TO THE SALARIES OF CERTAIN PUBLIC OFFICERS IN BERTIE COUNTY AND INCREASING THE SALARIES OF SAID OFFICERS.

The General Assembly of North Carolina do enact:

- Law amended. SECTION 1. That chapter five hundred and ninety of the Public-Local Laws of North Carolina, session of one thousand nine hundred and thirteen, be and is amended as follows:
- Sheriff's salary. (a) By striking out the words "twenty-five hundred" in lines one and two of section two and inserting in lieu thereof the words "thirty-two hundred and fifty."
- Register of deeds. (b) By striking out the words "one thousand five hundred" in line two of section three and inserting in lieu thereof the words "two thousand."
- Clerk of court. (c) By striking out the words "one thousand five hundred" in line two of section four and inserting in lieu thereof the words "two thousand."
- (d) By striking out the word "six" in line two of section five and inserting in lieu thereof the word "eight."

SEC. 2. That the chairman of the board of county commissioners of Bertie County shall be paid annually a salary of twenty-five dollars in addition to the per diem and mileage herein provided for. Salary of chairman of board of commissioners.

SEC. 3. That each member of the board of county commissioners of Bertie County, including the chairman of the board, shall be paid the sum of four dollars per day for each day's attendance upon the sessions of the board and mileage as now allowed by law. Compensation of commissioners.

SEC. 4. That each member of the board of education of Bertie County shall be paid the sum of four dollars per day for each day's attendance upon the sessions of the board and mileage as now allowed by law. Compensation of board of education.

SEC. 5. That this act shall apply to the present officers of the county of Bertie named herein and to their present term of office. Law effective at once.

SEC. 6. That all 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 29th day of January, A. D. 1919.

CHAPTER 21

AN ACT TO RATIFY AND VALIDATE SPECIAL TAX LEVIED BY THE COMMISSIONERS OF MARTIN COUNTY IN THE YEAR 1918 AND AUTHORIZE THE LEVY OF A SIMILAR TAX FOR THE YEARS 1919 AND 1920.

WHEREAS: The board of commissioners of Martin County levied a special tax in the year one thousand nine hundred and eighteen in excess of the constitutional limitation for the purpose of building and maintaining bridges and roads in said county, and Preamble.

WHEREAS: Doubts have arisen as to the legality of said tax because not authorized by special act of the General Assembly, and

WHEREAS: It is desirable that such doubts be removed:

The General Assembly of North Carolina do enact:

SECTION 1. That the special tax levied by the board of commissioners of Martin County for the year one thousand nine hundred and eighteen in excess of the constitutional limitation for the purpose of building bridges and roads in said county is hereby ratified, validated and confirmed as fully as if previously authorized. Special tax ratified.

SEC. 2. That the said board of commissioners of Martin County is hereby authorized and empowered to levy for the years one thousand nine hundred and nineteen and one thousand nine hun- Extension of levy.

dred and twenty the same tax levied in the year one thousand nine hundred and eighteen for the same purpose of building and maintaining roads and bridges.

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

Ratified this the 29th day of January, A. D. 1919.

CHAPTER 22

AN ACT TO ALLOW THE COUNTY COMMISSIONERS OF MACON COUNTY TO LEVY A SPECIAL TAX FOR THE PURPOSE OF BUILDING AND REPAIRING BRIDGES.

The General Assembly of North Carolina do enact:

Special tax of 10 cents for bridges.

SECTION 1. That the county commissioners of Macon County be and they are hereby authorized to levy a special tax for one thousand nine hundred and nineteen and one thousand nine hundred and twenty not to exceed ten cents on the one hundred dollars' valuation of property and not to exceed thirty cents on the poll for bridge purposes.

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

Ratified this the 29th day of January, A. D. 1919.

CHAPTER 23

AN ACT TO RE-ESTABLISH THE OFFICE OF COUNTY TREASURER IN THE COUNTY OF ASHE.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter three hundred and eighty-seven of the Public-Local Laws of one thousand nine hundred and seventeen be, and the same is hereby, repealed.

Treasurer appointed.

SEC. 2. That B. W. Graybill be and he is hereby appointed treasurer of Ashe County to begin on or about the first Monday in March, one thousand nine hundred and nineteen, and continue till his successor shall be elected at the general election in one thousand nine hundred and twenty, and inducted into office on the first Monday in December thereafter.

Term of office.

SEC. 3. That before entering upon his duties he shall file with the county commissioners a justified bond conditioned for the faithful performance of his duties, to be approved by the board.

SEC. 4. That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

To file bond.

SEC. 5. This act shall take effect from and after its ratification.

Ratified this the 29th day of January, A. D. 1919.

CHAPTER 24

AN ACT TO FIX THE COMPENSATION OF THE JAILOR OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Ashe County are hereby authorized and empowered to fix the compensation of the jailor of said county for feeding the prisoners committed to his care, not exceeding seventy-five cents, each, per day. Fees of jailor fixed.

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

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

Ratified this the 29th day of January, A. D. 1919.

CHAPTER 25

AN ACT TO PROVIDE FOR THE COLLECTION OF TAXES IN GATES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all taxes levied in the county of Gates beginning with and including the year one thousand nine hundred and nineteen, and thereafter (except as hereinafter specified), shall be collected by the constables, elected or appointed, in the several townships in Gates County, except the taxes levied in Gatesville Township, and the taxes so levied in Gatesville Township, in said county, shall be collected by the sheriff of the county, in the same way and manner as provided by the general statute laws of North Carolina for collection of taxes. Taxes.
How collected.
Exception.

SEC. 2. That all taxes levied in the county of Gates beginning with and including the year one thousand nine hundred and nineteen, and thereafter, on all railroad property, telegraph property and telephone property, in whatever township, in said county, shall be collected by the sheriff of Gates County. Taxes on public utilities collected by sheriff.

SEC. 3. That the constables of the several townships of the said county and the sheriff of the said county, shall receive as their only compensation, for the collection and paying over, to the treasurer of the said county, of said taxes by them required to be collected the sum of five per cent (5%) on the amount by each of them so collected, except road tax and on that two and a half per cent (2½%). Compensation of collectors.
Rate of compensation.

SEC. 4. That the constables of the several townships, in said county, in addition to their official bonds, shall give good and sufficient bond, in a sum, not less than the total of the taxes Bond of constables.

- Bond of sheriff. levied in their respective townships, to be approved by the board of county commissioners. That the sheriff of said county in addition to his official bond, shall give a good and sufficient bond, in a sum not less than the total of all taxes to be collected by him, under this act, to be approved by the board of county commissioners: *Provided, however,* that should any constable, in any of the several townships of the said county, fail or refuse to give the bonds of him herein required, then it shall be the duty of the board of county commissioners of said county to appoint a tax collector for such township or townships. Such tax collectors so appointed shall be subject to provisions of this act.
- Proviso: Failure to give bond.
- Collectors to pay funds to treasurer. SEC. 5. That the sheriff and constables of the several townships of the said county shall pay over to the treasurer of the said county all money by them collected as taxes.
- Treasurer to settle with State treasurer. SEC. 6. That the treasurer of the said county shall settle with and pay over to the State Treasurer all taxes due the State of North Carolina, from the county of Gates.
- Manner and time of settlement. SEC. 7. That the sheriff and constables of the several townships in said county shall make their settlement with the board of county commissioners of said county in the same way and manner and time as fixed by the general law.
- License taxes, and others not enumerated, to be collected by sheriff. SEC. 8. That all other taxes, such as license taxes, etc., not herein enumerated, and to which the State of North Carolina and the county of Gates are entitled under the general revenue act of the State, shall be collected by the sheriff of said county, and by him paid over to the treasurers of said State and county, as is required of him by the said general revenue act, and on which sum he shall receive as his only compensation the sum now provided by law.
- Powers of collectors. SEC. 9. That the said sheriff and constables of the several townships are hereby vested with the same powers and authority as is provided in the general law of the State to enable sheriffs and tax collectors to enforce the collection of taxes.
- SEC. 10. That this act shall apply only to the county of Gates.
- SEC. 11. That this act shall be in full force and effect from and after date of its ratification.
- Ratified this the 29th day of January, A. D. 1919.

CHAPTER 26

AN ACT TO AMEND THE ROAD LAWS OF BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Payment in lieu of free labor increased.

SECTION 1. That chapter eighty of the Public Laws of one thousand nine hundred and nine be and the same is hereby amended

by striking out the words "one dollar" in section five thereof and inserting in lieu of said words, the words "two dollars."

SEC. 2. That all laws or amendments to said chapter eighty of the Public Laws of one thousand nine hundred and nine in conflict herewith, are hereby repealed.

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 30th day of January, A. D. 1919.

CHAPTER 27

AN ACT TO INDUCE THE PROMPT PAYMENT OF TAXES IN PERQUIMANS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That each and every person, firm, or corporation, liable for State, county, township, or district tax, either general or special, and failing to pay said taxes, or any part thereof, prior to the first of January next after the same shall have become due, shall be liable to a penalty of one per cent of the amount of such delinquent tax for each month or fraction of a month such delinquent tax or any part thereof remains unpaid thereafter. The amount of said penalty shall be added to the amount of the unpaid tax entered on the tax receipts, and collected by the sheriff or tax collector under the same authority and in like manner as if said penalty was a part of the original tax. The sheriff or tax collector shall keep an accurate account of all penalties collected, and shall pay same over to the treasurer for the benefit of the general county fund: *Provided*, this act shall apply only to Perquimans County.

Penalty provided for failure to pay tax promptly.

Penalty goes to general fund.

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

SEC. 3. This act shall be in force from and after January first, nineteen hundred and twenty.

Ratified this the 30th day of January, A. D. 1919.

CHAPTER 28

AN ACT TO AMEND CHAPTER 814 OF THE PUBLIC LAWS OF 1907, ESTABLISHING THE ROCKY MOUNT ROAD DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That South Whitakers Township, Red Oak Township, and Coopers Township, as bounded and defined on January first, one thousand nine hundred and eleven, in Nash County, are

Road district added to.

hereby expressly added to and declared from the date of the ratification of this act to form a part of the Rocky Mount Road District, and as to each and all of them chapter eight hundred and fourteen of the Public Laws of one thousand nine hundred and seven is amended so that its provisions shall be and are in force and effect as fully to all intents and purposes as if they had been within the boundaries of said road district when it was originally created and defined.

Outstanding
bonds unaffected.

SEC. 2. That this act shall not in anywise affect the status of the outstanding bonds issued for road improvement of any of the townships embraced in the Rocky Mount Road District as hereby enlarged and defined; but the machinery and legislation heretofore enacted in respect of levying and collecting taxes with which to pay the interest on said bonds and to create a sinking fund for their payment at maturity in all of said townships shall be and remain in force and effect: *Provided*, that nothing herein shall be construed to require South Whitakers Township Road District, Red Oak Township Road District, or Coopers Township Road District, as created by chapter four hundred and fifty-one, of the Public-Local Laws of one thousand nine hundred and eleven, which road districts are commensurate with the townships named in section one above, to pay any part of the road bonds now due by the Rocky Mount Road District, nor to require the Rocky Mount Road District to pay any part of the bonds now due by South Whitakers Township Road District, Red Oak Township Road District, and Coopers Township Road District, but that said bonds heretofore issued by said road districts are to be paid by the road districts that issued the same.

Proviso: Bonds
now due are to be
paid by districts
which issued
them.

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

Ratified this the 30th day of January, A. D. 1919.

CHAPTER 29

AN ACT TO INCREASE THE PAY OF MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF GATES COUNTY AND CAUSE THE CHAIRMAN TO AUDIT CERTAIN ACCOUNTS.

The General Assembly of North Carolina do enact:

Pay increased.

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

SEC. 2. That the chairman of said board of county commissioners shall, between the first day of August and the first day of October of each year, audit the accounts of the sheriff and all other persons collecting taxes, the county treasurer and the highway road commissioners of the various townships of said county: *Provided*, that the said chairman shall receive as his compensation for said work such reasonable sum as the other members of the board may see fit to allow.

Audit of taxes.

Compensation of auditor.

SEC. 3. That the sheriff, tax collector, treasurer, and highway road commissioners of said county shall submit their respective accounts to the chairman of the county board of commissioners upon his demand, at any time between the first day of August and October of each year.

Submission of accounts.

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

Ratified this the 30th day of January, A. D. 1919.

CHAPTER 30

AN ACT TO AMEND CHAPTER 807 OF THE PUBLIC LAWS OF 1909, AUTHORIZING AND DIRECTING SHERIFFS AND OTHER OFFICERS TO SEIZE AND DESTROY DISTILLERIES USED IN THE ILLEGAL MANUFACTURE OF LIQUOR IN MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter eight hundred and seven of the Public Laws of nineteen hundred and nine be and the same is hereby repealed in so far as it affects the county of Madison, and the following is enacted in lieu thereof:

Law amended.

“That for every distillery seized under this act, the sheriff, deputy sheriff or other police officers shall receive, in addition to any other compensation he may receive from other sources, the sum of thirty dollars: *Provided*, that the board of commissioners shall not pay this amount if they are satisfied, after due investigation, that the seizure of said distillery was not bona fide made.”

Additional compensation.

Proviso: Seizure of distillery must be bona fide.

SEC. 2. That whenever, in the opinion of the sheriff of Madison County, it is impracticable and unsafe to confiscate and transport a distillery or apparatus used for the manufacture of intoxicating liquors to a place where it may be examined and destroyed by the county commissioners, it shall be his duty to thoroughly destroy the said distillery or apparatus for distilling. If upon the presentation of an affidavit from the said sheriff of Madison County and an affidavit from another party, setting forth the facts, together with some part of the destroyed distillery, the

Destruction of apparatus.

county commissioners shall be satisfied that the sheriff has actually destroyed a distillery or apparatus for distilling intoxicating liquors and shall be further satisfied that the transportation of the same to a place of inspection was impracticable and unsafe, the sheriff shall be entitled to the compensation mentioned in section one of 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 30th day of January, A. D. 1919.

CHAPTER 31

AN ACT TO PREVENT DEPREDATION OF DOMESTIC FOWLS IN MACON COUNTY.

The General Assembly of North Carolina do enact:

Unlawful to permit domestic fowls to run at large in Macon, Jackson, and Gaston Counties,

SECTION 1. That it shall be unlawful for any person in Macon County, Jackson County, and Gaston County to permit any turkeys, geese, ducks, chickens, or other domestic fowls to run at large upon any lands other than his own lands, or lands under his control, that is being cultivated in any kind of grain or feed-stuff, or for garden or ornamental purposes, after being notified as is provided for in section two of this act.

Violation a misdemeanor. Notice to be given. Penalty.

SEC. 2. That any person permitting his or her fowls as aforesaid to run at large after three days notice in writing to keep them up, shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five dollars or be imprisoned not exceeding thirty days for each offense.

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

Ratified this the 31st day of January, A. D. 1919.

CHAPTER 32

AN ACT TO REQUIRE MUNICIPAL CORPORATIONS IN JACKSON COUNTY TO PUBLISH PERIODICAL STATEMENTS.

The General Assembly of North Carolina do enact:

Statements of municipal corporations required.

SECTION 1. That every municipal corporation in the county of Jackson that levies and collects taxes, shall, beginning on the first Monday in May, one thousand nine hundred and nineteen, and semiannually thereafter, publish an itemized and verified statement of all its receipts and expenditures.

SEC. 2. That the statement to be made in May of each year shall include a complete and comprehensive statement of the financial condition of such municipal corporation, setting forth all the indebtedness and resources of same, and the nature thereof.

Content of statements.

SEC. 3. That the mayor and aldermen of each municipal corporation in Jackson County are specifically charged with the duties required by this act, and shall require the proper officer to make and verify statements required by sections one and two of this act, and shall cause publication of same at times stated by inserting in some newspaper published in the municipal corporation in its first issue succeeding the date for making statement required: *Provided*, that if there is no newspaper in a municipal corporation affected by this act, then publication may be made by posting at the door of the mayor's office statements required by sections one and two of this act.

By whom made.

Publication required.

Proviso: If no newspaper in municipality affected, statement may be posted at mayor's office.

SEC. 4. That any person failing to perform the duties required of him by this act shall be guilty of a misdemeanor, and upon conviction shall be punished in the discretion of the court, and in addition shall be removed from office.

Violation a misdemeanor.
Penalty.

SEC. 5. That the judge presiding at the trial and conviction of any one under this act is hereby authorized to appoint a successor to any officer removed by the penalty of this act, who shall hold the office until the next regular election of the municipal corporation.

Successor to officer removed.

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

Ratified this the 30th day of January, A. D. 1919.

CHAPTER 33

AN ACT TO AMEND CHAPTER 840 OF THE PUBLIC LAWS OF 1909 RELATING TO THE BETTER ENFORCEMENT OF THE GAME LAWS IN CERTAIN COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter eight hundred and forty of the Public Laws of one thousand nine hundred and nine, as amended by chapter four hundred and thirteen of the Public-Local Laws of one thousand nine hundred and eleven, be amended as follows:

Law amended.

“Strike out the words ‘County Commissioners’ in line one and insert in lieu thereof the words ‘Clerk of the Superior Court.’”

Game commissioners to be appointed by clerk of court.

SEC. 2. That this act shall apply only to Dare County.

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

Applies to Dare County only.

Ratified this the 31st day of January, A. D. 1919.

CHAPTER 34

AN ACT TO AMEND CHAPTER 344 OF THE PUBLIC-LOCAL LAWS OF 1911, AND CHAPTER 467 OF THE PUBLIC-LOCAL LAWS OF 1915, FIXING THE SALARIES OF THE OFFICERS OF NASH COUNTY.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That chapter three hundred and forty-four of the Public-Local Laws of one thousand nine hundred and eleven be amended by striking out the words "two thousand eight hundred" in line two of section eight, and inserting in lieu thereof the words "three thousand two hundred and fifty."

Register of deed's salary increased.

Treasurer's salary increased.

SEC. 2. That chapter three hundred and forty-four of the Public-Local Laws of one thousand nine hundred and eleven be amended by striking out the words "one thousand two hundred" in line two of section nine, and inserting in lieu thereof the words "fifteen hundred."

Sheriff's salary increased.

SEC. 3. That chapter four hundred and sixty-seven of the Public-Local Laws of one thousand nine hundred and fifteen be amended by striking out the words "five thousand" in line three of section two, and inserting in lieu thereof the words "sixty-five hundred."

Clerk's salary raised from \$3,250 to \$3,750.

SEC. 4. That chapter four hundred and sixty-seven of the Public-Local Laws of one thousand nine hundred and fifteen be amended by striking out the words "two hundred and fifty" in line two of section three, and inserting in lieu thereof the words "seven hundred and fifty."

Effective from Dec. 1, 1918.

SEC. 5. That this act shall take effect on the first Monday in December, one thousand nine hundred and eighteen.

Ratified this the 31st day of January, A. D. 1919.

CHAPTER 35

AN ACT TO AMEND CHAPTER 74 OF PUBLIC-LOCAL LAWS OF 1917 AUTHORIZING PERSON COUNTY TO SELL BONDS TO BUILD ROADS.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That section two of chapter seventy-four of Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby amended by striking out the words "the first day of January and July of each year" in line thirty thereof, and inserting in lieu thereof the word "semiannually." And by striking out all of said section after the word "issue" in line thirty-one

Payment of interest on bonds.

thereof and inserting in lieu thereof the following: "The said bonds may be made to mature in series at such time or times as the Central Highway Commission may in its discretion determine, it being the intent of this act to confer upon said Central Highway Commission full power and discretion to provide for the retirement of said bonds so sold by it in such amounts and at such time or times as it may prescribe, within forty years from the date of issue."

SEC. 2. That chapter seventy-four of Public-Local Laws of one thousand nine hundred and seventeen be and it is hereby amended by inserting immediately after section seven thereof three new sections, as follows:

"SEC. 7a. That in the opening of the highways, widening and straightening old roads, building and repairing the same, the highway commission, through its servants, agents, and employees, is hereby authorized to enter upon any lands and locate and build such highways, and to enter upon any lands near to or adjoining such roads, cut and carry away timber except trees or groves on improved lands planted or left for ornament or shade, and dig or cause to be dug and carried away any gravel, sand, clay, soil, or stone which may be necessary to construct, improve or repair said road, and to enter upon any land adjoining or lying near the roads to make such drains or ditches through the same as it may deem necessary for the betterment of the road, doing as little injury to said land and the timber and improvement thereon as the nature of the case and the public good will permit; and it is further authorized to enter upon any lands adjoining said road and cut and remove any growth and trees on either side of same which shade said road to such an extent as to impair and prevent the drying of the same, except trees or groves on improved lands planted or left for ornament or shade: *Provided, however,* that before entering upon lands as authorized by this section it shall be the duty of the highway commission to serve written notice upon the owner of said land, by mail or otherwise, notifying said parties that the highway is to be located on said land, or that necessary gravel, sand, clay, soil, or stone is to be dug and removed therefrom, or that the shade obstructions are to be removed as above provided.

"SEC. 7b. That said drains and ditches shall not be obstructed by the owner or occupant of such land, or any other person or persons, and any person so offending shall be guilty of a misdemeanor and fined not less than five dollars nor more than fifty dollars, or imprisoned for not less than five nor more than thirty days.

"SEC. 7c. That all persons claiming damages or compensation for the taking of any land for the construction of a highway thereon, or for digging or carrying away gravel, sand, clay, soil, stone or timber or for cutting and removing the shade obstructions

Maturity.

Retirement.

Law amended by new sections.

Highway Commission authorized to enter on any lands, cut timber, dig and carry away gravel, necessary for improvement or repair of road.

May make drains and ditches and remove growth shading road to its detriment.

Proviso: Written notice must be served on owner.

Owner guilty of misdemeanor if he obstructs such work.

Penalty.

Claim for compensation.

Time for filing. as authorized therein, shall within sixty days after said highway
 Itemized statement is completed file with the highway commission an itemized state-
 required. ment of said claim for any and all such compensation or damages.
 Payment in dis- That said highway commission is authorized and empowered to
 cretion of com- allow such sum or amounts as to it seems just, fair, and reason-
 mission. able, taking into consideration any benefits and enhancement of
 Appeal from the value of the property of such claimant by such road improve-
 decision. ments; and should any claimant be dissatisfied with the amount
 Bond by claimant. allowed by said highway commission, such claimant may appeal
 No claim con- from its decision to the next term of the Superior Court of Person
 sidered until after County, where said claim shall be heard *de novo*, but shall give a
 completion of good and sufficient bond to cover the cost. No claim on account
 road. of the causes mentioned herein shall be filed until after the com-
 pletion of said road, nor shall any suit at law or in equity be
 brought or maintained on account of same within sixty days from
 and after the completion of said road."

SEC. 3. That this act shall be in force from and after its ratifi-
 cation.

Ratified this the 31st day of January, A. D. 1919.

CHAPTER 36

AN ACT TO REPEAL CHAPTER 787 OF THE PUBLIC-LOCAL
 LAWS 1913, FIXING THE TIME FOR THE TERMINATION
 OF FARM LEASES OF CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter seven hundred and eighty-seven of the
 Public-Local Laws of nineteen hundred and thirteen be and the
 same is hereby repealed.

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

Ratified this the 31st day of January, A. D. 1919.

CHAPTER 37

AN ACT TO AMEND CHAPTER 46 OF THE PUBLIC-LOCAL
 LAWS OF 1915, ENTITLED "AN ACT TO FIX SALARIES FOR
 PUBLIC OFFICERS IN ORANGE COUNTY."

The General Assembly of North Carolina do enact:

Sheriff's salary
 raised from
 \$1,600 to
 \$2,200.

SECTION 1. That section four of chapter forty-six of the Public-
 Local Laws of one thousand nine hundred and fifteen be amended
 by striking out the word "sixteen" in line one of said section and

inserting in lieu thereof the words "two thousand and two" and by striking out the word "six" in line four of said section and inserting instead thereof the word "nine."

Hillsboro township deputy to receive \$900.

SEC. 2. That section six of said chapter be amended to read as follows: "The clerk of the Superior Court of Orange County shall receive a salary of eighteen hundred dollars per annum payable monthly on the first Monday of every month in lieu of all fees and commissions received by virtue of his office."

Salary of clerk.

How payable.

SEC. 3. Amend section seven of said act by striking out the words "one thousand dollars (\$1,000)" in line two thereof and inserting the words "sixteen hundred dollars."

Register of deed's salary.

SEC. 4. Amend section eight of said chapter by striking out the words "eight hundred dollars (\$800)" and inserting the words "ten hundred dollars" in lieu thereof.

Treasurer's salary.

SEC. 5. The members of the board of county commissioners of Orange County shall be paid four dollars per day and mileage.

Commissioners' per diem.

SEC. 6. The members of the board of education of said county shall be paid four dollars per day and mileage.

Board of education per diem.

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

SEC. 8. This act shall take effect and be in force from and after the first Monday in February, one thousand nine hundred and nineteen, or from its ratification if not ratified before said date.

Ratified this the 31st day of January, A. D. 1919.

CHAPTER 38

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF WILSON COUNTY, JOINTLY WITH THE BOARD OF COMMISSIONERS OR OTHER GOVERNING BODY, OF ANY INCORPORATED CITY OR TOWN IN THE COUNTY OF WILSON, TO PURCHASE SCALES FOR THE WEIGHING OF COTTON.

The General Assembly of North Carolina do enact:

SECTION 1. That in all cases where by law it is provided that there shall be an official, sworn cotton weigher in any incorporated city or town in the county of Wilson, the board of commissioners of Wilson County and the board of aldermen, board of commissioners, or other governing body, of any such incorporated city or town within the county of Wilson shall jointly purchase, keep up, maintain and house, the board of county commissioners paying one-half and the board of aldermen, commissioners or other governing body of any such city or town paying the other half, scales upon which cotton shall be weighed; and in case of the

County commissioners and governing bodies of incorporated towns authorized to buy cotton scales.

Payment.

loss or destruction of such scales so purchased, by fire or otherwise, scales to replace the scales so lost or destroyed, shall be purchased in like manner as hereinbefore provided.

Destruction or injury to scales a misdemeanor.

Penalty.

SEC. 2. If any person, firm or corporation shall wilfully or maliciously destroy or injure the scales purchased as herein provided, such person, firm or corporation shall be guilty of a misdemeanor and shall be fined or imprisoned at the discretion of the court; and such person, firm or corporation shall also be liable to an action to be brought in the name of the board of commissioners of Wilson County, for the damage inflicted to such scales.

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

Ratified this the 31st day of January, A. D. 1919.

CHAPTER 39

AN ACT TO AUTHORIZE THE BANK OF FAISON TO PAY TO SCHOOL BOARD OF FAISON GRADED SCHOOL MONEYS BELONGING TO STOCK-LAW TERRITORY.

The General Assembly of North Carolina do enact:

Stock law funds to be paid to Faison School board.

SECTION 1. That the Bank of Faison, Duplin County, be and it is hereby authorized and empowered to pay to secretary of the school board of Faison graded school all moneys and accrued interest belonging to Faison stock-law territory.

Distribution.

SEC. 2. That said secretary of Faison graded school shall distribute all moneys received from the Bank of Faison belonging to the said stock-law territory *pro rata*, as the school law requires, among the schools in said territory.

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 4th day of February, A. D. 1919.

CHAPTER 40

AN ACT TO PROVIDE FOR RURAL POLICEMEN FOR RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

Appointment of rural policemen.

SECTION 1. That on the first Monday in March, one thousand nine hundred and nineteen, and annually thereafter on the first Monday of January in each and every year, the board of county

commissioners of Rutherford County may appoint, and they are hereby given power and authority to appoint not more than two rural policemen for said county who shall be able-bodied men of good character and good habits and not addicted to the use of strong drink. Any policemen appointed under and by virtue of this act shall be subject to removal at any time by said board of commissioners for cause, and being under the influence of strong drink is hereby declared to be sufficient cause for removal. The said policemen shall hold their terms of office until the first Monday of January following their appointment, at which time the said board of commissioners may reappoint them or appoint others in their place.

SEC. 2. 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 kind 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.

SEC. 3. That the said policemen shall frequent railroad depots, stores, public gatherings of any and every kind where violations 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.

SEC. 4. 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 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. 5. That the board of county commissioners shall require a good and sufficient bond from said policemen so appointed before he shall enter upon the discharge of his duties; said bond to be

Number.

Qualifications.

Removal.

Term of office.

Successors.

Duties.

Report to sheriff.

Warrants.

Subject to sheriff's orders.

Post of duty.

Guardians of peace.

Arrest without warrant.

Bond required.

- Payment of damages for malfeasance or abuse of authority. 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.
- Oath of office. SEC. 6. 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.
- Oath filed with bond.
- Badge of office. SEC. 7. 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, Rutherford County"; and it shall be the duty of said policeman to wear the said badge on his person while discharging the duties of his office.
- Powers. SEC. 8. 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 Rutherford 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.
- Compensation. SEC. 9. That said policeman shall receive for his said services the same fees as received by the sheriff of said county for like services in criminal matters and the same fees as the sheriff of said county for services of civil process.
- Lawful to supplement fees. SEC. 10. It shall be lawful for any individual, municipality, incorporated town or any other incorporation to supplement the fees received by such rural policeman by such amount as may be agreed upon by them and the said policeman; and where the said salary is partly paid by or is supplemented by any incorporated town it shall be lawful for the officers of the same to pay said sum out of the general fund of said town.
- Collection of costs. SEC. 11. It shall be the duty of the clerk of the court of said county and the justice of the peace of said county in the collection of costs paid to them to collect for and pay over to said rural policemen any costs which may be due them under this act.
- Accounting for moneys. SEC. 12. That it shall be the duty of said rural policemen to turn over to the proper authorities any moneys collected by them

in the discharge of their duties under the provisions of this act, and in the event of their failure to do so their bondsman shall be liable upon their official bond for the amount of same.

SEC. 13. That the board of county commissioners of Rutherford 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.

Commissioners not liable for wrongs committed by rural policemen.

SEC. 14. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 4th day of February, A. D. 1919.

CHAPTER 41

AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO FUND ITS FLOATING INDEBTEDNESS AND COMPLETE CERTAIN NECESSARY CONTRACTS LET.

The General Assembly of North Carolina do enact:

SECTION 1. That, in order to pay off the floating indebtedness of the county of Buncombe, incurred for necessary expenses of said county prior to the first Monday in December, A. D. nineteen hundred and eighteen (1918), which said debt was largely accumulated by reason of unprecedented floods which washed away bridges, roads, etc., in said county, and in order to enable the present board of county commissioners of said county to carry out certain contracts for the paving and construction of necessary roads in said county, which said contracts were let by the last preceding board of county commissioners, the board of county commissioners of said county are hereby authorized and empowered to sell bonds of said county, from time to time, in such amounts as in their judgment is then necessary, or expedient, the total of said bonds in no event to exceed the sum of one million dollars. Said bonds to bear interest at a rate not exceeding six per cent (6%) per annum, payable semiannually, and to mature not more than thirty (30) years from date.

Payment of Buncombe's floating indebtedness for necessary expenses.

To carry out contracts.

Commissioners authorized to sell bonds.

Limit of bonds.
Interest.
Maturity.

SEC. 2. That said bonds, or any series of the same, shall be in such denominations, and shall be payable at such place or places, and in such form or forms, as said board may determine, and the same, or any series of the same, may be either coupon or registered bonds.

Denomination of bonds.
Place of payment and form.

SEC. 3. That said bonds, and every series of the same, shall be sold at the best price offered, after advertisement for four (4) weeks in a newspaper published in the city of Asheville, and also

Sale after advertisement.

No sale at less than par and accrued interest.
Expenses of sale.

in such financial publication as to the said board of commissioners may seem best calculated to effect a ready and advantageous sale of such bonds. The bonds provided for in this bill shall not be sold for less than par and accrued interest at the date of sale. They shall be sold by the board of county commissioners without any cost to the county, except the actual necessary expenses in effecting the sale.

Special tax for payment of principal and interest.

SEC. 4. That the board of commissioners of Buncombe County shall, at the time other taxes are levied, levy and collect annually, in addition to all taxes now authorized to be levied, a special tax upon all of the taxable property in said county, of sufficient rate and amount to pay the principal and interest annually maturing and accruing on all of the present bonded indebtedness of said county, and to pay the principal and interest of any bonds issued pursuant to this act, which said tax shall constitute a special fund to be applied solely to the payment of the interest accruing from time to time on the present bonded indebtedness of said county, including any bonds issued pursuant to this act; any surplus in said fund to be applied by the board of county commissioners from year to year to the payment and retirement of bonds maturing during such year; and in the event there should be an excess in such fund, during any year, after the payment of interest on all bonded indebtedness, and all bonds maturing during such year, then said board of county commissioners are authorized and empowered to use such fund in the purchase of bonds of said county next maturing.

Special fund.

Surplus, disposition of.

SEC. 5. This act shall be in force from and after its ratification. Ratified this the 4th day of February, A. D. 1919.

CHAPTER 42

AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN AND THE COUNTY COMMISSIONERS TO REGULATE AND FIX THE SALARIES OF CERTAIN OFFICIALS OF DURHAM TOWNSHIP AND DURHAM COUNTY.

The General Assembly of North Carolina do enact:

Salaries of recorder, clerk and prosecuting attorney of Durham township recorder's court.

SECTION 1. The board of aldermen of the city of Durham and the board of commissioners of Durham County are hereby authorized to regulate and fix the salary of the recorder of Durham Township, not to exceed eighteen hundred dollars per year; to regulate and fix the salary of the clerk of Recorder's Court, not to exceed the sum of fifteen hundred dollars per year, and to regulate and fix the salary of the prosecuting attorney, not to exceed the sum of twelve hundred dollars per year.

SEC. 2. The board of county commissioners of Durham County is hereby authorized and empowered to regulate and fix the salaries of the deputy sheriffs of Durham County as follows, to wit: The salary of the office deputy, not to exceed one thousand six hundred and twenty dollars per year; the deputy jailor, not to exceed one thousand three hundred and twenty dollars per year; the deputies for East and West Durham, not to exceed one thousand two hundred dollars per year each, and the extra or tax deputy not to exceed ninety dollars per month, and to fix the county auditor's salary, not to exceed fifteen hundred dollars per year.

Salaries of deputy sheriffs.

Office deputy.

Deputy jailor.

East and West Durham deputies.

County auditor's salary.

SEC. 3. The said board of county commissioners is further authorized and empowered to provide the clerk of the Superior Court of Durham County with a stenographer or clerk in addition to the regular deputy now provided by law, and to regulate and fix the salary of such clerk or stenographer, not exceeding the sum of twelve hundred dollars per year.

Stenographer for Clerk of Court.

SEC. 4. The said board of county commissioners is hereby authorized and empowered to provide the sheriff of Durham County with an extra or tax deputy for full time instead of for six months in each year as now provided by law, if in their discretion and judgment they deem proper.

Tax deputy for sheriff's office.

SEC. 5. The said board of county commissioners of Durham County and the board of aldermen of the city of Durham may exercise the power and authority conferred by this act, at a joint meeting of said two boards, to be called by the chairman of the board of Commissioners at his discretion, by giving five days written notice, by mail, to each member of the said two boards.

Exercise of powers by joint board.

SEC. 6. The board of county commissioners may exercise the power and authority conferred by this act at any regular meeting of said board.

By commissioners.

SEC. 7. That the salary or compensation now paid the substitute recorder and substitute clerk shall be paid out of the fund paid to the county treasurer by the clerk of the recorder's court while performing their duties during the absence of the recorder or clerk for not more than ten days in any one year. If the recorder or clerk is absent for more than ten days in any one year, then the compensation of substitute recorder and clerk to be paid as now provided by law for any such additional time.

Salaries of substitute recorder and substitute clerk of recorder's court, how paid.

SEC. 8. The premium on the bond of the clerk of said Recorder's Court shall be paid by the county treasurer out of the fund paid him from said Recorder's Court.

Payment of bond of recorder's court clerk.

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

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 4th day of February, A. D. 1919.

CHAPTER 43

AN ACT TO AMEND THE PUBLIC ROAD LAW OF ORANGE COUNTY.

The General Assembly of North Carolina do enact:

Law amended.
Upkeep class B
roads increased to
\$25 per mile per
annum.

SECTION 1. That chapter thirty-four of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby amended by striking out the word "fifteen" in line two; top of page thirty, after the word "of" and before the word "dollars," and inserting in lieu thereof the words "twenty-five."

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

Ratified this the 4th day of February, A. D. 1919.

CHAPTER 44

AN ACT TO SUBMIT TO THE QUALIFIED VOTERS OF PASQUOTANK COUNTY THE QUESTION OF STOCK LAW.

The General Assembly of North Carolina do enact:

Special election
for Pasquotank
County.

Time.

Issue.

Manner of
holding.

Canvass.

Certification.

Law; when
effective.

Provisions.

SECTION 1. The board of county commissioners of Pasquotank County are hereby authorized, empowered and directed, and it shall be their duty to provide a special election to be held at all voting precincts in said county on Tuesday, the fifth day of August, nineteen hundred and nineteen, and at which time there shall be submitted to the qualified voters of Pasquotank County the question of "Stock Law" or "No Stock Law," and at said election those in favor of a general stock law for Pasquotank County shall vote a ballot on which shall be the words "For Stock Law" and those opposed to a general stock law for said county shall vote a ballot on which shall be the words "Against Stock Law," and which said election shall be conducted under the laws provided for the election of members of the General Assembly, as near as may be, and the votes cast in said election shall be returned and canvassed in like manner as is provided for members of the General Assembly, and the result shall be made out and certified to the register of deeds of Pasquotank County.

SEC. 2. If upon the canvass of the returns of said election it shall be found that a majority of the votes cast in said election be for stock law, the stock law shall be and remain in full force and effect in Pasquotank County on and after the first day of January, nineteen hundred and twenty, and it shall be unlawful for any stock as defined under section six hundred and eighty-one, Revisal of nineteen hundred and five, to run at large in Pasquotank County, under the pains and penalties applicable to

stock-law territory in North Carolina, as set forth in chapter thirty-five of the Revisal of nineteen hundred and five; and sections three thousand three hundred and nineteen, three thousand three hundred and twenty, three thousand three hundred and twenty-one of the Revisal of nineteen hundred and five.

SEC. 3. The board of commissioners of Pasquotank County are directed hereby to provide registration, poll book, and all papers necessary for such election, and to pay all necessary expenses for such an election out of the general county fund. Election expense.

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 4th day of February, A. D. 1919.

CHAPTER 45

AN ACT TO PROTECT GAME, SQUIRRELS, AND FUR-BEARING ANIMALS IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to hunt, trap or kill any pheasant, quail, grouse, wild turkey or squirrels, or fur-bearing animals in Macon County, except as hereinafter provided: That the open season for killing wild turkeys, pheasants, grouse and quail shall be from the first day of December to the first day of February in each and every year; the open season for hunting all fur-bearing animals shall be from the fifteenth day of November until the fifteenth day of February in each and every year, except mink and muskrat, which may be hunted, trapped or killed from the fifteenth day of November until the fifteenth day of March, and any person may trap or kill any fur-bearing animals at any time when the same is destroying, or is about to destroy any personal property. Unlawful to hunt pheasant, quail, grouse, wild turkey and fur-bearing animals in Macon County except in open season. Open season for game birds. Fur-bearing animals. Exceptions.

SEC. 2. That the open season for killing squirrels shall be from the first day of September till the fifteenth day of February: *Provided*, they may be killed at any time if doing, or about to do any damage to personal property. Squirrels. *proviso*: may be killed at any time if damaging personal property.

SEC. 3. That it shall be unlawful to hunt with dog or gun or in any way to kill any deer for five years from the ratification of this act. Deer.

SEC. 4. That any person violating this act shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars, or imprisoned not exceeding thirty days. And any Violation a misdemeanor. Penalty.

person furnishing sufficient proof to convict any one violating this act shall receive the sum of ten dollars which shall be taxed as costs against the party convicted.

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

SEC. 6. That this act shall apply only to the county of Macon.

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

Ratified this the 4th day of February, A. D. 1919.

CHAPTER 46

AN ACT TO PROTECT GAME AND STOCK IN GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

Bounty for wildcats and eagles.

SECTION 1. The county commissioners of Graham County shall pay two dollars for all the scalps of wildcats and eagles killed in Graham County.

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

SEC. 3. This law shall apply to Graham County only.

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

Ratified this the 4th day of February, A. D. 1919.

CHAPTER 47

AN ACT TO AMEND SECTION 1675 OF THE REVISAL OF 1905, RELATIVE TO STOCK LAW, SO THAT THE PROVISIONS OF SAID SECTION WILL APPLY TO CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Revisal amended.

SECTION 1. That section sixteen hundred seventy-five, of the Revisal of one thousand nine hundred and five, be amended as follows: Add the word "county" between the words "any" and "district" in lines two and three, and the word "county" between the words "said" and "district" in line five, and by adding the word "Chowan" after the word "Randolph" at the end of said section.

Law extended to apply to Chowan County.

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

Ratified this the 4th day of February, A. D. 1919.

CHAPTER 48

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF WILSON COUNTY TO BUILD A NEW COURTHOUSE,
AND TO ISSUE BONDS THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Wilson County be and they are hereby authorized and empowered to issue bonds of the county of Wilson as hereinafter provided and to use the proceeds received from the sale of said bonds in the building of a new courthouse for the county of Wilson. The said board of commissioners are further authorized and empowered to cause the new building to be erected, to be placed upon the present site, or in the exercise of their discretion, to make sale of the present site and purchase another, and to erect the new courthouse upon the new site so purchased.

Bond issue authorized.

Sale of old site, purchase of new permitted.

SEC. 2. The board of commissioners of Wilson County may in their discretion, before issuing the bonds herein provided for, 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 bonds of the county of Wilson, to be known and designated as "Courthouse Bonds of Wilson County, North Carolina."

Election may be held.

Proviso: Notice by posting and publication must be given.

Bonds to state purpose for which issued.

Ballot prescribed.

SEC. 3. That at said election, if held, 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 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 pollholders 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.

Election, how held.

Expenses.

Returns.

Canvass.

New registration may be ordered.

SEC. 4. 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.

Limit to bonds.

SEC. 5. In the event the board of commissioners of Wilson County shall decide to build a new courthouse and issue bonds therefor, either with or without the holding of the election herein provided for, then and in such event, the bonds issued shall not exceed the sum of two hundred and fifty thousand dollars

Denominations.

(\$250,000) and shall be issued in denominations not to exceed one thousand dollars (\$1,000) nor less than one hundred dollars

Interest.

(\$100) each, 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;

Maturity.

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;

Form of bonds.

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 "Courthouse Bonds of Wilson County, North Carolina."

How signed and countersigned.

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

Not valid without seal of commissioners.

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

May be issued serially.

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

Form adopted at regular meeting commissioners and entered on minutes.

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

Faith and credit of county pledged.

Wilson shall be pledged for the payment of both principal and interest of said bonds: *Provided*, the board of commissioners in their discretion may issue any or all of said bonds as registered

Proviso: Bonds may be issued as registered.

bonds instead of coupon bonds.

Use of proceeds of sale.

SEC. 6. 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.

Bonds advertised for sale.

SEC. 7. 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.

SEC. 8. In the event the board of commissioners of Wilson County shall issue bonds under this act, the said board of commissioners shall annually levy a special tax upon all polls and property and subjects of taxation in the county of Wilson, preserving the equation between a property tax and the poll tax provided for in the Constitution of North Carolina, for the purpose of providing funds for the payment of the interest upon said bonds and a sinking fund for the payment of the principal of said bonds, as the said interest and principal shall become due: *Provided*, the tax so levied shall in no one year be at a greater rate than will be sufficient to pay the interest upon said bonds and to provide for the sinking fund, three per cent (3%) of the amount of bonds issued.

Special tax for interest and sinking fund levied on poll and property.

Proviso: Tax not to be greater than sufficient to pay interest and provide for sinking fund 3 per cent of amount of bonds issued.

SEC. 9. 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 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 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

Tax provided for these bonds alone.

Sinking fund commission provided for.

Organization of commission.

Terms of office.

Payments to fund.

Investment of fund.

Notice of maturity by county commissioners to commission.

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.

Fund separate and distinct.

SEC. 10. 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.

Commission authorized to force levy of special tax.

SEC. 11. 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.

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

Ratified this the 4th day of February, A. D. 1919.

CHAPTER 49

AN ACT TO REPEAL SECTION 4, CHAPTER 400, OF THE PUBLIC LAWS OF 1917, IN REFERENCE TO SQUIRREL HUNTING IN DURHAM COUNTY.

The General Assembly of North Carolina do enact:

Restriction removed from hunting squirrels.

SECTION 1. That section four of chapter four hundred of the Public-Local Laws of 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 4th day of February, A. D. 1919.

CHAPTER 50

AN ACT TO RE-ENACT CHAPTER 234, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1911.

The General Assembly of North Carolina do enact:

Law reënacted.

SECTION 1. That chapter two hundred thirty-four (234) Public-Local Laws of nineteen hundred and eleven, entitled "An act to provide a better system for working and maintaining roads in

Swain County," as repealed by section thirty-six, chapter one hundred ninety-three, Public-Local Laws of nineteen hundred and fifteen, be and the same is hereby reënacted.

SEC. 2. That this act shall only apply to the public roads and bridges in Forneys Creek Township, Swain County, outside of Hazel Creek Road District. Application limited.

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

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

Ratified this the 4th day of February, A. D. 1919.

CHAPTER 51

AN ACT TO PROTECT OPOSSUMS IN UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to hunt, kill, or in any way destroy any opossums in Union County between the first of January and the first of November. When unlawful to hunt opossums.

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

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

Ratified this the 4th day of February, A. D. 1919.

CHAPTER 52

AN ACT TO REGULATE THE ASSESSMENT OF TAXES FOR MAINTENANCE PURPOSES IN MATTAMUSKEET DRAINAGE DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That no taxes shall be assessed upon any lands in Mattamuskeet Drainage District in Hyde County, lying outside of the bed of Mattamuskeet Lake, in excess of fifteen cents per acre, for the purpose of maintaining said drainage district, except by the unanimous vote of all members of the board of drainage commissioners of said Mattamuskeet Drainage District. No lands outside of lake bed to be taxed more than 15 cents an acre for maintenance of drainage district.

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. 1919.

CHAPTER 53

AN ACT TO AUTHORIZE THE BOARDS OF COMMISSIONERS OF MARTIN AND BERTIE COUNTIES TO BUILD A BRIDGE OVER THE ROANOKE RIVER AT WILLIAMSTON AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Authority given for building bridge over Roanoke River at Williamston.

SECTION 1. That the board of commissioners of the counties of Martin and Bertie are hereby authorized and empowered by joint action and agreement to build and construct a bridge over the Roanoke River at Williamston, as the same has been already surveyed and laid out and to build and construct a road leading from the bridge on the Bertie side, to the highlands of Bertie County.

Bertie and Martin county commissioners empowered to issue bonds; Martin not to exceed \$150,000, Bertie not to exceed \$50,000.

SEC. 2. That for the purpose of raising funds with which to build and construct said bridge and road, the boards of commissioners of the said counties shall each have full power and authority to issue the bonds of said respective counties to an amount not to exceed the actual cost of said bridge and road, the bonds to be issued by the county of Martin not to exceed, in any event, one hundred and fifty thousand dollars (\$150,000), and the bonds to be issued by the county of Bertie, not to exceed in any event fifty thousand dollars (\$50,000). Said bonds to be in denominations of one thousand dollars, or less, with interest coupons attached, payable semi-annually, at such times and place as may be directed by such boards, and to be in 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 such board may determine: *Provided*, that none of such bonds shall be disposed of either by sale, exchange, hypothecation, or otherwise for a less price than their face value.

Denomination of bonds.

Maturity.

Proviso: Bonds must not be sold at less than par.

Interest to be paid and sinking fund provided by special tax.

SEC. 3. That the county commissioners of the respective counties shall, in order to provide for payment of the bonds to be issued hereunder, and interest thereon, compute and levy each year at the time of levying other county taxes a sufficient tax upon all real and personal property in each county to pay the interest on the said bonds, and shall also levy a sufficient tax to create a sinking fund to provide for the payment of said bonds at maturity. Such taxes 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.

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

Ratified this the 5th day of February, A. D. 1919.

CHAPTER 54

AN ACT TO INCORPORATE FIRST CONGREGATIONAL
CHURCH OF ALBEMARLE, N. C.

The General Assembly of North Carolina do enact:

SECTION 1. That First Congregational Church in North Albemarle Township, Stanly County, and the territory immediately surrounding same, to wit: Beginning at the intersection of the Palestine road and the corporate limit of the town of Albemarle, and runs thence north one mile; then west about one and one-fourth miles to the home of Cephas Whitley in North Albemarle Township; thence a southwesterly direction about one and one-half miles to the T. S. Parker old home place; thence an easterly direction to the corporate line of the West Albemarle Baptist Church; thence the northern boundary of said church line to the corporate limits of the town of Albemarle; thence the northern boundary of said town of Albemarle to the beginning, be and the same is hereby incorporated and chartered as a religious corporation to be known as First Congregational Church of Albemarle.

Limits First Congregational Church of Albemarle defined.

SEC. 2. That it shall be unlawful for any person, firm, or corporation to keep open any place of business on Sunday, or to sell or to offer for sale, or to give away soft drinks, wares or merchandise of any kind or description, either directly or indirectly, on Sunday, within the territory designated in section one of this act.

Unlawful to sell or give away merchandise on Sunday within the church's territory.

SEC. 3. That it shall be unlawful for any person, firm, or corporation, to permit any number of persons to assemble on Sunday, in any place of business designated in section one of this act, where drinks or beverages of any kind whatsoever are kept. That any person, firm, or corporation violating any of the provisions in sections two and three 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 five nor more than thirty days for each and every offense.

Assemblages in business places on Sunday prohibited.

Violations of act a misdemeanor. Penalty.

SEC. 4. That it shall be unlawful for any person to fire any kind of firearms (except for the protection of himself, his family or his property) or any description of fireworks whatsoever or any dynamite (except those used in wells or other works) within the territory described in section one of this act, without first obtaining permission of a resident justice of the peace.

Unlawful to fire firearms, fireworks or dynamite save for protection or in useful work.

SEC. 5. It shall be unlawful for any person to knowingly allow a dead carcass, or any portion thereof, to remain on his or her premises, or on the premises over which he, or they, have control, within the territory designated in section one of this act, for a longer time than six hours.

Dead carcasses must be removed within six hours.

Disorderly conduct forbidden.

SEC. 6. It shall be unlawful for any person to disturb the peace of the people residing in the territory designated in section one of this act, by acting in a rude or boisterous manner, or by singing vulgar songs, or by using vulgar or profane language, or by keeping a disorderly house within said territory. Any person violating the provisions of sections four, five or six of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned more than thirty days for each and every offense.

Violations a misdemeanor.

Penalty.

Special deputy sheriff to be appointed to enforce act.

SEC. 7. The sheriff of Stanly County is hereby authorized and empowered to appoint a special deputy who shall reside in said territory. It shall be the duty of said deputy sheriff to see that the provisions of this chapter are enforced, and is hereby authorized and empowered to quiet all breaches of the peace, and to arrest without warrant all persons whom he may discover in the commission of any crime and to carry them immediately before some justice of the peace to be dealt with according to law.

May arrest without warrant.

Justices of peace given jurisdiction over violations of act.

SEC. 8. Any justice of the peace of Stanly County shall have jurisdiction to hear and determine all violations of any of the provisions of this chapter, where the fine does not exceed fifty dollars or the imprisonment exceed thirty days.

SEC. 9. This act shall be in force from and after its ratification. Ratified this the 5th day of February, A. D. 1919.

CHAPTER 55

AN ACT TO AMEND CHAPTER 109 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE PUBLIC ROADS OF YADKIN COUNTY.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That section six of chapter one hundred and nine of the Public-Local Laws of nineteen hundred and seventeen be amended as follows: In line one strike out the words "A. P. Woodruff" and insert in lieu thereof the words "D. G. Wagoner," and in the same line strike out the words "C. H. Todd" and insert in lieu thereof the words "C. B. Reavis."

Personnel of Yadkin County Highway Commission changed.

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

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 56

AN ACT TO REPEAL CHAPTER 795, PUBLIC-LOCAL LAWS 1915, PROVIDING FOR RURAL POLICEMAN FOR COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and ninety-five (795), Public-Local Laws one thousand nine hundred and fifteen be and the same is hereby repealed. Law of 1915 providing rural policemen for Columbus County repealed.

SEC. 2. That this act shall be in force from and after the first day of April, one thousand nine hundred and nineteen.

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 57

AN ACT REPEALING SECTION 4 OF CHAPTER 581 OF THE PUBLIC LAWS OF 1899, RELATING TO FREE ROAD LABOR IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter five hundred and eighty-one, Public Laws of one thousand eight hundred and ninety-nine, be and the same is hereby repealed. Free road labor law of Warren County repealed.

SEC. 2. That this act shall be in force from and after the first day of April, one thousand nine hundred and nineteen.

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 58

AN ACT REPEALING CHAPTER 11 OF THE PUBLIC-LOCAL LAWS 1917, RELATING TO HIGHWAY COMMISSION FOR WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eleven, Public-Local Laws of nineteen hundred and seventeen, be and the same is repealed. Act of 1917 establishing Highway Commission for Warren County repealed.

SEC. 2. That this act shall be in force from and after the first day of April, one thousand nine hundred and nineteen.

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 59

AN ACT REPEALING CHAPTER 90 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO TAX ON DOGS FOR WARREN COUNTY.

The General Assembly of North Carolina do enact:

Warren County
dog tax repealed.

SECTION 1. That chapter ninety of the Public-Local Laws of nineteen hundred and fifteen, and amendments thereto, be and the same are hereby repealed.

SEC. 2. That this act shall be in force from and after the first day of April, one thousand nine hundred and nineteen.

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 60

AN ACT TO PROVIDE FOR AN IRON OR STEEL BRIDGE SPANNING THE YADKIN RIVER, AND EMPOWERING THE BOARDS OF COUNTY COMMISSIONERS OF ROWAN AND DAVIDSON COUNTIES TO BUILD AND MAINTAIN SAME.

The General Assembly of North Carolina do enact:

ARTICLE I.

Commissioners of
Rowan and
Davidson
Counties author-
ized to build
bridge.

SECTION 1. The county commissioners of the counties of Rowan and Davidson are hereby authorized, empowered and directed, to contract for, and have constructed an iron or steel bridge to span the Yadkin River, at a point about six miles from the city of Salisbury in Rowan County and about eleven miles from the city of Lexington in the county of Davidson, same to connect with what is known as the National Highway traversing Rowan and Davidson counties.

Commissioners
empowered to
build roads to
connect bridge
with National
highway.

SEC. 2. The boards of county commissioners of Rowan and Davidson counties are hereby authorized, empowered and directed to lay out and construct roads to and build approaches and maintain same, connecting said bridge with said National Highway.

Costs of building
and maintaining
bridge to be
defrayed by
counties in pro-
portion to number
of taxable polls.

SEC. 3. The cost of building said bridge shall be defrayed by both counties, Rowan and Davidson, in proportion to the number of taxable polls in each county; and the keeping and repairing of said public bridge after the construction thereof shall be a charge on each of said counties and defray by each, in proportion to the number of taxable polls in each county.

ARTICLE II.

SECTION 1. The boards of county commissioners of Rowan and Davidson counties are hereby directed and instructed to contract for and let contract for the construction of said bridge to span the Yadkin River, as provided for in Article I of this act, not later than the first day of January, nineteen hundred and twenty, said bridge to be completed and placed at the use of the public on or before January first, nineteen hundred and twenty-one.

Contract for bridge to be let not later than January 1, 1920; bridge to be placed at use of public on or before January 1, 1921.

SEC. 2. The boards of county commissioners of the aforesaid counties may, in their judgment and discretion, use any money or moneys on hand or money arising from federal or state aid, appropriated for the construction of public highways in North Carolina and apply same on cost of said bridge.

Money on hand or arising from Federal or State aid to be used in discretion of commissioners.

ARTICLE III.

SECTION 1. Provision is hereby made whereby the boards of county commissioners of Rowan and Davidson counties, may in their judgment and discretion, purchase any bridge now in use spanning said Yadkin River, which will serve the purpose of this act, and set same aside as a public bridge any time after the ratification of this act.

Any bridge now in use spanning the Yadkin which will serve purpose may be bought and set aside as a public bridge.

SEC. 2. In the event the boards of county commissioners of Rowan and Davidson counties buy any bridge now in existence, same shall be paid for as provided for in Article I, section 3 of this act, and maintenance and upkeep of such bridge shall be as provided for in Article I, section 3 of this act.

In event of such purchase, bridge shall be paid for and maintained as provided for by this act.

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

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 61

AN ACT TO AUTHORIZE THE CENTRAL HIGHWAY COMMISSION OF PERSON COUNTY TO USE CERTAIN MONEY FOR REPAIRING AND IMPROVING THE PUBLIC ROADS OF SAID COUNTY.

WHEREAS, the treasurer of the central highway commission of Person County has in his hands certain funds derived from taxes levied in said county in the year one thousand nine hundred and seventeen for the purpose of raising funds with which to pay interest on road improvement bonds to the amount of \$225,000 authorized by the General Assembly of one thousand nine hundred and seventeen and to create a sinking fund for the payment of the principal of said bonds, and also to pay interest on \$75,000 of

Preamble.

Roxboro Township bonds theretofore issued and sold, and to create a sinking fund for the payment of the principal of such bonds; and,

WHEREAS, on account of the war, the bonds authorized by the General Assembly of one thousand nine hundred and seventeen have never been sold and no tax for road purposes having been levied in Person County in the year one thousand nine hundred and eighteen, the said funds are now needed to supplement the highway maintenance fund of said county: now therefore,

The General Assembly of North Carolina do enact:

Central Highway Commission of Person County authorized to use surplus derived from special taxes levied to pay interest on and to provide sinking fund for Roxboro township road bonds.

SECTION 1. That the central highway commission of Person County be and is hereby authorized and empowered to use and employ so much of said fund as is not necessary to pay interest on said bonds of Roxboro Township, and to maintain a sinking fund for the payment of the principal of said bonds at maturity in repairing, maintaining and improving the public roads of said county.

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

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 62

AN ACT TO AMEND CHAPTER 6 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE ROADS OF MACON COUNTY.

The General Assembly of North Carolina do enact:

Highway commissions of Ellijay, Cowee, Smith's Bridge, Cartoogechaye and Franklin townships, Macon County, to consist of three members each. Cowee, failing to elect, has three members appointed.

SECTION 1. That the highway commissioners of Ellijay, Cowee, Smith's Bridge, Cartoogechaye and Franklin townships, in Macon County, shall consist of three members each, to be elected by the people at each general election as at present provided by law. As the township of Cowee in said county failed to elect its board of highway commissioners at last election, the following named men are hereby appointed a highway commission for said township with full power and authority to act till next general election, to wit: John C. Hurst, Jasper Lakey, and Pernell Bryson.

Duty of highway commissioner to maintain roads.

SEC. 2. That it shall be the duty of the highway commissioners of the various townships above mentioned to keep all the public roads in their respective townships in first-class condition and they are hereby authorized and empowered to let out the roads of the townships to the lowest responsible bidder, or they may divide

up the roads in smaller sections and may hire the same worked by days work, or otherwise, and they are fully empowered to keep up the roads in said townships in any way or manner they may deem most advantageous. In the townships where free labor is still in force the said highway commissioners may use the same in any way they deem best, assigning the same to the most convenient roads or parts of roads to the men who labor. The said highway commissioners are hereby authorized to exercise their best judgment and may appoint one man or more in each township above mentioned as supervisors of roads, and shall fix their compensation, whose duty it shall be to put in good condition and keep in good condition all roads under their respective charge. And it is furthermore the duty of the supervisors to file a written report of the conditions of all roads under their charges each month, which report shall be signed and sworn to by each supervisor by and before the chairman of the highway commission, who is hereby authorized to administer oaths; said reports must show that each supervisor's section of roads, or if he is supervisor of the whole township, that all the roads under his charge are in first-class condition. And it is made the duty furthermore of the highway commissioners to carefully investigate the truth of all reports made to them by the various supervisors, and if need be, shall send one of their number to personally inspect the roads. If any supervisor or highway commissioner shall fail or neglect to faithfully discharge any duties imposed upon him, or them, he or they 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 in addition to the powers and duties conferred upon the various highway commissions above named, they are also fully empowered to regrade and construct any new roads under existing law, and shall before any road is regraded or constructed cause a jury of three disinterested freeholders to go upon the land and assess such damage as the person over whose land the road is intended to be constructed has sustained. Said jury shall in the assessment of damages take into consideration the benefits to the land owners. If either party is not satisfied he may appeal to the county commissioners and from them to the Superior Court, but in neither appellate court shall anything except the question of the amount of damage be tried, and no appeal shall have the effect to stop work on the road.

SEC. 4. That the highway commissioners above named shall meet as often as they may have business to transact, but for each monthly meeting they shall be entitled to two dollars and fifty cents (\$2.50) each, and any other meeting shall be without remuneration. They shall publish at or near the end of each year an itemized statement of all receipts and disbursements. It shall

May let out upkeep of roads to lowest responsible bidder, or may work roads by the day.

Use of free labor.

Supervisors may be appointed.

Compensation.
Duties.

Written, sworn reports required.

Chairman of highway commission authorized to administer oath.

Inspection of roads provided.

Neglect of duty a misdemeanor.

Penalty.

Highway commissioners authorized to regrade or construct new roads under existing law.

Jury of assessment provided.

Appeal may be taken.

Damage only question; work on road must not stop.

Compensation of highway commissioners.

Itemized statement of receipts and disbursements

to be made annually and posted at courthouse door.

be a sufficient compliance with this requirement if the said itemized account or statement shall be posted at the courthouse door.

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

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 63

AN ACT TO PROMOTE CATTLE RAISING IN WILKES COUNTY.

The General Assembly of North Carolina do enact:

Unlawful to kill, buy or sell for veal, calves under six months old.

SECTION 1. That it shall be unlawful for any person to kill, buy, sell or in any way dispose of for veal purposes any calf under six months old.

Violation a misdemeanor. Penalty.

SEC. 2. That any one violating this act shall be guilty of a misdemeanor and fined not more than fifty dollars nor less than five dollars or imprisoned in the county jail for not more than thirty days.

Applies to Wilkes County only.

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

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

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

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 64

AN ACT TO PREVENT IMPORTATION OF DISEASED CATTLE INTO ROWAN COUNTY.

The General Assembly of North Carolina do enact:

ARTICLE I.

Unlawful to import cattle into Rowan County without testing them for tuberculosis.

SECTION 1. It shall be unlawful for any person or persons to import any cattle, including bulls or bull calves, cows or heifer calves, into Rowan County without first having them tested for tuberculosis.

Testing by licensed veterinarian.

SEC. 2. All cattle hereafter imported into Rowan County shall have been tested for tuberculosis by a duly licensed veterinarian or a state or federal veterinarian and certificate of such veterinarian must accompany such cattle imported into Rowan County.

SEC. 3. All cattle hereafter imported into Rowan County must be free from tuberculosis or any other contagious disease, and must be shown by certificate of a reputable veterinarian as provided in sections one and two of this act.

Certificate must accompany cattle imported.
No cattle affected by contagious disease may be imported.

ARTICLE II.

SECTION 1. This act shall not be construed to prevent bringing into Rowan County cattle for beef purposes; however, any cattle brought into Rowan County for beef purposes, if held for more than thirty days, shall be tested by a veterinarian, and if found diseased, must be segregated from other cattle and owner dispose of same as now provided by law, in the case of diseased cattle.

Does not prevent importation of beef cattle but such, if kept more than 30 days, must be tested.

ARTICLE III.

SECTION 1. All bulls owned and held for breeding purposes in Rowan County must satisfactorily pass the tuberculosis test, and no bull shall be used for breeding purposes in Rowan County without first having passed this test: *Provided, however,* the provisions of this act shall not be construed to apply to owners of bulls who keep same for individual use, but where a bull is kept for public service and a fee for service is charged, the provisions of this act shall be in force.

Bulls kept for breeding purposes must pass test.

Proviso: Bulls kept for individual use are exempted from act.

SEC. 2. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars or more than fifty dollars.

Violation a misdemeanor.
Penalty.

SEC. 3. This act shall be in force and effect from and after July first, one thousand nine hundred and nineteen.

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 65

AN ACT TO REPEAL CHAPTER 637 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1917, RELATING TO THE SALARY OF THE COUNTY TREASURER OF ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and thirty-seven, Public-Local Laws of North Carolina, session one thousand nine hundred and seventeen, limiting the pay of the treasurer of Alexander County to three hundred dollars, be and the same is hereby repealed.

Act of 1917 fixing salary of treasurer of Alexander County repealed.

Treasurer shall receive fees allowed prior to act of 1917.

SEC. 2. That the said treasurer of Alexander County shall receive as pay for his services as county treasurer, the commissions allowed by law prior to the act of one thousand nine hundred and seventeen.

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

Ratified this the 7th day of February, A. D. 1919.

CHAPTER 66

AN ACT TO AMEND AND REVISE CHAPTER 300 OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND SEVENTEEN, PROVIDING FOR THE MAINTENANCE OF PUBLIC ROADS IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

1917 road law for Clay County repealed.

SECTION 1. That chapter three hundred of the Public-Local Laws of nineteen hundred and seventeen be and the same is hereby repealed.

Road commissioner to be appointed by county commissioners. Assistant commissioner optional.

SEC. 2. That the county commissioners of Clay County shall appoint a road commissioner for the county of Clay, who shall hold his office at the discretion of the county commissioners, and the said road commissioner and the county commissioners shall, if they deem it necessary, appoint an assistant road commissioner, who shall hold his office at the discretion of said road commissioner and county commissioners. That in the appointment of

Qualifications of road commissioner.

said road commissioner and assistant road commissioner, if one is appointed, the said county commissioners shall appoint the most competent man available, who shall not necessarily be a

Duties.

citizen of Clay County; that the road commissioner of Clay County shall personally supervise the laying out, construction,

Duties of assistant.

changing, maintaining and repairing of all public roads of Clay County and the laying out of cart roads, mill roads, and lumber roads, and his assistant, if appointed, shall work under his direction; that said road commissioner shall personally be responsible

Bond required of commissioner to be approved by county commissioners.

for the acts of his assistant and that the road commissioner shall give bond payable to the county of Clay in such sum as may be

Assistant's bond payable to road commissioner and approved also by county commissioners.

designated by the county commissioners, for the faithful performance of his duties and the true accountancy of all money belonging to the road fund of Clay County that may in any way

come into his hands as said road commissioner of Clay County, which bond shall be approved by the county commissioners of Clay County; that the assistant road commissioner, if one is

appointed, shall give bond in such sum as may be designated by the county commissioners, which bond shall be payable to the road commissioner, with like conditions as the bond of the road

commissioner, said bond to be approved by the county commissioners and road commissioner, but the road commissioner and his bond shall at all times be responsible to the county of Clay for the official acts of his assistant road commissioner if one is appointed. That the salary of the road commissioner shall be three dollars per day and that of his assistant two dollars per day.

Road commissioner responsible for acts of assistant.

Salaries.

SEC. 3. That all able-bodied males between the ages of eighteen and forty-five years shall be liable to work on the public roads of Clay County and that eight hours work shall constitute a day's work; that all of said able-bodied men shall be required to work on the public roads of Clay County for six days in each and every year, or in lieu thereof, they may pay to the road commissioner of Clay County or his assistant road commissioner the sum of \$6. That the road commissioner, assistant road commissioner, or his deputy shall have the right and it shall be their duty to discharge any person performing free labor in an unsatisfactory way and to require the payment of cash in lieu of labor but the person so discharged shall have thirty days after his discharge to pay said money.

All able-bodied males 18 to 45 liable to work on roads of Clay County; eight hours a day's work; six days work for each man a year or \$6 in lieu thereof.

Free laborers may be discharged by commissioner if work is unsatisfactory and cash payment required.

SEC. 4. That it shall be the duty of the road commissioner of Clay County or his assistant road commissioner to warn out all hands to work on the public roads of Clay County and they shall give said hands at least three days notice, stating the time and place that said hands will be expected to report, and the tools, if any, that he shall bring. This notice may be served either orally or by leaving a written notice at the home of the hand or at his place of business. The said road commissioner shall also have the right to deputize any competent person to serve this notice for him, and notice served by his deputy shall be legal. That said commissioner shall have the right to require said hands to work all of the said six days at one time, or may divide the work into different periods of such length and at such times of the year as may to him seem best. That any person liable to road duty in Clay County who shall fail to appear and work on the public roads of Clay County when legally warned as set forth in this act or to pay six dollars in cash to the road commissioner in lieu of said work, or one dollar for each day that they are warned to work said road, or when discharged under section three hereof shall fail to pay the money required hereunder, shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars or more than fifty dollars, or imprisoned not less than ten days or more than thirty days. And it shall be the duty of the road commissioner to prosecute all persons hereunder.

Three days' notice to be given hands warned out to work roads.

Time of free labor discretionary with commissioner.

Failure to perform free labor a misdemeanor.

Penalty.

SEC. 5. That the road commissioner of Clay County shall account to the county commissioners of Clay County once each month for all money received by him in lieu of day's work, and all

Monthly statement required of commissioner.

other moneys that may in any manner come into his hands belonging to the road fund of Clay County, which report shall be itemized and shall further state the condition of all public roads in Clay County; that said road commissioner of Clay County shall have the right to spend the money so collected by him in lieu of day's work wherever he may deem it most advantageous to the public roads of Clay County, but at all times showing in his report where he applied the said money; that as to the money arising from the road tax hereinafter provided for, the same shall be paid out upon order of the road commissioner of Clay County directed to the treasurer of Clay County, which order shall first be approved by the chairman of the board of county commissioners of Clay County, and should the chairman of the board of county commissioners refuse to approve any orders, then and in that case the matter shall be decided by the board of county commissioners of Clay County in regular session, whose decision shall be final.

Road tax moneys paid out on order of road commissioner approved by chairman of board county commissioners.

New roads built upon order county commissioners.

County and road commissioners to confer with State Highway Commissioner.

Road commissioner may make minor changes.

Neglect of duty by road commissioner a misdemeanor.

Penalty.

Failure of assistant commissioner or deputy to comply with law a misdemeanor.

Penalty.

Successor to road commissioner.

Oath of office.

SEC. 6. That all new roads in the county of Clay shall be built upon the order of the county commissioners of Clay County under the personal supervision of the road commissioner of Clay County; that said county commissioners and road commissioner of said Clay County are hereby directed to confer with and ask the advice and assistance of the state highway commissioner in the construction of new roads; that otherwise the roads of Clay County shall be laid out, constructed, or discontinued as now provided by law, but the road commissioner of Clay County shall have the right to make any minor changes in the public roads of Clay County at any time.

SEC. 7. That it shall be the duty of the said highway commissioner of Clay County to see that all the roads of Clay County are kept in first-class condition and any failure of the highway commissioner to comply with any of the terms and conditions of this act shall be a misdemeanor and upon conviction he shall be fined or imprisoned or both, in the discretion of the court, and any failure on the part of the assistant road commissioner, if one is appointed, or of any deputy employed by the road commissioner to comply with any provisions of this act shall be a misdemeanor and upon conviction the said assistant road commissioner or deputy shall be fined or imprisoned at the discretion of the court.

SEC. 8. That if any highway commissioner appointed hereunder shall fail or refuse to assume the duties of his office or should his services become undesirable to the county commissioners, then and in that event the county commissioners shall at any time appoint his successor; that the highway commissioner and assistant highway commissioner, if appointed, shall each take an oath of office before the clerk of Superior Court of

Clay County or some other person authorized to administer oaths for the faithful performance of their duties, before they assume the duties of their office.

SEC. 9. That the said road commissioner, with the approval of the county commissioner, may purchase such road machinery and tools as shall be found necessary for the construction, maintaining or repairing of roads; that all culverts and small bridges shall be paid for out of the road funds and come under the supervision of the road commissioner.

Purchase of machinery and tools, culverts and small bridges.

SEC. 10. That in order to carry out the provisions of this act and in order to provide a fund for the betterment of the public roads, the county commissioners are hereby authorized and directed to levy a special tax on all real and personal property in the county of Clay, of not less than twenty-five cents or more than fifty cents on the one hundred dollars valuation, in the discretion of the county commissioners, the same to be levied and collected annually, as other taxes in the county.

Special tax of not less than 25 cents or more than 50 cents on the \$100 worth of property authorized.

SEC. 11. In opening new highways, widening and straightening old roads and repairing the same, the highway commissioner appointed by this act, or any other commissioner or board, or board of county commissioners having charge of the road work in this county, or any township or road district, is hereby authorized through its agents to enter upon any land and locate and build such highways. If the said commissioner or board of county commissioners and the owner or owners of said land cannot agree as to the damages, if any, the said commissioner shall, after sixty days from the completion of said highway, cause the sheriff of Clay County to summons three disinterested freeholders of said county, who shall be selected by said sheriff and who shall go upon the land and assess the damages and benefits under the general law as it now exists: *Provided, however*, that before entering upon the lands as authorized by this section, it shall be the duty of the said commissioner to serve notice upon the owner or owners of said lands, notifying them that the highway is to be located upon said land under authority of this act; and *Provided further*, that in assessing damages sustained by any landowner, the jury shall take into consideration the special benefits, if any, accruing to the landowner, and in determining such benefits, consideration shall be given to the benefits the landowner has derived from the fact that any old right of way has reverted back to said landowner by reason of the relocation and construction of the new road; and it is *Provided further*, 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 owner, and no suit shall be brought by any landowner unless the same is commenced within

Right of eminent domain.

Assessment of damages in case of disagreement.

Proviso: Notice must be given before land is entered.

Second Proviso: In assessing damages benefits accruing to landowner must be considered.

Third Proviso: No suit for damages shall be entered until after sixty days after road is completed across lands of suitor.

Manner of bringing suits.

six months after the completion of the road by or across lands of the claimants; suits shall only be started by petition to the road commissioner for a jury to assess damages as herein provided; and *Provided further*, that either party may appeal to the Superior Court from the assessment of damages and benefits by said jury, where the matter shall be heard by the court and the jury *de novo*, only as to the question of damages. No costs shall be awarded against any county or township upon appeals when the recovery awarded through such appeal is not more favorable to the appellant than the award of the original jury summoned by the sheriff to assess damages.

No costs to be awarded against county or township when recovery is not more favorable than original award.

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

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

Ratified this the 7th day of February, A. D. 1919.

CHAPTER 67

AN ACT TO PROVIDE A TAX LEVY AND VALIDATE THE TAX LEVY FOR COURTHOUSE BONDS AND OTHER NECESSARY EXPENSES IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Commissioners authorized to levy special tax of 12 cents on the \$100 to retire courthouse bonds.

SECTION 1. That the county commissioners of Mitchell County be and they are authorized and directed to levy a special tax of twelve cents (12c) on each one hundred dollars worth of property for the purpose of retiring bonds issued for building a courthouse in the county of Mitchell; this levy to continue each year as long as, in the discretion of the county commissioners, the same may be necessary.

Levy of tax for 1918 ratified.

SEC. 2. That the levy of twelve cents (12c) on each one hundred dollars worth of property for retiring certain bonds issued for the purpose of building a courthouse in Mitchell County already levied for the year one thousand nine hundred and eighteen, and previous years, be and the same is hereby, in all respects, ratified, confirmed, and validated and the sheriff of Mitchell County be and he is hereby authorized and directed to collect the same in the same manner as other taxes of the county are collected.

Special tax of 16 cents on the \$100 for necessary expenses and liquidate debt already incurred.

SEC. 3. That the county commissioners of the county of Mitchell be and they are hereby authorized and directed to levy a tax of 16 cents on each one hundred dollars worth of property for the necessary expenses of the county of Mitchell and to liquidate certain indebtedness already incurred for the necessary ex-

penses of the said county; the authority for the said levy to continue as long as in the discretion of the county commissioners the same may be necessary.

SEC. 4. That the levy of sixteen cents (16c) on each one hundred dollars worth of property for the necessary expenses of the county of Mitchell already levied for the year one thousand nine hundred and eighteen and previous years be and the same is hereby, in all respects, ratified, confirmed and validated and the sheriff of Mitchell County be and he is hereby authorized and directed to collect the same in the same manner as other taxes of the county are collected.

Levy of this 16 cent special tax for 1918 ratified.

SEC. 5. All laws and parts of laws in conflict with this act are hereby repealed.

SEC. 6. This act shall be in force from and after its ratification. Ratified this the 7th day of February, A. D. 1919.

CHAPTER 68

AN ACT TO PROVIDE FOR THE REDEMPTION OF THE BONDS ISSUED BY THE BOARD OF ROAD TRUSTEES OF JACKSONVILLE TOWNSHIP, IN ONSLOW COUNTY, UNDER PROVISION OF CHAPTER 221 OF PUBLIC-LOCAL LAWS, ACTS OF 1913 AND ACTS AMENDATORY THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of redeeming the bonds issued by the board of road trustees of Jacksonville Township, in Onslow County, under chapter two hundred twenty-one, Public-Local Laws of one thousand nine hundred and thirteen and acts amendatory thereof, the board of road trustees of Jacksonville Township, Onslow County, are hereby authorized and empowered to issue and sell nine thousand dollars of negotiable coupon bonds bearing interest at such rate as the board of road trustees of Jacksonville Township, Onslow County, may determine not exceeding six per cent per annum, interest to be payable semiannually, the bonds to be of the denomination of five hundred dollars each and number from one to eighteen, inclusive, the principal of said bonds to mature ten years after date of issue, and the principal and interest shall be made payable at such place as the board of road trustees of Jacksonville Township may determine, and said bonds shall be signed in the name of Jacksonville Township Road Bonds by the chairman of the board of road trustees of Jacksonville Township and countersigned by the secretary of the board of road trustees of Jacksonville Township and the corporate seal of said board shall be thereto affixed.

Road trustees of Jacksonville Township, authorized to sell \$9,000 bonds to redeem bonds issued under chapter 221 Public-Local Laws of 1913.

Interest of bonds.

Denominations.

Maturity.

May not be sold at less than par and may be taken by holder of bonds to be redeemed.

SEC. 2. The bonds to be issued under this act shall not be sold or exchanged for less than par value and may be taken by the holder of the bonds issued under chapter two hundred twenty-one, Public-Local Laws of one thousand nine hundred and thirteen, in exchange at par and the coupons from said bonds shall be receivable from and after maturity in payment of any taxes due the road fund of Jacksonville Township in said county of Onslow.

Coupons.

SEC. 3. The coupons of said bonds shall be signed by the chairman of the board of road trustees of Jacksonville Township in Onslow County.

Special tax of not less than 15 cents nor more than 35 cents on the \$100 and not less than 45 cents nor more than \$1.05 on poll to pay interest and provide sinking fund.

SEC. 4. In order to meet the interest and provide a sinking fund to pay said bonds at maturity the board of commissioners of Onslow County are hereby authorized, empowered and directed to levy annually and at the time of levying the county taxes, a special tax on all persons and property subject to taxation within the limits of said Jacksonville Township of not less than fifteen cents and not more than thirty-five cents on the one hundred dollars assesses value of property and not less than forty-five cents and not more than one dollar and five cents on each taxable poll. The taxes so levied shall be collected as other taxes are collected and paid to the treasurer of said board of road trustees and said board of road trustees shall set aside a sufficient amount to pay the coupons as they mature and provide a sinking fund sufficient to pay the bonds at their maturity.

Treasurer of road trustees custodian of sinking fund.

SEC. 5. That the treasurer of the board of road trustees for Jacksonville Township shall be the custodian of the sinking fund, but said funds shall not be invested except upon the order of the board of road trustees of Jacksonville Township.

Bonds redeemed shall be cremated.

SEC. 6. The board of road trustees of Jacksonville Township shall in meeting assemble immediately upon receipt of the bonds to be redeemed under this act cremate the same in the presence of credible witnesses.

SEC. 7. This act shall be in force from and after ratification. Ratified this the 7th day of February, A. D. 1919.

CHAPTER 69

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 nineteen and one thousand nine hundred and twenty the following special taxes, to wit:

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. Bridge tax of 10 cents.
2. For contingent purposes a special tax of not to exceed ten cents on the one hundred dollars valuation on all property in said county, and Contingent purpose tax of 10 cents.
3. For chain-gang purposes a special tax of not to exceed five cents on the one hundred dollars valuation on all property in said county. Chain-gang tax of five cents.
- SEC. 2. That this act shall apply only to the county of Transylvania, and only for the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty. Tax limited to 1919 and 1920.
- SEC. 3. That this act shall be in full force and effect from and after its ratification.
- Ratified this the 11th day of February, A. D. 1919.

CHAPTER 70

AN ACT TO PROVIDE FOR THE MAINTENANCE AND IMPROVEMENT OF THE PUBLIC ROADS OF AVERY COUNTY.

The General Assembly of North Carolina do enact:

- SECTION 1. That for the purpose of providing funds for the maintenance and improvement of the public roads in Avery County, the board of county commissioners of Avery County shall, on the first Monday in June, one thousand nine hundred and nineteen and annually thereafter, or on such other times as may be fixed by law for levying taxes, levy and lay a special tax on all property subject to taxation within the limits of Avery County, as in the case of other taxes for general county purposes, of 40 cents on the \$100 valuation of real, personal and mixed property. Special road tax for Avery County authorized.
- The tax so levied shall be collected by the sheriff or other person authorized by law to collect the general taxes of said county under such terms as are now or may hereafter be applicable to the collection of general taxes of said county. The funds derived from said levy upon the property of each township of Avery County shall be used exclusively by the county commissioners for the purpose of improving and maintaining the public roads and bridges of that township. Limit of taxes.
- SEC. 2. That section eighteen, chapter one hundred and seventy-four of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by adding the following: Collection.
- Provided*, that such funds as may hereafter be derived from tolls at any toll gate which has been or may hereafter be established. Township unit for distribution of funds.
- 1915 road law amended.* Toll gate funds used for roads and bridges.

lished shall be used and expended by said board of county commissioners exclusively for the improvement, maintenance and repair of the public roads and bridges of the township in which the toll gate lies.

Road overseers for townships.
Powers.

SEC. 3. That the board of county commissioners of Avery County shall have the power to appoint a road overseer for each of the respective townships in said county and may delegate to him such powers as will enable him to carry out effectively the provisions of this act and the provisions of chapter one hundred and seventy-four of the Public-Local Laws of one thousand nine hundred and fifteen. Subject to the pleasure of the board, each township overseer shall have the general supervision of the public roads and bridges of his township and shall have in charge the construction and repair of all roads and bridges in the township. The board shall require from each township overseer a report which shall be submitted to the said board of commissioners at their regular meeting in each month and shall contain an itemized statement of all receipts and expenditures of said overseer during the preceding month. Each overseer so appointed shall enter into and give a sufficient bond payable to Avery County for the faithful performance of the duties imposed upon him by this act, by chapter one hundred and seventy-four of the Public-Local Laws of one thousand nine hundred and fifteen, and by the said board of county commissioners.

Duties.

Overseer shall make monthly reports containing itemized statement receipts and expenditures.

Overseer shall give bond.

His compensation.

SEC. 4. That each aforementioned township overseer shall receive as compensation for his services \$2.50 for each day that he is actually engaged in road work, every claim for compensation to be approved by the board of county commissioners and to be paid out of the road fund of Avery County: *Provided*, that no township road overseer shall, at any time, engage in road work when there shall be less than five laborers under his supervision.

Proviso: Must not engage in road work with less than five laborers.

Pay of laborers.

SEC. 5. That no laborer who may be employed by any aforesaid township road overseer shall receive for his labor less than \$1.50 or more than \$2 for a day of ten hours.

Inspection of roads.

SEC. 6. That it shall be the duty of the board of county commissioners to provide for an inspection, by a member of the said board, of each and every public road in each and every township of Avery County once in every three months.

Free road work, by citizens between 21 and 45.

SEC. 7. That the said township road overseer shall have the authority and power to order out and work, not to exceed three days in any one calendar year, all able-bodied male citizens between the ages of twenty-one and forty-five years living on or near said road, except members of the board of county commissioners; but he shall be required to give each road hand at least two days notice, which notice shall contain place of meeting on the road, the hour of such meeting, and the character of tool to furnish; and each road hand so notified shall be required to ap-

Who exempt.

Notice required.

pear at the time and place, with the tool specified, and work as directed by said overseer, not less than eight hours nor more than ten hours each day required by said overseer: *Provided*, that any person summoned as aforesaid who shall by twelve o'clock of the day preceding the one appointed for work on the road pay to the overseer the sum of one dollar (\$1), shall be relieved from work on the road for one day. The money thus collected by the overseer shall be deposited with the county treasurer. Such sums shall be used to pay for repair of the road to which the person making the payment was summoned: *Provided further*, that any person who shall furnish one able-bodied hand as a substitute, with implement directed, shall be held to have complied with this chapter.

Length of day's work.
 Proviso: Person summoned relieved of labor on payment of \$1 a day or by furnishing substitute.

SEC. 8. That all clauses of all laws in conflict with this act are hereby repealed.

SEC. 9. This act shall be in force from and after its ratification. Ratified this the 7th day of February, A. D. 1919.

CHAPTER 71

AN ACT TO AMEND SECTION 2785 OF THE REVISAL OF 1905 OF NORTH CAROLINA, RELATING TO THE PAY OF THE COUNTY COMMISSIONERS OF CABARRUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand seven hundred and eighty-five of the Revisal of one thousand nine hundred and five of North Carolina, be and the same is hereby amended by adding at the end of said section the following: "The chairman of the board of county commissioners of Cabarrus County shall be paid for his services a sum not to exceed five hundred dollars per annum, to be fixed by the other members of said board, and no mileage; and each other member of said board shall receive a sum of not exceeding four dollars per day, to be fixed by said board, and mileage of five cents per mile each way, for each day of service on said board."

Chairman Cabarrus commissioners to have salary fixed by board at not more than \$500 per annum.

Board members receive per diem not exceeding four dollars and mileage.

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

Ratified this the 11th day of February, A. D. 1919.

CHAPTER 72

AN ACT TO AMEND CHAPTER 201 OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION 1907, RELATING TO THE PUBLIC ROADS OF CABARRUS COUNTY.

The General Assembly of North Carolina do enact:

1907 road law for Cabarrus County amended.

SECTION 1. That section sixteen of chapter two hundred and one of the Public Laws of North Carolina, session of nineteen hundred and seven, be and the same is hereby repealed and the following inserted in lieu thereof:

Obstruction of surveyor or road engineer a misdemeanor.

Penalty.

"SEC. 16. Any person who shall obstruct the county surveyor or civil engineer in making a survey for the changing of a road, or the opening of a new road, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined or imprisoned, or both, in the discretion of the court; and any person or persons who shall obstruct any one authorized by this section for opening said change of road or new road shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both,

Duty of solicitor to prosecute.

in the discretion of the court; and it is hereby made the duty of the solicitor to prosecute all offenses against the provisions of this section; and if after the changing, locating or relocating of any public road or opening or establishing any new public road, any person or persons be aggrieved, and if he or they and the superintendent of roads, with the approval of the board of commissioners of said county, cannot agree and fix the amount of damages, if any, for the changing, locating or relocating of any public road or opening and establishing any new public road, he or they may then, within six months after said change of location or relocation of said public road or the opening and establishing of a new public road, apply to the clerk of Superior Court, who shall appoint a jury consisting of five freeholders to assess the damages; and the said jury in determining said damages shall take into consideration all benefits special to said land, and also all benefits, whether real or supposed, which the party may derive from the construction of said road or improvements, whether said benefit be common to other land in the community or only special to the owner, and the damages, if any, sustained by the property, subtract one from the other and the result shall be their verdict, and the said damages, if any allowed, shall be paid out of the general road fund of the county; and if the jury award no more damages than the amount offered by the said board of commissioners, then the party or parties aggrieved shall pay all cost for making said assessment for damages: *Provided further*, that the board of commissioners or the persons so aggrieved shall have the right of appeal to the Superior Court after giving good and sufficient security for costs."

Assessment of damages by reason of locating or relocating road by jury of freeholders.

Aggrieved parties to pay costs if jury allows no more than commissioners offered.

SEC. 2. That section twenty of said chapter two hundred and one of Public Laws of North Carolina, session of nineteen hundred and seven, be amended by inserting between the words "feet" and "whenever" in line twelve of said section the words "or more" and by adding at the end of said section twenty the following:

Right of way enlarged.

"That said county superintendent of roads is hereby authorized and empowered to enter upon any lands lying along and adjoining any public road or highway in said county for the purposes of cutting or having cut any trees, timber or rubbish, except shade and fruit trees, within a distance of thirty feet from the edge or edges of said public roads or highways, when deemed necessary for the protection, preservation and betterment of such roads or highways, if the owner of said land or lands and timber or trees along said roads or highways fails or refuses to cut said timber or trees after having had thirty days notice in writing to do so from said superintendent of roads."

Superintendent of roads may cut trees within distance of 30 feet from edge of roads.

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

Ratified this the 7th day of February, A. D. 1919.

CHAPTER 73

AN ACT TO PROVIDE FOR THE PROPER DRAINAGE OF THE LANDS OF HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Henderson County, and their successors in office, be and they are hereby appointed and constituted a commission to drain the rivers, creeks and their tributaries in Henderson County and to be known as the "Henderson County Drainage Commission," and in that name they shall have the right to contract and be contracted with, sue and be sued, and generally to do what may be necessary to be done in order to make effectual the drainage of the creeks and their tributaries in Henderson County, North Carolina. They shall have the power and authority to purchase all necessary machinery, dredging machine, tools and appliances and any other material that may be found to be necessary to carry out this work, and shall also have the right to borrow money, issuing notes therefor, which shall become a lien on the property that is to be drained, said notes to be paid off out of the first money collected as hereinafter provided.

County commissioners made a drainage commission.

Powers.

May buy machinery, borrow money and issue notes.

Notes lien on property to be drained.

SEC. 2. Said commission shall meet and organize after the ratification of this act, and the chairman of the board of county commissioners shall be the chairman of the drainage commis-

Organization.

County treasurer
treasurer of
commission.

sion, and the clerk of the board of county commissioners shall be the secretary of the drainage commission and the treasurer of Henderson County shall be the treasurer of the drainage commission.

Special taxes to be
levied by districts.

SEC. 3. When a petition has been filed by a majority of the landowners of any drainage district of Henderson County, said petition to set forth the boundary of said district, and the amount of tax to be levied; then the commissioners are authorized, empowered and directed to levy a special tax on all of the lands in said district at their June session, said tax to be collected in the same manner as other tax in Henderson County, and to be held by the treasurer of said county, and to be paid out by him only on warrants issued by the said Henderson County Drainage Commission.

Lands to be
surveyed by
engineer.

SEC. 4. After the petition has been filed with said commission establishing the drainage district and acted upon by the commission, it shall be their duty to employ a competent engineer to survey the lands that are to be drained in said district, and said surveyor shall immediately make an accurate survey of all of the lands in said district that will be benefited by drainage, and shall furnish to the commission the name of each landowner, and the number of acres owned by each landowner that is to be benefited, and this list is to constitute that land on which the special taxes are to be levied.

Survey of land by
district.

Classification of
lands according to
benefits.

SEC. 5. The lands to be improved in any drainage district shall be divided into two classes which shall be known as Class A and Class B. The lands receiving the most benefit from drainage to be known as Class A, and the lands receiving less benefit to be known as Class B, and the scale of assessment upon the class of land shall be in the ration of one to two, that is to say, that the land in Class A shall be assessed twice as much as the land in Class B.

Collection of
special taxes.

SEC. 6. After the surveyor shall have filed a list of landowners showing the number of acres and the different classes, with the commission, the commission will then deliver the list to the tax collector of Henderson County with an order to collect a special tax as is shown by said list, and the same shall have the force and effect of a judgment as in the case of state and county taxes, and shall be collected in the same manner, with the same power, same responsibility, and settled in the same way as taxes are required to be collected and settled under the general laws.

Annual tax to pay
off indebtedness.

SEC. 7. The commission shall have the right to levy annually on all of the funds in any drainage district until such an amount has been collected to meet and pay off any indebtedness that may have been contracted by the commission in the drainage of any district.

SEC. 8. The commission, or their agents, shall have the power to move or cause to be removed from the banks of any stream included in any drainage district, all such growth or other hindrance as tend to retard the rapid flow of the water in said stream, and shall have the right from time to time, its agents and employees or contractors, to enter upon any lands along said water-course for the purpose of carrying out the improvement and work contemplated in this work; and shall, after the completion of the same, have the right to enter upon said lands at any time for the purpose of performing any work, making repairs or clearing away obstructions.

Right of eminent domain given.

SEC. 9. Each member of said commission shall receive two dollars (\$2) per day for his services for the time actually required to carry out the provisions of this act.

Compensation.

SEC. 10. The said commission is hereby authorized and empowered to borrow money to anticipate the tax that may be levied under this act.

May borrow money in anticipation of tax.

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

Ratified this the 11th day of February, A. D. 1919.

CHAPTER 74

AN ACT TO PROVIDE GOOD ROADS IN HARRIS TOWNSHIP, FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That J. L. Byron, J. E. Harris, and F. W. Justice are hereby constituted a board of township road commissioners to be known as Township Road Commission of Harris Township. J. L. Byron shall hold the position of commissioner for a period of one year, J. E. Harris shall hold the position of commissioner for a period of two years and F. W. Justice shall hold the position of commissioner for a period of three years. At the expiration of the terms of any of said commissioners their successors shall be elected for three years by the board of commissioners for the county of Franklin. All vacancies caused by death, resignation, removal from said township shall be filled for the unexpired time by the remaining members of said board.

Township board of Road commissioners constituted.

Term of office.

Successors.

SEC. 2. That the said township road commission 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 Township Road Commission of Harris Township, and shall have all the powers and authority granted to corporations like nature by the laws of North Carolina,

Body corporate.

Powers.

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 such other rights and privileges as are incident to other municipal corporations of like nature, such as the condemnation of lands 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. Said township road commission shall use the funds from the sale of bonds or levy of special tax, or whatever way derived, as authorized by this act, to locate, construct, reconstruct, surface, repair, improve and maintain the public highways and bridges in the township under their jurisdiction; shall purchase such materials, and purchase and hold, or contract for the use of such tools, machinery, implements, and teams, as they may deem necessary for carrying on the road work of said township, and perform such other duties as are hereinafter provided for by this act.

Duties.

Given complete charge of roads in township.

SEC. 3. That it shall be the duty of said township road commission to take charge of laying out, opening, altering, maintaining or discontinuing of any and all roads of said township that are now maintained, or may be maintained by the township as public roads, and it is hereby vested with all the powers, rights and duties now vested in the board of commissioners of the county or other commission or board, or other road officials of said township for the general supervision of such roads of said township and for the construction and repair thereof, by contract or otherwise as may be deemed best.

Organization of board.

SEC. 4. The township road commission shall annually from the date of its organization elect a chairman and a secretary who shall hold office for one year, and until their successors shall be elected and qualified. All moneys expended by said commission shall be by draft upon the bank or banks which are depositaries for said road fund, and said drafts shall be signed by the secretary and countersigned by the chairman, and shall show upon their face the purpose for which the money was expended. The members of said township road commission shall receive pay only when acting jointly as the road commission, and their compensation shall be three dollars per day.

Expenditures of money.

Compensation of members.

May employ engineer and delegate powers to him.

SEC. 5. The said township road commission for the proper working and construction of the roads may employ a competent engineer or surveyor, and may have the work done under his supervision, either by employment of labor or by contract, and may exercise such other powers and privileges as may be needed for the construction and working of said roads: *Provided*, that no person in said township shall be subject to road duty. The township road engineer, however appointed, may request, at any time, the advice of the State Highway Engineer in solving any

Proviso: Full road labor abolished. Engineer to confer with State Highway Engineer without expense to township.

problem that may arise, either technical, economical or otherwise, that may be deemed by him to be of benefit to the township, and such advice shall be without expense to the township. It shall be the duty of such engineer to keep or have kept the necessary books and accounts in detail, the expenditures for all work done through money derived by bonds issued or special road tax levy for road work in such township. It shall be his duty to keep approximate yardage, costs, and approximate classification of the materials moved in all excavations made for the purpose of building such roads.

Duties of engineer.

Record of excavations.

SEC. 6. In opening new highways, widening and straightening old roads, and repairing same, the township road commission through its agents is hereby authorized to enter upon any lands and locate and build such highways. If the township road commission and the owner or owners of said land cannot agree as to the damages, if any, the said township road commission shall, after sixty days from the completion of said highway, cause to be summoned three disinterested freeholders of said township, who shall go upon the land, and assess the damages and benefits under the general law as it now exists: *Provided, however*, that before entering upon land as authorized by this section, it shall be the duty of the township road commission to serve notice upon the owner or owners of said land, notifying them that the highway is to locate upon said land under authority of this act; and *Provided further*, that in assessing the damages sustained by any landowner, the jury shall take into consideration the special benefits, if any, accruing to the landowner and in determining such benefits, consideration shall be given to the benefits the landowner has derived from the fact that any old road right of way has reverted back to said landowner by reason of the relocation and construction of the new road, and if such benefits shall exceed the damages then the amount of such excess of benefits shall be assessed against the landowner, and shall constitute a lien upon the land adjoining the road, and shall be collected by the sheriff in the same way as public taxes; and it is *further Provided*, that no suit shall be instituted by the landowner for damages on account of location of the road under this act until after sixty days after completion of the road across the lands of such landowner, and no suit shall be instituted by any landowner unless the same is commenced within six months after the completion of the road by or across the land of the claimant; and *Provided further*, that either party may appeal to the Superior Court for the assessment of damages and benefits, where the matter shall be heard by the court and jury *de novo*. No costs shall be awarded against such township upon appeal when not damages awarded through such appeal are not greater than given by the referees.

Eminent domain.

Assessment of damage.

Proviso: Notice shall be given to owner of lands entered.

Second Proviso: Benefits to be considered.

Excess of benefits a lien to be collected by sheriff.

Third Proviso: No suit to be instituted within 60 days after completion of road and none after six months.

Fourth Proviso: Right of appeal accorded.

May use timber cut on lands adjoining road, or gravel, sand and stone.

SEC. 7. The township road commission through its officers and agents is hereby authorized to enter upon any land, near or adjoining any public road, of said township, to cut and to carry away any timber except trees or groves on improved land planted or left for shade or ornament, dig or cause to be dug, and carry away any gravel, sand, clay, dirt, or stone, which may be necessary for the proper repair and construction of roads in said township, and make, cause to be made, such drains or ditches, upon any land adjoining, or lying near any road in said township, that the township road commission may deem necessary for the better condition of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands, or any other person; and that any person obstructing such drains or ditches shall be guilty of a misdemeanor: *Provided, however,* that before entering upon such land as authorized by this section, it shall be the duty of the township road commission, through its representatives, to serve notice upon the owner or owners of said land, notifying them that certain material authorized to be taken by this section is required for road work.

Obstruction of drains and ditches made a misdemeanor.

Notice to be served on owners of material.

Claims for material presented in writing.

SEC. 8. The owner of any land from which any timber or other material has been moved may present to the township road commission his claim therefor in writing, and upon such presentment it shall be the duty of the township road 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 the county in which said township is located, to have his cause tried as in other civil cases.

Hearing of claims.

Bond issues authorized.

Limited to \$50,000.

SEC. 9. That the said township road commission shall be and it is hereby authorized and empowered to issue bonds of said township, to be styled "Harris Township Bonds," to an amount not to exceed fifty thousand dollars of such denomination and of such proportion as said commission may deem advisable, bearing interest from the date of issue thereof at a rate not exceeding six per cent per annum, with interest coupons attached payable semi-annually, at such time or times and at such place or places as may be deemed advisable by said commission; said bonds to be signed by the chairman and secretary of said commission, and to be 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 commission may determine. None of said bonds shall be disposed of for a less price than their par value, and the said bonds may be issued at such time or times, and in such amount or amounts as may be deemed best to meet the expenditures provided for in this act. The liability for the payment of said bonds, together with all interest that may be due thereon,

Interest.

Maturity.

Not to be sold at less than par.

shall be attached to and imposed upon the political division of Franklin County known as Harris 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 of said county shall annually, and at the time of levying the county taxes, levy and lay a special tax on all persons and property subject to taxation within the limits of said township, of not less than twenty-five cents and not more than seventy-five cents on the one hundred dollars assessed valuation of property, and not less than seventy-five cents and not more than two dollars and twenty-five cents on each taxable poll. The taxes so levied shall be collected as other taxes are collected and shall be paid over as hereinafter provided.

Special tax to pay interest and bonds.

Tax not less than 25 nor more than 75 cents on \$100 and not less than 75 cents nor more than \$2.25 on the poll.

SEC. 11. All moneys derived from the sale of bonds, authorized and sold under the provisions of this act, shall be deposited by the direction of the board of county commissioners, in such solvent bank or banks, if any, of said township, or if there is no bank in said township, then in a solvent bank in a neighboring township of the county; said moneys to be deposited in said bank or banks to the credit of the township road commission and to be drawn upon by said commission as hereinbefore directed.

Deposit of funds.

SEC. 12. Any other moneys, in whatever way collected or appropriated, which are designed to be used for the construction or maintenance of roads in such township, shall be deposited in the same bank or banks in which the moneys obtained from the bond issue or special road tax are deposited, and such moneys shall be deposited to the credit of the township road commission and shall be drawn upon by said commission as hereinbefore provided.

Board handles all township road money.

SEC. 13. The bank or banks in which said road moneys designated in this act are deposited shall prepare monthly statements, showing the amounts paid, to whom paid, and for what purpose, and submit the same to the said township road commission, and the said road commission shall have said monthly statements posted at the courthouse door of the county.

Monthly statements by banks.

Statements to be posted.

SEC. 14. That all the provisions of this act, except the provisions in 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 the 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 commissioners of Franklin County. For the holding of said election the board of county commissioners shall appoint a registrar and two pollholders and any other officers necessary to said election, and shall

People to vote on question of bonds.

Manner of holding election.

County commis-
sioners to canvass
vote.

Proviso: Report
may be entered in
book of election
returns.

Ballot prescribed.

If election fails,
other elections
may be ordered.

order a new registration. At the close of said election said registrar and poll-holders shall count and canvass the vote cast and declare the result thereof, and shall report such canvass to the board of county commissioners, which board of county commissioners shall likewise canvass the vote cast and declare the result thereof, and order the recordation of such report and canvass in the minutes of said board of commissioners, and no other canvass, report or recordation shall be necessary: *Provided, however,* the report may be entered in the book of election returns of said county. 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 issue of bonds and levy of special tax shall cast ballots on which shall be printed or written "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 Road Bonds," the said bonds shall be issued, and said tax levied, and the other powers and duties exercised under said sections nine and ten hereof: *Provided,* that if a majority of said qualified voters shall fail to vote "For Road Bonds," said board of county commissioners shall order another election or elections to be held in the manner and with the same effect as above provided, at any time within four years of the date of the first election, when requested to do so by said township road commission.

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

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

Ratified this the 11th day of February, A. D. 1919.

CHAPTER 75

AN ACT TO EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF SWAIN COUNTY TO ERECT A CONCRETE BRIDGE ACROSS THE TUCKASEEGEE RIVER AT BRYSON CITY.

The General Assembly of North Carolina do enact:

Construction of
bridge authorized.

SECTION 1. That the board of county commissioners of Swain County be, and it is hereby authorized and empowered to construct a reinforced concrete bridge across the Tuckaseegee River at Bryson City on Everett Street at or near the site now occupied by the present iron bridge.

SEC. 2. That the said bridge shall not be less than twenty nor more than twenty-four feet in width, and shall have a sidewalk on either side of sufficient width to accommodate the traffic. Specifications.

SEC. 3. That the town of Bryson City is hereby authorized and empowered to contribute out of the town funds such amount as may be agreed upon between the board of alderman of said town and county commissioners to assist in defraying the expense of the construction of said sidewalks to said bridge. Bryson City empowered to contribute to expense of sidewalks.

SEC. 4. The said bridge shall be let to contract upon competitive bids or constructed upon a percentage basis as the county commissioners may in their discretion deem most advisable to the public interest, and if let to contract the said commissioners shall have the right to reject any or all bids or to let said contract to such bidder as is deemed most responsible. Bridge let to contract or constructed in discretion of commissioners.

SEC. 5. That the county commissioners for the purpose of defraying the expense of constructing said bridge shall have the right to issue the bonds of the county running for such length of time and bearing such rate of interest as they may deem advisable or otherwise pledging the credit of said county, in order to secure said funds and that in order to pay the interest on said bonds or other funds, and for the purpose of creating a sinking fund for liquidating said bonds or other indebtedness when the same shall fall due, the said county commissioners shall have the right and they are hereby authorized and empowered to levy a sufficient special tax upon the poll and the real and personal property lying in said county at the time for levying other taxes to provide funds for paying said interest and creating said sinking funds. Bond issue authorized.

SEC. 6. That the said county commissioners shall have the right to sell or remove to some other point in the county the present iron bridge across the Tuckaseegee River at Bryson City, as they may deem best for the interest of the county. Special tax for interest and sinking fund.

SEC. 7. That all laws and clauses of laws in conflict herewith be and the same are hereby repealed. May sell or remove old bridge.

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

Ratified this the 11th day of February, A. D. 1919.

CHAPTER 76

AN ACT TO REGULATE FOX HUNTING IN RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person who shall hunt with dog or gun or chase with dog or dogs, or shall trap, kill or destroy any fox in Randolph County between the fifteenth day of January and Closed season established between January 15 and November 1.

Proviso: Fox may be killed to protect domestic animals.

the first day of November of each year, shall be guilty of a misdemeanor and shall be fined or imprisoned at the discretion of the court: *Provided*, that it shall be lawful for any person to kill a fox on his own premises when found in the act of killing fowls or other domestic animals.

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

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 11th day of February, A. D. 1919.

CHAPTER 77

AN ACT TO AMEND SECTION 2785 OF THE REVISAL OF 1905 SO AS TO PAY THE COUNTY COMMISSIONERS OF GRAHAM COUNTY \$3 PER DAY WHEN IN SESSION.

The General Assembly of North Carolina do enact:

Revisal amended.

SECTION 1. That section two thousand seven hundred and eighty-five of the Revisal of one thousand nine hundred and five be and the same is hereby amended by inserting in line six of said section, between the words "Cherokee" and "three," the words "and Graham."

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

Ratified this the 11th day of February, A. D. 1919.

CHAPTER 78

AN ACT TO FIX THE COMPENSATION OF THE COUNTY COMMISSIONERS OF LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Compensation fixed.

SECTION 1. That the compensation of members of the board of county commissioners of the county of Lincoln shall be, for each member, five dollars per day for each day he shall be employed as such commissioner, together with mileage at the rate of five cents per mile traveled in the performance of such duties.

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

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 11th day of February, A. D. 1919.

CHAPTER 79

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 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 of March following, there shall be added thereto a penalty of four per cent. Said penalties so added shall be collected and 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 taxes.

On all State and county taxes unpaid by first day of December is placed penalty of one per cent; unpaid by January 1, two per cent; February 1, three, and March 1, four per cent.

SEC. 2. That this act shall apply only to Edgecombe County.

Application of act limited to Edgecombe county.

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

Ratified this the 7th day of February, A. D. 1919.

CHAPTER 80

AN ACT TO PROVIDE COMPENSATION FOR THE COUNTY OFFICERS OF DARE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be the duty of the county commissioners of Dare County, at their discretion, to provide for the payment of salaries in lieu of fees now received, for the clerk of the Superior Court, sheriff, register of deeds and the treasurer of the said county: *Provided*, that the total amount of the said salaries so to be fixed by the county commissioners shall not exceed 33 $\frac{1}{3}$ per cent in excess of the amounts now received by the said clerk of the Superior Court, sheriff, register of deeds, and the treasurer, respectively.

Salaries of clerk, sheriff, register and treasurer to be fixed by commissioners.

Proviso: That salaries shall not exceed by more than 33 1-3 per cent amount received from fees.

SEC. 2. That upon the fixing of the salaries of the county officers as aforesaid, all fees, of whatever nature or kind, received by the said clerk of the Superior Court, sheriff, register of deeds,

Fees turned into treasury.

and treasurer shall be turned into the treasury of the county for use in the payment of the general expenses of the county.

SEC. 3. All laws and parts of laws in conflict with the provision of this act are hereby repealed.

SEC. 4. This act shall be in force from and after its ratification. Ratified this the 11th day of February, A. D. 1919.

CHAPTER 81

AN ACT TO AMEND SECTION 5245 OF THE REVISAL OF 1905, RELATING TO COMPENSATION ALLOWED SHERIFFS FOR THE COLLECTION OF TAXES, AND REGULATING THE COMPENSATION ALLOWED THE SHERIFF OF LEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five thousand two hundred and forty-five of the Revisal of nineteen hundred and five, entitled, "Sheriff settles, when," be and the same hereby is amended by adding at the end thereof the following words, to wit:

"*Provided further*, that the sheriff of Lee County shall receive four per cent on all taxes, licenses and privileges collected by him for State, county, township, school district, or other purposes whatsoever, up to the sum of fifty thousand dollars, and upon all such sums so collected by him in excess thereof, he shall receive two per cent commission, in lieu of the compensation at present allowed him for the collection of taxes."

SEC. 2. *Provided further*, that this amendment as to Lee County shall not apply to the incumbent during his present term of office, but it shall be in full force and effect from and after the first Monday in December, one thousand nine hundred and twenty.

Ratified this the 11th day of February, A. D. 1919.

CHAPTER 82

AN ACT TO AMEND CHAPTER 180, PUBLIC LAWS 1907, RELATIVE TO THE CRIMINAL COURT OF PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and eighty, Public Laws of nineteen hundred and seven, be and the same is hereby amended by adding at the end of said chapter the sections which shall be as follows:

"SEC. 24. That there is hereby created the office of 'county prosecutor' for Pasquotank County, which office shall be filled by

Sheriff to receive four per cent on all taxes up to \$50,000, over that amount two per cent.

Act does not apply to incumbent.

Law amended.

Office of county prosecutor created.

a reputable lawyer of said county. Said prosecutor shall be elected by the qualified voters of Pasquotank County at the first general election for county officers following the ratification of this act, at the same time and in the same manner as members of the General Assembly. The term of office of the said prosecutor shall be two years from and after the first Monday in December next succeeding his election. Until said election is held, Ernest L. Sawyer be and he is hereby appointed to serve as such prosecutor in Pasquotank County from and after the ratification of this act and until his successor is elected and qualified as provided for in this act. Said prosecutor, before entering upon the discharge of his duties, shall take and subscribe the oath of solicitors before the clerk of the Superior Court of Pasquotank County, or some other person qualified to administer oaths, which oath shall be filed and recorded by the clerk of the Superior Court in Pasquotank County.

Term of office.

Prosecutor appointed.

Successor.

"Sec. 25. Said prosecutor shall appear for the State in all criminal actions or matters heard before the trial justice and shall receive as compensation therefor one-half the fees as are now prescribed by law for solicitors, except that in prosecutions for violation of city ordinances the fee shall be two dollars for each conviction, and said fees shall be taxed in the bill of cost, to be collected and paid the prosecutor as now provided by law for solicitors.

Duties.

Compensation.

"Sec. 26. Any vacancy that may appear in the above-named office either by death, resignation, failure to qualify, or for any other cause, shall be filled for the unexpired term by the board of county commissioners of Pasquotank County."

How vacancy in office is to be filled.

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

Ratified this the 11th day of February, A. D. 1919.

CHAPTER 83

AN ACT TO AMEND CHAPTER 190 OF THE PUBLIC LAWS OF NORTH CAROLINA OF 1913, FIXING THE SALARIES OF CERTAIN OFFICERS OF GASTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred ninety of Public Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows:

Law amended.

By striking out in line 1 of section four the words "two thousand" and inserting in lieu thereof the words "two thousand five hundred"; and by striking out in line 2 of said section the figures "\$2,000" and inserting in lieu thereof the figures "\$2,500"; and by striking out in lines 6 and 7 of said section the words

Sheriff's salary increased from \$2,000 to \$2,500.

Sheriff relieved of collecting taxes in Gastonia Township. "said sheriff shall collect all taxes in Gastonia Township," and add after the words "Gastonia Township," the words "in this township there shall be two tax collectors; one for the city of

Collectors provided; one for city of Gastonia; one for township outside of city. Gastonia, and one for Gastonia Township, outside the city of Gastonia," and by striking out in line 2 of section six of said chapter the words "two thousand" and inserting in lieu thereof

Register of deed's salary increased from \$2,000 to \$2,500. the words "two thousand five hundred"; and by striking out in said line 2 the figures "2,000" and inserting in lieu thereof the figures "2,500"; and by striking out in lines 4 and 5 the words

Deputy register to receive \$1,200. "six hundred" and inserting in lieu thereof the words "one thousand two hundred"; and by striking out in line 5 the figures

Extra help for register's office. "\$600" and inserting in lieu thereof the figures "\$1,200"; and by adding to said section the following: "The register of deeds shall be allowed the sum of five hundred dollars (\$500) per annum additional for extra help and assistance employed in preparing the tax books for each year."

Treasurer's salary increased from \$1,200 to \$1,500. And by striking out in line 2 of section seven of said chapter the words "twelve hundred" and inserting in lieu thereof the

Auditor's salary increased from \$1,200 to \$1,500. words "fifteen hundred"; and by striking out in line 2 of section seven the figures "\$1,200" and inserting in lieu thereof the figures

Clerk of court's salary raised from \$2,000 to \$2,500 and given \$1,200 instead of \$600 for deputy hire. "\$1,500"; and by striking out in line 3 of section eight of said chapter the words "one thousand two hundred" and inserting in lieu thereof the words "fifteen hundred"; and by striking out in

line 3 of section eight the figures "\$1,200" and inserting in lieu thereof the figures "\$1,500"; and by striking out in lines 3 and 4 of section nineteen the words "two thousand" and inserting in lieu thereof the words "two thousand five hundred"; and by striking out in line 4 of section nineteen the figures "\$2,000" and inserting in lieu thereof the figures "\$2,500"; and by striking out

Salaries effective from December 1, 1918. in line 6 of said section nineteen the words "six hundred" and inserting in lieu thereof the words "twelve hundred"; and by striking out in line 6 of said section nineteen the figures "\$600" and inserting in lieu thereof the figures "\$1,200."

SEC. 2. That the salaries fixed as aforesaid shall be effective from and after December first, one thousand nine hundred and eighteen, and that hereafter such salaries be payable monthly, and that all other changes and amendments hereinbefore set out shall be in force from and after the ratification of this act.

Law repealed. SEC. 3. Chapter three hundred and fifty-two of the Public-Local Laws of one thousand nine hundred and fifteen be and is hereby repealed.

Law repealed. SEC. 4. Chapter five hundred and seventy-seven of Public-Local Laws of one thousand nine hundred and seventeen be and is hereby repealed.

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

Ratified this the 11th day of February, A. D. 1919.

CHAPTER 84

AN ACT TO PROVIDE GOOD ROADS IN GOLD MINE TOWNSHIP, FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That J. H. Wood, C. C. Murphey, and G. M. Raynor are hereby constituted a board of township road commissioners, to be known as Township Road Commission of Gold Mine Township. C. C. Murphey shall hold the position of commissioner for a period of one year, J. H. Wood shall hold the position of commissioner for two years, and G. M. Raynor shall hold the position of commissioner for three years. At the expiration of the term of any of said commissioners their successors shall be elected for three years by the board of commissioners for Franklin County. All vacancies caused by death, resignation or removal from said township shall be filled for the unexpired term by the remaining members of said board.

Township road
commission
created.

Terms of office.

Successors.

How vacancies
shall be filled.

Sec. 2. That the said township road commission 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 Township Road Commission of Gold Mine Township, 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 and purchase, 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 lands, 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. The said township road commission shall use the fund derived from the sale of bonds or by levy of special tax, or whatever way derived, as authorized by this act, to locate, construct, reconstruct, surface, repair, improve, and maintain, the public highways and bridges in the township under their jurisdiction; shall purchase such materials, and purchase and hold or contract for the use of such tools, machinery, implements, and teams, as they may deem necessary for carrying on the road work of said township, and perform such other duties as are hereinafter provided for by this act.

Body corporate.

Powers.

Duties.

Sec. 3. That it shall be the duty of the said township road commission to take charge of laying out, opening, altering, maintaining, or discontinuing of any and all roads of said township that are now maintained, or may be maintained by the township as public roads, and it is hereby vested with all powers and rights now vested in the board of county commissioners, or other com-

To have general
supervision of
roads.

mission or board, or other road officials of said township for the general supervision of such roads of said township and for the construction and repair thereof, by contract or otherwise as may be deemed best.

Organization of commission.

SEC. 4. The township road commission shall annually from the date of its organization elect a chairman and a secretary who shall hold office for one year, and until their successors shall be elected and qualified. All moneys expended by said commission shall be by draft upon the bank or banks which are depositories for said road fund, and said drafts shall be signed by the secretary and countersigned by the chairman and shall show upon their face the purpose for which the money is expended. The members of the township road commission shall receive pay only when acting jointly as the road commission and their compensation shall be three dollars per day.

Disbursements of moneys.

Compensation.

May employ engineer and empower him to construct roads.

SEC. 5. The said township road commission for the proper working and construction of the roads may employ a competent engineer or surveyor, and may have the work done under his supervision, either by employment of labor or by contract, and may exercise such other powers and privileges as may be needed for the construction and working of said roads: *Provided*, that no person in said township shall be subject to road duty. The township road engineer, however appointed, may request, at any time, the advice of the State highway engineer in solving any problem that may arise, either technical, economical or otherwise, that may be deemed by him to be of benefit to the township, and such advice shall be without expense to the township. It shall be the duty of such engineer to keep or have kept the necessary books and accounts in detail, the expenditures for all work done through money derived by bonds issued or special road tax levy for road work in such township. It shall be his duty to keep approximate yardage, costs, and approximate classification of the materials moved in all excavations made for the purpose of building such roads.

Proviso: No free labor to be required.

To confer with State Highway Engineer at own expense.

Duty of engineer to keep record of work done.

Eminent domain.

SEC. 6. In opening new highways, widening and straightening old roads, and repairing same, the township road commission through its agents is hereby authorized to enter upon any lands and locate and build such highways. If the township road commission and the owner or owners of said land cannot agree as to the damages if any, the said township road commission shall, after sixty days from the completion of said highway, cause to be summoned three disinterested freeholders of said township, who shall go upon the land and assess the damages and benefits under the general law, as it now exists: *Provided, however*, that before entering upon land as authorized by this section, it shall be the duty of the township road commission to serve notice upon the owner or owners of said land, notifying them that the high-

Jury to assess damages.

Proviso: Notice to be served.

way is to be located upon said land under authority of this act: and *Provided further*, that in assessing the damages sustained by any landowner, the jury shall take into consideration the special benefits, if any, accruing to the landowner, and in determining such benefits, consideration shall be given to the benefits the landowner has derived from the fact that any old road right-of-way has reverted back to said landowner by reason of the relocation and construction of the new road, and if such benefits shall exceed the damages then the amount of such excess of benefits shall be assessed against the landowner, and shall constitute a lien upon the land adjoining the road and shall be collected by the sheriff in the same way as public taxes; and it is *further Provided*, that no suit shall be instituted by the landowner for damages on account of location of the road under this act until after sixty days after completion of the road across the lands of such landowner and no suit shall be instituted by any landowner unless the same is commenced within six months after the completion of the road by or across the land of the claimant: and *Provided further*, that either party may appeal to the Superior Court for the assessment of damages and benefits, where the matter shall be heard by the court and jury *de novo*. No costs shall be awarded against such township upon appeal when net damages awarded through such appeal are not greater than given by the referees.

Proviso: Benefits to be considered.

Collection of benefits.

Proviso: No suit to be instituted within sixty days after completion of road.

No suit after six months.

SEC. 7. The township road commission through its officers and agents is hereby authorized to enter upon any land, near or adjoining any public road of said township, to cut and to carry away any timber except trees or groves on improved land planted or left for shade or ornament, dig or caused to be dug, and carry away any gravel, sand, clay, dirt, or stone, which may be necessary for the proper repair and construction of roads in said township, and make, cause to be made such drains or ditches, upon any land adjoining, or lying near any road in said township, that the township road commission may deem necessary for the better condition of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person; and that any person obstructing such drains or ditches shall be guilty of a misdemeanor: *Provided, however*, that before entering upon said land as authorized by this section, it shall be the duty of the township road commission, through its representatives, to serve notice upon the owner or owners of said land, notifying them that certain material authorized to be taken by this section is required for the road work.

May use timber, gravel, sand or stone on land adjoining road.

Obstruction of ditches a misdemeanor.

Proviso: Notice to be given owner of lands entered.

SEC. 8. The owner of any land from which any timber or other material has been moved may present to the township road commission his claim therefor in writing, and upon such presentation it shall be the duty of the township road commission to set

Claim for damages to be made in writing.

Hearing of claims. Right of appeals.	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 in the county in which said township is located, to have his cause tried as in other civil cases.
Bond issue authorized.	SEC. 9. That the said township road commission shall be and it is hereby authorized and empowered to issue bonds of said township, to be styled, "Gold Mine Township Bonds," to an amount not to exceed forty thousand dollars, of such denomination and of such proportion as said commission may deem advisable, bearing interest from the date of issue thereof at a rate not exceeding six per cent per annum with interest coupons attached payable semiannually, at such time or times and at such place or places, as may be deemed advisable by said commission; said bonds to be signed by the chairman and secretary of said commission, and to be 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 commission may determine.
Denomination of bonds.	
Interest.	
Maturity.	
Not to be sold at less than par. Time of issue discretionary.	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.
Special tax for payment of interest and bonds and for maintenance of roads.	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 of said county shall, annually and at the time of levying the county taxes, levy and lay a special tax on all persons and property subject to taxation within the limits of said township, of not less than twenty-five cents and not more than seventy-five cents on the one hundred dollars assessed valuation of property, and not less than seventy-five cents and not more than two dollars and twenty-five cents on each taxable poll. The taxes so levied shall be collected as other taxes are collected and shall be paid over as hereinafter provided.
Tax rate not less than 25 nor more than 75 cents on \$100 and not less than 75 cents nor more than \$2.25 on the poll.	
Manner of depositing funds.	SEC. 11. All moneys derived from the sale of bonds, authorized and sold under the provisions of this act, shall be deposited by the direction of the board of county commissioners, in such solvent bank or banks, if any, of said township, or if there is no bank in said township, then in any solvent bank in a neighboring township of the county; said moneys to be deposited in said bank or banks to the credit of the township road commission and to be drawn upon by said commission as hereinbefore directed.

SEC. 12. Any other moneys, in whatever way collected or appropriated, which are designed to be used for the construction or maintenance of roads in such township, shall be deposited in the same bank or banks in which the moneys obtained from the bond issue or special road tax are deposited, and such moneys shall be deposited to the credit of the township road commission and shall be drawn upon by said commission as hereinbefore provided. Additional moneys.

SEC. 13. The bank or banks in which said road moneys designated in this act are deposited shall prepare monthly statements, showing the amounts paid, to whom paid, and for what purposes, and submit the same to the said township road commission, and the said road commission shall have said monthly statement posted at the courthouse door of the county. Monthly statements required of custodians of funds.
Statement posted.

SEC. 14. That all the provisions of this act, except the provisions in section nine, ten, and fifteen hereof, shall be in force from and after the ratification of this act; and that said sections nine, ten, and fifteen hereof, and the powers granted and the 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 commissioners of Franklin County. For the holding of said election the said board of county commissioners shall appoint a registrar and two poll holders and any other officers, necessary to said election, and shall order a new registration. At the close of said election said registrar and poll holders shall count and canvass the vote cast and declare the result thereof and shall report such canvass to the board of county commissioners, which board of county commissioners shall likewise canvass the vote cast and declare the result thereof, and order the recordation of such report and canvass in the minutes of said board of commissioners, and no other canvass, report or recordation shall be necessary: *Provided however*, the report may be entered in the book of election returns of said county. 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 issue of bonds and levy of special tax shall cast ballots on which shall be printed or written, "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 Road Bonds," the said bonds shall be issued, and said tax levied, and the other powers and duties exercised under said sections nine and ten hereof: *Provided*, that if a majority of said qualified voters shall fail to vote, "For Road Bonds," said board of county commissioners shall Bond issue to be submitted to vote of people.
Holding of election.
Canvass of returns.
Recordation of canvass.
Proviso: May be entered in book of election returns.
Ballots to be used in election.

order another election or elections to be held in the manner and with the same effect as above provided, at any time within four years of the date of the first election, when requested to do so by said township road commission.

If election is carried under chap. 122, Public Laws of 1913, is annulled.

SEC. 15. That if the qualified electors of said township at an election held under the provisions of this act shall authorize and empower the said township road commission to issue bonds of said township at a rate of interest not exceeding six per cent per annum; then and in that event all power and authority granted by the electors at an election held in said township under the provisions of chapter one hundred twenty-two of the Public Laws of North Carolina, session of one thousand nine hundred and thirteen, and acts amendatory thereof, shall be and the same are hereby annulled and revoked: *Provided*, all notes, obligations and debts incurred by said township for the construction of good roads in said township shall be and the same are hereby ratified and approved; and the same shall be paid and discharged out of the proceeds of sale of bonds under the provisions of this act before any part thereof shall be expended for any other purpose or purposes. And the said township road commission shall cancel and file with its records any and all notes and evidences of debt heretofore issued by said township; and the power to issue any bonds at the rate of interest not exceeding five per cent per annum under the provisions of said act of one thousand nine hundred and thirteen shall be and the same is hereby revoked and annulled.

Proviso: All debts incurred by township for roads are ratified and ordered paid from proceeds of bonds sold under this act before any sum is expended for another purpose.

Power to issue five per cent bonds revoked.

SEC. 16. That all laws and clauses of laws in conflict with the provisions of this act, so far as they relate to Gold Mine Township, Franklin County, are hereby repealed.

SEC. 17. This act shall be in force from and after its ratification.

Ratified this the 11th day of February, A. D. 1919.

CHAPTER 85

AN ACT TO ALLOW THE SEVERAL TOWNSHIPS OF MACON COUNTY, NORTH CAROLINA, TO BORROW MONEY TO BUILD OR IMPROVE ROADS, AND PROVIDE A SPECIAL TAX THEREFOR.

The General Assembly of North Carolina do enact:

Road commissioners authorized to borrow money for road purposes.

SECTION 1. That the road commissioners or road trustees of any township in Macon County, North Carolina, shall have the authority to borrow money to build, construct or regrade any public road in their respective townships and to pledge the resources of their townships as security therefor.

- SEC. 2. That the road commissioners or road trustees of such township desiring to so borrow money for construction, building or regrading of any road, shall issue the notes of said township therefor, which notes shall be signed in the official name of said road commission or road trustees, by the president or chairman of said commission or trustees and attested to by the secretary thereof, and shall bear interest at such rates as may be agreed upon, not to exceed six per cent per annum, payable annually or semiannually, as may be agreed upon. That said notes shall be payable, the first note one year from date, the second note two years from date, and so on, no note to run for more than ten years.
- SEC. 3. That no road commissioners or road trustees of any township in said county of Macon shall borrow more money than ten per cent of the taxable property of said township, nor shall they borrow money for a longer period than ten years, one note to be payable each and every year, until said debt is all paid.
- SEC. 4. That if any road commissioners or road trustees of any township in Macon County shall borrow money under the provisions of this act, it shall then be the duty of such road commissioners or road trustees to ascertain the amount of taxes that will be necessary to pay off and fully discharge one note each year and the interest on all notes, and shall make a written demand on the county commissioners of Macon County to levy such special tax, and it shall be the duty of the county commissioners of Macon County to levy such special road tax as may be so requested by said road trustees or road commissioners, which tax shall be levied on all the real estate and personal property of said township and collected by the sheriff or the tax collector, and should the road commissioners or road trustees of any township borrowing money under the provision of this act fail to demand the levying of such special tax, then and in that case the county commissioners shall levy on their own motion sufficient special tax to comply with the requirements of this act, which special tax shall be levied on all the property of said township.
- SEC. 5. That before this act shall take effect and be in force in any township in Macon County, the question of special road tax or no special road tax shall be submitted to the qualified voters of said township.
- SEC. 6. That upon the written request of a majority of the members of a highway commission or board of road trustees in any township in Macon County, addressed to the board of commissioners of Macon County, stating the amount of taxes to be levied and the amount of short term notes to be issued hereunder, it shall be the duty of said board of commissioners of Macon County to order an election for said township, at which there shall be submitted to the voters of said township the question as

May issue township notes.

Notes to be signed in official name.

Rate of interest, how payable. Time of maturity of notes.

Not to borrow more than 10 per cent of value of taxable property.

Rate of tax necessary to pay notes to be levied by commissioners on demand.

Taxes on real and personal property.

Duty of Commissioners to levy tax, whether demand is made or not.

Before act effective, question of special tax to be voted on.

Request of majority of highway commissioners sufficient to call election.

Notice of election to be published.

Notice to give date of election, purpose and amount of tax and money to be borrowed.

To name registrar and judges of election.

Registrar and judges to be appointed.

Form of ballot prescribed.

Registration books to be kept open fifteen days.

Election to be held under general election laws.

If majority fails to vote for road tax commissioner's power not exhausted.

May submit question at subsequent elections.

to whether or not the said township shall levy a special tax for road purposes, to pay the interest and principal on the notes provided for in this act. The said board of commissioners shall give notice of said election by publication once a week for four successive weeks preceding the election in some newspaper published in the county of Macon and by publishing the notice at the courthouse door and four other public places in said township for thirty days at least next preceding the election. The said notice shall give the date of the election, the purpose for which and the place at which the same shall be held and shall also state the amount of special tax to be levied and the total amount of money to be borrowed under this act, and shall also give the names of the registrar and judges of election.

SEC. 7. For the holding of said election the said board of county commissioners shall appoint a registrar and two judges. At the close of said election said registrar and judges shall count and canvass the vote cast and declare the result thereof and shall report such canvass to the board of county commissioners, which said report shall be recorded in the minutes of said board of county commissioners, and no other canvass, report or record shall be necessary. At the said election, all those voters who shall favor a special road tax shall cast a ballot on which shall be written or printed the words "For Special Road Tax," and all those voters who shall be opposed to the special road tax shall cast a ballot on which shall be written or printed the words "Against Special Road Tax." That the registration books of said township shall be kept open for fifteen days and shall close on the fourth day before the election; in all other respects the said election shall be held and conducted in accordance with the laws governing general elections in this State, as nearly as may be, and the expenses of such election shall be paid out of the general road fund of said township. If a majority of those voting shall vote "For Special Road Tax" then the highway commission or board of road trustees of said township shall issue the notes as in this act specified, and perform all other duties in connection therewith as in this act provided: *Provided*, that if a majority of the voters voting at said election shall fail to vote "For Special Road Tax" the power of the board of commissioners in Macon County to submit the question of a special road tax to the voters of said township shall not be exhausted; but it shall be the duty of said board of commissioners, at the request of a majority of the members of the high commission or board of road trustees of any township in Macon County to submit said question to the voters of said township at successive elections, to be held and paid for as hereinbefore provided, until the said special tax shall have been authorized and short-term notes issued under the provisions

of this act: *Provided further*, that no subsequent election shall be held until one year has elapsed since the preceding election on such question.

SEC. 8. After an election shall have been held in accordance with the provisions of this act resulting favorable to the levying of a special road tax, the highway commission or board of road trustees of said township shall at once proceed to issue the short term notes called for in this act for the same amount as was designated in the notice given for the holding of said election.

SEC. 9. That in order to secure federal aid for the roads in Macon County, the highway commission or board of road trustees of any township in Macon County having voted for special road tax under this act, shall have authority to issue the short term notes as set forth herein and turn the same over to the county commissioners of Macon County, or other authorities that might be necessary to secure federal aid, but the amount of said notes as was issued by said township, together with a like amount secured from federal aid, shall then be turned over to the highway commission or board of road trustees of the township issuing said note, to be used by them in the construction of roads as herein provided.

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

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

Ratified this the 11th day of February, A. D. 1919.

CHAPTER 86

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF RANDOLPH COUNTY TO ISSUE BONDS FOR THE PURPOSE OF ERECTING BUILDINGS FOR A COUNTY HOME FOR THE AGED AND INFIRM; AND TO PROVIDE FOR THE REMOVAL OF SAID HOME FROM ITS PRESENT SITE.

The General Assembly of North Carolina do enact:

SECTION 1. That in order to provide funds for the erection of suitable buildings for a county home for the aged and infirm of Randolph County, and for the purpose of properly equipping and furnishing said buildings for the purpose aforesaid, the board of commissioners of Randolph County is hereby authorized and empowered to issue and sell coupon bonds of said county of Randolph to an amount not exceeding \$40,000 in denominations of either \$500 or \$1,000, bearing interest from the date of said bonds

Provided, elections shall not be held oftener than every twelve months.

If election for road tax, notes to be issued at once.

To secure Federal aid, notes to be delivered to proper authority.

Funds to be distributed to townships voting special tax.

To provide funds for county home.

Commissioners to issue bonds not to exceed \$40,000.

Denomination prescribed.

Rate of interest. at a rate not to exceed 6 per cent per annum payable at a time
 Maturity not to be to be fixed by said board not to be longer than thirty years from
 over 30 years from date of issue. Said bonds are to be signed by the chairman of said
 from date of issue. date of issue. Said bonds are to be signed by the chairman of said
 How signed. board and countersigned by the clerk to said board.

Bonds not to be sold for less than par. SEC. 2. That no bond issued under the provisions of this act shall be sold for less than its par value.

Commissioners authorized to change site. SEC. 3. That said board of county commissioners for Randolph County is hereby authorized and empowered to change the location of said county home from its present site to the lands recently purchased by said board of commissioners one mile west of Ashboro, N. C., on the Salisbury Road and to erect the buildings hereinbefore provided for on said land.

New location.

SEC. 4. That all laws or 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 11th day of February, A. D. 1919.

CHAPTER 87

AN ACT TO AMEND CHAPTER 551 OF THE PUBLIC-LOCAL LAWS 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:

Maximum tax rate on property increased from 30 to 50 cents. 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.

Maximum rate on poll made \$1.50 instead of 90 cents. 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.

Part of proceeds to go to maintenance of roads. SEC. 3. That the period at the end of said section nine shall be changed to a semicolon and the following added to the end of said section: "and third to the maintenance and improvement of the roads in said township."

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

Ratified this the 13th day of February A. D. 1919.

CHAPTER 88

AN ACT TO PROHIBIT THE OBSTRUCTION OF CREEKS AND DRAINWAYS EMPTYING INTO SCUPPERNONG RIVER.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to set or fish any net or place any other obstruction of any kind within one hundred and fifty yards of the mouth of any creek or drainway emptying into Scuppernong River. Unlawful to set nets or place other obstruction within certain limits.

SEC. 2. That it shall be unlawful for any person, firm or corporation to set or fish any net or place any obstruction more than one-third of the total width of Scuppernong River at the point of setting the same: *Provided*, this section shall not apply below Cross Landing Bridge. No fish net or other obstruction to reach more than one-third of width of river.

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

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

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

Ratified this the 11th day of February, A. D. 1909.

CHAPTER 89

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF GRAHAM COUNTY TO PUT A GOOD WIRE OR STEEL FENCE AROUND THE COURTHOUSE AND KEEP ALL THE PUBLIC BUILDINGS IN GOOD SANITARY CONDITION.

The General Assembly of North Carolina do enact:

SECTION 1. To authorize the board of county commissioners of Graham County to cause to be put a good steel or heavy wire fence around the courthouse and keep, or cause to be kept, all the public buildings in good, sanitary condition. Commissioners authorized to fence in courthouse.

SEC. 2. If the board of county commissioners of Graham County shall fail or refuse to comply with this act, they shall be guilty of a misdemeanor, and on conviction be punished in the discretion of the court. Guilty of misdemeanor if they fail to do so.

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 11th day of February, A. D. 1919.

CHAPTER 90

AN ACT TO AMEND CHAPTER 575 OF THE PUBLIC-LOCAL LAWS OF 1915, FOR THE PAYMENT OF THE SALARY OF THE COUNTY SUPERINTENDENT OF PUBLIC INSTRUCTION OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That section one of chapter five hundred and seventy-five of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby repealed and the following enacted in lieu thereof:

Board of education to fix salary of superintendent and assistant.

"SECTION 1. That the salary of the county superintendent of public instruction of Robeson County and the salary of his assistant shall be fixed by the county board of education in such amounts as in their discretion may seem proper. Said salaries to be paid from the general county school fund in equal monthly installments, upon such vouchers as are now required for the disbursement of the general county school fund."

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

Ratified this the 13th day of February, A. D. 1919.

CHAPTER 91

AN ACT TO AMEND CHAPTER 107 OF THE PUBLIC-LOCAL LAWS OF 1911, RELATING TO DEVELOPMENT OF PUBLIC ROADS IN MURPHY TOWNSHIP, CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Highway Commission of Murphy Township abolished.

SECTION 1. That the Highway Commission of Murphy Township, Cherokee County, created and mentioned in chapter one hundred and seven, Public-Local Laws of one thousand nine hundred and eleven, and chapter two hundred and fifty, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby abolished and the powers, duties, and rights of such commission are hereby transferred to the board of county commissioners of Cherokee County, and the said board of county commissioners shall have the power to exercise all of the duties and powers that the board of highway commissioners is given in the said acts.

Duties and rights transferred to commissioners.

Section 13, chapter 107, Public-Local Laws 1911, repealed.

SEC. 2. That section thirteen of chapter one hundred and seven of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby repealed and the following enacted in lieu thereof:

"That the board of county commissioners shall attend to the duties mentioned in the aforesaid acts on the regular meeting days of the board and the commissioners shall receive no compensation therefor: *Provided*, that if, in the performance of the duties of highway commissioners of Murphy Township, it becomes necessary for the county commissioners to serve upon a day or days other than the regular meeting days of the commissioners, then, for such service, they shall receive a per diem compensation equivalent to their per diem compensation from the county for services on regular meeting days, such special compensation to be paid out of the road fund for Murphy Township."

Commissioners to attend to duties mentioned. To receive no compensation.

If necessary service on other than regular meeting days to receive per diem, to be paid out of road fund of Murphy Township.

SEC. 3. That section four, chapter one hundred and seven of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby repealed and the following enacted in lieu thereof:

Section 4, chapter 107, Public-Local Laws 1911, repealed.

"That the office of treasurer of the highway commission of Murphy Township, mentioned in chapter one hundred and seven of the Public-Local Laws of one thousand nine hundred and eleven, and chapter two hundred and fifty of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby abolished and the powers, duties, and rights of said treasurer shall be transferred to the treasurer of Cherokee County, and the said treasurer of Cherokee County shall have the power to exercise all the duties and powers that the treasurer of the highway commission is given in the aforesaid acts, and shall receive for his commissions one-half of one per centum on all moneys received by him from the tax books for public roads in Murphy Township only."

Office of treasurer of Highway Commission of Murphy Township abolished.

Powers and duties transferred to county treasurer.

Treasurer to exercise powers and duties given in certain acts.

Compensation one-half of one per cent.

SEC. 4. That whenever it is practicable, the main roads of Murphy Township shall be maintained and improved by contractors who shall be paid out of the road fund of the said township. It shall be the duty of the county commissioners to advertise for and receive bids for the maintenance and improvements of the main roads of Murphy Township, and they shall have the right to let the work for a period not to exceed two years to the lowest responsible bidder: *Provided*, that with each bid there shall be submitted plans and specifications of the work contemplated; and *further Provided*, that if no satisfactory bid is received they shall have the right to have the work done by the superintendent of roads, subject to their advice and approval from time to time.

Main roads to be maintained and improved by contractors wherever practicable.

Commissioners to advertise for and receive bids, and to let contracts.

Plans and specifications to be submitted.

If no satisfactory bid received, work to be done by superintendent of roads.

SEC. 5. If any such work shall be let to a contractor, it shall be the duty of a contractor to furnish a bond conditional upon the favorable performance of the work as specified, which bond shall be made by some solvent surety company, authorized to do busi-

If contracted, contractor to furnish bond.

Premium on bond to be paid by contractor. ness in North Carolina, and the premium of the said bond shall be paid by the contractor, or other good securities on real estate above homestead.

Chapter 107, Public Local Laws of 1911, amended.

SEC. 6. That section seven of chapter one hundred and seven of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby amended by striking out from said section the second sentence and inserting in lieu thereof the following:

Superintendent to hold office during pleasure of commissioners.

“Such superintendent shall hold office during the pleasure of the commissioners electing him, and it shall be his duty each month to inspect the work done on the main roads of the township, and submit to the commissioners on the first Monday of each month a verified report in writing of the result of his inspection as required by said board of county commissioners. Said superintendent shall serve not more than five days in each month and shall receive a compensation of two dollars and one-half for each day of service: *Provided*, that where an investigation, ordered by the commissioners, of roads other than main roads, known as by-roads, necessitates his serving in any month a number of days in excess of five, he shall receive a compensation of two dollars and one-half for each day of actual service.”

To submit reports in writing.

Time of service and compensation.

Exception: May serve longer time on special work.

SEC. 7. That section ten, chapter one hundred and seven of the Public-Local Laws of one thousand nine hundred and eleven, as amended by section three, chapter two hundred and fifty of the Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby repealed and the following enacted in lieu thereof:

Section 10, chapter 107, Public-Local Laws 1911, as amended, repealed.

Roads other than main roads to be maintained by hands liable for road service, or commutation.

“That the roads of Murphy Township other than the main roads shall be maintained and improved by the labor and hands liable for road service or from funds paid in commutation of road service. The county commissioners shall, as soon as practicable, divide the roads other than the main roads of Murphy Township into sections and assign the hands liable for road service to their proper sections and appoint an overseer for each section. Every person now liable under the general road law to road duty shall work on the same for six days of each year at the call or summons of the overseer of his section, or in lieu thereof shall pay to the overseer of his section one dollar for each day he may fail to work when so summoned. In case of damage to any road by storm or freshet, said road hands shall be liable to such work as may be necessary to repair the same over and above the said six days labor. For the purpose of this act, eight hours shall constitute a day's work. Any person wilfully failing to respond to the summons of the overseer shall be guilty of a misdemeanor and upon conviction therefor before a justice of the peace shall be fined five dollars for each day he fails to work. It shall be the duty of the overseer to file a list verified by his oath with some

Roads to be divided into sections.

Overseer to be appointed.

Road duty of six days prescribed.

Commutation in lieu of labor.

In case damage by storm or freshet, hands liable to necessary labor.

Eight hours to constitute day's work.

Person failing to respond to summons guilty of misdemeanor.

Penalty.

justice of the peace of all hands refusing or failing to work or pay the cash commutation in lieu thereof after each road working unless said road hand was absent and said justice of the peace shall thereupon issue his warrant for all said delinquents and have them brought before him for trial.' Overseer to file list of hands failing or refusing to work.

SEC. 8. The overseer of each section shall take immediate charge of the work of repairing and maintaining the roads of his section; upon failure so to do, shall be fined five dollars for each offense. All moneys collected by an overseer in lieu of work shall be expended by him upon that section of the roads of Murphy Township which shall be assigned to him for repair. Each aforementioned road overseer of Murphy Township shall, on the first Monday in each month, make to the county commissioners a report on the work done in his section and on the money received and expended by him during the preceding month and the statement of any road money which he may have on hand, and for this service shall receive one dollar for each report. Overseer to take immediate charge of work. Penalty for failure. Moneys collected by overseer to be expended by him upon proper sections. Overseer to make report to commissioners on first Monday.

SEC. 9. The County Commissioners of Cherokee County are hereby required to have a good, strong, and sufficient gate or gates erected across and at the end of the road where it approaches the iron bridge which crosses Hiawassee River, where it leads into Shoal Creek Township and known as Shallow Ford Bridge, and they are authorized to erect such other gate or gates across the roads in said township at the end of any road leading into stock law territory, as they may deem necessary, and pay for same out of the road funds of Murphy Township. Commissioners to erect gates across stock-law boundaries.

SEC. 10. All laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

SEC. 11. This act shall be in force from and after the first day of June, one thousand nine hundred and nineteen.

Ratified this the 13th day of February, A. D. 1919.

CHAPTER 92

AN ACT TO REPEAL SECTIONS 2, 3, 4, 5, 6, 7, and 8 OF CHAPTER 295 OF THE PUBLIC LAWS OF 1901, RELATING TO ROWAN COUNTY IN REGARD TO FISHING.

The General Assembly of North Carolina do enact:

SECTION 1. That sections two, three, four, five, six, seven, and eight of chapter two hundred and ninety-five of the Public Laws of one thousand nine hundred and one, on page four hundred and thirty-one, be and the same are hereby repealed: *Provided*, this Sections Rowan game law repealed. Restrictions removed from use of seines.

Proviso: Game law of 1913 not affected by this act.

act shall not affect nor repeal section six of chapter five hundred and ninety-one of the Public-Local 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 13th day of February, A. D. 1919.

CHAPTER 93

AN ACT TO AMEND SECTION 8, CHAPTER 508, PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE DUTIES OF SHERIFF OF LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Section 8, chapter 508, Public-Local Laws 1915, repealed.

SECTION 1. That section eight of chapter five hundred and eight, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby repealed, and the following substituted and enacted therefor and to be designated as section eight of said act to wit:

Retiring sheriff to turn over books and unfinished business to successor.

“That whenever a sheriff of Lincoln County goes out of office by reason of the expiration of his term of office, he shall be required to turn over to his successor all books, papers, and accounts showing uncollected taxes, licenses and all unfinished business of his office, including all tax books and receipts, and the incoming sheriff shall perform all the duties of the office and collect all uncollected taxes: *Provided*, only tax receipts for taxes levied during the current year shall be turned over to the incoming sheriff, and the outgoing sheriff shall retain and collect all taxes for which he has or should have settled and paid to the proper officers as required by law; and for any taxes which said sheriff should have collected, accounted for, and paid, such sheriff and his tax bond shall be and remain liable: *Provided further*, the incoming sheriff shall have given bonds required by law and shall have been inducted into office before said transfer shall be made, and the incoming sheriff upon his bonds shall be liable for the faithful accounting of same: *Provided further*, that the provisions of this act shall apply to the outgoing sheriff, whose term of office expired on the first Monday in December, one thousand nine hundred and eighteen, and shall also apply to the incoming or present sheriff who was inducted into office first Monday in December, one thousand nine hundred and eighteen, and the said outgoing and incoming or present sheriff shall, immediately upon ratification of this act, comply with the conditions of same. The outgoing sheriff upon said transfer shall make settlement of all taxes collected by him with the proper authorities

Proviso: Outgoing sheriff shall retain and collect taxes for which he has or should have settled.

Second proviso: Incoming sheriff shall have given bond.

Third proviso: Act shall apply to sheriff whose term expired December, 1918.

and pay same to the proper officers entitled to receive same. The incoming or present sheriff shall proceed to collect all uncollected taxes, licenses and all taxes required and shall be liable for same upon his official bonds.

SEC. 2. The outgoing and incoming sheriff shall receive no compensation for the duties herein required.

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

SEC. 4. All laws in conflict are hereby repealed.

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

Ratified this the 13th day of February, A. D. 1919.

CHAPTER 94

AN ACT TO ABOLISH OFFICE OF TAX COLLECTOR FOR McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of tax collector for McDowell County created under and by virtue of chapter one hundred and seventy-two of the Public-Local Laws of session nineteen hundred and

Office of tax collector abolished.

seventeen, be and the same is hereby abolished: *Provided, however,* that the tax collector appointed under said chapter shall perform all the duties and enjoy all the emoluments provided in said chapter in the collection of taxes levied during the years

Proviso: Present collector to serve during 1919 and 1920.

Proviso: Act not to interfere with collection or settlement of 1919 and 1920 taxes.

and, *Provided further,* that this act shall in no way interfere with the said tax collector in the collection and settlement of taxes and his compensation therefor for said two years whether completed and received or not before this act becomes effective.

SEC. 2. That the duties imposed upon the tax collector under and by virtue of chapter one hundred and seventy-two of the Public-Local Laws of nineteen hundred and seventeen shall devolve upon and be performed by the sheriff of McDowell County,

Duties of tax collector assigned to sheriff.

and as full compensation the said sheriff shall receive for his services in the collection and settlement of taxes three per centum of the amount actually collected and paid over by him.

Compensation of sheriff.

SEC. 3. That the sheriff elected at the general election in the year nineteen hundred and twenty shall under this act, after making bond as required by law, collect all taxes which are levied and which shall become due after the date on which this act shall become effective.

Sheriff to collect all taxes after act becomes effective.

SEC. 4. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 5. That this act shall be in force from and after the first Monday in December, A. D. nineteen hundred and twenty.

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 95

AN ACT TO AMEND CHAPTER 238 OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION 1895, RELATING TO THE PAY OF THE COTTON WEAHER OF CABARRUS COUNTY.

The General Assembly of North Carolina do enact:

Concord removed from list of towns with cotton weighers provided by act of 1895.

SECTION 1. That section one of chapter two hundred and thirty-eight of the Public Laws of North Carolina, session eighteen hundred and ninety-five, be amended by striking out the words "town of Concord" in line three of said section.

SEC. 2. That said chapter two hundred and thirty-eight of the Public Laws of North Carolina, session one thousand eight hundred and ninety-five, be and the same is hereby further amended by striking out all of section seven of said chapter and inserting in lieu thereof the following:

Purchasers of cotton at Concord, for each bale weighed to pay twenty cents.

"SEC. 7. That the said cotton weigher of Cabarrus County shall receive as compensation for his services the sum or sums to be collected and paid as hereinafter provided: Every person, firm or corporation who buys baled cotton in the city of Concord shall pay to the said cotton weigher twenty cents per bale for all cotton

Purchaser to retain from money due seller ten cents for each bale.

bought by him in said city; and it shall be lawful for the said cotton buyer to retain from the amount of money due the seller or owner of such cotton the sum of ten cents for each bale so bought by him, and every person, firm or corporation who buys baled

Buyers outside city of Concord to pay ten cents per bale, retaining five cents from seller.

cotton in Cabarrus County, outside of the city of Concord, shall pay to the said cotton weigher of Cabarrus County ten cents per bale for each bale of cotton bought by him or it, or weighed or caused to be weighed for manufacture, shipment or transportation; and it shall be lawful for the said person buying said cotton to retain from the amount of money due the seller or owner of such cotton the sum of five cents for each bale so bought, weighed

Outside buyers to keep record of weighings.

or caused to be weighed; and it shall be the duty of each and every person, firm or corporation who buys or weighs any baled cotton in said county, outside of the city of Concord as and for any of the purposes hereinbefore set out, to weigh said cotton at its true and just weight and keep a record of the time, showing the date of weighing, the name of the seller or his agent, the name of the buyer and the price paid for each bale, and shall give a copy of same to the seller or his agent, when requested to

Report in detail to be made to cotton weigher monthly.

do so and shall make a detailed report of the cotton so bought or weighed by him or it to the cotton weigher of Cabarrus County on the first day of each month, or oftener if requested to do so by said cotton weigher, and settle with and pay over to said cotton weigher the amount due for the cotton bought or weighed

Violation a misdemeanor.

by him or it; and any person wilfully and wantonly violating the provisions of this section shall be guilty of a misdemeanor; and

the said cotton weigher shall have a lien on any cotton weighed by him or other person as hereinbefore provided, and may sell the same in the open market without advertising to satisfy his account for weighing said cotton and shall pay any surplus remaining to the said buyer or owner; and his said lien shall take precedence of all other liens." Weigher's lien to satisfy account.

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

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 96

AN ACT TO INCREASE THE COMPENSATION OF THE COUNTY COMMISSIONERS OF POLK COUNTY AND PROVIDE A METHOD FOR THEIR ELECTION.

The General Assembly of North Carolina do enact:

SECTION 1. That the compensation of the members of the board of county commissioners of Polk County shall be at the rate of four dollars per day for such time as they are engaged upon the actual work of the county: *Provided*, that the chairman and members of the said board of county commissioners shall be allowed mileage at the rate of five cents per mile traveled each way in attending the meetings of the board. Commissioners' per diem made four dollars.
Mileage.

SEC. 2. At the general election for county officers in the year one thousand nine hundred and twenty, ballots shall be prepared for the election of three county commissioners for the county of Polk upon which shall appear the names of the candidates for the said office. One commissioner shall be elected for a term of four years and two commissioners for a term of two years each. The candidate receiving the highest number of votes shall be declared elected to the four-year term and the two candidates receiving the next highest number of votes shall be declared elected in the two-year terms. Biennially thereafter, at each general election for county officers, two members of the board of county commissioners shall be elected in the county of Polk, the candidate receiving the highest number of votes being declared elected for the four-year term and the candidate receiving the next highest number of votes shall be declared elected to the two-year term. Manner of electing commissioners prescribed.
Terms of office.
Successors.

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

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

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 97

AN ACT TO AMEND CHAPTER 87 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE OFFICE OF TAX COLLECTOR OF BUNCOMBE COUNTY, ETC.

The General Assembly of North Carolina do enact:

Commission reduced from three to two and one-half per cent.

SECTION 1. That section one (1) of chapter eighty-seven (87) of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the words "three per cent" in line four (4) thereof and inserting in lieu thereof the words "two and one-half per cent."

SEC. 2. That this act shall be in full force and effect on and after the first day of June, one thousand nine hundred and nineteen.

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 98

AN ACT TO FIX THE SALARIES OF CERTAIN OFFICERS OF RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

Salary of Rockingham Township deputy sheriff increased.

SECTION 1. That section five, chapter six hundred and three, of the Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out from line two thereof the words "nine hundred dollars" and inserting in lieu thereof the words "twelve hundred dollars."

SEC. 2. That chapter six hundred and three of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out section eight, as amended by chapter two hundred and thirty of the Public-Local Laws of one thousand nine hundred and seventeen, and inserting in lieu thereof the following:

Clerk's salary fixed at \$3,000 in lieu all other compensation for himself or assistants.

"SEC. 8. That the clerk of the Superior Court of Richmond County shall receive a salary of three thousand dollars (\$3,000) per annum in lieu of all other compensation whatsoever; and said clerk of the Superior Court of Richmond County shall pay out of the aforesaid salary, the salary or compensation of any deputy, clerk or any assistant that he may employ."

Nothing in act shall be deemed to prohibit sheriff, deputy or jailer from serving processes in any township of county.

SEC. 3. That nothing contained in this act or in chapter six hundred and three of the Public-Local Laws of one thousand nine hundred and fifteen as amended shall be deemed to prohibit or prevent the sheriff of Richmond County, his salaried deputy mentioned in section five or the jailor mentioned in section four, chap-

ter six hundred and three of the Public-Local Laws of one thousand nine hundred and fifteen from serving process or papers in any township in Richmond County, and the said sheriff, his salaried deputy and the jailor are hereby authorized and directed to serve process or papers and to perform any other lawful service in any part of Richmond County and to collect therefor the proper fees, all of which fees are to be accounted for and turned over to the county commissioners as provided in chapter six hundred and three of the Public-Local Laws of one thousand nine hundred and fifteen: *Provided*, that it shall be lawful and proper for the sheriff or his deputy to retain for his own use the compensation allowed by chapter eight hundred and seven of the Public Laws of one thousand nine hundred and nine and amendments thereto for the capture of illicit distilleries of intoxicating liquors.

Fees to be turned over to commissioners.

Proviso: Sheriff to retain compensation allowed by law of 1909 for capture of distilleries.

SEC. 4. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 99

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF DURHAM COUNTY TO EMPLOY AN ADDITIONAL DEPUTY REGISTER OF DEEDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Durham County is hereby authorized and empowered to provide the register of deeds with a deputy register of deeds in addition to the regular deputy now provided by law, and to regulate and fix the salary of such extra deputy, which said salary shall not exceed the sum of twelve hundred dollars per year. That if in the judgment of said board of commissioners the work in said office shall not be sufficient to justify the employment of an extra deputy for full time then said board may employ said extra deputy for such time as in their judgment they deem proper, but said deputy shall in no event be paid at a greater rate than one hundred dollars per month for such time he is so employed.

Commissioners authorized to provide extra deputy and fix salary not to exceed \$1,200 per annum.

An extra deputy may be employed for part time at \$100 per month.

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 21st day of February, A. D. 1919.

CHAPTER 100

AN ACT TO AMEND CHAPTER 12, PUBLIC-LOCAL LAWS OF THE SESSION OF 1913.

The General Assembly of North Carolina do enact:

Superintendent appointed by Forsyth highway commission to look after roads and bridges may be allowed four dollars a day. Limit of yearly compensation increased to \$400.

SECTION 1. That section thirty-three of chapter twelve, Public-Local Laws, session one thousand nine hundred and thirteen, be amended by striking out the word "three," in line four between words "allowed" and "dollars" and inserting in lieu thereof the word "five"; and that said section thirty-three be further amended by striking out the word "one" in line six of said section, between the words "exceeding" and "hundred" and inserting in lieu thereof the word "four."

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

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 101

AN ACT TO PRESCRIBE THE COMPENSATION OF THE COUNTY COMMISSIONERS AND CERTAIN OTHER OFFICIALS IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

Each commissioner except chairman to receive \$100 per annum in addition to per diem of five dollars and mileage.

Chairman to receive salary not to exceed \$1,000 per annum, same to be fixed by board. Board of Education's per diem five dollars.

Sheriff's salary.

Clerk's salary.

Commissioners on inheritance taxes.

SECTION 1. That the county commissioners of Guilford County, save and except the chairman of the board, shall receive a salary of one hundred dollars per year, and in addition thereto the sum of five dollars per day and mileage while in the actual discharge of their official duties, and that the chairman of said board of county commissioners shall in lieu of per diem and mileage receive a fixed salary of not exceeding one thousand dollars per year, and of not less than six hundred dollars per year, to be fixed by the other members of said board, and the members of the county board of education shall also be allowed five dollars per diem while in the actual discharge of their duties.

SEC. 2. That the salary of the sheriff of Guilford County shall be three thousand dollars per annum in addition to the expense fund now provided by law.

SEC. 3. That the clerk of the Superior Court of Guilford County shall receive a salary of twenty-seven hundred dollars per annum and shall in addition thereto be allowed the commissions paid to clerks of the Superior Court by the State upon the collection of inheritance taxes.

SEC. 4. That the register of deeds of Guilford County shall receive a salary of twenty-five hundred dollars per annum. Register's salary.

SEC. 5. That the salaries and compensation herein provided shall all begin on the first day of February, 1919. Effective Feb. 1, 1919.

SEC. 6. That all laws and clauses 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 21st day of February, A. D. 1919.

CHAPTER 102

AN ACT TO FIX SALARIES FOR PUBLIC OFFICERS IN GRANVILLE COUNTY AND TO PROVIDE FOR THE AUDITING OF THEIR ACCOUNTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff, clerk of the Superior Court and register of deeds of Granville County, and their respective deputies, except as hereinafter otherwise provided, 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 over to the treasurer of said county on or before the first Monday of each and every calendar month; and they shall be responsible for, and chargeable with, all fees and moneys of every kind which by law are to be or should be paid into their respective offices and shall be held to strict account therefor; and the moneys so paid shall be kept by the treasurer of said county in a separate fund to be known as the salary fund or account: *Provided*, that the clerk of the Superior Court shall collect and receive fees due the office of the register of deeds for the registration of deeds, deeds of trust, mortgages and other papers which pass through the hands of the said clerk of the Superior Court and are ordered to registration by him, the office of said register of deeds to receive credit for such fees.

Sheriff, clerk and register of deeds to pay fees to treasurer monthly.

Moneys so paid to constitute salary fund.

Proviso: Clerk shall receive fees due office of register for registration of mortgages and deeds of trust.

SEC. 2. That the said officers shall faithfully collect all fees, commissions, profits, and emoluments of all kinds now or hereafter belonging or appertaining to or which may hereafter by any law belong or appertain to their respective offices; and they shall receive for their services only such salaries and compensation as is hereinafter provided; and for any abstraction, concealment, or misapplication of any of the moneys payable into their respective offices, or which any of them have collected, any one of them so abstracting, concealing or misapplying the same shall be

Officers to receive salaries.

Concealment or misapplication of funds a felony and entails forfeiture of office.

guilty of a felony and upon conviction shall forfeit his said office and be punished as is now provided by law as in case of embezzlement by public officers.

Each officer to keep separate set of itemized accounts of moneys received.

SEC. 3. That each and all of said officers shall open and keep a separate set of account books consisting of a daily journal or ledger in which shall be promptly, correctly, truly, and accurately entered itemized accounts of all moneys collected or received by said officers or which by law shall be payable into their respective offices and all of said books shall at all times be open to the inspection of the public upon demand and said books shall be safely and securely kept so as to prevent loss or destruction by theft, fire, or any accident.

Monthly report to board of county commissioners.

SEC. 4. That on the first Monday of each and every calendar month a true and accurate transcript of said account books shall be transmitted by each of said officers to the board of commissioners of said county; said transcript to contain and show all the entries made upon said books during the preceding calendar month which said transcript shall be sworn to and duly verified by the officers filing the same.

Commissioners to provide for quarterly audit. By whom made.

SEC. 5. That it shall be the duty of the board of commissioners of Granville County to provide for an audit of all of said account books of the officers of said county quarterly; that said audit shall be made by the chairman of the board of commissioners, the county attorney, and the treasurer of said county, who shall make a written report to the board of commissioners of said county of the results of the said audit.

Compensation of commissioners.

SEC. 6. That the members of the board of commissioners of Granville County shall each receive the sum of five dollars per day and mileage at the rate of five cents per mile both ways for their services in attending the meetings of said board of commissioners: *Provided*, that the said board of commissioners may in their discretion fix the salary of the chairman of said board at an amount not exceeding thirty dollars per month in lieu of the per diem herein provided for.

Salary of chairman of board.

Compensation of board of education.

SEC. 7. That the members of the board of education of Granville County shall each receive the sum of five dollars per day and mileage at the rate of five cents per mile in going to and returning from the meetings of said board of education.

Sheriff to appoint deputies save in Oxford Township who shall receive usual fees.

SEC. 8. That the sheriff of Granville County may appoint one or more deputies in each township in the county, except in Oxford Township, which is hereinafter provided for, and allow such deputies the fees made and collected by them in serving summons, subpoenas, notices, and process of all kinds and all fees and commissions made and collected by them from executions: *Provided*, however, that said deputies shall not serve papers in Oxford Township except in cases of emergency, but nothing in this act

Proviso: Said deputies not to serve papers in Oxford Township except in emergencies.

shall relieve the sheriff and his deputies from promptly serving in any part of the county papers and process and executing writs issued to him.

SEC. 9. The sheriff shall appoint a jailor whose salary shall be one thousand and eighty dollars per annum. Said jailor in addition to jail duties shall assist in holding the courts and in serving process and other papers and in performing such other duties as may be assigned him by the sheriff. He shall keep a correct record of fees collected by him and make returns of same to the county treasurer in the same manner provided for other officers of said county. He shall receive no other compensation for performing any of the duties of his office except as herein provided for: *Provided*, this provision shall not apply to the feeding of prisoners which shall be paid for by the county commissioners at a reasonable rate fixed by them.

Compensation of jailor. Duties.

Jailor's record.

No other compensation except for feeding prisoners.

SEC. 10. The sheriff shall appoint one deputy for Oxford Township at a salary of nine hundred dollars per annum. The said deputy shall serve papers and process in Oxford Township, shall assist in holding courts, in collecting taxes, shall serve papers and process in any section of the county and shall perform such other duties of the office as may be assigned him by the sheriff. He shall keep a correct record of all fees collected by him and shall turn the same over to the county treasurer to be disposed of as herein before provided and shall receive no compensation for his services except as herein provided.

Salary and duties of Oxford Township deputy.

To keep record.

SEC. 11. The said sheriff and his deputies shall pay over to the treasurer of said county all fees, mileage and other allowances paid to them by the State of North Carolina or by any state institution for taking prisoners to the State's prison or insane persons or other defectives or dependents to the State hospitals or other State institutions. But the board of commissioners of said county shall pay said officers their actual necessary traveling expenses incurred in such duties. The said sheriff shall be entitled to and receive the fees which are now or which may hereafter be allowed by law for the capture and destruction of illicit distilleries.

Sheriff to pay to county fees and allowances paid by State.

Commissioners to pay actual traveling expenses of officers.

Sheriff to receive fees paid for capture of stills.

SEC. 12. The said sheriff shall receive a salary of twenty-two hundred dollars per annum in lieu of all other compensation whatsoever.

Sheriff's salary.

SEC. 13. That the clerk of the Superior Court shall receive a salary of twenty-four hundred dollars per annum in lieu of all other compensation whatsoever.

Clerk's salary.

SEC. 14. That the register of deeds of said county shall receive a salary of twenty-two hundred dollars per annum and the further sum of one thousand and twenty dollars per annum for clerical assistance in his office; which compensation shall be in full for the performance of the duties of his office including his

Register of deeds salary.

Clerk hire of register.

Compensation for making tax list. services as clerk to the board of county commissioners: *Provided*, the county commissioners may allow said register of deeds additional compensation for making out the tax list as required by law.

Treasurer's salary. SEC. 15. That the treasurer of said county shall receive a salary of nine hundred dollars per annum in lieu of all other compensation whatsoever.

Necessary expenses of offices to be paid by commissioners. SEC. 16. That the board of commissioners of said county shall pay the actual necessary expense of the several officers of said county including actual and necessary postage, stationery, books, records, printing and such other actual necessary expenses as may be approved by the said board of commissioners and the auditing committee herein before provided for.

Money received by treasurer under this act a separate fund. SEC. 17. All the moneys coming into the hands of the treasurer of said county by virtue of this act shall be held by him as a separate and distinct fund and shall be used for general county purposes. It shall be the duty of said treasurer to keep an accurate account with each of said officers, which said account shall show the fees and other moneys received by him from each of them and the amounts paid out by him for salaries and expenses of such officers. He shall file an abstract of said account with the board of commissioners of said county on the first Monday in December of each year showing the receipts from and the disbursements on account of said offices for the preceding year.

Treasurer's duties in connection therewith. Manner of payment of salaries. SEC. 18. The salaries and allowances herein provided for shall be paid by the treasurer of said county as required by law, to the officers and deputies, in monthly installments, the said warrants to be countersigned by the chairman of the board of county commissioners and the register of deeds.

Failure to collect full fee a misdemeanor. SEC. 19. Any officer, clerk, deputy, or assistant herein mentioned who shall wilfully fail or refuse to collect the full fees, commissions or emoluments of any kind belonging to his office or who shall receive for the performance of his duties other or greater compensation than is herein or otherwise by law provided for shall be guilty of a misdemeanor.

Office of auditor may be created by commissioners. SEC. 20. That if the board of commissioners of said county shall deem it advisable to do so, they are hereby empowered to create the office of auditor of Granville County, and to appoint some qualified person to hold said office under the control and direction of said board of county commissioners; and said board is authorized to fix the compensation of said auditor.

Duties of such auditor. SEC. 21. It shall be the duty of the auditor to insist the register of deeds of said county in making out the tax list now required by law. It shall be the duty of the auditor to make out and prepare for publication all annual statements required by law, to investigate and to inquire for all delinquent taxpayers, and to require all delinquent property, including polls, to be placed

Annual statement.

on the tax list; examine the records of real estate transfer, and to assist tax listers and assessors; to act as accountant for the county and assist in setting with the county officers; to supervise, scrutinize, and examine at least once in every calendar month all books, accounts, receipts, and vouchers and other records of all the offices of Granville County which show fees and commissions collected and received by them; to examine at least once each year the dockets of all justices of the peace of said county; and he is hereby authorized to administer oaths on verification of claims which may be filed against the county, and to open a set of account books in which shall be shown the total monthly receipts of fees and commissions of all the officers of said county in an expert and intelligent manner, assigning distinct and separate rate accounts for each and every said officer, which books shall be permanently kept as the records of his office, and always open to public inspection. He shall likewise visit the county jail and other county institutions and examine same; also the books and accounts kept by the jailor and others. It shall likewise be his duty to audit all bills and claims presented to the board of county commissioners of said county for payment, and to perform such other duties as the board of county commissioners may direct.

Examination of records.
Accountant for county.

To examine dockets of justices of peace.

Account books to show monthly receipts of each office.

Books open to inspection.
To visit jail and other institutions.

Audit claims presented to commissioners and perform duties assigned by them.

Officers to receive no other compensations for extra service to any one.

SEC. 22. The officers hereinbefore mentioned shall faithfully perform all the duties of their several offices imposed upon them by law, and shall receive no other compensation or allowance whatsoever for any extra or additional service rendered to the county or State or other governmental agencies, and they shall be liable to all the pains and penalties now or hereafter provided for failure to perform the duties of their several offices.

SEC. 23. All laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 24. That this act shall be in force and effect from and after its ratification.

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 103

AN ACT TO AMEND CHAPTER 697 OF THE PUBLIC-LOCAL LAWS OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and ninety-seven of the Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out the word "twelve" in line two of section twenty-five of said act and inserting in lieu thereof the word

Judge of Wayne County Court to receive salary \$1,800 per annum.

Solicitor to receive \$900.

“eighteen,” and by striking out the word “six” in line two of section twenty-seven of said act and inserting in lieu thereof the word “nine.”

SEC. 2. That this act shall be in force from and after the first day of March, one thousand nine hundred and nineteen.

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 104

AN ACT TO PROVIDE FOR THE BUILDING OF A NEW COUNTY HOME FOR THE AGED AND INFIRM IN THE COUNTY OF WATAUGA.

Preamble.

WHEREAS, the county home in Watauga County for the aged and infirm is dilapidated, insufficient, and inconvenient and almost a disgrace to the people of said county, and

WHEREAS, the grand jury of said county have repeatedly condemned the present home, and

WHEREAS, the county commissioners have persistently refused and failed to provide a home for the poor and unfortunate and still fails and refuses to act in said behalf according to the often expressed wishes of the people of Watauga County, now therefore

The General Assembly of North Carolina do enact:

Commission appointed to select site for new county home.

SECTION 1. That Joseph S. Winkler, W. D. Farthing, and J. C. Mast be and they are hereby appointed commissioners to select a site for a new county home for the aged and infirm for said county of Watauga, and they are hereby requested, empowered and directed to sell the present county home and purchase another site near some highway or railroad if in their opinion the comfort of the inmates of said home would be enhanced thereby.

Empowered to sell old site.

To have plans drawn for home.

SEC. 2. And that the said commissioners are further requested, empowered and directed to have plans drawn by an architect for building for said home, which shall be provided with toilets, bathrooms and lavatories, with running water and sewerage and all sanitary provisions for the safety and comfort of the inmates.

Specifications.

Report of commission to county commissioners to be accompanied by plans.

SEC. 3. And that the commissioners are further requested, empowered and directed, after securing a site for said building and the plans of the architect, which architect shall follow the discretion of the commissioners in regard to said plans; shall make a full report to the county commissioners of said county specifying the site by metes and bounds, and they shall also file the plans of the architect with the board of county commissioners.

SEC. 4. That the county commissioners are hereby empowered, ordered and directed to have constructed a new county home in accordance with the true intent and meaning of this act and for that purpose they are empowered, ordered and directed to levy a special tax for that purpose, or in lieu thereof may issue bonds of the county, bearing a rate of interest not exceeding five and one-half per cent and not exceeding the sum of ten thousand dollars, in their discretion.

County commissioners authorized to have home built and to levy special tax or issue bonds.

Limitation of interest and bonds.

SEC. 5. That the commissioners mentioned in section one of this act shall be paid the sum of three dollars per day for their services while actually engaged in carrying out the provisions of this act.

Compensation of commission.

SEC. 6. That if the county commissioners of the said county shall fail or refuse on their part to carry out the true intent and meaning of this act they shall be deemed guilty of a misdemeanor and upon conviction thereof in the Superior Court shall be fined in the discretion of the court, not exceeding the sum of two hundred dollars.

Failure of county commissioners to comply with act misdemeanor.

Penalty.

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

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

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 105

AN ACT TO AMEND SECTION 3715 OF THE REVISAL, RELATING TO GAMBLING.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand seven hundred and fifteen of the Revisal of one thousand nine hundred and five be amended by adding at the end thereof the following:

"*Provided*, that the punishment for each offense shall be imprisonment for not less than ten days nor more than two years, or fined not less than twenty-five dollars."

Punishment for gambling to be fine or imprisonment.

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

SEC. 2½. 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 22d day of February, A. D. 1919.

CHAPTER 106

AN ACT TO AMEND SECTION 1409 OF THE REVISAL OF 1905, RELATIVE TO ELECTING JUSTICES OF THE PEACE FOR MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

Law amended so as to provide for election of justices of peace at general election.

SECTION 1. That section one thousand four hundred and nine of the Revisal of one thousand nine hundred and five be amended by striking out the word "Montgomery" between the words "Granville" and "and" in line four.

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

Ratified this the 22d day of February, A. D. 1919.

CHAPTER 107

AN ACT TO PROVIDE A DOG TAX FOR DARE COUNTY AND TO REGULATE DOGS RUNNING AT LARGE IN DARE COUNTY.

The General Assembly of North Carolina do enact:

Dog tax of not over \$3 to be levied by commissioners.

SECTION 1. That any person owning or keeping a dog in Dare County shall pay annually on each dog so owned or kept a license or privilege tax of not more than three dollars (\$3), the amount to be determined by the board of county commissioners of Dare County, said tax to be in addition to and in excess of any tax that is now levied or may hereafter be levied under the state-wide dog tax law. The said tax shall be collected at the same time and in the same manner and shall carry the same penalties for nonpayment as the tax imposed by the state-wide dog tax law.

Tax to be in excess of all other.

Manner of collection prescribed.

Owner of dog running at large at night guilty of misdemeanor.

SEC. 2. That any person owning or keeping a dog in Dare County who shall knowingly and intentionally permit the same to run at large between sunset and sunrise unaccompanied by the owner or by some other responsible person shall be guilty of a misdemeanor and upon conviction shall be punished by fine of not exceeding fifty dollars (\$50) or imprisoned not more than thirty days: *Provided*, that if the dog running at large and unaccompanied shall have caused no damage, the owner shall be taxed with the costs of the proceeding only: *Provided further*, that if the dog running at large and unaccompanied shall have caused some damage and if the owner shall fully reimburse the county commissioners of the county or the party sustaining such damage for such damage, the said owner shall be taxed with the costs of the action only and the court may in its discretion con-

To be fined or imprisoned for violation of act.

Owner of dog responsible for costs and damage.

tinue such cause for a period not exceeding sixty days for the purpose of enabling the owner of said dog to make such compensation or reimbursement.

SEC. 3. The fact that any dog has been found running at large in violation of the preceding section shall, when established, be *prima facie* evidence of the intent of the owner of the dog to violate the provisions of this act. Dog running at large *prima facie* evidence of intent to violate act.

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

Ratified this the 22d day of February, A. D. 1919.

CHAPTER 108

AN ACT TO FIX SALARY OF THE SHERIFF OF MCDOWELL COUNTY.

WHEREAS, chapter five hundred and seventeen of the Public-Local Laws of nineteen hundred and seventeen presupposes that the salary of the sheriff of McDowell County was provided for in addition to the authority therein given to the county commissioners, and

WHEREAS, no salary is fixed by law for the said sheriff.

The General Assembly of North Carolina do enact:

SECTION 1. That the salary of the sheriff of McDowell County be and the same is hereby fixed at the sum of six hundred dollars (\$600) per annum, payable in equal monthly installments, and such fees as are now payable to sheriffs under the general law for performance of their duties, and such further amount as the county commissioners of McDowell County may pay to the sheriff under and by virtue of the authority of section one, chapter five hundred and seventeen of the Public-Local Laws of nineteen hundred and seventeen. Salary of sheriff to be fixed at \$600 and fees. Commissioners may increase salary.

SEC. 2 The board of county commissioners of McDowell County are hereby authorized and directed to pay to the sheriff of said county the salary of six hundred dollars, as hereinbefore provided, in equal monthly installments, in addition to such amount as may be paid under the authority given to the county commissioners by said chapter five hundred and seventeen of the Public-Local Laws of nineteen hundred and seventeen. Specific authority given commissioners.

SEC. 3. That the provisions of this act and of chapter five hundred and seventeen of the Public-Local Laws of nineteen hundred and seventeen shall be and remain in effect until the first Monday in December, A. D. nineteen hundred and twenty, but the sheriff elected at the general election in the year of nineteen hun- Act operative until December 1, 1920.

After 1920 sheriff
allowed fees under
general law.

dred and twenty shall receive in lieu of the compensation provided for herein and under chapter five hundred and seventeen of the Public-Local Laws of nineteen hundred and seventeen, such fees as are allowed to sheriffs under the general law and the amount allowed him for the collection of taxes.

SEC. 4. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 22d day of February, A. D. 1919.

CHAPTER 109

AN ACT RELATING TO THE COMPENSATION OF THE COUNTY COMMISSIONERS OF ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

Commissioners to
receive \$4 per day
and mileage.

SECTION 1. The board of county commissioners of Alamance County shall receive as compensation for their services four dollars (\$4) per day and mileage not to exceed five cents per mile to and from the county seat for each regular and special meeting attended by them.

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 22d day of February, A. D. 1919.

CHAPTER 110

AN ACT TO FIX THE COMPENSATION OF THE COUNTY COMMISSIONERS OF THE COUNTY OF DARE.

The General Assembly of North Carolina do enact:

Commissioners to
receive \$4 per day
and mileage.

SECTION 1. That the county commissioners of the county of Dare shall receive as compensation the sum of four dollars (\$4) for each day or part thereof during which they are engaged in the performance of their official duties, together with mileage as now fixed by law.

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

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

Ratified this the 22d day of February, A. D. 1919.

CHAPTER 111

AN ACT TO ENABLE BRUNSWICK COUNTY TO ASSIST TO ERADICATE THE CATTLE FEVER TICK.

WHEREAS, the Federal and State governments have united with the county government and the cattle owners of Brunswick County, and together have spent considerable funds and efforts to eradicate the cattle fever tick; and

Preamble.

WHEREAS, the State and Federal governments have notified the officials of the county that all work will be withdrawn unless the county government provides funds to carry on the work; and

Preamble.

WHEREAS, it is necessary to proceed at once with the work or all expenditures and efforts heretofore put forward will be lost, as well as having the county again quarantined against, by which the county will be caused to suffer financially; now, therefore,

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That, under the existing conditions in said county, an expenditure of public funds to assist in tick eradication is necessary to avoid loss to the county, and is declared to be a necessary expense of the county government.

Expenditure of public funds declared necessary county expense.

SEC. 2. That in order to enable the county to coöperate with the State and Federal authorities in the work of tick eradication immediately, and to provide the necessary funds for the same, the board of county commissioners are hereby authorized, empowered and directed to borrow funds sufficient, from time to time, as the requirements may demand, to facilitate the work of cattle tick eradication by coöperation with the State and Federal authorities, under regulations and laws prescribed by State and Federal governments, in constructing vats, procuring chemicals, providing local workers and other necessary expenses for a systematic work of tick eradication in the county for the year one thousand nine hundred and nineteen.

To coöperate with State and Federal authorities, county may borrow money.

Purpose of use of funds prescribed.

SEC. 3. That in order to meet the said obligation herein directed to be made, the board of county commissioners be and they are hereby directed and required to levy a special tax of not exceeding ten cents on the one hundred dollars valuation of taxable property that is subject to taxation in said county, and thirty cents on each taxable poll, the constitutional equation to be observed, for the year one thousand nine hundred and nineteen.

Commissioners to levy special tax.

Rate of tax, 10 cents on property; 30 cents on poll.

SEC. 4. That the said special tax shall be levied in the same manner and at the same time that other county taxes are levied and the said tax shall be collected and accounted for by the tax collecting officer, shall be held and paid out in the same manner and under the same penalties that other county taxes are collected, accounted for, paid out, and accounted for in said county; and

Tax to be levied and collected as other taxes.

Excess collected to be turned into general fund.

should any excess funds be thus provided and the same not used for the purpose on or before the first Monday in December, one thousand nine hundred and twenty-one, that the same shall be turned over to the general county fund of said county.

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

Ratified this the 22d day of February, A. D. 1919.

CHAPTER 112

AN ACT TO REPEAL CHAPTER 253, PUBLIC LAWS 1903, RELATIVE TO ROAD LAW IN CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Chapter 253, Public Laws 1903, repealed.

SECTION 1. That chapter two hundred and fifty-three, Public Laws of one thousand nine hundred and three, entitled "An act to provide for the construction, improvement, and keeping in repair of the public roads in Chowan 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 22d day of February, A. D. 1919

CHAPTER 113

AN ACT TO AMEND CHAPTER 680, PUBLIC-LOCAL LAWS OF 1915, AUTHORIZING THE ROAD COMMISSIONERS IN TYRRELL COUNTY TO CONDEMN MATERIAL FOR ROAD CONSTRUCTION.

The General Assembly of North Carolina do enact:

Chapter 680, Public-Local Laws 1915, amended.

SECTION 1. That chapter six hundred and eighty, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by inserting after section six thereof the following:

Certain road material to be used.

"SEC. 6a. The board of road commissioners having charge of the road work of any township in Tyrrell County is hereby authorized, through its agents, to enter upon any land in said township to cut and carry away any timber except trees or groves on improved land planted or left for shade or ornament, dig or cause to be dug and carried away and gravel, sand, clay, dirt, or stone which may be necessary for the proper repair and construction of roads in said township, and make or cause to be made such drains or ditches upon any land adjoining or lying near any road in said

May make drains or ditches.

township that the said board may deem necessary for the better condition of the road, and the drains and ditches so made shall not be obstructed by the occupants of said lands or by any other person, and any person obstructing such drains or ditches shall be guilty of a misdemeanor: *Provided, however,* that upon entering upon land as authorized by this section it shall be the duty of the said board, through its representative, to serve notice upon the owner or owners of said land, notifying them that certain material authorized to be taken by this section is required for road work: and *Provided further,* that due compensation shall be made for any damage sustained by the landowner, the amount to be ascertained in the manner prescribed in chapter sixty-five, Revisal of one thousand nine hundred and five, for ascertaining damages in establishing public roads.”

Drains and ditches not to be obstructed.

Violation of provisions of amendment misdemeanor.

Notice of taking of material.

Compensation for damages.

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

Ratified this the 22d day of February, A. D. 1919.

CHAPTER 114

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY AND THE BOARD OF ALDERMEN OF THE CITY OF MONROE AND OTHER MUNICIPALITIES IN UNION COUNTY TO CONTRIBUTE TO THE ELLEN FITZGERALD HOSPITAL.

WHEREAS, Ellen Fitzgerald by her last will and testament gave to the city of Monroe her residence lot on Hayne Street in the city of Monroe, county of Union, and State of North Carolina, to be used for hospital purposes, and

Preamble.

WHEREAS, citizens of Monroe and Union County have by private subscription raised about ten thousand dollars towards the erection of a hospital building, and

WHEREAS, more money is needed to complete and equip and keep said hospital going, and

WHEREAS, there is no other hospital in Union County and one is greatly needed for the benefit of the people residing in said county; now therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Union County be and they are hereby authorized to donate such sums as they shall see fit from time to time for the purpose of completing the erection of the Ellen Fitzgerald Hospital and for the purpose of keeping up the running expenses of said hospital, and such

Commissioners authorized to donate funds to complete hospital and for running expenses.

Running expenses to be turned over to trustees.

Board of Aldermen of Monroe or other municipality authorized to contribute to hospital.

County commissioners and aldermen of Monroe to elect trustees.

If commissioners fail to donate aldermen of city of Monroe elect trustees.

sums as they shall donate for said purposes shall be paid over to a board of directors of said hospital, selected as hereinafter designated, from the general funds of the county.

SEC. 2. That the board of aldermen of the city of Monroe and the board of aldermen of any other municipality in Union County, North Carolina, be and they are hereby authorized to contribute or give to the board of trustees of the Ellen Fitzgerald Hospital for the purpose of completing the erection of said building and paying the running expenses of said hospital, such sums of money from time to time as they in their judgment shall see fit, which said sums shall be paid from the general expense funds of said municipality.

SEC. 3. That if the board of county commissioners of Union County shall make donations from year to year, it shall be the duty of the mayor of Monroe to call a meeting of the board of aldermen of the city of Monroe and the board of county commissioners of Union County on the first Monday of July, 1919, and annually thereafter, and a board of trustees shall be elected to take charge of and manage said hospital, which said board shall be under the supervision of the board of county commissioners of Union County and the board of aldermen of the city of Monroe, but in case the county commissioners of Union County fail to donate or give anything to said hospital, then the said board of trustees shall be elected by the board of aldermen of the city of Monroe, as herein set forth.

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

Ratified this the 22d day of February, A. D. 1919.

CHAPTER 115

AN ACT TO FIX THE COMPENSATION OF THE COUNTY COMMISSIONERS OF WILSON COUNTY.

The General Assembly of North Carolina do enact:

Commissioners, other than chairman to receive not to exceed \$200 per year.

Chairman of commissioners to receive not to exceed \$1,000 per year.

SECTION 1. That the members of the board of commissioners of Wilson County, other than the chairman, shall receive annually, in full compensation for all services rendered by them, such sum as shall be fixed by the board, not to exceed the sum of two hundred dollars (\$200), and the chairman shall receive in full compensation for his services such sum as may be fixed by the board, not to exceed the sum of one thousand dollars (\$1,000).

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

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

Ratified this the 22d day of February, A. D. 1919.

CHAPTER 116

AN ACT TO INCREASE THE COMPENSATION OF THE COUNTY COMMISSIONERS OF DURHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after the first Monday in March, one thousand nine hundred and nineteen, the members of the board of county commissioners of Durham County shall each be allowed and shall be paid the sum of five dollars per day for each day they are in actual attendance on their duties as such commissioners, and shall receive mileage as now allowed by law.

Commissioners to receive \$5 per day and mileage.

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 22d day of February, A. D. 1919.

CHAPTER 117

AN ACT TO AMEND CHAPTER 243 OF THE PUBLIC-LOCAL LAWS OF 1917, FOR THE MAINTENANCE OF THE PUBLIC ROADS AND HIGHWAYS OF YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter two hundred and forty-three of the Public-Local Laws of one thousand nine hundred and seventeen, be amended by striking out "twenty-one" in line two of said section and inserting in lieu thereof the word "eighteen." Further amend by striking out of said section after the word "of" in line twenty-three of said section beginning with the word "six" in said line down to and including the word "made" in line twenty-eight of said section and inserting in lieu thereof the words "two dollars when summoned to work on the road, for each day so summoned to work to the superintendent, and the said superintendent shall give to the person paying the same a receipt in full for the amount thus paid, and in event of such payment, the said person so summoned shall be relieved from road duty for the days summoned and paid for."

Chapter 243, Public-Local Laws 1917 amended.

Minimum age of free road labor reduced from 21 to 18 years.

Payment in lieu of labor \$2 a day.

SEC. 2. Amend section seven of said chapter by striking out in line four and between the words "of" and "dollars" the word "six" and insert in lieu thereof the word "two."

Section providing for enforcement amended to conform.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 118

AN ACT TO AMEND CHAPTER 635, PUBLIC-LOCAL
LAWS OF 1917.

The General Assembly of North Carolina do enact:

Road commission
of Upper Fork
Township named.

SECTION 1. That Willie Mace, J. P. Bumgardner, Grover Cook, R. C. Chapman, L. W. M. Suttles, J. E. Smith, Linney Hurley, and Julius Pruett shall, from and after the ratification of this act, be and constitute the members and governing body of the road commission in and for Upper Fork Township, Burke County, to serve until the next general election, and at said election, and biennially thereafter the members of the said board of road commissioners to the number of three (3) shall be elected by the qualified voters of said township.

Three commis-
sioners to be
elected at
successive
elections.

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

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 119

AN ACT TO REGULATE THE SALE OF CIDER IN
WILSON COUNTY.

The General Assembly of North Carolina do enact:

Sale or manu-
facture of cider
prohibited, except
on owner's
premises.

SECTION 1. That it shall be unlawful for any person, firm or corporation to manufacture, make, sell or otherwise dispose of any cider in Wilson County: *Provided*, any person, firm, or corporation may make cider from apples and other fruit grown upon his, her, their, or its lands located in Wilson County, and may sell cider so made and manufactured in quantities of not less than two and one-half (2½) gallons, which quantity shall be in a sealed package, delivered to the purchaser upon the premises of the maker and which package shall not be opened upon the premises.

Exception; 2 1-2
gallons minimum
quantity to be
sold.

SEC. 2. Any person convicted of violating this act shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

Violation of act
misdemeanor.

SEC. 3. All laws or parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 120

AN ACT TO FIX THE COMPENSATION OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the members of the board of county commissioners of Martin County shall receive as compensation for their services five dollars (\$5) for each day or part of a day in which they are engaged upon the performance of their duties as such commissioners. They shall also receive mileage at the rate of five cents (5c) for each mile traveled while in the performance of their public duties.

Commissioners to receive \$5 per day.
Mileage rate 5 cents.

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 24th day of February, A. D. 1919.

CHAPTER 121

AN ACT FOR THE PROTECTION OF FISH AND FOR THE CONSERVATION OF THE PUBLIC HEALTH.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to deposit or in any manner to allow sawdust or shavings to be run, deposited or placed in any stream in Watauga or Ashe counties, or in the waters of Cranberry Creek or its tributaries in Alleghany County, from any sawmill, planing mill or other manufactory in said county, and it shall be unlawful for any person, firm or corporation to cut or in any manner place in any stream of water in said counties, Watauga and Ashe Counties, or in the waters of Cranberry Creek or its tributaries in Alleghany County, any logs, brush, trees or other timber or any obstruction in any stream of water in said counties or below the high-water mark.

Placing of sawdust in stream prohibited.
Unlawful to place any obstruction in any stream.

SEC. 2. That any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof in the Superior Court, shall be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned for thirty days, or both, in the discretion of the judge trying the case.

Violation of act misdemeanor; punishment fixed.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 122

AN ACT TO AMEND CHAPTER 174, PUBLIC-LOCAL LAWS OF 1913, WHICH ACT PROVIDES FOR THE APPOINTMENT OF THE COURT STENOGRAPHER OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five, chapter one hundred and seventy-four, Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out all of said section, beginning with the word "A fee," in line three of said section, and inserting in lieu thereof the following: "A fee of \$5 in all civil and criminal actions wherein a jury is impaneled, in all other actions compromised, or in criminal actions of submission, a fee of \$3."

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

Ratified this the 24th day of February, A. D. 1919.

Chapter 174,
Public-Local
Laws 1913
amended.

Fee fixed at \$5.00
for jury trial; all
others \$3.00.

CHAPTER 123

AN ACT REPEALING CHAPTER 542 OF THE PUBLIC LAWS OF THE SESSION OF 1889 IN REGARD TO PUTTING TIMBER LOGS IN UPPER BROAD CREEK.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and forty-two of the Public Laws of the session of one thousand eight hundred and eighty-nine be and the same is hereby repealed.

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

Ratified this the 24th day of February, A. D. 1919.

Chapter 542,
Public Laws 1889
repealed.

CHAPTER 124

AN ACT TO AMEND CHAPTER 335 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE WORKING OF THE PUBLIC ROADS OF WICCACANEE TOWNSHIP IN NORTH-AMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter three hundred and thirty-five of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended as follows:

Limits of taxation
raised.

By striking out the word "forty" in line ten and inserting the word "fifty" in lieu thereof, and by striking out the words "one dollar and twenty cents" in line twelve and inserting the words "one dollar and fifty cents" in lieu thereof.

SEC. 2. That all laws and parts 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 24th day of February, A. D. 1919.

CHAPTER 125

AN ACT TO AMEND CHAPTER 97 OF THE PUBLIC-LOCAL LAWS OF 1903, RELATING TO PRICE TO BE PAID IN LIEU OF LABOR ON THE PUBLIC ROADS IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine of the Public-Local Laws of the session of one thousand nine hundred and three is hereby amended by striking out "one dollar (\$1)" in line nine of said section and inserting in lieu thereof the words "two dollars (\$2)." Road fee increased from \$1 to \$2.

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

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 126

AN ACT TO AMEND CHAPTER 539 OF THE PUBLIC-LOCAL LAWS OF 1913 RELATING TO THE HICKORY NUT GAP ROAD.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred thirty-nine of the Public-Local Laws of one thousand nine hundred thirteen be amended by striking out the words "and Rutherford" in line twenty thereof, and inserting in line nineteen the word "and" after the word "Buncombe." Rutherford County relieved of share in maintenance of Hickory Nut Gap Road.

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

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 127

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

The General Assembly of North Carolina do enact:

Commissioners to levy special tax for jail, county home and fire-proof vault.

SECTION 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 empowered to levy a special tax in the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty, 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.

Not to exceed 30 cents on property and 90 cents on poll.

Taxes to be collected as other taxes.

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 24th day of February, A. D. 1919.

CHAPTER 128

AN ACT TO RELATING TO THE PUBLIC ROADS OF
CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Chapter 122, Public Laws 1918 amended.

SECTION 1. That section eight, chapter one hundred and twenty-two, Public Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out the second and last sentence thereof, found on lines five to eleven, inclusive, and inserting in lieu thereof the following:

Funds to be expended on public roads upon approval of county commissioners.

“The funds for other purposes shall be expended upon the public roads of the township by the township road supervisors or township road commissioners upon the approval of the county commissioners of Cherokee County, and shall be paid out upon the order of the township road supervisors or township road commissioners, approved by the county commissioners of Cherokee County: *Provided*, that in any township which has no township road supervisors or township road commissioners, the said funds for other purposes shall be expended upon the public roads of the said township by the county commissioners of Cherokee County.”

SEC. 2. That section nine, chapter one hundred and twenty-two of the Public Laws of one thousand nine hundred and thirteen be and the same is hereby amended by striking out the last proviso of said section, said proviso being found on lines twelve to sixteen inclusive, and inserting in lieu thereof the following:

“*Provided further*, that if the damages awarded for a right of way shall exceed the benefits, it shall be the duty of the highway commissioners in said township to certify the correctness of same to the board of commissioners of Cherokee County for the proper amount due, and the treasurer of Cherokee County shall pay such order out of the general county funds. Damages awarded for road material shall be paid for by the township.”

Damages to be certified to commissioners.

Treasurer to pay damages. Damages for material to be paid by township.

SEC. 3. That at least thirty-three and one-third (33 1/3) per cent of all moneys or funds expended by Cherokee County or Beaver Dam Township upon the public roads of said township shall be expended upon the construction and improvement of that road leading from Unaka, in Beaver Dam Township, to Murphy Township line by way of the William Davidson place, until at least six thousand dollars (\$6,000) shall have been expended on said road or until the construction and improvement of said road shall have been completed with a smaller expenditure, and balance of the eighteen-thousand-dollar (\$18,000) bond issue shall be placed to the construction of the road from Unaka to the Murphy Township line on the Hall place, and from Unaka to some practical point on Tennessee state line intersecting with the pike road.

Direction of expenditure 33 1-3 per cent of funds up to \$6,000.

Direction of expenditure of remainder of bond issue.

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

Act limited to Cherokee County.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 129

AN ACT TO REGULATE THE FEES OF THE VARIOUS JUSTICES OF THE PEACE OF GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the various justices of the peace of Guilford County, Forsyth, Rockingham, Caswell, and Gaston counties shall be allowed the following fees and expenses, namely:

Operation of act limited to Guilford, Forsyth, Rockingham, Caswell and Gaston counties.

Issuing attachment papers, fifty cents (50c) for the original and fifty cents (50c) for each copy thereof; for transcript of judgment, twenty-five cents (25c); for issuing summons, forty cents (40c), and twenty cents (20c) for each additional defendant; issuing subpoena, twenty-five cents (25c) for each witness; for trial and judgment, one dollar (\$1); for taking affidavit,

Fees of justices of peace set out.

twenty-five cents (25c); for jury trial and verdict, one dollar (\$1); for issuing execution, fifty cents (50c), and twenty cents (20c) for each renewal of execution; for return to notice of appeal, fifty cents (50c); for order of arrest in civil and criminal cases, fifty cents (50c); for warrant for arrest (criminal cases), fifty cents (50c); for warrant of commitment, fifty cents (50c); for taking depositions, twenty cents (20c) for each copy sheet; for garnishment of taxes, fifty cents (50c); for certificate of return, fifty cents (50c); for examination of woman in bastardy proceeding, fifty cents (50c); for widow's year's allowance, one dollar (\$1); for filing and docketing lien, seventy-five cents (75c); for probate of deed, twenty-five cents (25c) and twenty-five cents (25c) for each signer thereof; for probate of chattel mortgage, twenty-five cents (25c) and twenty-five cents (25c) additional for each signer thereof; for issuing claim and delivery papers, two dollars and fifty cents (\$2.50); for recognizing witnesses, fifteen cents (15c) for each witness; for order of removal, fifty cents (50c); for capias and order, one dollar (\$1).

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

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 130

AN ACT TO DEFINE THE DUTIES OF THE ROAD COMMISSION OF WATAUGA COUNTY, AND FOR OTHER PURPOSES.

Preamble. WHEREAS, the voters of Watauga County have heretofore voted bonds in the sum of two hundred thousand dollars (\$200,000) under and by virtue of the Public Laws of one thousand nine hundred and seventeen, chapter two hundred and eighty-four, and

Preamble. WHEREAS, a highway has been surveyed and is now being constructed through the county of Watauga from the Wilkes County line to the Tennessee line, by way of Boone, under the rules and regulations of the State Highway Commission, which road passes through the townships of Stony Fork, Boone, Laurel Creek, and Cove Creek, and

Preamble. WHEREAS, it was argued by the public speakers and generally understood by the voters that each township in said county should receive and have expended a pro rata part of said bond issue in accordance with the amount of taxes paid by the townships: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. After the completion of the Boone Trail, or National Highway, upon which the Government of the United States is to aid in the construction, the said highway commission of Watauga County shall apportion and use for the construction and improvement of the road in each township of said county, the remainder of said fund of two hundred thousand dollars pro rata as to the taxes paid by each township.

After completion of Boone Trail, remainder of funds to be apportioned to townships.

SEC. 2. That if any township through which the said National Highway passes shall not have expended its part of said bond issue, then the excess shall be apportioned and expended within said township.

Townships which have not spent their *pro rata* to receive same.

SEC. 3. Nothing in this act shall be construed to prevent a township from building highways connecting with the National Highway.

Act not to restrict road building to connect with national highway.

SEC. 4. All laws and clauses of laws, regulations and orders of said highway commission in conflict with this act are hereby repealed.

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 131

AN ACT TO REVISE CHAPTER 411 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO RURAL POLICE FOR ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on the first Monday in March, one thousand nine hundred and nineteen, and annually thereafter on the first Monday in January of each and every year, the board of commissioners of Robeson County shall, on the recommendation of the sheriff of said county, appoint four able-bodied men of good moral character, known not to be addicted to the use of alcoholic liquors, and commission them as rural policemen of Robeson County. The said commissioners are hereby empowered to remove any policeman provided for in this act, at any time, for good cause shown, and appoint others in their places.

Commissioners to appoint rural police on recommendation of sheriff.

SEC. 2. That the salary of each of said policemen shall be one hundred and twenty-five dollars per month, payable monthly by the county treasurer upon warrants of the county commissioners: *Provided however*, that said policemen shall provide themselves with policemen's billets and such firearms as may be required by the said county commissioners, and with horses or other means of conveyance for regular use in riding over the county and performing duties as mounted policemen, and shall bear all expenses incident to their services.

Commissioners to remove rural police for cause.

Salary of policemen to be \$125 per month.

Proviso: Policemen must furnish equipment.

To be mounted, and to bear all expenses incident to services.

To patrol and police county under direction of sheriff.

Duties prescribed.

To be assigned by sheriff to territory to be covered.

On duty not less than ten hours.

Places to be frequented by police.

To use every means to detect and arrest violators of law.

To serve and execute criminal and civil process.

Policemen may arrest without warrant. May summon assistance.

Person failing to assist when called, guilty of misdemeanor.

SEC. 3. That it shall be the duty of said policemen, under the general control of the board of commissioners and sheriff of the county, especially in rural districts, to patrol and police the county and to prevent and to detect and prosecute the violations of the criminal law of every kind, making arrests upon their own initiative as well as upon complaint or information, and to report all their acts and all known or suspected violations of the criminal law to the sheriff of the county at least once a week if required by him, and they shall at all times obey and carry out the orders of the sheriff and board of commissioners of said county when not inconsistent with this act.

SEC. 4. The said policemen shall patrol such portions of the county assigned to each by the sheriff and board of commissioners, at least twice a week, remaining on duty at night, when occasion or circumstance suggest the propriety thereof, to prevent or detect crime and to make an arrest, and they shall always be on duty for not less than ten hours a day, except when granted occasional indulgences or leaves of absence by the sheriff. They shall frequent railroad depots, stores, and other public places where people congregate or disorder is probable, or vagrants may be loafing, or alcoholic or spirituous liquors may be sold, bartered or given away; and they shall as often as practicable ride by houses that are off the public highways and in lonely parts of the county, especially such as are without male protectors, and shall use every means to prevent or detect, arrest and prosecute for breaches of the peace, drunkenness, using obscene language, boisterous conduct, or discharging of firearms on the public highways or at any public place or gathering, carrying concealed weapons contrary to law, gambling, vagrancy, setting out fire, violations of the game and fish laws, cruelty to animals, violations of the child-labor laws, lynching, and for violations of any and every law which is detrimental to the peace, good order, and morals of the community; and in addition to the foregoing duties and services, said policemen, when called upon, shall serve and execute all criminal and civil process from any of the courts of Robeson County which would be lawful for the sheriff of said county to serve.

SEC. 5. That said policemen shall have authority, for any suspected freshly committed crime, whether upon view or on prompt information or complaint, to arrest without warrant; and they shall have the right and authority to summons any person or persons to assist in enforcing the laws and in arresting violators or suspected violators thereof; and any citizen who shall fail to respond or render assistance when so summoned or called upon shall be guilty of a misdemeanor, and upon conviction shall be punished by imprisonment for thirty days or fined fifty dollars. When an arrest is made without warrant, the person so arrested shall be

forthwith carried before a magistrate or recorder and a warrant of arrest procured and disposed of as the magistrate or recorder shall direct.

Person arrested without warrant to be carried before magistrate.

SEC. 6. That it shall be the duty of each policeman provided for under the provisions of this act to collect the fees for all process work rendered by him in either criminal or civil cases, and the fees so collected shall be the same as now provided by law, and said fees shall be turned over to the treasurer of Robeson County on the first day of each month, and the said policemen shall render a true and accurate itemized statement to the board of commissioners of said county on the first Monday in each month, showing in detail the amount of fees collected by him for the previous month and the amount turned over to the treasurer of said county.

To collect fees for processes and turn over to treasurer.

To render monthly statements to commissioners.

SEC. 7. That each of the said policemen shall, before entering upon the discharge of his duty and before being commissioned by the county commissioners, entered into bond in the sum of one thousand dollars (\$1000), with sufficient surety, to be approved by the said board of commissioners, conditioned for the faithful performance of his duties and for the payment to the county and any person or corporation all such damages as they or any of them may sustain by reason of his malfeasance in office or abuse of his discretion; and he shall take and subscribe the following oath (or affirmation), to wit: "I solemnly swear (or affirm) that during my term of office as county policeman I will study the act creating the office and prescribing my duties, and will be alert and vigilant to enforce the criminal laws of the State, and to detect and bring to punishment every violation of the same, and will conduct myself at all times with due consideration to all parties and persons, and will not be influenced in any matter on account of personal bias or prejudice: So help me, God." The form of said bond shall be approved by the board of county commissioners and, with the oath, shall be filed with and kept by the clerk of the Superior Court of Robeson County.

Policemen to give bond and take oath.

Form of oath.

Commissioners to approve bond. Bond and oath to be filed with clerk.

SEC. 8. That when any person or persons arrested by any one of the policemen provided for in this act is carried before a recorder or justice of the peace and convicted, and the judgment of the court is that such person so convicted shall serve a term in the chain-gang of Robeson County, it shall be the duty of said policeman to transport said person so convicted to the chain-gang, but the actual expense of conveying such person to the chain-gang shall be paid by the county on a warrant issued by the board of commissioners at their discretion.

Policemen to transport convicted persons to chain-gang; county to pay expense.

SEC. 9. That chapter four hundred and eighteen of the Public-Local Laws of nineteen hundred and thirteen and chapter four

Chapter 418, Public-Local Laws 1913, repealed,

and Chapter 411, Public-Local Laws 1915, repealed.

hundred and eleven of the Public-Local Laws of nineteen hundred and fifteen, and all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 132

AN ACT TO PROVIDE FOR THE RENTAL OF TEXT-BOOKS TO PUPILS ATTENDING THE PUBLIC SCHOOLS OF MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

Board of Education may purchase text-books.

SECTION 1. That the county board of education of Montgomery County is hereby authorized and empowered, in its discretion, to purchase with the public school funds of the said county and for the use of the children attending the public schools of the said county any text-books that may be authorized to be used in said county. The said text-books so purchased shall at all times be and remain the property of said county, and shall be supplied to the pupils attending the public schools of said county at an annual rental, payable in advance, which shall not exceed fifty per cent (50%) of the original cost of the text-books rented.

Books to remain property of county. To be rented to pupils.

School committee of any district may purchase books if county board fails to do so.

SEC. 2. That in case the county board of education of Montgomery County shall deem it inadvisable to purchase text-books and rent them to the children of the county, the school committee of any school district or special-tax district of the said county may, with the approval of the county board of education, purchase with the public school funds of the said district and for the use of the children attending the public schools of the said district any text-books that may be authorized to be used in said district. The said text-books shall at all times be and remain the property of the said district, to be supplied to the pupils hereof for use at an annual rental, payable in advance, which shall not exceed fifty per cent (50%) of the original cost of the text-books rented.

Books purchased by district to remain property of district.

No purchase to be made until approved by county superintendent.

SEC. 3. No contract for the purchase of books by the county board of education of said county or by any district committee shall be made until it shall have received the approval of the county superintendent of public instruction of Montgomery County.

Rules to be made by board or committee.

SEC. 4. That the board of education of Montgomery County or school committee of a district, as the case may be, is authorized and empowered to make such rules, regulations, and conditions as in its discretion may seem necessary for the proper enforce-

ment of this act, including rules for the fumigation or repair of books which have been turned in after being used by the pupils as herein provided.

To provide for fumigation and repairs.

SEC. 5. All books purchased under the provisions of this act shall be the property of Montgomery County or of the school or said tax district, as the case may be, and when distributed as herein provided shall be deemed to be in the custody of the county board of education or of the school committee of the district, and it shall be its duty to hold the pupils using the said text-books responsible for any damage to, any loss of, for failure to return said books when so required: *Provided however*, that whenever any pupil shall lose or destroy any book rented to said pupil under the provisions of this act, or if for any reason the pupil shall require a second book of any series used in the public schools, then said pupil shall be required to purchase said book at his own expense.

All books to remain property of purchaser.

Pupils to be held responsible for loss and damage.

Books lost or destroyed to be replaced by pupil.

SEC. 6. That nothing in this act shall be deemed to be in conflict with section four thousand and sixty-one of the Revisal of one thousand nine hundred and five, or with the rules and regulations adopted by the State Text-Book Commission.

Act not to conflict with regulations of Text Book Commission.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 133

AN ACT TO REPEAL CHAPTER 158 OF THE PUBLIC-LOCAL LAWS OF 1917, AND CHAPTER 226 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE SALARIES OF CERTAIN OFFICERS IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and fifty-eight of the Public-Local Laws of one thousand nine hundred and seventeen and chapter two hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and seventeen be and the same are hereby repealed.

Chapters 158 and 226, Public-Local Laws 1917, repealed.

SEC. 2. (a) The sheriff of Robeson County shall receive for his salary the sum of three thousand dollars (\$3,000) per annum, and shall receive fifteen hundred dollars (\$1,500) per annum to be expended for clerk hire in the conduct of the public business of his office; and he shall also receive the amount of his actual expenses for conveying persons from the place of trial to jail and from jail to the place of trial; for taking prisoners to the State's Prison and to the chain-gang; for taking insane persons to the

Salary of sheriff \$3,000, and \$1,500 for clerk hire.

Actual expenses while traveling in discharge of duties.

To render itemized statement of expenses. State Hospital for the Insane; and it shall be the duty of the sheriff to render to the board of county commissioners an itemized statement of all expenses, showing the date incurred, the amount thereof; and when it is ascertained that the same is correct and lawfully incurred, said expenses shall be paid by proper warrant in the same manner other bills are paid on behalf of the said county of Robeson. The salary herein provided for is to be in lieu of all other compensation or fees.

No other compensation allowed.

Sheriff to appoint jailor, at salary of \$100 per month.

(b) The sheriff of said county shall also appoint a jailor whose salary shall be one hundred dollars (\$100) per month, and the actual expenses of maintaining the common jail of said county as heretofore shall be paid by the board of county commissioners of said county from funds of the county as now provided by law.

Commissioners to receive \$150 per annum; chairman \$200.

SEC. 3. The members of the board of county commissioners of Robeson County shall receive as compensation for their services, the sum of one hundred and fifty dollars (\$150) per annum: *Provided*, the chairman of said board shall receive the sum of two hundred dollars (\$200) per annum.

Clerk of court to receive \$3,000 per year and \$1,200 for clerk hire.

SEC. 4. The clerk of the Superior Court of Robeson County shall receive for his salary the sum of three thousand dollars (\$3,000) per annum, and shall receive twelve hundred dollars (\$1,200) per annum to be expended for clerk hire in the conduct of the public business of his office.

Register of deeds to receive \$3,000 per year and \$1,500 for clerk hire.

SEC. 5. The register of deeds of Robeson County shall receive for his salary the sum of three thousand dollars (\$3,000) per annum, and the sum of fifteen hundred dollars (\$1,500) per annum to be expended for clerk hire in the conduct of the public business of his office.

Auditor to receive \$2,600 per year.

SEC. 6. That the auditor of Robeson County shall receive for his salary the sum of twenty-six hundred dollars (\$2,600) per annum.

Commissioners to elect auditor biennially.

SEC. 7. That on the first Monday in January, one thousand nine hundred and twenty-one, and biennially thereafter, the board of commissioners of Robeson County is hereby authorized and directed to elect an auditor of the county of Robeson.

Commissioners to pay incidental expenses of county offices.

SEC. 8. The board of county commissioners of Robeson County is hereby authorized and directed to pay out of the general funds of the county for telephone rent, stationery and stamps for the office of the sheriff, clerk of the Superior Court, and register of deeds, and for the stationery for the office of the auditor.

Salaries to be paid in monthly installments.

SEC. 9. The salaries herein provided for shall be paid monthly in equal installments.

SEC. 10. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 134

AN ACT TO PROVIDE FOR THE COMPENSATION OF THE CLERK OF THE SUPERIOR COURT, REGISTER OF DEEDS, SHERIFF, AND TAX COLLECTOR OF SWAIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be the duty of the clerk of the Superior Court and of the register of deeds of Swain County to render to the board of county commissioners of Swain County, on the first Monday in each month, an itemized statement, verified under oath, showing all official work performed by them or their deputies in their respective offices during the preceding calendar month. Such statement shall show the nature of such official work, for whom performed, and the fees allowed by law for the same, and shall include all official work done for the county.

Clerk of court and register of deeds to file statements.

To show work performed, and fees allowed.

SEC. 2. The said clerk of the Superior Court and the register of deeds, and their deputies, shall charge and collect the full fees and commissions allowed by law for all official work performed by them, and the said clerk of the Superior Court and the register of deeds shall be liable on their official bonds for any failure on the part of them or their deputies to collect and report such fees in full, including all fees allowed or paid by the county.

Clerk and register to collect full fees and are liable on bonds for such fees.

SEC. 3. That on the first Monday in December in each year the clerk of the Superior Court and the register of deeds shall render to the board of county commissioners an annual report, showing the total amount of fees collected by them or their deputies for official work performed by them in their respective offices during the twelve preceding calendar months: *Provided*, the first report shall be for five months only.

Clerk and register to make annual report.

Proviso: First report for 5 months.

SEC. 4. The board of county commissioners shall cause such reports to be recorded in a book kept for the record of official reports, and shall keep in a book provided for the purpose of keeping official accounts, an account with both the clerk of the Superior Court and the register of deeds, showing the amount of fees collected in their respective offices.

Commissioners to keep records.

SEC. 5. If the fees collected by the clerk of the Superior Court or the register of deeds, or their deputies, for official work done in their respective offices during the twelve calendar months covered by their annual reports as mentioned in section three, shall for either office exceed the sum of twelve hundred dollars, it shall be the duty of the clerk of the Superior Court or the register of deeds reporting such excess to turn the same over to the county treasurer for the benefit of the general county fund.

All fees over \$100 per month to be turned into treasury.

SEC. 6. It shall be the duty of the clerk of the Superior Court and of the register of deeds to require their deputies to render to them on the first Monday in each month a statement verified

Clerk and register to require reports from deputies.

under oath showing the official work performed by such deputies during the preceding calendar month and the fees collected therefor.

Clerk and register to file report of expenditures for clerk hire.

SEC. 7. The clerk of the Superior Court or the register of deeds may, on the first Monday in December in each year, file with the board of county commissioners a statement, verified under oath, showing the amount paid out by them for necessary clerk hire during the preceding twelve months. Such statement shall show when and to whom such amounts were paid and for what service, and shall be accompanied by itemized bills and receipts from the person receiving such payment. The board of commissioners may order such bills to be paid out of the general funds of the county: *Provided*, that no clerk of the Superior Court or register of deeds shall be allowed and paid any amount for clerk hire for any period of twelve months covered by his annual report, in which he failed to collect fees for official work in excess of twelve hundred dollars, and no clerk of the Superior Court or register of deeds shall be paid for clerk hire for any period of twelve months covered by his annual report more than fifty per cent of the amount of excess fees he may turn over to the county treasurer for the same period.

Commissioners may order payment out of general fund.
 Proviso: No clerk hire allowed when fees do not exceed \$1,200.

May not expend more than 50 per cent of fees in excess of \$1,200.

Duties of sheriff as tax collector.

SEC. 8. That the sheriff of Swain County when acting as tax collector, shall collect all taxes levied by the county commissioners of Swain County, general and special, all state taxes, all corporation and privilege taxes, and any other taxes now or hereafter levied for collection. All taxes must be collected and settled for by said sheriff and tax collector on or before the first day of May succeeding the year in which the same are listed, subject to the penalties now or which may hereafter be prescribed by law. Said sheriff and tax collector shall deduct from the full amount of said taxes so collected all commissions which are now or may hereafter be provided by law, out of which commission he shall retain the sum of eighteen hundred dollars per annum as full compensation for his services as tax collector, and shall pay over any and all surplus that may remain into the general county fund of said county, and he shall be liable upon his official bond for any failure to collect said taxes or to apply said commission as herein provided: *Provided*, that this provision shall not deprive said sheriff of the fees and emoluments of the office of sheriff now or hereafter allowed by law.

Taxes to be collected and settled for by May 1st.

Tax collector to deduct all commissions, retain \$1,800, and pay balance into general fund.

Liable on bond for failure to collect.

Proviso: Not to effect sheriff's fees.

SEC. 9. That this act shall apply only to Swain County.

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

SEC. 11. That this act shall be in force from and after the first of July, one thousand nine hundred and nineteen.

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 135

AN ACT TO AMEND CHAPTER 168 OF THE PUBLIC-LOCAL LAWS OF 1913 RELATING TO THE ROAD LAW OF HAMILTON TOWNSHIP, MARTIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and sixty-eight of the Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out in section ten, line nine, thereof the words "twenty-five cents (25c)" and inserting in lieu thereof the words "fifty cents (50c)"; and by striking out in line eleven of said section the words "seventy-five cents (75c)" and inserting in lieu thereof the words "one dollar and fifty cents (\$1.50)."

Maximum rate of taxation increased to 50 cents on property and \$1.50 on poll.

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 24th day of February, A. D. 1919.

CHAPTER 136

AN ACT TO PROHIBIT CARNIVAL COMPANIES FROM EXHIBITING IN THE COUNTY OF BEAUFORT.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after March first, one thousand nine hundred and nineteen, it shall be unlawful for any board of commissioners, or board of aldermen, or other governing body of any city or town in the county of Beaufort, or board of commissioners for the county of Beaufort, to grant or issue any license tax authorizing or permitting any carnival company to exhibit in the county of Beaufort: *Provided*, the word "carnival" shall be construed to mean shows consisting of more than three distinct attractions, conducted for profit and filling week or part of week-stand engagements, whether under canvas or not: *Provided further*, that this act shall not apply to circuses, menageries, wild west and dog and pony shows: *Provided further*, that when the officers of any agricultural fair association in Beaufort County petition the board of county commissioners to permit a carnival to exhibit in connection with and as a part of said agricultural fair, the board of county commissioners may, in their discretion, issue said license, for this purpose only.

Licenses to carnival companies prohibited.

Carnival defined.

Proviso: Not to apply to circuses, etc.

Proviso: Commissioners may permit carnival shows at agricultural fairs.

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 the first day of March, one thousand nine hundred and nineteen.

SEC. 4. That this act shall also apply to New Hanover County. Ratified this the 24th day of February, A. D. 1919.

CHAPTER 137

AN ACT TO RATIFY AND VALIDATE CERTAIN SPECIAL TAXES LEVIED BY THE COUNTY COMMISSIONERS OF TRANSYLVANIA COUNTY IN THE YEAR 1917 AND THE YEAR 1918, AND TO AUTHORIZE THE LEVY OF SIMILAR TAX FOR THE YEARS 1919 AND 1920.

Preamble.

That WHEREAS the board of county commissioners of Transylvania County levied a special tax in the year one thousand nine hundred and seventeen and in the year one thousand nine hundred and eighteen in excess of the constitutional limitation, said tax being for school purposes in certain townships and school districts in said county, and

WHEREAS doubts have arisen as to the legality of said tax because same was not authorized by special act of the General Assembly, and

WHEREAS it is desired that all such doubts should be removed: Now, therefore,

The General Assembly of North Carolina do enact:

Special tax validated.

SECTION 1. That the special tax levied by the board of commissioners of Transylvania County for the year one thousand nine hundred and seventeen and the year one thousand nine hundred and eighteen and in excess of the constitutional limitation for school purposes in certain townships and school districts in said county, including Brevard Township and certain school districts in other townships in said county, is hereby ratified, validated, and confirmed as fully as if previously authorized.

Commissioners authorized to continue levy validated.

SEC. 2. That the said board of county commissioners of Transylvania County is hereby authorized and empowered to levy for the year one thousand nine hundred and nineteen and one thousand nine hundred and twenty the same tax levy for school purposes as above set out for the said years one thousand nine hundred and seventeen and one thousand nine hundred and eighteen.

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

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 138

AN ACT TO CREATE A JOINT BOARD OF HEALTH FOR THE COUNTY OF WAKE AND THE CITY OF RALEIGH, TO PROVIDE FOR ITS ELECTION AND FOR THE ELECTION OF THE SUPERINTENDENT OF HEALTH OF SAID COUNTY OF WAKE AND CITY OF RALEIGH.

The General Assembly of North Carolina do enact:

SECTION 1. A board of health for the city of Raleigh and county of Wake outside of the city of Raleigh, to be known as "The Board of Health of Wake County," is hereby created. Said board of health shall be composed of seven members, to wit, the mayor of the city of Raleigh, the chairman of the board of county commissioners of Wake County, the superintendent of public instruction of Wake County, the superintendent of the public schools of the city of Raleigh, a practicing physician of Wake County, and two others, who may be women; and in the event said two women are elected members of said board, one shall be a trained nurse.

Board of health for Raleigh and Wake County created.
Membership of board.

On the first Monday after the ratification of this act, the mayor of the city of Raleigh, the chairman of the board of county commissioners of Wake County, the superintendent of public instruction of Wake County, and the superintendent of the public schools of Raleigh shall meet in the county courthouse in Raleigh at 10 o'clock a. m. and shall organize by electing a chairman and a secretary and proceed to the election of the members herein provided for. Said elected members shall serve for a term of two years or until their successors are elected. The successors of said members of said board of health shall be elected in a like manner at the expiration of the respective terms herein provided for. In the event of a vacancy caused by death, resignation, removal or other cause, the said board of health herein created shall have the power and it shall be its duty to elect some person to fill such unexpired term.

Time of meeting.

Organization.

Term of office and succession of elected officers.

Vacancies to be filled.

It shall be the duty of the secretary to immediately notify in writing the persons elected at said meeting and to certify their names to the board of commissioners of Wake County and the board of commissioners or other governing authorities of the city of Raleigh.

Secretary to notify persons elected.

SEC. 2. Said board of health of Wake County shall meet regularly monthly on the second Monday of the month and at any time at the call of the chairman. The members shall be paid the sum of four dollars per day while attending regular sessions and mileage shall be paid for attendance at such meetings.

To meet second Mondays and at call of chairman.
Per diem of members \$4.00.

SEC. 3. Said board of health of Wake County shall, at its first meeting, which meeting shall be held on the next Wednesday succeeding its election hereinbefore provided for, proceed to the

To elect health county officer.

election of a health officer who shall be denominated as the superintendent of health of Wake County. He shall hold office for a term of two years. (Said health officer shall devote his entire time to the duties of his office.)

Term of office two years.

Powers of board. SEC. 4. The said board of health of Wake County, created by this act, shall have all powers relating to the public health now vested in the Wake County board of health and in the governing bodies of every town or city located within said county, and shall be charged with the performance of all duties relating to the public health now prescribed by law for and upon the commissioners of the city of Raleigh, the authorities of all towns within the county of Wake outside the city of Raleigh, and the board of commissioners of Wake County, or such as may be hereafter prescribed or imposed. It shall have the power to appoint and employ all such officers and servants as it may deem necessary to carry into effect the provisions of this act, provided that the expenditures of said board of health shall not exceed the amount appropriated by the commissioners of the county of Wake and board of commissioners or other governing body of the city of Raleigh, for the purpose of carrying out the provisions of this act.

To employ officers and servants.

Proviso: Expenditures not to exceed appropriations.

To submit estimate of yearly expenses.

Duty of county and city authorities to appropriate money.

Fifty per cent of total amount paid by county; 50 per cent by city.

SEC. 5. Said board of health shall upon the first Monday of June of each year submit in writing to the board of commissioners of said county and to the board of commissioners or other governing body of said city of Raleigh, in joint meeting held at the county courthouse in the city of Raleigh, at 10 o'clock of said day, an estimate of the costs and expenses of discharging the duties imposed on them by law and enforcing and carrying out the rules, regulations, and ordinances prescribed or enacted for the protection and preservation of the public health, and the payment of the salaries of the superintendent of health and of all employees as it now or may be authorized by law to employ, and it shall be the duty of the board of county commissioners of the county of Wake and the board of commissioners or other governing authorities of the city of Raleigh, respectively, to appropriate for the use of said board of health such amount of money as may be said board of commissioners of the county of Wake and board of commissioners or other governing body of the city of Raleigh, after joint discussion, be deemed necessary to pay the salaries, costs, and other expenses authorized by this act. Fifty per cent of the money so appropriated shall be paid by the city of Raleigh and fifty per cent by the board of commissioners of Wake County upon proper warrant of the city of Raleigh and the county of Wake. The money so appropriated by said commissioners of the county of Wake and board of commissioners or other governing authorities of the city of Raleigh shall be paid by the treasurer of the county of Wake and the proper officials of the city of Raleigh upon warrant delivered thereupon by the secretary of the board of

health of the county of Wake approved or countersigned by the chairman of said board and the superintendent of health; an itemized statement of such expenses duly verified by said secretary shall be published at the end of each quarter of the year and a copy thereof delivered to the clerk of the board of county commissioners and to the clerk of the board of commissioners or other governing authorities of the city of Raleigh.

Itemized statement of expenditures to be published quarterly.

SEC. 6. Nothing in this act is intended to require or to be construed as requiring the board of commissioners of the county of Wake to defray any part of the expenses for the cleaning of streets, collection and disposal of garbage, removal of nuisances, or maintenance of scavenger service for the city of Raleigh or any other incorporated town in Wake County or the governing authorities of the city of Raleigh to defray any expenses for like purposes in that part of Wake County beyond the corporate limits of the city of Raleigh.

County not to pay city expenses.

SEC. 7. All laws or clauses of laws in conflict are hereby repealed. This act shall be in force from and after its ratification. Ratified this the 24th day of February, A. D. 1919.

CHAPTER 139

AN ACT TO AMEND SECTION 1, CHAPTER 213 OF THE PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO AMEND 'AN ACT TO PROVIDE GOOD ROADS IN ENFIELD TOWNSHIP, HALIFAX COUNTY,'" AND TO AMEND SECTION 10, CHAPTER 205 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, ENTITLED "AN ACT TO PROVIDE GOOD ROADS IN ENFIELD TOWNSHIP, HALIFAX COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter two hundred and thirteen of the Public-Local Laws of one thousand nine hundred and thirteen, extra session, entitled "An act to amend 'An act to provide good roads in Enfield Township, Halifax County,'" be amended by striking out all of the said section down to and including the word "qualified" in line thirteen thereof, and inserting in lieu thereof the following, to wit: "That S. G. Whitfield, Balfour Dunn, S. A. Whitley, J. R. Dickens, W. T. Clement, P. V. Randolph, H. B. Neville, Lawrence Whitaker, P. O. Petway, J. E. Condrey, and W. F. White are hereby constituted a board of trustees for the public roads of Enfield Township, in Halifax County, which said trustees shall hold the said position of trustee until the general election in one thousand nine hundred and twenty,

Chapter 213, Public-Local Laws 1913, amended.

Board of trustees named.

Term of office.

Trustees to be elected at succeeding elections.
Term of office.
Powers of trustees.

at which time, and at the general election held every four years thereafter, there shall be elected by the voters of Enfield Township five trustees for the public roads of Enfield Township, who shall succeed the trustees mentioned above, and who shall hold the position of said trustees for four years or until their successors are elected and qualified; and said board of trustees shall be vested with all powers given to the said board of trustees by virtue of chapter two hundred and five of the Public-Local Laws of North Carolina, session nineteen hundred and thirteen, and the amendments thereto."

Property and poll tax increased.

SEC. 2. That section ten of chapter two hundred and five of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, be amended by striking out the word "thirty-five" in line eight thereof and inserting in lieu thereof the word "fifty," and by striking out the words "one dollar and five cents" in lines nine and ten thereof and inserting in lieu thereof the words "one dollar and fifty cents."

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act, so far as they relate to said Enfield Township, are hereby repealed.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 140

AN ACT TO LEVY A SPECIAL TAX TO CONSTRUCT AND KEEP IN REPAIR THE PUBLIC ROADS OF MITCHELL COUNTY, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Chapter 172, Public-Local Laws 1915, repealed, as to Grassy Creek Township.

County Commissioners to perform duties of road commissioners.

Rate of taxation increased from 50 to 60 cents on property.

Chapter 126, Laws 1917, repealed, as to Mitchell County.

Parts of chapter 65, Revisal of 1905, declared road law.

SECTION 1. That all of chapter one hundred and seventy-two, Public-Local Laws, session one thousand nine hundred and fifteen, be and the same is hereby repealed, except so much thereof as relates to the bond issue in Grassy Creek Township. As to this and the keeping in repair the public roads in said township the county commissioners shall perform the duties heretofore performed by the road commissioners. That the word "fifty" in line twelve, section nineteen of said chapter be stricken out and the word "sixty" be inserted in lieu thereof.

SEC. 2. That so much of chapter one hundred and twenty-six, session nineteen hundred and seventeen, as relates to Mitchell County be and the same is hereby repealed.

SEC. 3. That so much of the following sections of chapter sixty-five, Revisal of one thousand nine hundred and five, as do not conflict with this act, be and the same is hereby declared a part

of the public road law of Mitchell County, to wit: Sections two thousand six hundred and eighty-one, two thousand six hundred and eighty-two, two thousand six hundred and eighty-four, two thousand six hundred and eighty-five, two thousand six hundred and eighty-six, two thousand six hundred and ninety, two thousand six hundred and ninety-three, two thousand six hundred and ninety-five, two thousand six hundred and ninety-seven, two thousand seven hundred, two thousand seven hundred and four, two thousand seven hundred and twelve, two thousand seven hundred and twenty, two thousand seven hundred and twenty-one, two thousand seven hundred and twenty-two, two thousand seven hundred and twenty-three, two thousand seven hundred and twenty-four. Wherever the word "overseer" occurs in either of said sections it shall, for the purposes of this act, be construed to mean "contractor."

Overseer to be changed to contractor.

SEC. 4. That the commissioners of Mitchell County shall, on the first Monday in June, one thousand nine hundred and nineteen, and annually thereafter, issue notice in a newspaper, if there be one published in said county, for four consecutive weeks, or by posting the same at the courthouse door and two other public places in each township, that all the public roads shall be let to contract to the lowest responsible bidder at a specified price per mile, in sections of not less than three miles. Said notice shall state that all bids shall be written or printed, sealed and addressed to the chairman of said board. Every bid shall briefly and clearly describe the section bid on, giving the number, size and also the material of which the bridges are to be built or repaired, if any, and the number of miles in each section: *Provided*, they may, if in their sound discretion they think it best so to do, award all the roads in any township to one contractor.

Commissioners to publish notice of letting road contracts.

Contract to lowest responsible bidder.

What bid is to contain.

SEC. 5. That on the first Monday in July, one thousand nine hundred and nineteen, and annually thereafter, the chairman of the board shall, in the presence of all the members of the board, and persons desiring to be present, open said bids, pass upon same, award contracts: *Provided*, the same commissioners may reject any bid unsatisfactory to said board, and let said section or sections privately, if in their discretion they deem it best: *Provided further*, that no bid be accepted until the bidder shall have filed with the commissioners a justified bond, conditioned for the faithful performance of his duty, in the sum of not less than two hundred nor more than two thousand dollars for each section, bond to be approved by the board. Said contractor shall be liable upon his bond for damages that may by any person be sustained because of his negligence to keep said section in good condition: *Provided furthermore*, that in the event no bid shall be filed for any part of the public roads, all such roads may be let to contract privately.

Bids to be opened first Monday in July.

Unsatisfactory bids may be rejected, and contracts let privately.

Bidder to file bond.

Contractor liable on bond for damages by reason of failure to keep up road.

Commissioners to levy tax of 50 cents on property for road purposes.

SEC. 6. That the board of commissioners shall, at their regular meeting on the first Monday in June, one thousand nine hundred and nineteen, and annually thereafter, levy a special tax of fifty cents on the hundred dollars worth of all property in the county subject to taxation, to be known as the road fund of said county, said tax to be levied and collected as other taxes and to be faithfully applied as herein set out: *Provided*, the commissioners may, upon the request of the mayor of any incorporated town, allow the authorities thereof to collect and expend the road taxes within said town as they may desire: *Provided further*, that all taxes levied and collected for road purposes shall be expended for the roads in the township where so levied and collected.

Tax to be levied and collected as other taxes.

Proviso: Incorporated towns may levy, collect and expend road fund.

Taxes so expended in township in which collected.

Men between 18 and 45 subject to road duty.

SEC. 7. That all able-bodied men between the ages of twenty-one and forty-five years shall be subject to road duty and required to work on the roads in said county four days in every year, the road year to begin on the first day of July, one thousand nine hundred and nineteen: *Provided*, that any one liable to such road duty shall be exempt from such service if he shall, on or before the first day of January, one thousand nine hundred and twenty, and annually thereafter, pay to the treasurer of the county three dollars in cash, the same to be covered into the road fund in the county, and for such purpose the treasurer shall keep a stub-receipt book giving a receipt to every one who shall pay the said three dollars.

Three dollars may be paid in lieu of road service.

Failure to pay or to work guilty of misdemeanor.

SEC. 8. That any person failing, neglecting, or refusing to pay as provided in section seven of this act, and who shall fail, neglect or refuse to work or furnish an able-bodied substitute, after being warned, shall be guilty of a misdemeanor, and shall, upon conviction therefor, be fined not less than five nor more than twenty dollars, or imprisoned not more than twenty days for each offense. If, having been warned and having come to the place appointed to work, he shall fail, neglect or refuse to do reasonable work by idling or killing time, the contractor may, in his discretion, discharge him and immediately take him with a warrant for failure to work on the public roads. He shall have three days warning of the time, place, and the tool that he shall provide himself with which to work.

Punishment for failure to pay or work.

Failure to do reasonable work cause for arrest.

Notice of three days.

Commissioners authorized to pay one member of board of supervisors.

SEC. 9. That section two thousand seven hundred and twelve of the Revisal of one thousand nine hundred and five, be and the same is hereby amended so as to authorize the county commissioners to pay such reasonable compensation to one member of the board of township supervisors as shall, by said commissioners, be deemed sufficient to enable the said supervisor to go over and personally inspect the public roads of his township during the last week in April, one thousand nine hundred and twenty, and annually thereafter. The said board of supervisors shall designate a member of their board and the county commissioners shall

Supervisor to inspect roads annually.

Supervisor designated.

determine his pay, which shall in no case exceed two dollars per day of ten hours each for every day he shall actually be employed in traveling over and examining said roads. The said supervisor shall, on the first Monday following inspection, make and file with the commissioners a brief report of the condition of each section of road in his township, stating whether the same is in bad, fair, good or very good condition. He shall note in said report any permanent improvement made during the last year and suggest any needed improvement for the coming year. The said supervisor shall swear to the report and the commissioners shall pay him, in addition to the two dollars a day, five cents per mile from his home in Bakersville, by the usual route of travel: *Provided*, the board of supervisors may appoint another than a member of their board.

Compensation, \$2 per day.

Supervisor to make report, showing condition of road.

SEC. 10 That every person, company, or corporation desiring to transport over the roads of Mitchell County lumber or logs or lumber and logs, as the case may be, to the amount of twenty-five thousand feet, shall, on or before the first Monday in July, one thousand nine hundred and nineteen, and annually thereafter, obtain from the commissioners a license, and for such license shall pay the sum of ten dollars as a privilege tax for the first twenty-five thousand feet and eight dollars for every additional twenty-five thousand feet. Every person, company, or corporation desiring to drag or snake logs over any public road in said county shall, before so doing, obtain from the board of commissioners of said county a license paying therefor not less than five nor more than one hundred dollars per annum for each section of not more than two miles over which logs are to be snaked. Every person or company owning a two-horse team, three-horse team, four-horse team, or six-horse team, and every person, company or corporation owning or operating an automobile or motor truck shall apply to the commissioners on or before the fifteenth day of July, one thousand nine hundred and nineteen, and annually thereafter, for a license to team-drag or snake logs, use an automobile for any purpose, or motor truck, and for such license shall pay said board of commissioners the following privilege tax annually, to wit: For a two-horse team, two dollars; for a three-horse team, three dollars; for a four-horse team, four dollars; for a six-horse team, five dollars; for an automobile, five dollars; motor truck (single), five dollars; for each trailer, five dollars: all of which moneys shall by the commissioners be turned over to the treasurer of the road fund.

Persons transporting lumber or logs to obtain license.

Amount of license fee.

Snaking logs requires license.

License required on teams, automobiles and trucks.

Amount of license fee to be paid.

SEC. 11. That all public roads that have heretofore been surveyed and constructed, or partly constructed, prior to the coming into effect of this act shall, by the county commissioners, for the purpose of this act be considered public roads: *Provided however*, the commissioners may, in their sound discretion, make any

Public roads defined.

Commissioners may restrict or extend road system.

May contract for new roads.

Commissioners to employ road builders to inspect roads.

Inspector to file report.

If report of unsatisfactory conditions, commissioners may refuse to pay contractor.

Record of free laborers to be kept.

To apprehend persons liable who fail to perform road duty.

Record to be exhibited and sworn to.

Not more than 75 per cent of amount due contractor to be paid until report is exhibited.

change in location or the grade, or may, if they deem just and proper, discontinue or reject any particular piece of road believed by them to be impracticable or otherwise undersirable. They may also, if deemed by them just and proper, order to be surveyed and let to contract at any time, after advertising the same for thirty days, taking bond as hereinbefore provided, any new road.

SEC. 12. That it shall be the duty of the board of commissioners to employ, at a cost not exceeding three dollars per day of ten hours each, one or more practical road builders whose duty it shall be to travel over and carefully inspect in the month of June in each year, all the public roads of said county which have, during the preceding year been let to contract. He shall, on or before the first Monday in July after such inspection, file with the board of commissioners a brief written report of the condition of the public roads in the county. He shall state the condition of each section in each township, naming permanent improvements that have during the past year been made, and suggesting any needed improvements. He shall carefully note any negligence of any contractor to do or perform anything he should have done to put and keep in repair his roads. If, upon the filing of this report, or that provided for in section nine of this act, it shall appear to the satisfaction of the board that any contractor has failed or neglected to comply with the terms of his contract, or the terms of this act, they may, in their discretion, refuse payment and relet said section as hereinbefore provided, and immediately bring suit at the next term of the Superior Court for the penalty of the bond. He shall likewise state the number of days he has actually been engaged as such inspector of roads; all of which shall be verified.

SEC. 13. That the contractor shall keep a book in which he shall carefully record the names of those who did road duty as free laborers or otherwise during each quarter, the number of days worked by each hand. It also shall be his duty to diligently and carefully inquire and see that all persons liable to road duty residing on or near his section and having failed to pay the three dollars as hereinbefore provided, shall furnish an able-bodied substitute or work himself, as provided in this act, swearing out warrants for such enforcements, when necessary. This book of records shall be exhibited and sworn to before the board of commissioners, on the first Monday in January and July of every year. That prior to exhibiting of said report the commissioners shall in no case pay to the contractor more than seventy-five per centum of the amount which may at any time be due him. If upon examination of said report it shall satisfactorily appear that the provisions of this act and the terms of the contract have been fully complied with, they may settle in full, but before final settlement at the end of the year, the first Monday in July, one thousand nine hundred and twenty, and each year thereafter, the

commissioners shall carefully scrutinize the report of the road builder to inform themselves whether the provisions of this act and the terms of the contract have been fully complied with:

Provided, that in such final settlement they shall, from said report of road builder, supervisor or otherwise, ascertain the amount of labor done by each hand liable to road duty or otherwise. If they shall from either or all sources learn that any contractor has failed, neglected or refused to see that every one liable to road duty on his section as hereinbefore provided has failed to pay or work as provided by this act, the commissioners shall deduct from the contract price for keeping in repair such section or sections the value of such labor as hereinbefore provided, at the rate of one dollar and fifty cents per day: *Provided further*, that the board of commissioners shall, on or before the first Monday in July, one thousand nine hundred and twenty, and annually thereafter, post at the courthouse door the amount of the road fund raised under this act, the cost of keeping in repair and building of the roads in each township, inspecting each township, of annual inspection of all the roads in the county, and the amount of the road fund unexpended, if any.

In final settlement, to ascertain amount of labor done.

Failure of contractor to enforce road service penalized.

Commissioners to publish account of receipts, disbursements and balances.

SEC. 14. That all steel, mattocks, picks, shovels, scrapers, drags, hammers, and all other tools for working the public roads of Mitchell County which are now in possession of the road commissioners, county or township superintendents, contractor or supervisor of said county or of any township therein, they being the property of said county, shall be delivered to the chairman of the board of commissioners on or before the tenth day of July, one thousand nine hundred and nineteen.

Tools for working roads to be delivered to chairman of commissioners.

SEC. 15. That any officer, person, company or corporation failing, neglecting or refusing to do or perform any act or duty herein imposed shall be guilty of a misdemeanor, and upon conviction therefor be fined or imprisoned or both fined and imprisoned at the discretion of the court: *Provided*, that this section shall not be so construed as to affect or in any way conflict with the provisions of section eight of this act: *Provided*, that the provisions of this section shall not be so construed as to conflict with the provisions of sections sixteen, seventeen, eighteen, and nineteen of this act. The Secretary of State shall immediately furnish the chairman of the commissioners of Mitchell County with two hundred copies of this act for the use of the road authorities.

Violation of act misdemeanor.

Punishment.

This section not to conflict with sections 8, 16, 17 and 19.

Secretary of State to furnish 200 copies of act to commissioners.

SEC. 16. That the commissioners may, if they so desire, erect and maintain at some convenient place on the public road between Bakersville and Toecane a toll gate, and shall have same kept by a competent person who shall at all times be under the supervision and control of said board. They shall enter into a contract with said gate keeper at a fixed salary or commission upon the

Commissioners may erect toll gate.

Compensation of gate keeper.

- receipts of said toll gate, not exceeding twenty-five per cent of such receipts for any one month. Said gate keeper shall before entering upon his duties file a good and sufficient bond conditioned for the faithful performance of his duties, to be approved by the commissioners, in a sum not exceeding two hundred dollars. He shall also take an oath to faithfully perform his duties, duly account for and turn over to the treasurer of the road fund all moneys coming into his hands as gate keeper of said road. He shall also keep a daily record of the names of all persons passing through said gate and amount collected from each person, which record shall at all times be open for inspection by the county commissioners or any other person desiring to see the same.
- Gate keeper to file bond.** SEC. 17. That the receipts of said toll gate shall be expended in improving and keeping in repair said road, except so much thereof as is necessary to pay the gate keeper for his services.
- Oath of gate keeper.** SEC. 18. That the commissioners shall fix a rate of toll to be charged not to exceed the following rates, to wit: For four-horse wagon, thirty-five cents; for two-horse wagon or two-horse buggy, twenty-five cents; for one-horse wagon or buggy, fifteen cents; for one horse, five cents; for loose horses or cattle, four cents each; for ox teams, same as horse teams; for automobiles, thirty-five cents; for single motor truck, thirty-five cents; and for each trailer, thirty-five cents.
- To keep record of persons using gate.** SEC. 19. That it shall be a misdemeanor for any person to pass over said road and refuse to pay toll as prescribed by this act, or to construct any road or passway around said toll gate to avoid payment of toll on said road, or in any way wilfully violate the provisions of this act, shall upon conviction therefor be fined not more than fifty dollars or imprisoned not more than thirty days at the discretion of the court.
- Receipts from toll gate to be expended for road.** SEC. 20. That for the purpose of giving the notices as provided in section four and the tax levy provided for in section five, this act shall be partly in force from and after the first Monday in June next, and in full force from and after the first Monday in July, nineteen hundred and nineteen.
- Commissioners to fix rate of toll.** SEC. 21. That the commissioners of the county be and they are hereby authorized and empowered to appropriate out of the road fund of the county such sum as is necessary to any amount that the State has contracted or promised the road commissioners or may hereafter contract or promise the county commissioners for the construction of public roads in Mitchell County: *Provided*, that in case the road fund shall be insufficient for such purpose after the roads of the county shall have been let to contract as hereinbefore provided in this act, the commissioners may appropriate the same out of the general county fund or otherwise they deem best for the county.
- Misdemeanor to refuse to pay toll.**
- Punishment.**
- Act effective partly in June, partly in July.**
- Commissioners authorized to appropriate money to secure State aid.**
- Proviso: If road fund insufficient may appropriate money from general fund.**

SEC. 22. That all laws and parts of laws in conflict with this act to be and the same are hereby repealed.

SEC. 23. That this act shall be in force from and after its ratification.

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 141

AN ACT TO AMEND SECTION 1675, REVISAL OF 1905, RELATING TO THE STOCK LAW OF SWAIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand six hundred and seventy-five of the Revisal of nineteen hundred and five, be and the same is hereby amended by inserting between the word "changing" and the word "the" in line twelve the words "and maintaining" and by striking out in lines sixteen and seventeen the words "but they shall not be further liable for keeping up the said stock-law fence." Section 1675 of the Revisal amended.
To provide for maintenance of stock-law fence.

SEC. 2. The county commissioners of Swain County are hereby authorized, in carrying out the provisions of section one thousand six hundred and seventy-five, Revisal of nineteen hundred and five, as amended, to make use of any stock-law fence which may lie within any district or territory as defined in said section and which may not be in present use. Commissioners may make use of any stock-law fence in territory.

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

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 142

AN ACT FOR THE PROTECTION OF BIRDS AND DEER IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to hunt, kill or destroy in any manner any quail or partridge between the first day of March and the fifteenth day of November of any year. Closed season on birds March 1st to November 15th.

SEC. 2. That it shall be unlawful for any person to hunt, kill or destroy, in any manner, any deer except between the fifteenth day of November and the first day of December, of any year. Closed season on deer December 1st to November 15th.

Use of automatic or pump gun prohibited.
Violation of act misdemeanor.

SEC. 3. That it shall be unlawful for any person to use a pump or automatic gun of any kind for the purpose of shooting game.

SEC. 4. That any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five nor more than fifty dollars.

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

SEC. 6. That this act shall apply to Cumberland County only and shall be in force from and after its ratification.

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 143

AN ACT RELATING TO THE BURIAL OF DEAD ANIMALS IN THE COUNTY OF SCOTLAND.

The General Assembly of North Carolina do enact:

Owner of stock to bury same when dead.

SECTION 1. When any person shall be in the possession of any horse, mule, cow, jack, steer, or other animal of like kind and the same shall sicken and die or be killed, the same shall be buried by the owner thereof in a hole in the ground not less than two and one-half (2½) feet deep from the top of the body in the ground to the top of the ground. The said body shall then be covered up with dirt, and such burying shall not be within one hundred (100) yards of a road used by the public.

Act applies to Scotland County only.

SEC. 2. This act shall apply only to the county of Scotland and shall not apply to animals which are killed for the market.

Violators of law to be fined or imprisoned.

SEC. 3. Any person violating this law shall be fined fifty dollars (\$50) or be imprisoned in the county jail for thirty (30) days. This act shall be in force and effect from and after the date of its ratification.

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 144

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE PUBLIC ROADS OF CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

Upon petition, commissioners to call election on question of levy of tax for road purposes.

SECTION 1. That the board of county commissioners of Chatham County, upon petition of one-fourth of the qualified voters of any township of the said county petitioning the said board to levy a special tax for carrying on the road work of said township, shall make an order requiring an election to be held at the

next general election of county officers or at any other time not less than thirty days from the date of such order, which shall be designated therein, to appoint the place and take the sense of the qualified voters of the township on the question whether the board of county commissioners shall levy a special tax for working and maintaining the roads of the said township: *Provided*, that the petition for such election must state the amount of the tax rate desired, observing always the constitutional equation between poll and property tax.

Petition to state rate desired.

SEC. 2. The qualified voters at any special election called under the provisions of this act shall be determined by a new registration, which shall be ordered by the county commissioners of the said county of Chatham, the said new registration to be held under the same rules and regulations and terms as registrations for general elections for members of the General Assembly and county officers of the said county. That any election held under the provisions of this act shall be conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for members of the General Assembly, except as hereafter provided: *Provided, however*, that the said board of county commissioners shall appoint the registrars of election, the judges or instructors and any other election officers, and that registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly. That at any special election or elections held under the provisions of this act the ballot tendered and cast by the voters shall have written or printed upon them "For Special Road Tax" or "Against Special Road Tax," and all electors who favor the levying of said special road tax shall vote a ballot having written or printed thereon "For Special Road Tax," and those opposed to the levying of the special road tax shall vote a ballot having written or printed thereon "Against Special Road Tax." The votes shall be counted at the close of the polls and returned to the said board of county commissioners or to the clerk of the board on Thursday next following the election, and the said board shall tabulate and declare the result of the election not later than its next regular meeting following the return of the votes at said election, all of which shall be recorded in the minutes of the said board of county commissioners, and no other recording or declaring of the result of the election shall be necessary. The result of the votes shall be counted, declared, canvassed, and reported to the board of county commissioners as prescribed by law in the election of members of the General Assembly.

New registration required.

Manner of holding registration and election.

Form of ballot prescribed.

Count and return of votes to county commissioners.

Returns to be tabulated and declared.

If election carries commissioners to compute and levy tax.

SEC. 3. In the event that a majority of the votes cast shall be "For Special Road Tax" at any election herein provided for, after the result has been declared and recorded as aforesaid the county

Tax collector to collect tax.

Treasurer to keep separate fund.

Manner of payment of fund provided.

Result determined by votes cast.

If road tax voted, road commissioners to be nominated.

Commissioners may appoint township road commissioners.

Township commissioners to report each month.

Commissioners to audit report and order payment.

Notice of election and registration to be advertised.

Authority of township road commissioners prescribed.

commissioners, on the first Monday in May or at such other time as the regular taxes of the county may be levied, shall levy and compute the special tax as provided for in the same manner as other taxes of the county are levied, and the sheriff or other tax collector of the county shall collect the said tax in the same manner and at the same time as other taxes of the county are collected and pay the same over to the treasurer or other disbursing officer of the county, who shall keep the same in a separate fund to be paid out only for the particular township for which it was levied and collected and upon proper order signed by the road commissioners of that township for the purposes herein expressed. At any election held under the provisions of this act the result shall be determined by a majority of the votes cast in said election, without regard to the registration. Immediately upon declaring the vote in any election held under the provisions of this act, if the same shall be in favor of a special road tax, a mass meeting of the voters of the township shall be called at some public place for the purpose of recommending three road commissioners for the said township, whose duty it shall be to direct and supervise the road work of that township. Those road commissioners shall be recommended who receive a majority of the votes cast at such mass meeting. Upon certification of the names of such persons who are recommended by the township, the board of county commissioners may at their discretion appoint them as township road commissioners and immediately upon such appointment they shall take the oath of office and exercise the duties of the same.

SEC. 4. That on the first Monday in each month the township road commissioners, as herein provided for, of each township shall make a report to the board of road commissioners of Chatham County of their receipts, disbursements, and expenditures during the previous month or as often as said commissioners may require, and upon receipt of the said report, the said board of road commissioners of Chatham County shall audit and approve the same, so far as they may find it to be correct, and order payment by the county treasurer.

SEC. 5. That notice of said election and registration referred to in section two of this act shall be advertised for four weeks in some newspaper published in Chatham County prior to holding said election and three notices of the same shall be posted in the township and one notice at the courthouse door for thirty days prior to said election.

SEC. 6. That said road commissioners of any township voting special tax shall have full power and authority to lay out, construct, establish, alter or change in any manner the roads in said township so voting special tax that may be, in their judgment, to the best interests of the said township.

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 full force from and after its ratification.

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 145

AN ACT TO AMEND CHAPTER 276 OF PUBLIC-LOCAL LAWS, 1917, BEING AN ACT TO BUILD ROADS IN HASLETTS TOWNSHIP, IN GATES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all of section two of chapter two hundred and seventy-six, Public-Local Laws one thousand nine hundred and seventeen, after the word "years" in line five, be and the same is hereby stricken out down to and including the word "qualified" in line twelve of said section and chapter. Chapter 276, Public-Local Laws 1917, amended.

SEC. 2. That in lieu thereof that the following be and the same is hereby enacted; "that W. J. Boone, G. T. Polson, and H. E. Mathias, be and they are hereby appointed and constituted a board of commissioners of Hasletts Township, in Gates County; that the term of office of W. J. Boone shall be six years; that the term of office of G. T. Polson shall be for four years, and the term of office of H. E. Mathias shall be for two years from the date of the ratification of this act, and until their successors shall be duly elected and qualified. Successors to board of commissioners named. Terms of office.

SEC. 3. That said act be further amended by striking out the word "five" in line of section five, after the word "received," and insert in lieu thereof the words "two and one-half." Compensation for collection of road tax.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 146

AN ACT TO AUTHORIZE THE COMMISSIONERS OF GUILFORD COUNTY TO LEVY A SPECIAL TAX WITH WHICH TO CONSTRUCT PERMANENT OR HARD SURFACE ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Guilford County be and they are hereby authorized, for the purpose of buying equipment and machinery and building and maintaining per- Commissioners authorized to levy tax for road purposes.

Limit: 50 cents on property; \$1.50 on poll.

Taxes authorized for 1919-1928, inclusive.

To be kept separate from other taxes.

Commissioners to establish assessment districts.

To designate roads to be affected.

Board to give notice of establishment of districts.

Advertisement; what to contain.

Surveyor to be appointed for proposed district.

Surveyor to make report.

Decision of board to be based on surveyor's report.

To prescribe manner of construction.

Costs of road; how paid.

Proviso: Property owners to pay not less than one-

manent or hard surface roads in said county, to levy at the time for levying general taxes for said county, a special tax not to exceed fifty cents on the one hundred dollars valuation of property and one dollar and fifty cents on the poll.

SEC. 2. That said special taxes are authorized to be levied for the years one thousand nine hundred and nineteen to one thousand nine hundred and twenty-eight, both inclusive, and are only to be levied and collected for said purpose, and shall be kept separate from other taxes collected for other purposes by said county.

SEC. 3. The board of commissioners of Guilford County at any time during the years for which said special taxes are levied shall have the authority by a majority vote of said board to establish a road assessment district or districts, setting forth in the resolution establishing the same, the proposed boundaries of said road district or districts, and designating specifically the public road or roads to be constructed, improved or maintained in said district or districts.

SEC. 4. Upon the passage by the board of said resolution or resolutions establishing said proposed district or districts, the said board shall give public notice of the same by advertisement in a newspaper or newspapers of general circulation in the county, for four weeks, giving in said advertisement the boundaries of said proposed road district and the character of said road construction, improvements or maintenance. Said advertisement shall also set forth the fact that the final establishing of said district will be considered and acted upon at some stated regular meeting of said board.

SEC. 5. That if said board at said stated regular meeting or at any other meeting held thereafter, shall decide to establish said special road district or districts, they shall appoint a competent surveyor to make a survey of said proposed road district or districts. 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 the estimated cost of the work to be done.

SEC. 6. 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 forces, 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: *Provided further*, that said board may authorize the amount assessed against the property owners to be paid in five equal annual installments bearing interest at six per cent per annum.

SEC. 7. 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.

SEC. 8. 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.

SEC. 9. 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.

SEC. 10. 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 that 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 maintenance ordered to be assessed against said road district by the board of county commissioners.

SEC. 11. 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.

SEC. 12. Upon the filing of this report in writing it shall be received by the board of county commissioners and spread upon

quarter or more than one-half of cost.

Proviso: Property owners may pay in installments.

If work done by county, record of cost to be kept.

If work done by contract, statement to be verified.

To appoint tax assessors for road district.

Board of tax assessors to take oath.

To classify lands with reference to benefits.

Land benefited separated into three classes.

To assess cost of construction against tracts.

Assessors to make report to commissioners.

Report to be filed; public notice of assessments provided for.

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.

Commissioners to confirm or change report.

SEC. 13. 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.

Commissioners to make report of assessments, and part in dollars and cents assessed against each tract.

SEC. 14. 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.

Assessment to become lien upon lands.

SEC. 15. 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 towns of the lands under the laws provided for the collection of other taxes upon real estate.

Assessments to be collected by sheriff.

SEC. 16. 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.

Owner of land may appeal to Superior Court, upon payment for transcript of record.

Clerk to deliver transcript of record to clerk of court.

SEC. 17. That upon the payment to the clerk of said board of the fees for the said transcript of record said clerk shall deliver 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.

If court changes order of commissioners, sheriff to be furnished with authority to change assessment.

SEC. 18. 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.

Act not to repeal other laws levying taxes for road purposes.

SEC. 19. That this act shall not repeal any act heretofore passed by the General Assembly of North Carolina authorizing the levying of taxes for road purposes, nor shall it prevent the

establishing or construction of roads or highways under the general laws of the State of North Carolina, or by virtue of any act of Congress of the United States.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 147

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF CRAVEN COUNTY TO ISSUE BONDS TO COMPLETE CONTRACTS FOR CONSTRUCTION AND REPAIR OF THE HIGHWAYS AND BRIDGES OF SAID COUNTY AND TO FUND ITS DEBT FOR THE CONSTRUCTION AND REPAIR OF THE ROADS AND BRIDGES OF SAID COUNTY, ETC.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of constructing and repairing the roads and bridges of Craven County, paying the outstanding indebtedness of said county created by the board of commissioners in the construction and repairing of the roads and bridges of said county, and the carrying out and completing the contracts already made by the said board of commissioners for the construction and repairing of the roads and bridges of Craven County, the board of commissioners of said county are hereby authorized and empowered to issue bonds of said county to an amount not exceeding one hundred and fifty thousand dollars (\$150,000) in denominations not exceeding one thousand dollars (\$1,000) bearing interest from date thereof at not exceeding the rate of five per cent per annum with the interest coupons attached, payable semiannually 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 forty years from the date thereof and at such place or places as the said board of county commissioners shall determine; and said board of county commissioners shall divide the said issue into series of such amounts and each series to fall due at such time as may be determined upon and ordered by the said board of county commissioners: *Provided*, that none of the bonds authorized by this act shall be disposed of by sale, exchange, hypothecation or otherwise for a less price than their face value.

Commissioners authorized to issue \$150,000 bonds for road purposes.

Denomination of bonds \$1,000.

Interest rate not to exceed 5 per cent.

Interest payable semiannually.

Form of bonds.

Time of maturity not to exceed forty years.

Issue to be divided.

Not to be disposed of for less than par.

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

Bonds to be numbered and signed by chairman and attested by clerk of board.

Coupons to be numbered.

the corporate seal of said county and the coupons attached to these bonds shall bear the number of the bonds 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 clerk of said board by their lithographic signature.

Record of bonds sold and names of purchasers to be kept.

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, amount, and date of sale and the issuing of each bond, and its number.

Commissioners to levy tax for interest on bonds, for sinking fund and for road purposes.

SEC. 4. In order to pay the interest on said bonds and the interest on any other outstanding bonds issued by the board of commissioners for Craven County for the construction and repairing of the roads and bridges in said county, create a sinking fund for taking up said bonds at maturity and for the purpose of constructing and repairing the roads and bridges of said county, the board of commissioners of the county of Craven shall annually compute and levy, at the time of levying other county taxes heretofore authorized, a sufficient tax on all polls, real estate, and personal property, and all other subjects of taxation which said commissioners now or hereafter may be allowed to levy taxes upon for any purpose whatever, always observing the constitutional equation between the taxes on property and the tax on polls.

Commissioners authorized to levy for the years 1919 to 1922, inclusive, 75 cents on poll and 25 cents on property.

SEC. 5. That the board of commissioners for Craven County are authorized and empowered to compute and levy for the years one thousand nine hundred and nineteen, one thousand nine hundred and twenty, one thousand nine hundred and twenty-one, and one thousand nine hundred and twenty-two, at the time of levying other county taxes heretofore authorized by law, seventy-five cents on the poll and twenty-five cents on the one hundred dollars valuation of property for the purposes of constructing and repairing the roads and bridges of Craven County and for the purpose of paying the outstanding indebtedness of said county created by the board of commissioners of said county in the construction and repairing of the roads and bridges of said county, and for the purpose of carrying out and completing the contracts already made by the said board of commissioners for the construction and repairing of the roads and bridges of Craven County and for the purpose of paying the interest on the indebtedness of said county created in the construction and repairing of the roads and bridges of said county, which levy shall be in excess of the levy heretofore authorized by law.

Purpose of levy set out.

SEC. 6. That the levy as made by the board of commissioners of Craven County for the years one thousand nine hundred and seventeen and one thousand nine hundred and eighteen, including seventy-five cents on the poll and twenty-five cents on the one hundred valuation, which amount was levied for the purpose of

Taxes levied in 1917 and 1918 ratified.

paying the interest on the outstanding bonds and indebtedness of said county created the construction and repairing of the roads and bridges of said county, in addition to the levy heretofore authorized by the law pertaining to the roads and bridges of said county, be and the same is hereby ratified, approved and validated in all respects and to the same extent as if this section of this act had been enacted by the Legislature prior to said levy, and the sheriff of said county of Craven is hereby authorized and empowered to collect said taxes as levied by the board of county commissioners for the years one thousand nine hundred and seventeen and one thousand nine hundred and eighteen. That if this section shall be construed by the courts to be unconstitutional and without authority of law, the same shall not affect the validity of the other sections and clauses of this act.

Sheriff authorized to collect taxes herein ratified.

If section declared unconstitutional, not to affect other sections.

SEC. 7. The board of commissioners of Craven County shall have power and it shall be their duty to make rules and ordinances not inconsistent with the acts of the General Assembly to regulate the use of the public roads, highway, bridges, and other county property of Craven County.

Commissioners to make rules regulating the use of public highways.

SEC. 8. That the said board shall have power to make rules and ordinances to regulate the weight of loads permitted to be hauled on the public roads and highways and bridges and the width of tires permitted to be used, to limit the speed of automobiles and vehicles running over said roads, highways and bridges, and may prohibit the carrying of all such loads and the use of such tires of vehicles as they may deem needlessly injurious or destructive to such roads or bridges. In making such ordinances they may have regard to the conditions of the roads or parts thereof and bridges and the conditions of traffic thereon, and may make different rules and ordinances applicable thereto.

May regulate weight of loads to be hauled, width of tires, speed of vehicles, etc.

SEC. 9. They shall have power to make rules and ordinances to protect, preserve and regulate the use of any and all property belonging to the county.

Commissioners to make rules protecting county property.

SEC. 10. Any person, firm or corporation who shall needlessly violate an ordinance made by the board of county commissioners in pursuance of the authority herein given, or who shall aid, abet or assist in such violation, shall be guilty of a misdemeanor and shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Violator of ordinance guilty of misdemeanor.

Punishment.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 148

AN ACT TO AMEND SECTION 3733, REVISAL 1905, IN REGARD TO PUBLIC DRUNKENNESS BY ADDING THE WORD UNION AFTER THE WORD RUTHERFORD.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand seven hundred and thirty-three, Revisal one thousand five hundred and five, be amended and the same is hereby amended by adding the word Union after the word Rutherford, in line five (5) of said section three thousand seven hundred and thirty-three.

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

Ratified this the 14th day of February, A. D. 1919.

CHAPTER 149

AN ACT TO AMEND CHAPTER 129 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO HUNTING IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and twenty-nine of the Public-Local Laws of one thousand nine hundred and fifteen be amended by striking out the words "March the first" from line four and inserting in lieu thereof the words "February the first."

SEC. 2. That section three of chapter one hundred and twenty-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 "March the first" from line three and inserting in lieu thereof the words "February the first."

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

Ratified this the 14th day of February, A. D. 1919.

CHAPTER 150

AN ACT TO CODIFY AND AMEND THE ROAD LAWS OF MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Macon County shall on the first Monday in April, one thousand nine hundred and nineteen, appoint a board of road trustees for each township

Public drunkenness made a misdemeanor in Union County.

Open season for hunting to end February 1st.

Commissioners to appoint board of road trustees for each township.

in Macon County, except those townships which have a road ^{Exception.}
 commission elected by the people or appointed by the General
 Assembly. Said road trustees shall be composed of three good ^{Term of office}
 and lawful men who shall hold their offices for one year and that ^{one year.}
 their successors shall be appointed by the county commissioners
 on the first Monday in April, one thousand nine hundred and
 twenty and annually thereafter, and in the event of a vacancy ^{Provision for fill-}
 the said board of commissioners shall at their first meeting after ^{ing vacancies.}
 each vacancy occurs, fill the same. That not more than two of
 said road trustees shall at any time belong to one political party.

SEC. 2. That the road trustees shall meet on the first Saturday in ^{Time of meeting.}
 May, one thousand nine hundred and nineteen (1919) and organ- ^{Organization.}
 ize by electing one of their number chairman and one secretary-
 treasurer who shall forthwith^o report their proceedings to the
 board of county commissioners in writing, which report shall be ^{Report to be filed}
 filed by the register of deeds in his office. That the trustees for ^{in office of register}
 the purpose of transacting such business as may come before ^{of deeds.}
 them, shall meet quarterly or oftener if necessary. The secretary- ^{Secretary-treasurer}
 treasurer shall enter into bond of not less than double the amount ^{to give bond.}
 of road taxes levied in his township for the previous year to be
 approved by the chairman of the board of trustees, payable to
 the county of Macon, said bond to be in form substantially as
 follows, to wit:

“..... as principal and..... as surety ^{Form of bond.}
 undertake and become bound to the county of Macon in the sum
 of \$.....to be void if.....shall well and truly
 account for any pay over all money coming into the hands of
 the said bounden.....from any and all sources as
 he is ordered to do by the board of trustees of.....
 township.

..... (Seal)
 Witness:..... (Seal)”

That all money coming into the hands of the supervisors, who ^{Disposition of}
 are to be appointed as hereinafter provided, in lieu of labor or ^{funds.}
 from any other source, shall be paid over immediately by them to
 the secretary-treasurer unless the same is paid out by them for
 work or material on the roads of the township in which an
 itemized and correct statement of such expenditure, the amount ^{Itemized state-}
 paid and number of days labor hired with it, and to whom paid ^{ment of expendi-}
 shall be made to the board of trustees of such township, such ^{tures.}
 report shall be made by said supervisors to the board at each meet-
 ing of said board. That the bond of the secretary-treasurer shall ^{Secretary-treas-}
 be filed with the clerk of the board of county commissioners and ^{urer's bond to be}
 in case of breach of any of the conditions of said bond or if default ^{filed with county}
 shall be made, it is hereby made the duty of the chairman of the ^{commissioners.}
 board of trustees to bring suit for the penalty of the said bond ^{Chairman to bring}
 suit for default.

Trustees exempt from road labor. in the Superior Court or other court having jurisdiction, to enforce collection of the same without delay. That the trustees shall be exempt from labor on the public roads.

Trustees to examine conditions of roads and make report.

SEC. 3. That the trustees shall carefully examine into the conditions of the public roads in their respective townships at least twice a year and shall make a report in duplicate on the condition of said public roads and present one copy of said report to the board of commissioners of said county at the April and November meeting, and shall forthwith file one copy with the clerk of the Superior Court of said county. Said report shall state the condition of all the public roads in the respective townships, whether in good or bad condition and the reason and causes therefor, which report shall be turned over to the solicitor by said clerk, whose duty it is hereby made to prosecute by indictment before the grand jury all road officers in the said county for failure to discharge any duty herein imposed on such officers.

Copies to be filed with county commissioners and clerk of court.

Scope of report.

Solicitor to prosecute trustees for failure to discharge duties.

Trustees have authority to lay out, alter, or discontinue roads.

Exception: Roads in two townships under county commissioners. Roads to be laid off by jury.

SEC. 4. That the board of trustees in each township are hereby given authority upon petition to order the laying out, construction, altering or discontinuing of public roads that may lie wholly within their townships, and in case such roads may lie in two or more townships, then the same authority is vested exclusively in the board of county commissioners. That all roads shall be laid off and located by a jury to be ordered by the board having jurisdiction and summoned by the sheriff of Macon County, or constable of the township, and shall consist of three disinterested freeholders who shall view out and condemn the right of way of the proposed road on the adopted survey and assess such damages to property as is just and reasonable. Always considering the benefits to the owner of the land in the assessment of such damages, which damages shall be paid by the road trustees or highway commissioners out of the road funds of the township in which said damage is sustained. The trustees or road commissioners shall make a certificate of such damage showing for what allowed and how much and to whom payable, which certificate shall be filed with the clerk of the board of county commissioners who are hereby vested with the power to allow said damages payable out of the road fund of said township. That the aggrieved party may appeal from an order of the board of county commissioners confirming the report of the trustees in laying out or changing any road, to the Superior Court of the county, and also may appeal from any order of the board of township trustees to the board of county commissioners under existing laws governing appeals provided that in case an appeal is taken, nothing herein shall impede or stop the construction of the proposed road.

Allowance of damages.

Certificate of damages.

Aggrieved party may appeal.

Division of townships into road districts.

SEC. 5. That the board of trustees of the several townships in said county shall, on the first day of May, one thousand nine

hundred and nineteen, or within ten days thereafter, divide their respective townships into suitable road districts, and may at any time make such alterations as they may deem advisable and proper, and cause a brief description thereof to be made on the records kept by the secretary-treasurer of the board and also furnish each supervisor with a description of his road district or section.

SEC. 6. That the road trustees of each township, at the meeting at which they divide their townships into road districts as aforesaid and annually thereafter, shall elect or appoint one supervisor for their township, who shall have charge of the several road districts therein; but if in their judgment they consider it best to elect more than one supervisor in the township, they are hereby authorized and empowered to do so and assign to such supervisor such length of district as will best promote the interest of the public roads of the township. The board is authorized and empowered to make any and all contracts with the supervisor so appointed or elected by them and shall fix the amount to be paid them and direct the supervision as to manner of work with reference to the permanent improvement of the road, length of time to work and number of hours per day: *Provided*, that if said road trustees shall deem it proper and advisable, they may and are hereby authorized and empowered to sell out the road making and repairing in their respective townships to the lowest responsible bidder, who shall be termed the supervisor of the township or road district, as the case may be, said sale to be advertised for ten days by notice at three public places in said township. The free labor allotted to said supervisor shall be counted in and charged to said supervisor as first money paid. The trustees shall not settle in full with said supervisor until their requirements outlined on day of sale relative to condition of the road, quality of labor, etc., have been complied with. That the road trustees shall cause each supervisor to make, execute and deliver to them a bond payable to the county of Macon which bond shall be in form substantially as follows: and in a sum not less than one hundred dollars, to wit:

Road trustees may elect one or more supervisors for each township.

Board may make contracts.

Proviso: May let road making and repairing by contract.

Free labor to be charged to contractor.

Trustees not to settle with supervisor until contract is complied with.

Supervisor to make bond.

"We,.....as principal and..... Form of bond.
as surety undertake and become bound to the county of Macon in the sum of \$.....to be void if the above bounden..... supervisor of roads shall well and truly discharge all and singular the duties assigned him and shall return his section of the road in good condition at the expiration of his term of office and shall faithfully account for all money coming into his hand from any source.

.....(Seal)

Witness:.....(Seal)"

Supervisors to put roads in order.

SEC. 7. It is hereby made the duty of the several supervisors as soon as possible after their appointment to proceed to put the roads in their districts in first-class condition by the proper use of such tools, machinery, and other means placed in their hands by the county commissioners and the road trustees and all defaults of any supervisor or penalties incurred shall be prosecuted in the same manner provided in this act for the collection of penalties incurred by the secretary-treasurer of the board of trustees. That it is also herein made the duty of the road trustees to confer with and to direct the supervisors as to the best methods of constructing and permanently improving the public roads. The said supervisors shall, at each quarterly meeting of the board, and oftener if directed by said board, make a correct and true report of the condition of the roads under the charge of such supervisor, the character of the work, and the extent of the same, the number of days labor and by whom, the name of each person who has paid cash in lieu of labor and the amount paid, and if the same or any part of the money has been paid out, to whom paid and how much and for what purpose. That for neglect or failure on the part of any supervisor to comply with this section or any other section of this act relating to his duties he shall be guilty of a misdemeanor and shall be fined or imprisoned at the discretion of the court.

Defaults to be prosecuted; manner of prosecution.

Road trustees to confer with supervisors.

Supervisors to make report to trustees.

Penalty for neglect of supervisor.

Persons required to work roads.

Proviso: May pay \$4.00 in lieu of 4 days labor.

SEC. 8. That all able-bodied male persons able to perform the labor herein required between the ages of twenty-one (21) and forty-five (45) years shall be liable to do and perform, annually, four days labor on the public roads under the direction of the supervisor of the road district in which he resides: *Provided*, that if any person being warned, as hereinafter provided, shall at the time of being warned or within two days thereafter pay to the supervisor the sum of four dollars (\$4) in lieu of said four days labor, the same shall be received in full satisfaction of such labor.

Supervisor to order out persons liable for road duty.

Penalty for refusal to attend and work.

SEC. 9. That it shall be the duty of every supervisor to order out every such person resident as aforesaid between the first Saturday in May and the last day of April annually to do and perform the work aforesaid on the public roads within the district; and if any such resident being personally warned by the supervisor or by leaving a written notice at his usual place of abode, shall refuse, having had two days notice, to attend by himself or any able-bodied substitute acceptable to the supervisor, or shall attend and spend his time in idleness or inattention to the work assigned him, every such delinquent shall be guilty of a misdemeanor and fined not less than five dollars (\$5) nor more than ten dollars (\$10), and full power and authority are herein

conferred upon the justice of the peace trying the case to order said delinquent to work on the public roads of his district till such fine and cost are paid.

SEC. 10. That in case any person subject to road duty shall remove from one district to another in the county who has, prior to such removal, worked the required number of days on the roads of the township from which he has removed or paid the amount in lieu of such labor required of him by this act, he shall be released upon producing a receipt for the same for the amount therein specified.

SEC. 11. That the county commissioners of Macon County are hereby authorized and directed to levy at the June session of their board in the year one thousand nine hundred and nineteen (1919), and each year thereafter, a special road tax not less than twenty-five cents on the one hundred dollars worth of property and not over fifty cents, and shall cause the same to be placed on the list for the current year to be included in and collected in the annual taxes. That it shall be the duty of the several boards of trustees of the county to confer with and make recommendations to the county commissioners as to the amount of tax needed or required in their respective townships for the current year, and upon such recommendation the county commissioners, in the exercise of their discretion, may at any time levy an additional tax upon all the property of the township in an amount not to exceed the limitation herein set out.

SEC. 12. That the tax levied and collected under this act shall be kept by the sheriff or tax collector in a separate item from all other taxes on the tax list and appear on a separate item on the tax receipt. The money collected under the provisions of this act upon the property of each township shall be placed to the credit of the same, and shall be paid out for the making and keeping in repair of the roads and foot bridges of the townships in which same was collected.

SEC. 13. That the road taxes levied under this act shall be made out and kept in a separate item on the tax list and appear in a separate item on the tax receipt; that the clerk of the board of county commissioners shall, at the earliest date practicable and not later than the fifteenth day of October in each year, furnish to the treasurer of the board of road trustees of each township a statement of the amount of taxes levied in his township and that the tax collector shall pay the amount of the taxes collected in each township to the treasurer of the board of township trustees of said township, taking from such treasurer his receipt therefor, which receipt shall be his valid voucher in settlement of such tax collector with the commissioners of said county for the road tax of such township.

Removal from one district to another does not change liability.

County commissioners to levy road tax.

Rate of tax; how collected.

Boards of trustees to confer with commissioners as to tax.

Limit of tax.

Road tax to be kept separate.

Tax to be kept to credit of township in which collected.

Road tax to be laid out and kept in separate item.

Clerk to board of commissioners to furnish statement to road trustees.

Taxes to be paid to treasurer of respective township trustees.

Commissioners to have control of bridges.

May pay for bridges out of available funds, or may levy bridge tax.

Rate of bridge tax.

Lumber companies to pay tax of 2 cents per mile per thousand feet.

Tax payable to secretary of road trustees or treasurer of highway commission.

Lumber companies to make monthly report to road trustees or highway commission.

Sworn report, to state number of feet hauled.

Failure to make report or to pay tax misdemeanor.

Penalty of \$50.

Each failure separate offense.

Penalty for each day report is delayed \$10.

Collection of forfeiture in justice's court by chairman of board of trustees.

Use of funds collected.

SEC. 14. That the county commissioners of said county shall have the supervision and control of the bridges, the location of the new ones, the construction and repair of the same and shall make any and all contracts relative thereto, pay for same out of any available county funds, as heretofore provided. Or if said commissioners shall levy a special bridge tax in addition to the township levy heretofore in this act provided for not to exceed ten cents (10c) on the one hundred dollars (\$100) worth of property nor thirty cents (30c) on the poll to be collected and used for bridge purposes. In the levying of the tax under this section the constitutional equation between property and poll shall be observed.

SEC. 15. That any lumber company, corporation, person or persons engaged in the lumber business and desiring to use any of the public roads of the townships of Macon County, for the purpose of carrying on its or their business, of hauling either by its or themselves, or by hiring or contracting with other persons, mill logs, lumber or other heavy material with log wagons, log carts or other heavy vehicles, shall pay a license or privilege tax of two cents (2c) per mile on each one thousand feet of mill logs, lumber or other heavy material so hauled, said tax being payable to the secretary-treasurer of the road trustees or to the treasurer of the highway commission in the township in which said hauling is done, and it shall be the duty of any lumber company, corporation, person or persons engaged in the lumber business as hereinbefore set out to make a monthly report to the road trustees or highway commission of each township in which it or they are engaged in said business, said report to be made on the first Monday of each month of the number of feet of all lumber, logs, and other heavy material so hauled during the preceding month. Said report shall accurately state the number of feet of lumber, logs, etc., and be itemized and sworn to. That any lumber company, corporation, person or persons so engaged in the lumber business failing to make such report, or failing to make the same accurately and truthfully, or failing to pay the said license or privilege tax hereinbefore set out shall be guilty of a misdemeanor and fined fifty dollars (\$50) for each and every offense. The failure to make such report and pay said privilege or license tax each month shall constitute a separate offense. In addition to the fine herein provided for, such lumber company, corporation, person or persons shall likewise forfeit the sum of ten dollars (\$10) for each day that said report is neglected to be made after the time specified in which the same shall be done. That said forfeiture shall be collected by proper proceedings instituted in a court of some justice of the peace for said county against such delinquent by the chairman of the board of township trustees, or highway commission and all moneys col-

lected under this section shall be applied for the improvement of the roads in the township in which the same is collected.

SEC. 16. That chapter sixty-five of the Revisal of one thousand nine hundred and five, be and the same is hereby made applicable to Macon County only in so far as the same does not conflict with this act.

Chapter 65, Revisal of 1905, applies where not in conflict with this act.

SEC. 17. That each member of the township board of trustees shall receive for his services the sum of twelve dollars (\$12) per year and shall not be liable for road work or required to pay the four dollars (\$4) in lieu thereof.

Pay of trustees \$12.00 per year.

Exempt from road work.

SEC. 18. That for the purpose of carrying out the provisions of this act, the road supervisors of the various townships are hereby authorized to enter upon any land near to or adjoining any public roads, and cut and carry away any timber except trees or groves on improved land planted or left for ornament or shade; to dig or cause to be dug and carried away any gravel, sand, clay or stone or earth of any description which may be necessary to construct, improve or repair said roads; to cut and carry away any trees, except ornamental trees on improved property, which may unduly shade the road, and to enter on any land adjoining a line near the road in order to make such drains or ditches through the same as they may deem necessary for the betterment of the road, doing as little injury to said land and timber or improvements thereon as the nature of the case and the public good will permit; and when necessary to protect the said lands or the crops thereon, the drains and ditches so made shall be conducted to the nearest ditch, drain, water-course, or waste ground and shall be kept open by the said supervisors and shall not be obstructed by the owner or occupant of such lands or any other person or persons. And any person so obstructing the supervisor or supervisors, or obstructing such ditches or drains, shall be guilty of a misdemeanor, and shall, upon conviction, be fined not exceeding ten dollars (\$10) or imprisoned not exceeding twenty (20) days for each and every offense. If the owner of any lands or the agent of such owner, having in charge lands from which timber, stone, gravel, clay or earth of any description was taken as aforesaid shall see fit, he shall present an account for the same to the board of county commissioners within thirty (30) days after the taking and carrying away of said timbers, stone, gravel, sand, clay or earth and it shall be the duty of the commissioners to order paid a fair price for the same out of the township funds of the township in which said damage occurred: *Provided*, the said owner or his agent shall have the right to appeal to the Superior Court from the allowance made by the commissioners.

Right of eminent domain.

Obstruction of supervisors, or ditches and drains a misdemeanor.

Penalty \$10 or 20 days imprisonment.

Owner of material used may present claim to commissioners.

SEC. 19. In relocating and widening roads in use, or in opening new roads, the county commissioners, if the road lies in two

Relocation or widening roads after survey.

Commissioners to notify land owners of adoption of survey.

Assessment of damages by jury. Obstruction of surveyor in survey misdemeanor.

Punishment. Obstruction of surveyor in opening road misdemeanor.

Punishment. Solicitor to prosecute offense.

Damages to be paid out of road funds.

Appeal from award of jury.

Right of way 24 feet.

Secretary and treasurer of road trustees to keep itemized record.

Act limited to Macon County. Townships excepted from operation of act.

Highway Commission Acts road law of townships.

Exception: Sec. 14 to apply to entire county.

Secs. 8-10 and 15 to apply to all except Franklin Township.

or more townships, or the road trustees of the proper township, if the road lies wholly within one township, shall cause a county surveyor or some other suitable and competent surveyor or civil engineer to make a survey of the proposed change of an old road or the new road to be opened, and if they adopt said survey they shall give notice to the owner or owners of the land that they have adopted said survey or surveys and that the same has been condemned for use of the county or township, as the case may be, for public roads, a jury having previously condemned and assessed the damages on the road as hereinbefore directed. And any person who shall obstruct the county surveyor or other surveyor or civil engineer in making a survey for the changing of a road or the opening of a new road, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned or both in the discretion of the court, and any person or persons who shall obstruct the surveyor or supervisors in opening said change of road or new road shall be guilty of a misdemeanor and upon conviction thereof shall be fined or imprisoned or both, in the discretion of the court; and it is hereby made the duty of the solicitor to prosecute all offenses against the provisions of this section. That the road trustees or highway commissioners shall pay the damages in all cases under this section out of the road fund of the township in which said damages are sustained on order of the board of county commissioners of Macon County. An appeal shall lie from the decision of the jury to the county commissioners and then to the Superior Court, but no question except the amount of damages shall be determined on such appeal.

SEC. 20. That the right of way of public roads in said county shall be twenty-four feet, and the supervisor with the approval of the road trustees, shall determine how much of said right of way shall be used for road purposes.

SEC. 21. That the secretary and treasurer of the road trustees or highway commission of the various townships shall keep an itemized record of the receipts and disbursements of the road funds in his township which shall at all times be opened for inspection.

SEC. 22. That this act shall only apply to Macon County.

SEC. 23. That this act shall not apply to Franklin Township, Cowee Township, Cartoogechaye Township, Ellija Township, and Smith Bridge Township, but that what is known as the Highway Commission Acts and acts amendatory thereto shall apply to the townships named in this section and shall be the road law of said townships, except that section fourteen hereof shall apply to and be the law of the entire county of Macon, and that sections eight, nine, and ten and fifteen (15) of this act shall apply to and be the law of all townships in Macon County except Franklin Town-

ship and that the roads of Franklin Township shall be worked by taxation as provided in the Highway Commission Act of Franklin Township, and acts amendatory thereto.

SEC. 24. That all damages arising from the construction, grading, regrading or changing any public road in Macon County, or the taking of timber, etc., for road purposes shall be paid for by the township in which such road was built, changed, graded, regraded, or material taken. That this section shall apply to all townships in Macon County.

SEC. 25. That the county commissioners of Macon County shall have one thousand (1,000) copies of this act printed at the expense of Macon County and paid for out of the bridge fund provided hereunder.

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

SEC. 27. That this act shall be in force from and after the first Monday in April, one thousand nine hundred and nineteen.

Ratified this the 14th day of February, A. D. 1919.

CHAPTER 151

AN ACT TO PREVENT THE KILLING, SELLING AND SHIPPING OF HEIFER CALVES IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons, firm or corporation to buy or sell, or engage in the business of buying or selling or otherwise dealing in heifer calves for veal under the age of twelve months, either dead or alive. It shall further be unlawful for any person, firm or corporation to ship or engage in shipping heifer calves for veal under the age of twelve months, 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 heifer calves for veal or heifer calves under the age of twelve months out of Surry County, either dead or alive.

SEC. 2. The buying, transporting, driving, shipping or otherwise dealing in heifer calves for veal under the age of twelve months, either dead or alive, shall be *prima facie* evidence of the violation of the provisions of this act.

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.

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

SEC. 5. That this act shall apply to Surry County only and shall be in force from and after its ratification.

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 152

AN ACT TO FIX THE COMPENSATION OF COUNTY COMMISSIONERS, MEMBERS OF THE BOARD OF ROAD COMMISSIONERS, AND MEMBERS OF THE COUNTY BOARD OF EDUCATION OF CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

Commissioners,
members of board
of education and
road commis-
sioners to receive
per diem of four
dollars.
Mileage to and
from home of five
cents.

SECTION 1. That the compensation of the members of the board of county commissioners, the members of the board of road commissioners, and the members of the county board of education of Chatham County shall be four dollars per day for each day they are engaged in the performance of the duties of their office; and they shall be allowed mileage of five cents per mile traveled in the performance of their official duties, to be paid out of the respective funds from which their compensation and mileage are now paid.

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 17th day of February, A. D. 1919.

CHAPTER 153

AN ACT TO AMEND SECTION 2 OF CHAPTER 41 OF THE PUBLIC LAWS OF 1909, FIXING THE PER DIEM OF THE BOARD OF COMMISSIONERS OF JOHNSON COUNTY.

The General Assembly of North Carolina do enact:

Per diem of
Johnston County
commissioners
increased from
three to five
dollars.

SECTION 1. That section two of chapter forty-one of the Public Laws of nineteen hundred and nine, be and the same is hereby amended by striking out the word "three" in line four of section two and inserting in lieu thereof the word "five."

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 17th day of February, A. D. 1919

CHAPTER 154

AN ACT TO AMEND CHAPTER 260 OF THE PUBLIC LAWS OF 1917, REGULATING THE FEES OF JUSTICES OF THE PEACE IN ROWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred and sixty of the Public Laws of one thousand nine hundred and seventeen be and the same is hereby amended as follows: Law amended.

"1. In lines seven, eight and nine of said section strike out the words 'trial when issues are joined, seventy-five cents, and if no issues are joined, then a fee of forty cents for trial and judgment,' and insert in lieu thereof the words 'trial and judgment one dollar.' Fee for trial and judgment by justice of peace made one dollar.

"2. In line thirteen of said section strike out the words 'thirty cents' and insert in lieu thereof the words 'fifty cents.'" Fee for return to appeal increased.

SEC. 2. That this act shall only apply to Rowan County.

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 155

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF VANCE COUNTY TO SELL THE LAND KNOWN AS THE COUNTY FARM.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners for the county of Vance, be, and they are hereby authorized and empowered within their judgment and discretion to sell, either by public or private, the whole, or such part thereof as they deem best for interest of the county, that tract of land with improvements thereon, belonging to the said county, and situate in Vance County, North Carolina, known as the "County Home"; containing two hundred and fifty-two acres, more or less, and being the same land purchased by the said county from Mrs. Fannie B. Jacobs by deed dated twentieth of August, one thousand eight hundred and eighty-nine; and the chairman of said board of commissioners shall, upon the payment of the purchase money, execute for and in the name of the said county a good and sufficient deed in fee simple for the land so sold, and the clerk of the said board shall attest the signature of the said chairman, and affix the county seal to the said deed. Commissioners authorized to sell in any manner they deem best tract of land known as "County Home."

Funds derived from sale to be used in purchase of new site and building modern county home.

SEC. 2. That the said board of commissioners for the county of Vance are hereby authorized and empowered, in their discretion, to use the funds derived from the sale of the said land in the purchase of other lands for the county, and the building and construction thereon of new and more modern structures for the maintenance and comfort of the aged and infirm of the county, or for the improvement of the present buildings upon the said land for above named purpose, if the whole thereof is not sold, and they shall deem this best; and the remainder of the said funds, if any, shall be used for general county purposes.

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 156

AN ACT TO FIX THE COMPENSATION OF THE COUNTY COMMISSIONERS OF CAMDEN COUNTY.

The General Assembly of North Carolina do enact:

Per diem of Camden Commissioners made three dollars.

SECTION 1. That the compensation of the members of the board of county commissioners of the county of Camden shall be, for each member three dollars per day for each day he shall be employed as such commissioner, together with mileage at the rate of five cents per mile traveled in the performance of such duties.

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

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 157

AN ACT TO AMEND CHAPTER 130 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE IMPROVEMENT OF THE PUBLIC ROADS OF RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

Cost of timber and other material taken from lands adjoining new roads to be paid by county commissioners from bridge fund.

SECTION 1. That section thirteen of chapter one hundred and thirty of the Public-Local Laws of one thousand nine hundred and seventeen be amended by striking out all after the word "provided" in the fourth line from the end thereof and inserting in lieu thereof the following: "Provided, that the cost of the same, together with the cost of all timber used in the construction

of the public roads of Rutherford County, shall be paid by the board of county commissioners out of the county fund collected for bridge purposes."

SEC. 2. That all laws and parts 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 17th day of February, A. D. 1919.

CHAPTER 158

AN ACT TO REQUIRE MUNICIPAL CORPORATIONS IN YADKIN COUNTY TO PUBLISH PERIODICAL STATEMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That every municipal corporation in the county of Yadkin that levies and collects taxes, shall, beginning on the first day of May, one thousand nine hundred and nineteen, and semiannually thereafter, publish an itemized and verified statement of all its receipts and expenditures. Municipal corporations to publish statements.

SEC. 2. That the statement to be made in May of each year shall include a complete and comprehensive statement of the financial condition of such municipal corporation setting forth all the indebtedness and resources thereof and the nature of same. Statement to be made in May of each year.

SEC. 3. That the mayor and aldermen of each municipal corporation in Yadkin County are specifically charged with the duties required by this act and shall require the proper officers to make and verify statements required by sections one and two of this act and shall cause publication of same at time stated by inserting in some newspaper published in the county within thirty days from the date required for making said statement: Mayor and aldermen charged with duties required by act.

Provided, that if there be no newspaper published in the county publication may be made by posting at the door of the mayor's office, at the courthouse door and one other public place in the township in which the municipal corporation is situated. Statement to be published within 30 days after May 1st. Manner of publication prescribed.

SEC. 4. That any person failing to perform the duties required by this act shall be guilty of a misdemeanor and upon conviction shall be punished in the discretion of the court and shall be removed from office. Failure to perform duties misdemeanor.

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 159

AN ACT TO PREVENT THE KILLING, SELLING, AND SHIPPING OF VEAL IN LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Unlawful to buy or sell calves for veal under age of six months.

Proviso: Does not apply to purchase or sale of heifers for milk cows or bulls for breeding or work stock.

Misdemeanor.

Penalty.

SECTION 1. That it shall be unlawful for any person or persons, firm or corporation in Lincoln County to buy or sell, or engage in the business of buying and selling or shipping calves for veal under the age of six months old, either dead or alive: *Provided*, that this act shall not apply to persons buying or selling heifer calves to be raised for milk cows, or bull calves for raising purposes or work stock.

SEC. 2. That any person, firm or corporation violating the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction shall pay a penalty of not less than fifteen dollars (\$15) nor more than thirty dollars (\$30), or be imprisoned for not less than twenty nor more than thirty days, or both, in the discretion of the court, for each and every offense.

SEC. 3. That it shall not be unlawful for any resident of Lincoln County to kill or sell on foot any calf of his own raising.

SEC. 4. All laws or clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 160

AN ACT TO AMEND CHAPTER 193, PUBLIC-LOCAL LAWS OF 1915.

The General Assembly of North Carolina do enact:

Swain Special Road District relieved of care of county bridge at Bryson City.

SECTION 1. That section four, chapter one hundred and ninety-three, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by adding to section four after the word "way" and before the word "in" in line three, the following: "and all public bridges except the county bridge across the Tuckaseegee River in the town of Bryson City."

Payment in lieu of free road labor increased.

SEC. 2. That section eleven of said chapter one hundred and ninety-three, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out in line five of said section the word "one" between the words "pay" and "dollar" and inserting the word "two," and by insert-

ing in line fifteen of said section after the word "dollars" and before the word "or" the following: "in addition to being required to pay the two dollars (\$2) per day above provided for."

SEC. 3. That section thirty of said chapter one hundred and ninety-three be and the same is hereby amended by adding at the end of said section the following: "and the board of county commissioners of Swain County is hereby authorized and directed to levy annually at the same time other taxes are levied an additional special tax of not less than ten cents or more than thirty cents on all taxable property, and not less than thirty or more than ninety cents on each taxable poll within said special road district, upon the advice and recommendation of the highway commission for the purpose of providing funds for maintaining the upkeep and extension of the public roads and bridges in said special road district." Special tax authorized for maintenance of roads and bridge.

SEC. 4. That the said chapter one hundred and ninety-three, Public-Local Laws of one thousand nine hundred and fifteen be and the same is amended by adding the following section after section thirty-six: "Section thirty-six-a. That the board of highway commissioners of Swain Special Road District be reduced from nine members to five members, whose term of office and manner of appointment shall conform to section two, chapter one hundred and ninety-three, Public-Local Laws of one thousand nine hundred and fifteen, and that A. S. Patterson, J. L. Coburn, T. M. Jenkins, A. M. Bennett, and Frank E. Fry, be and they are hereby appointed as members of said board of highway commissioners of Swain Special Road District to serve for a term of two years from and after the date of ratifying this act." Number of highway commissioners reduced. Term of office; manner of appointment. Commissioners named for term of two years.

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 17th day of February, A. D. 1919.

CHAPTER 161

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

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Tyrrell County be and it is hereby authorized and empowered to levy a special tax annually on all taxable property and polls of said county not exceeding in any one year ten cents on the one hundred dollars valuation of property and thirty cents on polls, ob- Special tax levy not exceeding 10 and 30 cents for bridges, jurors and poor fund.

serving the constitutional equation in levying said tax, for the purpose of building and repairing bridges in said county, paying jurors, and supplementing the poor fund, and for any of said purposes.

Tax levied, collected and accounted for as other taxes.

SEC. 2. Said tax shall be levied, collected, and accounted for as other county taxes are; and should there be any surplus remaining in the hands of the county treasurer in any one year not expended for the above purposes, the same may be paid into the general county fund upon order of the board of commissioners.

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 162

AN ACT TO ENLARGE A CERTAIN STOCK-LAW TERRITORY IN COLUMBUS COUNTY AND PREVENT LIVE STOCK FROM RUNNING THEREIN.

The General Assembly of North Carolina do enact:

Unlawful for live stock to run at large.

Territory defined.

SECTION 1. That it shall be unlawful for the following live stock, to wit, horses, mules, jacks, jennets, mares, colts, calves, sheep, goats, and all other cattle, swine, and geese, to run at large in that territory in Columbus County bounded and described as follows, viz: Beginning at the stock-law gate on the public road leading from C. T. Thompson's to Pine Log, at or near the Aycock's land line in a southerly direction to Aycock and Lennon land corner, thence with Alex Lennon's and George Spivey's land line eastwardly to John M. Somerset's and Wm. Frink's land corner, thence with John M. Somerset's land line eastwardly to the John Walker line, it being the John M. Somerset and Wm. Frink corner in the John Walker line; thence the John Walker line and Wm. Frink line southwardly to Turkey Pen Pond, Isham Hinson, R. D. Ammons land line southwardly to the Pleasant Hill public road, leading from J. M. Walker's to Pleasant Hill Church, thence with north margin of said road westwardly to Isham Hinson gate in front of his dwelling house, thence across said road to south margin of said road and with Isham Hinson and Gooley Boswell's land line in a westerly direction to Isham Hinson's corner in Myra Branch in L. W. Stanley's land line, thence up said branch with L. W. Stanley's line to L. W. Stanley's and Isham Hinson's corner on the east side of Myra Branch and on south side of Spice Branch, thence with L. W. Stanley's and Isham Hinson's land line southwardly to their

corner in the Melvin Hinson line, thence eastwardly with the Melvin Hinson and Isham Hinson line to J. L. Hinson's and Joe Burchett's corner in said Hinson line, thence southwardly with J. L. Hinson's and Joe Burchett's line to their corner on the canal leading from the big pond, thence up said canal westwardly on the east side of the big pond, thence southwardly on the east side of the big pond with the spring ditch, said ditch being at the foot of the hill it also being the east margin of the big pond to the John McLamb and Alva Blake old lead ditch near the front of L. M. McLamb's house, thence westwardly with said Alva Blake's old lead ditch, it being the south margin of the big pond, to the north margin of the central public road leading from Haynes Hinson's to S. F. Hughes, hence the north margin of the central road westwardly to the Bank of Whiteville land line, it being the old John M. Jones line, thence southwardly with the Bank of Whiteville land line to the Bee Tree corner, known as the J. W. Tedder corner, hence southwardly with the J. W. Pedder and H. C. Tyre line to J. W. Pedder and Lewis Patterson corner, it now being H. D. Duncan's and Lewis Patterson's line to H. D. Duncan and R. E. Buffkin land corner, thence H. D. Duncan's and R. E. Buffkin's land line northwardly to H. D. Duncan's land corner in C. G. Buffkin's line, thence westwardly with C. G. Buffkin's line to his corner on the north side of the Joel Buffkin farm in the edge of an old cartway, thence north with C. G. Buffkin's and Joel Buffkin's land line to their corner in the run of Five Mile Branch, it also being M. L. Gore's corner; thence northwardly with M. L. Gore's line down said branch with Gore's line to Albert Fowler's corner in said branch, thence westwardly with Albert Fowler and M. L. Gore's land line to the Peacock and Mill Branch road, thence northwardly with the west margin of said road to Sadie Hughes' and Walter Gore's corner at or near the northeast corner of the Jim McClellan old home place, thence west with Sadie Hughes and Mrs. H. D. White's land line to Mrs. H. D. White's corner thence westwardly to John Avant's line on south side of his plantation, to the Hobson land corner, thence westwardly with said Hobson's line to the Chadbourne and Whiteville stock-law fence.

SEC. 2. That the territory described in section one of this act, which is contiguous to the west portion of the present stock-law territory in Columbus County, shall be and the same is hereby added to the said stock-law territory known as Whiteville and Chadbourne stock-law territory in Columbus County, and fully described in acts passed by the General Assembly of North Carolina, Public Laws of one thousand nine hundred and five, chapters four hundred and sixty-one and seven hundred and ninety-six, and Public-Local Laws, session of one thousand nine

Territory defined added to Whiteville and Chadbourne stock-law territory.

Ratification of act brings territory under operation of sections 2, 3, 4, and 5, Public Laws 1905.

hundred and thirteen, chapter five hundred and thirty-eight, and upon the ratification of this act the territory described in section one of this act shall be subject to all the provisions, pains and penalties set out in section two, three, four, and five of the Public Laws of one thousand nine hundred and five, chapter four hundred and sixty-one.

SEC. 3. That this act shall be in force from and after the first day of August, one thousand nine hundred and nineteen.

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 163

AN ACT FOR THE PROTECTION OF GAME IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

Closed season for deer and wild turkey prescribed.

SECTION 1. That it shall be unlawful for any person to kill any deer in Pender County, between the first day of February and the first day of October, in each year; and that it shall be unlawful for any person to kill any wild turkey between the first day of March and the first day of December, in each year. Any person violating the provisions of this act shall be guilty of a misdemeanor and fined at the discretion of the court.

Misdemeanor.

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

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 164

AN ACT TO APPOINT HIGHWAY COMMISSIONERS FOR STANLY COUNTY.

The General Assembly of North Carolina do enact:

G. D. Troutman appointed member of highway commission for 6 years.

SECTION 1. That G. D. Troutman be and he is hereby appointed to succeed himself as a member of the highway commission of Stanly County for a term of six years.

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 165

AN ACT TO PROTECT GAME IN ANSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Anson County shall, on the first Monday in April, one thousand nine hundred and nineteen, and biennially thereafter appoint a game warden for each township in said county to enforce the game laws of Anson County, including the provisions of this act.

Commissioners to appoint township game wardens.
Term of office two years.

SEC. 2. That for the more complete enforcement of the game laws of said county, the sheriff of said county, his deputies, and all rural police and township constables of said county are hereby vested with the same power and authority as is hereby granted to said game wardens.

Sheriffs, deputies, rural police and constables vested with same power as game wardens.

SEC. 3. That said game wardens 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 game wardens shall have and exercise all the powers and privileges exercised by township constables 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.

Game wardens to take oath and give bond.

To exercise powers of constables and police officers.

SEC. 4. That it shall be unlawful for any person to hunt with gun, dog, or by trapping or otherwise upon the land of another in said county without the written consent of the owner of the land or the written consent of his or her duly authorized agent: *Provided*, this section shall not apply to minors who are living with their parent, or parents, or to anyone when accompanied by the landowner or his or her duly authorized agent.

Unlawful to hunt on lands of another without written permission.

Not applicable to minors or persons hunting with land owner.

SEC. 5. That it shall be unlawful for any person to hunt, kill or capture any game bird in said county between the twentieth day in January and the twentieth day in November in each year.

Closed season on game birds January 20th to November 20th.

SEC. 6. That game birds, within the meaning of this act, shall be bob-white, partridge, quail, snipe, woodcock, dove, robin, and meadowlark.

Game birds specified.

SEC. 7. That it shall be unlawful for any person to hunt, kill or capture any deer or wild turkey in Anson County for three years from the ratification of this act; after that time deer and wild turkey in Anson County shall have same protection as given game birds in section five of this act.

Unlawful to hunt deer or wild turkey for three years.

SEC. 8. That for each conviction under the provisions of this act, the officers making said arrests of said person convicted shall receive the sum of five dollars, to be paid by person con-

Officers arresting violators to receive \$5 in addition to fees.

victed, in addition to the fees for arrest and service of papers, which shall be the same as allowed the constables for like service.

Violation of act
misdemeanor.

SEC. 9. That 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 ten dollars nor more than fifty dollars, or imprisoned not less than ten days nor more than four months.

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

SEC. 11. This act shall be in force and effect from and after its ratification.

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 166

AN ACT AMENDING SECTION 69 OF THE PUBLIC-LOCAL LAWS OF THE SPECIAL SESSION OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter sixty-nine of the Public-Local Laws of one thousand nine hundred and thirteen, be and the same is amended as follows: By adding at the end thereof the following:

“*Provided*, that the provisions of this act shall not apply to that portion of Scott’s Creek Township within the following boundaries:

“Beginning in the Haywood County line at the northeast corner of E. M. Smathers’ home tract and runs with E. M. Smather’s back line to W. T. Derick’s line; thence with W. T. Derick’s back line to T. F. Green’s line; thence with T. F. Green’s back line to Mrs. W. H. Wigg’s Snider place; thence with Mrs. Wiggs’ back line to the State road; thence with the State road to the ford of Scott’s Creek at W. J. Cogdill’s stake corner below Mr. T. D. Green’s residence; thence with W. J. Cogdill’s front line to G. E. Smather’s line; thence with G. E. Smather’s front line to B. R. Henson’s line; thence with Henson and Smather’s line to the Cogdill heir’s line on top of the Stanford Mountain; thence with the Cogdill heir’s line to J. B. Cogdill’s line; thence with J. B. Cogdill’s line to the North Fork public road; thence with said road to the stock-law boundary line; thence with the stock-law boundary line to the Sylva and Scott’s Creek Township line; thence with the Scott’s Creek Township line to the Qualla Township line; thence with the Qualla Township line to the Haywood County line; thence with the Haywood County line to the beginning.”

Part of Scott’s
Creek Township,
Jackson County,
set apart as free
range.

Boundaries
prescribed.

Provided further, that should Scott's Creek Township by vote come within the provisions of said stock law, the territory above described shall be separated from the other portions of Scott's Creek Township by a suitable fence to be erected and maintained by that portion of the township above described.

If township votes stock law, this territory is to erect and maintain fence.

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

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 167

AN ACT TO AUTHORIZE AND DIRECT THE USE OF COUNTY FUNDS IN CONJUNCTION WITH FEDERAL OR STATE FUNDS FOR ROAD CONSTRUCTION IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That whenever any Federal or State funds may be available for use in Brunswick County in aid of road construction, maintenance or repair, the board of county commissioners is hereby authorized and directed to procure and provide such sums as may be necessary to secure for the county the benefit of the said Federal or State funds: *Provided*, that this act shall authorize a total expenditure of county funds of not to exceed fifteen thousand dollars.

County commissioners authorized to provide funds to secure Federal and State road funds.

May not exceed \$15,000.

SEC. 2. That the board of county commissioners of Brunswick County is hereby authorized and directed to levy such special tax as may be necessary to carry out the provisions of section one of this act.

Special tax may be levied.

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

Ratified this the 18th day of February, A. D. 1919.

CHAPTER 168

AN ACT TO PROTECT GAME IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to net, trap, sell or offer for sale at any time, game in Surry County.

Unlawful to net, trap or sell game.

SEC. 2. That it shall be unlawful for any person to kill or in any manner destroy game between the first day of January and the fifteenth day of November in any year.

Closed season on game January 1st to November 1st.

Bag limit: Quail, ten; woodcock, dove, robin, squirrel or rabbit, four; opossum, two.

SEC. 3. That it shall be unlawful for any person to kill more than ten quail or partridge, or four woodcock, dove, robin, squirrel, or rabbit, or two opossums, in any one day between the fifteenth day of November and the first day of January in any year.

Unlawful to transport game from county for two years.

SEC. 4. That it shall be unlawful for any person, firm, or corporation to ship or transport game of any kind out of Surry County in any manner whatsoever, for the period of two years.

Sheriff and deputies made game wardens.

SEC. 5. That the county sheriff, and his deputies, be and they are hereby constituted game wardens as provided by the laws of North Carolina.

Violation of game laws misdemeanor. Penalty.

SEC. 6. That any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars, or imprisoned not more than thirty days.

SEC. 7. That this act shall apply only to the county of Surry.

SEC. 8. That all laws, or clauses of laws, inconsistent with this act are hereby repealed.

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

Ratified this the 18th day of February, A. D. 1919.

CHAPTER 169

AN ACT TO AMEND SECTION 20 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1913, RELATING TO HUNTING AND FISHING IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That section twenty of chapter five hundred and sixty of the Public-Local Laws of nineteen hundred and thirteen be amended by adding at the end thereof the following:

Squirrels and rabbits may be hunted by persons on own land at any time. To hunt or fish on lands of another without permission unlawful. Penalty.

“Provided, that it shall be lawful for any person to hunt or shoot hares or squirrels on their own premises at any time.”

SEC. 2. It shall be unlawful for any person to hunt or fish upon the land of another without permission of the owner of the land. Any person violating the provisions of this section shall be fined not exceeding ten dollars (\$10) for each offense.

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 18th day of February, A. D. 1919.

CHAPTER 170

AN ACT TO REPEAL CHAPTER 372 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1915, AND AMENDATORY ACTS THERETO, PROVIDING FOR RECORDER'S COURTS AND COUNTY COURT FOR COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and seventy-two, Public-Local Laws of one thousand nine hundred and fifteen, as amended by chapter seven hundred and forty-two of Public-Local Laws of one thousand nine hundred and fifteen, and by chapters sixty-nine and seven hundred and five, Public-Local Laws of one thousand nine hundred and seventeen, be and the same is hereby repealed.

Chapter 372, Public-Local Laws 1915, and chapter 742, Public-Local Laws 1915, repealed.

SEC. 2. That chapter two hundred and twenty-two of Public-Local Laws and Private Laws of North Carolina, extra session of one thousand nine hundred and thirteen, be and the same is hereby repealed, and the county court of Columbus County, and the office of county judge and the office of county attorney for Columbus County, be and they are hereby abolished.

Chapter 222, Public-Local Laws, extra session 1913, repealed.

County court and office of county judge abolished.

SEC. 3. That all actions pending in said courts of which the Superior Court of Columbus County had jurisdiction prior to the establishment of said recorder's courts and county court are hereby transferred without prejudice to said Superior Court for further proceedings, and all actions pending in said courts and of which the justice's court or courts of the justices of the peace have concurrent jurisdiction shall on or before the first day of April, one thousand nine hundred and nineteen, be transferred by the judge of said recorder's courts and county courts to a proper justice or justices of the peace for further proceedings.

Actions in county court transferred to Superior Court.

Actions over which justices of peace have jurisdiction transferred to justice's court.

SEC. 4. That all judgments of the county courts of Columbus County, which have been docketed and recorded on county court judgment docket or dockets, shall be transferred without prejudice by the clerk of the Superior Court of Columbus County from said county court judgment docket or dockets, and shall be duly docketed and recorded by the clerk of the Superior Court of said county, in the Superior Court judgment docket.

Judgments of county court transferred to record of clerk of Superior Court.

SEC. 5. That immediately upon the ratification of this act the Secretary of the State shall transmit to the clerk of the Superior Court of Columbus County, a duly certified copy of same.

Certified copy of act to be transmitted to clerk of court.

SEC. 6. That this act shall take effect the first day of July, one thousand nine hundred and nineteen.

Act effective July 1st.

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

Ratified this the 18th day of February, A. D. 1919.

CHAPTER 171

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF YADKIN COUNTY TO BORROW MONEY TO ENABLE THEM TO CONTINUE ROAD WORK UNTIL BONDS ARE COLLECTED FOR.

Preamble.

WHEREAS, Under an act of the General Assembly of the State of North Carolina, at its session of one thousand nine hundred and seventeen, being chapter one hundred and nine of the Public-Local Laws of one thousand nine hundred and seventeen, the board of commissioners of Yadkin County were authorized and directed to issue bonds of the said county to the amount of \$140,000, the proceeds thereof to be used for the construction of roads and bridges in said county; and

Preamble.

WHEREAS, the said commissioners issued said bonds in accordance with the provisions of the said act, and realized from the sale of said bonds the sum of \$80,000. And the road commissions having contracted for the building of roads to the amount of \$140,000, the full amount to be realized from the sale of bonds. And having been delayed in the collection of the amount of \$60,000 proceeds from the sale of bonds, and to the end that the construction of the roads may be completed; now, therefore,

The General Assembly of North Carolina do enact:

Commissioners authorized to borrow money till bonds are collected.

SECTION 1. That the board of commissioners of Yadkin County be, and they are hereby authorized to borrow money and contract debts to pay for the construction of said roads to the amount not exceeding \$60,000, the amount due on said bonds uncollected. And to secure the same, the said board of commissioners are authorized and empowered to execute note or notes of the county, bearing interest at not exceeding six per cent to be paid out of the proceeds of the sale of the \$60,000 bonds uncollected, when collected.

To give notes of county bearing interest not to exceed 6 per cent.

SEC. 2. That this act shall be in force from the time of its ratification.

Ratified this the 18th day of February, A. D. 1919.

CHAPTER 172

AN ACT TO FIX THE SALARIES OF THE OFFICERS OF BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

County officers to collect fees and pay into county treasury.

SECTION 1. That the sheriff, clerk of Superior Court, register of deeds and treasurer of the county of Beaufort and their respective deputies shall collect and receive and account for all the

fees, commissions, emoluments, and other compensation for their services, to which they are entitled by virtue of their respective offices, and pay same on the first Monday of every calendar month or within three days thereafter into the treasury of Beaufort County, and they shall be responsible for and chargeable with all the 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.

Responsible for and chargeable with all moneys.

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 and compensation as is hereinafter provided; and for any abstraction, concealment or misapplication of any of the moneys payable into their respective offices of which any of them have collected any one of them so abstracting, concealing or misapplying the same shall be guilty of a felony, and upon conviction shall forfeit their said office or offices and be punished as is now provided by law in cases of embezzlement by public officers.

Abstraction, concealment or misapplication of funds felony.

Punishment.

SEC. 3. That each and all of said officers shall open and keep a separate set of books, in which shall be promptly, correctly, truly, and accurately entered itemized accounts of all moneys collected or receivable by said officers or which by law are or may be payable into their respective offices, and all of said books shall at all times be open to the inspection of the public upon demand, and said books shall be safely and securely kept, so as to prevent loss or destruction by theft, fire or accident.

Officers to open and keep set of books.

Books open to public inspection.

Books to be safely kept.

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 Beaufort County to the board of commissioners of said county, said transcript to contain and show in detail all of the entries made upon said books during the preceding calendar month, which shall be sworn to and duly verified by the officer whose duty it is to make said entries and keep the books of accounts pertaining to his respective office. The various deputies shall make their reports to their respective officers as herein provided and said report shall form a part of the report of the officer whose deputy he is.

Transcript of account to be furnished to commissioners on first Monday. Show in detail all entries.

Deputies to make reports to respective chief officers.

SEC. 5. The said books shall be open and kept in a manner to be prescribed and authorized by the board of commissioners of Beaufort County, who shall have constant supervision of the same.

Books to be kept as prescribed by commissioners.

SEC. 6. That any officer failing to keep said books and make his report as provided for in this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

Failure to keep books a misdemeanor; punishment in discretion of court.

Sheriff's salary \$7,000 a year. Sheriff pays assistants, deputies, clerks and jailor. Must appoint deputies in Richland and Pantego townships, who may retain fees.

Sheriff to receive no other compensation, except for destruction of stills and for expenses.

Sheriff to furnish Superior Court attendants and convey prisoners without compensation, except on trains.

Sheriff to pay treasurer all fees, etc., paid by State.

Salary of clerk of court \$2,800.

Clerk pays assistants, deputies and clerks.

Salary of register of deeds \$3,800.

Register of deeds pays assistants, deputies and clerks.

Register of deeds to make up tax books.

Salary of treasurer \$1,800.

Treasurer to pay assistants, deputies and clerks. Treasurer to act as treasurer of school fund.

SEC. 7. That the sheriff of Beaufort County shall receive a salary of seven thousand dollars per annum as full compensation for his services and the services of such assistants, deputies, and clerks as he may appoint, and jailor: *Provided, however,* that it shall be mandatory for the sheriff to appoint one deputy in Richland Township and one in Pantego Township. The deputies in Richland and Pantego townships shall be entitled to and may retain the regular fees for service by them of all papers and processes as is now allowed by law in the recorder and justice of the peace courts in said townships. The sheriff shall receive no other compensation whatever except such fees as are now or may be hereafter allowed by law to the sheriffs for the seizure and destruction of illicit stills, and for actual necessary expenses for conveying prisoners to jail in counties other than their own and to the State's Prison, and insane persons to the State hospital. It is expressly provided by the terms of this act to be the duty of the sheriff to furnish the necessary court attendants in the Superior Court, and to convey all prisoners to the place of their imprisonment in Beaufort County without extra compensation, but where it is necessary to bring prisoners on the train to the county jail the board of county commissioners shall pay the actual railroad fare of the deputy and prisoner. The sheriff shall pay over to the county treasurer all fees, mileage, and other allowances paid to him by the State of North Carolina or by any State institution for performing any duty required of him by law.

SEC. 8. That the clerk of the Superior Court of Beaufort County shall receive a salary of two thousand eight hundred dollars per annum as full compensation for his services and the services of assistants, deputies, and clerks, and he shall be allowed nothing in addition thereto for performing the duties of his office.

SEC. 9. That the register of deeds of Beaufort County shall receive a salary of three thousand eight hundred dollars per annum as full compensation for his services and the services of assistants, deputies, and clerks, and he shall be allowed nothing in addition thereto for performing the duties of his office. It shall be the duty of the register of deeds to make up the tax books of Beaufort County each year.

SEC. 10. That the treasurer of Beaufort County shall receive a salary of one thousand eight hundred dollars per annum as full compensation for his services and the services of assistants, deputies, and clerks, and he shall be allowed nothing in addition thereto for performing the duties of his office. It shall also be the duty of the treasurer to act as treasurer of the school fund, and he shall be entitled to no extra compensation.

SEC. 11. That the chairman of the board of commissioners for the county of Beaufort shall receive a salary of three hundred dollars per annum together with mileage now allowed by law, and the other members of said board shall receive five dollars per day while actually in session, together with mileage.

Salary of chairman of board of commissioners \$300 and mileage. Salary of commissioners \$5 per day while in session.

SEC. 12. That the board of county commissioners may require the officers herein named to give the bonds required by law for their respective offices in some solvent bonding or surety company, and said board may, in its discretion, order the payment of the premiums on said bonds out of the general fund. Should the board of county commissioners decide to accept personal bonds from the officers herein named, said bonds before accepted shall be approved by the board and the county attorney.

Officers required to give bonds in surety company. Premiums on bonds may be paid out of general fund. Personal bonds to be approved by county attorney.

SEC. 13. That the salaries herein provided for shall be paid by the treasurer of said county out of the general fund, to all persons entitled to receive the same, in monthly installments, upon warrants drawn by the board of commissioners of said county and countersigned by the chairman and clerk of said board.

Treasurer to pay salaries on commissioners' warrants.

SEC. 14. That chapter three hundred and two, Public Laws of one thousand nine hundred and eleven, and all amendments thereto be and the same are hereby repealed.

SEC. 15. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 16. That this act shall be in full force and effect on and after the first day of March, one thousand nine hundred and nineteen.

Ratified this the 18th day of February, A. D. 1919.

CHAPTER 173

AN ACT TO PROVIDE GOOD ROADS IN SANDY CREEK TOWNSHIP, FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That M. C. Gupton, G. B. West, and J. A. Harris are hereby constituted a board of township road commissioners, to be known as Township Road Commission of Sandy Creek Township. M. C. Gupton shall hold the position of commissioner for a period of three years, G. B. West shall hold the position of commissioner for two years, and J. A. Harris shall hold the position of commissioner for one year. At the expiration of the term of any of said commissioners their successors shall be elected for three years by the board of commissioners

Sandy Creek Township Road Commission created, members appointed and terms fixed.

Successors to be elected by county commissioners.

for Franklin County. All vacancies caused by death, resignation or removal from said township shall be filled for the unexpired term by the remaining members of said board.

Body corporate.

SEC. 2. That the said township road commission 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 Township Road Commission of Sandy Creek Township, 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 and purchase, 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 lands, 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. The said township road commission shall use the fund derived from the sale of bonds or by levy of special tax, or whatever way derived, as authorized by this act, to locate, construct, reconstruct, surface, repair, improve, and maintain, the public highways and bridges in the township under their jurisdiction; shall purchase such materials, and purchase and hold, or contract for the use of such tools, machinery, implements, and teams, as they may deem necessary for carrying on the road work of said township and perform such other duties as are hereinafter provided for by this act.

Powers include making contracts, acquisition of property, eminent domain.

Duties: Construction and maintenance of roads and bridges.

Has general supervision of all public roads of township.

SEC. 3. That it shall be the duty of the said township road commission to take charge of laying out, opening, altering, maintaining or discontinuing of any and all roads of said township that are now maintained, or may be maintained by the township as public roads, and it is hereby vested with all powers and rights now vested in the board of county commissioners, or other commission or board, or other road officials of said township for the general supervision of such roads of said township and for the construction and repair thereof, by contract or otherwise as may be deemed best.

Organization.

SEC. 4. The township road commission shall annually from the date of its organization elect a chairman and a secretary who shall hold office for one year, and until their successors shall be elected and qualified. All moneys expended by said commission shall be by draft upon the bank or banks which are depositaries for said road fund, and said drafts shall be signed by the secretary, and countersigned by the chairman and shall show upon their face the purpose for which the money is expended. The members of the township road commission shall receive pay only when acting jointly as the road commission and their compensation shall be three dollars per day.

Handling of funds.

Compensation.

SEC. 5. The said township road commission for the proper working and construction of the roads may employ a competent engineer, or surveyor, and may have the work done under his supervision, either by employment of labor or by contract, and may exercise such other powers and privileges as may be needed for the construction and working of said roads: *Provided*, that no person in said township shall be subject to road duty. The township road engineer, however appointed, may request, at any time, the advice of the State highway engineer, in solving any problem that may arise either technical, economical or otherwise, that may be deemed by him to be of benefit to the township, and such advice shall be without expense to the township. It shall be the duty of such engineer to keep or have kept the necessary books and accounts in detail, the expenditures for all work done through money derived by bonds issued or special road tax levy for road work in such township. It shall be his duty to keep approximate yardage, costs, and approximate classification of the materials moved in all excavation made for the purpose of building such roads.

May employ engineer and delegate powers to him.

Proviso: No person subject to road duty.

Engineer may seek at own expense the advice of State highway engineer.

Must keep record of expenditures and all work done.

SEC. 6. In opening new highways, widening and straightening old roads, and repairing same, the township road commission, through its agents, is hereby authorized to enter upon any lands and locate and build such highways. If the township road commission and the owner or owners of said land cannot agree as to the damages, if any, the said township road commission shall, after sixty days from the completion of said highway, cause to be summoned three disinterested freeholders of said township, who shall go upon the land, and assess the damages and benefits under the general law, as it now exists: *Provided, however*, that before entering upon land as authorized by this section, it shall be the duty of the township road commission to serve notice upon the owner or owners of said land, notifying them that the highway is to locate upon said land under authority of this act; and *Provided further*, that in assessing the damages sustained by any landowner, the jury shall take into consideration the special benefits, if any, accruing to the landowner, and in determining such benefits, consideration shall be given to the benefits the landowner has derived from the fact that any old road right of way has reverted back to said landowner by reason of the relocation and construction of the new road, and if such benefits shall exceed the damages then the amount of such excess of benefits shall be assessed against the landowner, and shall constitute a lien upon the land adjoining the road, and shall be collected by the sheriff, in the same way as public taxes; and it is *further* *Provided*, that no suit shall be instituted by the landowner for damages on account of location of the road under this act until after sixty days after completion of the road across the lands of

Eminent domain.

Assessment of damages by jury.

Proviso: Notice must be given before entering land.

Proviso: Benefits to be taken into consideration in assessment of damages.

If benefits exceed damages, they shall be assessed against landowner and constitute a lien on land adjoining road.

Proviso: No suit for damages may be entered until after 60 days after completion of road.

No suit to be instituted unless commenced within six months.

Proviso: Either party may appeal to Superior Court.

Right given to commandeer material.

Ditch may be made on lands adjoining road.

Obstruction of such ditches a misdemeanor.

Proviso: Notice must be given to owners of lands entered.

Claims for damages for material must be made in writing.
Hearing.

Appeal to Superior Court becomes civil cause.

Commission authorized to issue bonds.

Limit of issue \$50,000, bearing six per cent interest.

such landowner and no suit shall be instituted by any landowner unless the same is commenced within six months after the completion of the road by or across the land of the claimant: *And Provided further*, that either party may appeal to the Superior Court for the assessment of damages and benefits, where the matter shall be heard by the court and jury *de novo*. No costs shall be awarded against such township upon appeal when net damages awarded through such appeal are not greater than given by the referees.

SEC. 7. The township road commission through its officers and agents is hereby authorized to enter upon any land, near or adjoining any public road, of said township, to cut and to carry away any timber except trees or groves on improved land planted or left for shade or ornament, dig or caused to be dug, and carry away any gravel, sand, clay, dirt or stone, which may be necessary for the proper repair and construction of roads in said township, and make, cause to be made, such drains or ditches, upon any land adjoining, or lying near any road in said township, that the township road commission may deem necessary for the better condition of the road, and the drains and ditches so made shall not be obstructed by the occupants of such lands, or any other person; and that any person obstructing such drains or ditches shall be guilty of a misdemeanor: *Provided, however*, that before entering upon said land as authorized by this section, it shall be the duty of the township road commission, through its representatives, to serve notice upon the owner or owners of said land, notifying them that certain material authorized to be taken by this section is required for road work.

SEC. 8. The owner of any land from which any timber or other material has been moved may present to the township road commission his claim therefor in writing, and upon such presentment it shall be the duty of the township road 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 the county in which said township is located, to have his cause tried as in other civil cases.

SEC. 9. That the said township road commission shall be and it is hereby authorized and empowered to issue bonds of said township, to be styled "Sandy Creek Township Bonds," to an amount not to exceed fifty thousand dollars of such denomination and of such proportion as said commission may deem advisable, bearing interest from the date of issue thereof at a rate not exceeding six per cent per annum, with interest coupons attached, payable semiannually, at such time or times and at such place or places as may be deemed advisable by said commission; said bonds to be signed by the chairman and secretary of said com-

mission, and to be 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 commission may determine. None of said bonds shall be disposed of for a less price than their par value, and the said bonds may be issued at such time or times, and in such amount or amounts as may be deemed best to meet the expenditures provided for in 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 Sandy Creek 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 of said county, shall, annually and at the time of levying the county taxes, levy and lay a special tax on all persons and property subject to taxation within the limits of said township, of not less than twenty-five cents and not more than seventy-five cents, on the one hundred dollars assessed valuation of property, and not less than seventy-five cents and not more than two dollars and twenty-five cents on each taxable poll. The taxes so levied shall be collected as other taxes are collected and shall be paid over as hereinafter provided.

SEC. 11. All moneys derived from the sale of bonds, authorized and sold under the provisions of this act, shall be deposited by the direction of the board of county commissioners, in such solvent bank or banks, if any, of said township, or if there is no bank in said township, then in any solvent bank in a neighboring township of the county; said moneys to be deposited in said bank or banks to the credit of the township road commission and to be drawn upon by said commission as hereinbefore directed.

SEC. 12. Any other moneys, in whatever way collected or appropriated, which are designed to be used for the construction or maintenance of roads in such township shall be deposited in the same bank or banks in which the moneys obtained from the bond issue or special road tax are deposited, and such moneys shall be deposited to the credit of the township road commission and shall be drawn upon by said commission as hereinbefore provided.

SEC. 13. The bank or banks in which said road moneys designated in this act are deposited shall prepare monthly statements showing amounts paid, to whom paid, and for what purpose and submit the same to the said township road commission, and the said road commission shall have said monthly statement posted at the courthouse door of the county.

Form of bonds.
Maturity.
None to be sold at less than par.
Issued in discretion of commission.

To pay interest and bonds county commissioners to levy special tax of not less than 25 cents on the \$100, and not less than 75 cents nor more than \$2.25 on poll.

Funds deposited by direction of county commissioners.

Other moneys to be used for roads in township deposited in same manner, subject to order of commission.

Banks to make monthly statements of account which shall be posted at courthouse door.

Provisions not dealing with bonds and special tax effective at once.	SEC. 14. That all the provisions of this act, except the provisions in sections nine and ten and fifteen hereof, shall be in force from and after the ratification of this act; and that said
Bonds and tax to be submitted to voters at election called by county commissioners.	sections nine, ten, and fifteen hereof, and the powers granted and the 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
Manner of holding election.	of commissioners of Franklin County. For the holding of said election the said board of county commissioners shall appoint a register and two poll holders and any other officers necessary to
Canvass of returns.	said election, and shall order a new registration. At the close of said election said register and poll holders shall count and canvass the vote cast and declare the result thereof, and shall report such canvass to the board of county commissioners, which
Recordation of canvass.	board of county commissioners shall likewise canvass the vote cast and declare the result thereof, and order the recordation of such report and canvass in the minutes of said board of commissioners, and no other canvass, report or recordation shall be
Proviso: Report may be entered in book of election returns.	necessary: <i>Provided, however,</i> the report may be entered in the book of election returns of said county. At said election all voters
Form of ballot.	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 issue of bonds and levy of
Proviso: Other elections may be held under same provisions, if first fail to carry.	special tax shall cast ballots on which shall be printed or written "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 Road Bonds," the said bonds shall be issued, and said tax levied, and the other powers and duties exercised under said sections nine and ten
If bonds and tax be voted, road law of 1913 is repealed.	hereof: <i>Provided,</i> that if a majority of said qualified voters shall fail to vote "For Road Bonds," said board of county commissioners shall order another election or elections to be held in the manner and with the same effect as above provided, at any time within four years of the date of the first election, when requested to do so by said township road commission.
Proviso: Obligations incurred in	SEC. 15. That if the qualified electors of said township at an election held under the provisions of this act shall authorize and empower the said township road commission to issue bonds of said township at a rate of interest not exceeding six per cent per annum, then and in that event all power and authority granted by the electors at an election held in said township under the provisions of chapter 122 of the Public Laws of North Carolina, session of 1913, and acts amendatory thereof, shall be and the same are hereby annulled and revoked: <i>Provided,</i> all notes, obligations, and debts incurred by said township for the construc-

tion of good roads in said township shall be and the same are hereby ratified and approved; and the same shall be paid and discharged out of the proceeds of sale of bonds under the provisions of this act before any part thereof shall be expended for any other purpose or purposes. And the said township road commission shall cancel and file with its records any and all notes and evidences of debt heretofore issued by said township; and the power to issue any bond at the rate of interest not exceeding five per cent per annum under the provisions of the act of 1913 shall be and the same is hereby revoked and annulled.

construction of roads are ratified and shall be met and paid for out of sale of bonds under this act.

Power to issue bonds under act of 1919 annulled.

SEC. 16. That all laws and clauses of laws in conflict with the provisions of this act, so far as they relate to Sandy Creek Township, Franklin County, are hereby repealed.

SEC. 17. This act shall be in force from and after its ratification.

Ratified this the 19th day of February, A. D. 1919.

CHAPTER 174

AN ACT TO AMEND CHAPTER 722 OF THE PUBLIC-LOCAL LAWS OF 1911, RELATIVE TO THE SHERIFF'S OFFICE OF BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter seven hundred and twenty-two of the Public-Local Laws of one thousand nine hundred and eleven, be and the same is hereby amended by striking out the word "ninety" in line four and inserting in lieu thereof the words "one hundred."

Deputy sheriffs to receive \$100 per month.

SEC. 2. That the jailor of Buncombe County shall be paid eighty-five dollars per month, and in addition thereto he shall be allowed to occupy the residence in the jail yard now owned by said county.

Salary of jailor \$85 per month.

SEC. 3. That the bookkeeper or desk sergeant in the sheriff's office of Buncombe County shall receive seventy-five dollars per month.

Salary of bookkeeper or desk sergeant \$75 per month.

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

Ratified this the 19th day of February, A. D. 1919.

CHAPTER 175

AN ACT TO AMEND CHAPTER 590, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, RELATING TO THE SCHOOL FUND OF BERTIE COUNTY.

The General Assembly of North Carolina do enact:

Act putting Bertie officers on salaries amended.

SECTION 1. That section eight of chapter five hundred and ninety, Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, be and the same is hereby amended to read as follows:

Salary fund to be kept separate from all others.

“That all moneys paid to the county treasurer by virtue of this act shall be, by him, kept separate and apart from all other funds in his hands, which fund after the payment of the salaries of the officers of Bertie County as provided by law, shall be divided apportionately between the general county fund and the educational fund of said county.”

Balances divided between general and educational funds.

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

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

Ratified this the 19th day of February, A. D. 1919.

CHAPTER 176

AN ACT TO ABOLISH OFFICE OF AUDITOR IN McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

Law establishing office of auditor repealed.

SECTION 1. That chapter two hundred and thirty-seven and chapter six hundred and fifty-four of the Public-Local Laws of session nineteen hundred and seventeen be and the same are hereby repealed.

Register of deeds required to perform duties of clerk to commissioners, and to make out tax books.

SEC. 2. That the register of deeds of McDowell County shall perform the duties of clerk of the board of county commissioners, make out the taxbooks and receipts for the county commissioners, fill out and return all tax reports to the State tax commission and perform all other duties devolving upon a register of deeds by general law.

SEC. 3. That this act shall be in force from and after the first day of March, nineteen hundred and nineteen.

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 177

AN ACT TO AMEND CHAPTER 210, PUBLIC LAWS OF NORTH CAROLINA, SESSION 1905, IT BEING "AN ACT TO IMPROVE THE PUBLIC ROADS IN VALLEYTOWN TOWNSHIP IN CHEROKEE COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and ten, Public Laws of North Carolina at its session for one thousand nine hundred and five be and the same is hereby amended as follows: Payment in lieu of free labor made two dollars.

In line eleven of section five of said chapter strike out the words "one dollar" and insert in lieu thereof the words "two dollars."

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

Ratified this the 19th day of February, A. D. 1919.

CHAPTER 178

AN ACT TO PERMIT COMMUNITIES IN JACKSON COUNTY TO EXCLUDE THEMSELVES FROM STOCK-LAW TERRITORY.

The General Assembly of North Carolina do enact:

SECTION 1. That any territory in Jackson County shall have the right to exclude itself from the operation of the stock law in manner hereinafter provided. How territory may exclude itself from stock law.

a. Petition directed to board of commissioners signed by a majority of freeholders within proposed boundaries. By petition.

b. Petition to set forth special boundaries of territory to be excluded. Boundaries must be set forth.

c. Proposal to erect sufficient fence separating proposed boundary from contiguous stock-law territory. Fence must separate non-stock law from stock-law territory.

SEC. 2. Upon receipt of petition as defined in section one of this act, the county commissioners shall make record of same and direct that the required fence be erected preparatory to being declared excluded territory. Commissioners to direct building of fence.

SEC. 3. That this fence may be provided by voluntary subscription of labor, material and cash, and any stream, fence or natural barrier along the proposed boundary line may be adopted and used as part or parts of said fence, so far as it may be effective. Fence may be provided by voluntary subscription. Natural boundary may be used.

SEC. 4. That the county commissioners may levy annually a tax not to exceed twenty-five cents upon each one hundred dollars Nonstock-law territory may be taxed for fence.

value upon all real estate within the territory to be excluded, to be expended under the direction of the county commissioners, in the erection or maintaining of said fence.

Commissioners to make declaration of exclusion.

SEC. 5. That upon satisfactory information that the fence has been completed as required by the provisions of this act, by any community desiring to be excluded from continuous stock-law territory, then it shall be the duty of the county commissioners to declare said territory excluded, and make record of same.

Stock may be fed or salted on unenclosed land.

SEC. 6. It shall not be unlawful for any person having stock at large in territory without stock-law boundaries to enter upon any unenclosed land for the purpose of finding, feeding, salting or otherwise caring for said stock: *Provided*, that such person may not carry a gun or be accompanied by dog or dogs.

Proviso: Person so caring for stock may not have dog or gun.

SEC. 7. All laws so far as they may conflict with this act are hereby repealed.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 179

AN ACT RELATING TO THE CHILDREN'S HOME IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Chapter 269, Public-Local Laws 1915, amended

SECTION 1. That section one of chapter two hundred and sixty-nine 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:

Commissioners upon written request of directors of Children's Home, authorized to sell property.

"That the board of county commissioners of Buncombe County, upon the written request of the board of directors of the Children's Home of said county, are hereby authorized and empowered to sell the whole or any part of the property owned and held by said county as a children's home, upon such terms and at such price as to such commissioners may seem just and reasonable: *Provided however*, a portion of such property is sold that the proceeds of such sale shall be immediately expended on the remainder of such property, in the construction of a suitable building or buildings, for the maintenance and support of the indigent white children of said county."

Proceeds of sale to be expended for relief of indigent white children.

SEC. 2. That section two of said chapter be amended by inserting the words "the whole of" between the word "of" and "said" in line one.

Proceeds of entire property to go to new home.

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

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 180

AN ACT TO INCREASE THE COMPENSATION OF MEMBERS
OF BOARD OF COMMISSIONERS OF McDOWELL COUNTY,
NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the members of the board of county commissioners of McDowell County shall each be paid the sum of four dollars (\$4) per day, and mileage, for their services as members of the board of county commissioners of McDowell County. Commissioners per diem fixed at four dollars, with mileage.

SEC. 2. That all laws or clauses of laws in conflict with this act shall be hereby repealed.

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

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 181

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF ALAMANCE COUNTY TO EMPLOY A COUNTY PURCHASING
AGENT AND AUDITOR OF BILLS, AND TO EMPLOY
A COUNTY JAILOR, AND MAKE ARRANGEMENTS FOR
THE KEEPING OF PRISONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Alamance County be and they are hereby authorized to employ at a salary not in excess of one hundred and fifty dollars per month as salary and for expenses, a person to be designated county purchasing agent. Such person, so employed, shall contract for and purchase all supplies of every kind used by Alamance County in any of the offices in and about the courthouse, at the jail, county home, and used in and about road work, and all property and supplies of every kind and nature purchased and bought by Alamance County. Before making a contract for, or purchasing supplies of any kind, for which the amount to be paid exceeds one hundred and fifty dollars, such purchasing agent shall submit the same to the county commissioners, and shall only complete said purchase when directed so to do by said commissioners. Such purchasing agent shall check and audit each and every bill presented to the county commissioners, and in case such bill is for work done, he shall inspect such work done, and no bill shall be ordered paid by the county commissioners until approved by said county purchasing agent. Commissioners authorized to employ purchasing agent at salary not to exceed \$150 per month. Duties of such agent. Contracts for supplies exceeding \$150 to be vised by commissioners. To audit bills presented to commissioners.

Other duties.

SEC. 2. Such purchasing agent shall perform such other duties in connection with the administration of the affairs of Alamance County as he shall be directed to do by the board of commissioners of said county.

Employment of jailor authorized.

SEC. 3. The board of commissioners are authorized, directed, and empowered, to employ a person to keep and maintain the county jail, and premises adjacent thereto, and they shall pay to such person not in excess of forty dollars per month for such service, in addition to the allowance for feeding prisoners, as at present provided by law.

Compensation.

SEC. 4. That all laws or parts of laws in conflict herewith are hereby repealed.

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

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 182

AN ACT TO APPOINT TWO HIGHWAY COMMISSIONERS FOR NORTH AND SOUTH ALBEMARLE TOWNSHIPS OF STANLY COUNTY.

The General Assembly of North Carolina do enact:

Commissioners appointed for term of six years.

SECTION 1. That J. A. Groves and Thomas J. Eford shall be and are hereby appointed highway commissioners for North and South Albemarle townships for the term of six years.

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

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 183

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY AND THE BOARD OF ALDERMEN OF THE CITY OF MONROE TO BUILD A COTTON PLATFORM.

The General Assembly of North Carolina do enact:

County Commissioners of Union and aldermen of Monroe authorized to purchase site and erect cotton platform.

SECTION 1. That the board of county commissioners of Union County and the board of aldermen of the city of Monroe be and they are hereby authorized to jointly purchase the necessary real estate and erect thereon a cotton platform in the city of Monroe to be used by the public cotton weigher for the weighing of cotton and such other things as the two boards may authorize from time to time.

SEC. 2. That in the purchase of said real estate and the erection of said cotton platform, the board of county commissioners shall pay one-half the expense and the board of aldermen of the city of Monroe shall pay one-half of the expense and the deed for the property shall be made to the county of Union and city of Monroe in equal proportions.

County and city to equally share expense.

SEC. 3. That the board of county commissioners of Union County and the board of aldermen of the city of Monroe be and they are hereby authorized to make such rules and regulations in regard to the weighing of cotton and other things, and the storage of cotton and other property on said platform and to make such charges for storage purposes as they may see fit.

Two loans to make regulations for weighing and storage of cotton.

SEC. 4. That all sums collected from persons, firms or corporations for rent or for storage from said cotton platform, after deducting the expenses therefor, shall be paid one-half into the treasury of Union County and the other half into the treasury of the city of Monroe.

Surplus over expenses to be divided equally.

SEC. 5. The board of county commissioners of Union County be and they are hereby authorized to erect a cotton platform at any other public weighing place in Union County, provided the town wherein said platform is to be erected shall bear one-half the expense of the erection thereof and does the same things that the city of Monroe is required to do in this act.

Commissioners authorized to erect platforms in other towns on same basis.

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

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 184

AN ACT TO AMEND CHAPTER 658, PUBLIC-LOCAL LAWS OF NORTH CAROLINA AT THE REGULAR SESSION OF THE LEGISLATURE FOR 1917, RELATING TO GAME LAWS IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter six hundred and fifty-eight, Public-Local Laws for one thousand nine hundred and seventeen, be and the same is hereby amended as follows: In line three of said section strike out the word "squirrel" and add at the end of said section the following: "Squirrels may be killed between the fourteenth day of September and the fifteenth day of January of each year."

Buncombe game law amended.

Open season for squirrels made September 15th to January 15th.

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

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 185

AN ACT TO AMEND CHAPTER 61 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE SALARY OF THE CLERK OF THE SUPERIOR COURT OF PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

Salary of Pasquotank clerk of court increased to \$2,400.

SECTION 1. That section nine of chapter sixty-one of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out of line three in said section the words and figures "eighteen hundred dollars (\$1,800)" and inserting in lieu thereof the words and figures "twenty-four hundred dollars (\$2,400)."

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 and effect from and after the twenty-eighth day of February, one thousand nine hundred and nineteen.

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 186

AN ACT TO REPEAL CHAPTER 617, PUBLIC-LOCAL AND PRIVATE LAWS, SESSION 1917, AS TO SCOTLAND COUNTY ONLY, AND TO ENABLE THE COUNTY COMMISSIONERS TO EXTEND AID TO THE CONFEDERATE VETERANS OF SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

Scotland County removed from provisions of act permitting payment of veterans' railroad expenses to reunions. Payment of transportation cost of any Confederate to any reunion made mandatory.

SECTION 1. That chapter six hundred and seventeen of the Public-Local Laws, session one thousand nine hundred and seventeen, be and the same is hereby repealed in so far as it applies to Scotland County.

SEC. 2. That the board of county commissioners of Scotland County shall appropriate out of the county funds a sufficient amount of money to pay the transportation cost to any Confederate soldier residing in said county, to the reunions of the Confederate veterans, at any time and to whatever point that said reunions may be held.

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

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

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 187

AN ACT TO AMEND CHAPTER 46 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE DISBURSEMENTS OF THE PUBLIC FUNDS IN THE COUNTY OF ROBESON.

The General Assembly of North Carolina do enact:

SECTION 1. That section nineteen of chapter forty-six of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby repealed and the following is enacted in lieu thereof:

“SEC. 19. It shall be unlawful for any bank or banks designated as depositories, or treasurer, under the provisions of this act, to charge any exchange or collection cost on any draft or order drawn by the proper officers of Robeson County on the public funds thereof.”

SEC. 2. That all laws and parts 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 25th day of February, A. D. 1919.

CHAPTER 188

AN ACT TO AMEND THE PROHIBITION LAW AND TO PROVIDE FOR THE BETTER ENFORCEMENT OF THE SAME IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person who shall manufacture or sell spirituous liquors shall be guilty of a felony, and upon conviction thereof, for the first offense shall be fined or imprisoned in the discretion of the court, and for all additional offenses shall be imprisoned on the chain-gang or in the penitentiary for not less than twelve months nor more than two years.

SEC. 2. That for every conviction of any person for manufacturing spirituous liquors, the officer who furnishes the evidence shall be entitled to fifty dollars (\$50) to be taxed against the party convicted, and said officer shall also be entitled to the still run by the said party so convicted, after the same has been cut up by or in the presence of the board of county commissioners.

SEC. 3. That for every person convicted of selling, transporting or having spirituous liquors in his possession for sale, the officer who furnishes the evidence to convict such person shall be entitled to twenty-five dollars (\$25), to be taxed against the party convicted.

Unlawful to sell wine in less than ten gallon lots.

SEC. 4. That it shall be unlawful to sell wine as a beverage in quantities of less than ten gallons, and any person convicted of the same shall be fined or imprisoned in the discretion of the court.

Sheriff, upon recommendation of solicitor, to appoint special officers to enforce act.

SEC. 5. That to the end that the provisions of this act may be carried out, the sheriff of the county, upon the recommendation of the solicitor of the district, shall appoint one or more special officers for such time as the solicitor shall designate, who shall have the same power as a deputy sheriff and receive the same fees as allowed by law to deputy sheriffs, but nothing in this act shall relieve the sheriff of the duty of enforcing the prohibition laws, and he shall be paid for the same as provided in this act.

Sheriff not relieved of duty of enforcing prohibition laws.

Applies to Avery County only.

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

SEC. 7. That upon the ratification of this act the Secretary of State shall mail a certified copy of the same to the solicitor of the Sixteenth Judicial District.

SEC. 8. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 189

AN ACT TO PROVIDE FOR THE REPAIR AND MAINTENANCE OF THE PUBLIC ROADS OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Board of road commissioners of Columbus County created.

SECTION 1. That for the purpose of repairing, improving, and maintaining the public roads and bridges of Columbus County there is hereby created a special board of three members, who shall be known as the "Board of Road Commissioners for Columbus County," which board shall have entire supervision and jurisdiction of all the public roads and bridges in said county and to succeed to and exercise all the powers and duties heretofore exercised by and imposed upon the board of county commissioners of said county in reference to repairing, improving, and maintaining all the public roads and bridges of said county. The members of the said board shall hold their offices for the term of six years and until their successors are elected and qualify, except as provided in section two herein.

Powers.

Term of office.

Board constituted by appointment of members.

SEC. 2. That K. Clyde Council, W. H. Phillips, and J. B. Barden are hereby appointed and constituted the board of road commissioners for said county. The first name on the said board,

to wit: K. Clyde Council, shall hold the said position of commissioner until the first day of January, one thousand nine hundred and twenty-five; the second name, W. H. Phillips, shall hold the said position of commissioner until the first day of January, one thousand nine hundred and twenty-three; and the third name, J. B. Barden, until the first day of January, one thousand nine hundred and twenty-one. At the general election held in one thousand nine hundred and twenty and biennially thereafter there shall be elected one member of the aforesaid road commission, who must be a qualified voter of the said county and who shall take office on the first day of January succeeding his election.

SEC. 3. That the members of said county board of road commissioners appointed by section two of this act shall each qualify before an officer authorized to administer oaths on or before the first Monday in April, one thousand nine hundred and nineteen.

SEC. 4. That on or before the first Monday in April, one thousand nine hundred and nineteen, the said board of road commissioners of said county shall organize by electing one of their members as chairman and by electing a secretary, who may be one of the members of the said board.

The secretary of said board thus elected shall, in a book for the purpose, keep a full and perfect record of all the proceedings and actions of the board, which record shall be open to the inspection of the citizens of the county at reasonable times. The compensation of the members of the said board shall be five dollars per diem and mileage of five cents per mile.

The said board shall meet on the first Monday in each month at the courthouse in Whiteville, and at such other times and places as the board may deem necessary for the proper conduct of their business. At all meetings they shall be authorized to transact any business and duties with reference to the improvement and maintenance of said roads and bridges within said county: *Provided*, that the said board shall receive compensation for not more than fifteen meetings in any one calendar year: *Provided further*, that the said board may designate special duties to be performed by any member of the said board, and for the time spent in the performance of these duties said member shall receive as compensation five dollars per diem and mileage at five cents per mile.

SEC. 5. The said board of road commissioners and its successors shall be and is hereby constituted to be a body corporate by the name and style of the "Board of Road Commissioners of Columbus County." They shall adopt a common seal and by that name 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 municipal corporations.

Successors.

Qualification of trustees.

Organization.

Records of proceedings.

Compensation.

Time and place of meeting.

Proviso: No compensation for more than fifteen meetings in one year.
 Proviso: Special duties may be assigned to single member.

Body corporate.

Duties for the control and management of roads and bridges.

SEC. 6. It shall be the duty of the said board of road commissioners to take control and management of the public roads and bridges already established in said county, and said commissioners are hereby vested with all the rights and powers of such control and management as are now vested in and exercised by the board of county commissioners of Columbus County as pertains to the repair and maintenance of said highways in said county. The board of county commissioners of Columbus County shall turn over to the board of road commissioners herein created all the road making and road repairing machines, tools or material at present on hand; and the board of road commissioners is hereby authorized to make complete and exclusive use of the convicts of Columbus County, to work them as it sees fit, to discontinue working them at will, and to hire them out in its discretion. The board of road commissioners of Columbus County is hereby authorized and empowered to make such contract or contracts for the maintenance, repair, and improvement of the public roads of Columbus County and to employ such superintendents and overseers as it shall deem necessary and desirable in order to carry out the provisions of this act.

Authorized to make use of county convicts.

May employ superintendents and overseers.

Must levy special tax of 33 1-3 cents on \$100 and \$1 on poll.

SEC. 7. It shall be the duty of the board of county commissioners of Columbus County to levy annually a special tax of thirty-three and a third cents on the one hundred dollars valuation of real and personal property of such county and one dollar on each taxable poll in said county at the same time that the county and State levy is made. Upon written petition signed by fifty per cent of the qualified voters of Columbus County requesting that the aforementioned special tax be increased to a specified amount not greater than fifty cents on the one hundred valuation of property and one dollar and fifty cents on each poll, it shall be the duty of the board of county commissioners to increase the aforementioned special tax to the amount stated in the petition:

Upon petition may increase special tax.

Limitation of increase.

Proviso: Constitutional equation between property and poll to be observed.

Proviso: Special tax must never exceed 50 cents on \$100 and \$1.50 on poll.

If levy produces surplus, tax rate to be reduced.

Provided, that the constitutional equation between the property and the poll tax shall be observed in the case of any special tax levied hereunder; and *Provided further*, that the special tax levied in this section shall never exceed fifty cents on the hundred dollars valuation of property and one dollar and fifty cents on each poll. If at any time after the levy of one thousand nine hundred and nineteen the board of road commissioners shall find that the special taxes levied under the provisions of this act produce a sum greater than may be necessary for the building, repairing, and maintaining of the public roads in Columbus County, the said board of road commissioners shall certify this fact to the board of county commissioners of Columbus County and shall further certify the amount to which the said special tax may, in its judgment, be properly reduced; whereupon the board of county commissioners shall reduce the special tax to the

amount so certified by the board of road commissioners: *Provided*, that the constitutional equation between the property tax and the poll tax shall be observed in the case of any special tax levied hereunder; and *Provided further*, that the special tax authorized and directed in this act shall not be reduced to an amount less than twenty-five cents on the hundred dollars valuation of property and seventy-five cents on the poll. The said taxes levied under the provisions of this section shall be collected as other taxes are collected and shall be turned over to the treasurer of said county by the sheriff or other tax collector. The said treasurer shall keep a separate account of the funds raised under the provisions of this act and the same shall be expended by the said road commissioners for the purposes set forth in this act, except as may be provided in section eight of this act.

Proviso: Constitutional equation must be observed.

Proviso: Must not be reduced to less than 25 cents on \$100 and 75 cents on poll Collection of taxes.

SEC. 8. That the board of county commissioners of the county of Columbus, upon application of the board of road commissioners for Columbus County, shall borrow not to exceed the sum of fifty thousand dollars (\$50,000) for the purpose of maintaining and repairing the public roads of Columbus County, the said funds to be turned over to the treasurer of the said county by the county commissioners, and the said treasurer shall pay out the same only upon the warrant or order of the said board of road commissioners. The treasurer of Columbus County is hereby authorized to pay out of the proceeds of the tax mentioned in section seven of this act the interest on the aforementioned bonds, and is further authorized to set aside out of the proceeds of the said tax each year a sum sufficient to secure the retirement of the bonds at their maturity: *Provided*, that no such retiring fund may be set aside out of the proceeds of the levy of the year one thousand nine hundred and nineteen.

Through county commissioners road commission shall borrow \$50,000 for maintenance of roads.

Interest on notes to be paid off out of special tax.

Sinking fund.

Proviso: Nothing to go to sinking fund in 1919.

SEC. 9. That in case of the death, resignation or vacancy from other cause on the said board of road commissioners, such vacancy shall be filled by the remaining members of the said board, acting in conjunction with the clerk of the court and the register of deeds for Columbus County.

Vacancies on board.

SEC. 10. That no person shall be required to work on the roads of Columbus County under the provision of chapter sixty-five of the Revisal of one thousand nine hundred and five.

No free labor.

SEC. 11. That the board of county commissioners of Columbus County shall have the right to lay out, establish, and discontinue public roads in Columbus County as is provided in chapter sixty-five, Revisal of one thousand nine hundred and five, and nothing contained in this act shall deprive the board of county commissioners of that right.

Right of county commissioners to lay out roads not abridged.

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

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 190

AN ACT TO AMEND CHAPTER 165 OF THE PUBLIC-LOCAL LAWS OF 1911, RELATING TO PUBLIC DRUNKENNESS IN TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and sixty-five of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby repealed and the following enacted in lieu thereof:

Any person publicly drunk guilty of misdemeanor.

“SECTION 1. That any person found drunk or intoxicated on any public highway, public road, public street, or any public place or building, or at any public meeting or gathering shall be guilty of a misdemeanor and upon conviction shall be fined for the first offense not less than ten dollars nor more than twenty dollars, and for the second and further offense shall be fined not less than twenty dollars nor more than thirty dollars, or imprisoned not more than twenty days.”

Penalty.

Limited to Transylvania County.

SEC. 2. Provided that this act shall apply only to Transylvania County.

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

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 191

AN ACT TO PREVENT THE KILLING, SELLING AND SHIPPING OF CALVES FOR VEAL IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons, firm or corporation to kill, buy, sell or ship, or engage in the business of killing, buying, selling or shipping calves for veal under the age of twelve months, either dead or alive: *Provided,* that this act shall not apply to Jersey bull calves.

Unlawful to buy or sell for veal, calves under 12 months old.

Proviso: Does not apply to Jersey bull calves.

SEC. 2. That any person, firm or corporation violating the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction shall pay a penalty of not less than fifteen dollars (\$15), nor more than thirty dollars (\$30), or be imprisoned for not less than twenty nor more than thirty days, or both, in the discretion of the court, for each and every offense.

Violation a misdemeanor.

Penalty.

SEC. 3. That this act shall apply to Buncombe and Transylvania counties only.

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 192

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CALDWELL COUNTY TO MAKE SUBSCRIPTION TO ANY RAILROAD PURPOSED TO BE BUILT THROUGH ANY TOWNSHIP OF SAID COUNTY UPON PETITION OF VOTERS OF SUCH TOWNSHIP, AND TO PROVIDE MACHINERY FOR AN ELECTION THEREON AND FOR THE PAYMENTS OF SUCH BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That upon the presentation of a written petition signed by one-fourth of the voters resident of any township of Caldwell County, requesting that the said board of county commissioners of Caldwell County subscribe stock in any railroad now under construction or which may hereafter be under construction, or proposed to be constructed, through such township for the benefit of such township, then it shall be lawful and the duty of said board of county commissioners to make such subscription to such railroad in a sum of not less than two and one-half per cent nor more than five per cent of the assessed valuation of the real and personal property situated and located in such township for the previous year as shown by the tax list of said county for said township for said year. The said subscription shall be entered of record, which shall show the amount subscribed, to what company subscribed, and whether in bonds, money, or other property, and the condition and limitations that may be deemed wise and expedient by said board of county commissioners for the payment of the interest and the principal of said bonds, together with the length of time which said bonds shall run, together with any condition precedent that may be required of such railroad before such bonds are issued and delivered to said railroad.

Petition of one-fourth of a township's voters authorizes county commissioners to subscribe to stock in railroad in such township.

Amount of subscription.

Record of subscription. Record to show provisions made for payment of bonds and conditions precedent required to railroads.

Subscription to be submitted to vote of people.

Conduct of election.

Sheriff in charge.

If election carries, stock shall be subscribed.

Commissioners to fix rate of interest on bonds.

Limitation of interest.

Manner of payment of interest discretionary.

Sinking fund to be provided through special tax.

No bonds to be delivered until railroad completes contract.

Taxes to be levied in township in same manner as general taxes.

SEC. 2. That immediately after making such subscription said board of county commissioners shall order an election to be held at such reasonable time as they may deem necessary, to be held on notice of not less than thirty days, submitting to the qualified voters of such township petitioning for such subscription for voting for or against the proposition subscribing stock to such railroad as hereinbefore provided. The said election shall be held at the voting place or places in the township petitioning for the subscription of such stock to said railroad under the same rules and regulations as are now or may hereafter be prescribed for electing members of the General Assembly. The election shall be held by the sheriff of said Caldwell County and the votes shall be canvassed by the judges and registrars of election and a return thereof made to the board of county commissioners, who shall make a record of the same. If a majority of the qualified voters of the township petitioning for the subscription to the stock of said railroad or proposed railroad shall vote in favor of the proposition, the said board of county commissioners, through its chairman, shall subscribe the amount of stock proposed by them and submitted to the voters of such township, subject to the rules, regulations, and restrictions of other stockholders of such railroad company.

SEC. 3. In case the voters of the township petitioning for such subscription to be made to such railroad or proposed railroad as herein provided, the said board of county commissioners shall have power to fix the rate of interest, not to exceed the rate of six per cent, when the principal on said bonds shall be payable, and at what place or places, and shall also fix the time and places of paying the interest and shall also determine the mode and manner of paying the same and also to raise by taxation from the taxable property located and situated within the boundaries of the township petitioning for the subscription from year to year the amount necessary to meet the interest on said bonds and to pay off and discharge said bonds at their maturity. No bonds to be issued or delivered until said railroad shall be completed through the township in accordance with the terms of the subscription by said township to the capital stock of said railroad.

SEC. 4. The taxes authorized by this act shall be levied by the board of county commissioners against the taxable property, both real and personal, situate and being in the township petitioning for the subscription, to be made to such railroad or proposed railroad as herein provided, at such times and in such way as the general taxes of the county are now levied or may by law hereafter be required to be levied, all of the property, both real and personal, within the limit of said township petitioning for such subscription as herein provided shall upon ratification by

a majority of the qualified voters of such township, be thereby irrevocably pledged and held for the payment of such subscription.

SEC. 5. The sheriff or other person charged with the collection of the general State and county taxes for the said county of Caldwell shall be and he is hereby required to collect under the same rule and regulations as are now required, or may hereafter be by law established and required, for the collection of such State and county taxes. The taxes levied and assessed against the taxable property of said township petitioning for such subscription and election, such taxes shall be assessed against the property of such township for the payment of such subscription and interest thereon. Such taxes when so collected shall be accounted for by said sheriff or other person charged with the collection thereof, shall be paid to the county treasurer or other person designated and authorized by law to receive such taxes, to be used by the board of county commissioners to pay off and discharge such subscription as allowed and provided by this act.

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 193

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF VANCE COUNTY TO LEVY AN ADDITIONAL SCHOOL TAX IN HENDERSON TOWNSHIP, VANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Vance County shall, upon written request of the board of trustees of Henderson graded schools at the time of levying other taxes, levy an additional special school tax not to exceed ten cents (10c) on each one hundred dollars (\$100) valuation of taxable property and thirty cents (30c) on each taxable poll in Henderson Township, Vance County, North Carolina.

SEC. 2. That the said special school tax shall be collected and disbursed as other school taxes in Henderson Township are collected and disbursed.

SEC. 3. That the amount of tax requested in writing by the board of trustees of Henderson graded schools shall be levied each year at the same time and in the same manner as the special tax heretofore provided for are levied, but in no event shall a total of said levy, including all special Henderson Township school taxes, exceed thirty cents (30c) on each one hundred dollars (\$100) valuation of taxable property and ninety cents (90c) on each taxable poll in said township.

Commissioners to submit question of levy to voters of township.

SEC. 4. That the 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 in said Henderson Township and at an election to be held at such time as the board of trustees of Henderson graded schools may appoint and not later than the second Tuesday in April, one thousand nine hundred and nineteen, of which notice shall be given once a week for three weeks in some newspaper published in Henderson Township, Vance County, and that the board of county commissioners shall appoint a registrar and two poll holders for each of the four voting precincts in the said townships, and shall designate the four polling places and shall order a new registration of the voters in said Henderson Township, and the election shall be held in the said township under the laws governing general elections as near as may be, except that the registrar shall only keep his books of registration of voters for ten days, not including Sunday, and shall close the same on the Saturday preceding the election, and the registrars 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 office of the said county board of commissioners. At the said election those who are in favor of an extra additional levy and collection of not to exceed ten cents (10c) on the taxable property in said Henderson Township and an extra, additional levy not to exceed thirty cents (30c) on each taxable poll in said township, shall vote a ticket on which shall be written or printed the words "For Special School Tax," and those who oppose shall vote a ticket on which is written or printed "Against Special School Tax."

Date of election.

Conduct of election.

Registration books open ten days.

Form of ballot.

Subsequent elections upon petition of fourth of voters.

Proviso: Elections must be six months apart.

Tax to be levied when majority vote for it.

SEC. 5. That in the event a majority of the qualified votes cast at any election held hereunder are against the said tax, then the said board of county commissioners shall, upon petition of one-fourth of the qualified voters of said township, endorsed by the board of trustees of Henderson graded schools in said township, call other elections from time to time to pass upon said question until a majority of the qualified votes cast: *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 tax, the same shall be levied as hereinbefore provided.

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

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 194

AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE TOWN OF WILLIAMSTON, NORTH CAROLINA, TO ISSUE BONDS FOR WATERWORKS, SEWERAGE, AND OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of Williamston, Martin County, North Carolina, are hereby authorized and empowered to issue bonds for the purpose of establishing waterworks, sewerage, lights, and pavements for said town. Commissioners authorized to issue bonds.

SEC. 2. That for the purpose of raising funds with which to construct said necessities, the said board of commissioners shall have full power and authority to issue the bonds of said town to an amount not to exceed one hundred and fifty thousand dollars (\$150,000); one hundred thousand of which shall be used for water and sewerage, thirty thousand of which shall be used for lights, and twenty thousand for the pavement of said streets. Amount of issue. Division of bonds for divers purposes.

SEC. 3. That said bonds be in denominations of one thousand dollars (\$1,000), or less, with interest coupons attached, payable annually, at such times and places as may be directed by said board; and to be in such form and tenor, and transferable in such way, and the principal thereof payable at such time or times not exceeding thirty years from the date thereof, and at such place or places as such board may determine: *Provided*, that none of such bonds shall be disposed of either by sale, exchange, hypothecation or otherwise for a less price than their face value. Form of bonds. Maturity. Proviso: No bonds may be sold at less than par.

SEC. 4. That the said board of town commissioners shall, in order to provide for payment of the bonds to be issued hereunder and the interest thereon, compute and levy each year at the time of levying other city taxes a sufficient tax upon all real and personal property in said town to pay the interest on the said bonds; and shall also levy a sufficient tax to create a sinking fund to provide for the payment of said bonds at maturity. Such taxes shall be levied and collected annually and under the same laws and regulations as shall be in force for levying and collecting other city taxes. Special tax for interest and sinking fund. Collection.

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 195

AN ACT TO AUTHORIZE AND EMPOWER DRY WELLS TOWNSHIP ROAD DISTRICT OF NASH COUNTY TO BORROW MONEY FOR ROAD PURPOSES.

Preamble.

WHEREAS, by provision of chapter four hundred and fifty-one of the Public-Local Laws of session of one thousand nine hundred and eleven of the General Assembly of the State of North Carolina there was created and organized as a body corporate a road commission for Dry Wells Township Road District in Nash County; and

WHEREAS, the said road commission desires to provide an additional fund for the purpose of further constructing, improving, maintaining, and keeping in repair the public roads of the said district: Now, therefore,

The General Assembly of North Carolina do enact:

Road commission authorized to borrow sum of not to exceed \$20,000 for use on roads.

SECTION 1. That in order to provide a fund for the further proper construction, improvement, and maintenance of said public roads of the said road district, the road commission for the said road district and its successors in office are hereby authorized and empowered to borrow a sum of money not to exceed twenty thousand dollars (\$20,000) under the direction of the county commissioners of Nash County, as provided for in section four of this act.

Commission authorized to sell bonds to amount of \$20,000.

SEC. 2. As evidence of and to secure said loan said road commission is further authorized, empowered, and directed, under limitations provided for in section four of this act, to execute, issue, and sell twenty (20) bonds, each in the principal sum of

Interest on bonds.

one thousand dollars (\$1,000) to bear a rate of interest not to exceed six per centum per annum and to be payable one each

Maturity.

year for twenty successive years from and after a date to be fixed by said commission. Said bonds shall bear interest payable

Form of bonds.

annually from the date of their issuance. To each and every one of said bonds there shall be attached as many coupons to represent the interest that shall be due annually as the bond itself shall have years to run before its maturity; that is to say, to the bond that is to be due in one year there shall be attached one coupon, representing the annual interest for that year; to the bond to be due in two years there shall be attached two coupons, representing the annual interest for said two years; to the bond to be due in three years shall be attached three coupons, representing the annual interest for said three years; to the bond to be due in four years there shall be attached four coupons, representing the annual interest for the said four years; to the bond to be due in five years there shall be attached five coupons, repre-

senting the annual interest for the said five years; to the bond to be due in six years there shall be attached six coupons, representing the annual interest for the said six years; to the bond to be due in seven years there shall be attached seven coupons, representing the annual interest to be due for the said seven years; to the bond to be due in eight years there shall be attached eight coupons, representing the annual interest for the said eight years; to the bond to be due in nine years there shall be attached nine coupons, representing the annual interest for the said nine years; to the bond to be due in ten years there shall be attached ten coupons, representing the annual interest for the said ten years; to the bond to be due in eleven years there shall be attached eleven coupons, representing the annual interest to be due for the said eleven years; to the bond to be due in twelve years there shall be attached twelve coupons, representing the annual interest to be due for the said twelve years; to the bond to be due in thirteen years there shall be attached thirteen coupons, representing the annual interest to be due for the said thirteen years; to the bond to be due in fourteen years there shall be attached fourteen coupons, representing the annual interest to be due for the said fourteen years; to the bond to be due in fifteen years there shall be attached fifteen coupons, representing the annual interest to be due for the said fifteen years; to the bond to be due in sixteen years there shall be attached sixteen coupons, to represent the annual interest to be due for the said sixteen years; to the bond to be due in seventeen years there shall be attached seventeen coupons, to represent the annual interest to be due for the said seventeen years; to the bond to be due in eighteen years there shall be attached eighteen coupons, representing the annual interest to be due for the said eighteen years; to the bond to be due in nineteen years there shall be attached nineteen coupons, representing the annual interest to be due for the said nineteen years; to the bond to be due in twenty years there shall be attached twenty coupons, representing the annual interest to be due for the said twenty years. Said bonds and each of them shall be signed by the chairman of the said road commission in his official capacity, and shall be countersigned by the secretary or clerk of the said road commission in his official capacity; but the coupons thereto attached may be signed by a facsimile lithographed signature of the said chairman and of the said clerk or secretary. The said bonds and coupons shall upon their face express that they are payable out of the taxes levied and to be levied upon the taxable property and polls of said road district, to the end that said bonds and each of them, with the coupons representing their annually accruing interest, shall be payable at maturity, according to their several intents

Bonds to state on face that they are payable out of taxes levied in road district.

- Levy of tax. and purposes. The county commissioners of Nash County are directed at the regular meetings for levying other taxes on all taxable property and the polls of the said road district, beginning with nineteen hundred and fifteen (1915), to levy a sufficient additional tax on all taxable property and polls of the said road district, the said tax not to exceed twenty cents on the hundred dollars valuation and sixty cents on the poll, for road purposes, in pursuance of the provisions of chapter four hundred and fifty-one of the Public-Local Laws of the session of nineteen hundred and eleven, with which to pay each or one of said bonds and the interest coupons falling due the said bonds at that time. The said tax so levied is to be collected by the sheriff or tax collector of Nash County as the other taxes are collected and when collected
- Limit of tax. shall be kept separate and used, first, for the payment of the annually maturing bonds and the coupons representing the annually accruing interest on the entire issue, and the surplus for constructing, maintaining, and improving the public roads of the said road district as provided in chapter four hundred and fifty-one of the Public-Local Laws of nineteen hundred and eleven.
- Collection. Proceeds of tax to be first applied to payment of bonds. Surplus to be used for roads.
- Custodian of funds chosen by commission. SEC. 3. That the proceeds of the sale or negotiation of the said bonds shall be paid over and held by such person, individual or corporate, as the road commission of Dry Wells Township Road District shall designate as receiver, who shall hold his office at the discretion of the said commission and who may be required to give bond in the amount to be fixed by the said commission, and shall be used and applied for and to the building, repairing, improving, and constructing the public roads of the said road district. No part of the said fund shall be paid out by the said receiver except upon orders signed by the chairman and countersigned by the secretary or clerk of the said road commission. The said receiver, upon said order or orders, will pay the amount thereof and charge the same to the said road district fund: *Provided, however*, that there shall be deducted from the proceeds of the sale or negotiation of said bonds the actual expenses of preparing, printing or lithographing the same and of negotiating the sale thereof, which shall include reasonable attorney's fees to be fixed by the said road commission.
- Disbursement. No bond to be issued without special order of county commissioners. SEC. 4. That no part of the bond issue provided for in section two of this act shall be issued by the said road commissioners of Dry Wells Township Road District without the special order of the county commissioners of Nash County.
- Proviso: Expenses of printing bonds to be paid out of proceeds of sale. SEC. 5. That all laws or clauses of laws in conflict with the provisions of this act are hereby repealed.
- SEC. 6. That this act shall be in force from and after its ratification.
- Ratified this the 26th day of February, A. D. 1919.

CHAPTER 196

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF STOKES COUNTY TO ISSUE BONDS TO BE USED IN THE CONSTRUCTION OF PERMANENT ROADS IN YADKIN TOWNSHIP, STOKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Stokes County be and they are hereby authorized and empowered to issue bonds not exceeding eighty thousand dollars (\$80,000) to be denominated Yadkin Township Road Bonds; that said bonds shall be issued in denominations of not less than one hundred dollars (\$100), nor more than one thousand dollars, said bonds to bear interest at a rate not exceeding six per cent, to be evidenced by coupons attached to said bonds.

Commissioners authorized to issue \$80,000 six per cent bonds for Yadkin Township.

SEC. 2. That no bonds issued under the provisions of this act shall be disposed of or sold for less than par and accrued interest; said board of county commissioners is hereby authorized and empowered to sell and dispose of said bonds either by public or private sale or by sealed bids, as they may see fit; and said board of county commissioners may also advertise the sale of said bonds in one or more newspapers published within or without the State.

No bonds to be sold at less than par.
Manner of sale.

SEC. 3. That the purchase money arising from the sale of said bonds issued under the provisions of this act shall constitute a separate and distinct fund to be applied and appropriated to the laying out, construction and maintenance of the public roads of Yadkin Township. And said board of county commissioners shall cause the treasurer or disbursing officer, acting in the place of the treasurer of said county, to keep separate accounts of said fund so that the condition of the same may at all times be shown; they shall also keep a book in which the number of bonds sold shall be entered, and with them the date due, the amount paid for the same, and when the interest shall fall due.

Proceeds to constitute a separate fund for construction and maintenance of roads.

SEC. 4. That the following named citizens and taxpayers of Yadkin Township, Stokes County, are hereby appointed road commissioners for Yadkin Township, to wit: H. D. Turpin, S. W. Pulliam, and Jasper A. Slate, whose successors shall be elected at the next general election in Stokes County, and the said road commissioners in said township shall have the power and authority to contract for the construction and maintenance of the roads required in said township; and said road commissioners shall also be authorized and empowered to locate roads in said township and they are directed, in locating and constructing said improved public roads, to first construct and improve the public road leading from the Forsyth County line near Rural Hall to Quaker Gap, and also the road from the Forsyth County line via

Road commission appointed.

Successors.
Powers.

First roads to be constructed are designated.

Expenditure of funds remaining.

Surveys and estimates to be approved by State Highway Commission.

Special tax not to exceed 60 cents on \$100 authorized for payment of interest and sinking fund.

Collection of tax.

Bridges and material for surfacing of roads constructed under this act to be paid for in accordance with chapter 41, Public-Local Laws of 1913.

Maturity of bonds.

King, Dalton, and Pinnacle to the Surry County line above Pinnacle; and these two main roads above mentioned shall first be constructed out of the funds arising from the sale of the bonds herein provided for; that after these two main roads are constructed, then the said road commissioners in Yadkin Township are authorized and empowered to spend the rest of said money upon such roads in Yadkin Township as in their opinion may be necessary for the use and benefit of all the citizens in said township, as in their opinion may be necessary for the use and benefit of all the citizens in said township; that no contract for the construction of said road shall be closed until the survey and estimates are approved by the state highway commission.

SEC. 5. That in order to pay the interest on said bonds as it may accrue and create a sinking fund for the payment of said bonds at maturity, or as they may mature, the board of county commissioners of Stokes County, and their successors, shall annually levy a special tax not exceeding sixty cents on the one hundred dollars valuation of property, to meet the interest accruing upon the said bonds, and create a sinking fund to pay off the bonds as they may mature, and for the construction and maintenance of said roads in said township. That the said tax shall be levied and collected as other county taxes are levied and collected, and shall be imposed upon the property and other subjects of taxation, as are now or it may hereafter be subject to taxation, and it shall be collected by the officer or officers charged with the collection of other county taxes, and he shall, in respect thereto, be liable officially, as well as personally, to all requirements of the law now prescribed or which may hereafter be prescribed for the faithful collection and payment of other taxes.

SEC. 6. That the bridges to be constructed and material to be used in the construction of bridges and surfacing and soiling of the roads to be constructed under this act, shall be paid for by the county board of commissioners in the same manner as the county has heretofore paid for the construction of bridges and the material used for the surfacing and soiling of roads in other townships in the county of Stokes, in which road bonds have been issued, as provided in section twenty-seven, chapter forty-one, Public-Local Laws of one thousand nine hundred and thirteen.

SEC. 7. That the bonds issued by the board of county commissioners under the authority of this act shall be as follows: Four thousand dollars due and payable in four years, four thousand dollars due and payable in six years, four thousand dollars due and payable in eight years, four thousand dollars due and payable in ten years, four thousand dollars due and payable in twelve years, four thousand dollars due and payable in fourteen years, four thousand dollars due and payable in sixteen years, four

thousand dollars due and payable in eighteen years, four thousand dollars due and payable in twenty years, four thousand dollars due and payable in twenty-two years, four thousand dollars due and payable in twenty-four years, four thousand dollars due and payable in twenty-six years, four thousand dollars due and payable in twenty-eight years, four thousand dollars due and payable in thirty years, four thousand dollars due and payable in thirty-two years, four thousand dollars due and payable in thirty-four years, four thousand dollars due and payable in thirty-six years, four thousand dollars due and payable in thirty-eight years, four thousand dollars due and payable in forty years, and four thousand dollars due and payable in forty-two years.

SEC. 8. That immediately upon the sale of the bonds herein provided for the board of county commissioners of Stokes County shall turn over to the chairman of the road commission of Yadkin Township, herein appointed, or his successor, the said funds to be used by them in the manner as provided under this act; the said chairman to give bond with sufficient security in such sum as the county commissioners of Stokes County may require.

Chairman of road commission custodian of funds.

SEC. 9. That the said road commission herein appointed shall hold monthly meetings in Yadkin Township at a place to be decided by the chairman, who is to be elected by the road commission of Yadkin Township, and they shall be allowed, out of the road fund five dollars per day each for their services as road commissioner. That special meetings may be called by the chairman and for attendance upon said special meetings, each member shall receive five dollars per day: *Provided*, the costs of all special meetings at any time in one year shall not exceed one hundred dollars; that said road commission shall elect of its members secretary and treasurer of said road commission, who shall keep in a book provided by the road commission, minutes of all proceedings, acts, and doings of said commissioners.

Commission to hold monthly meetings.

Compensation.

Special meetings.

Proviso: Special meetings for year not to cost more than \$100.

Record of proceedings.

SEC. 10. That said roads constructed under this act as to width shall be under the supervision and control of the road commissioner, except that the two main roads through said township from the Forsyth line near Rural Hall to Quaker Gap, on the Forsyth line via King, Dalton, and Pinnacle to the Surry line shall not be less than twenty-two feet in width.

Roads constructed under supervision of road commission.

Two main roads must be twenty-two feet in width.

SEC. 11. That for the purpose of carrying out the provisions of this act, the road commissioner of Yadkin Township is hereby authorized and empowered through or by its agent, to enter upon any cultivated or uncultivated land near or adjacent to such roads as may be laid out under this act, or may already be used as public road, to cut and carry away timber, except fruit trees or trees or groves on improved land planted for fruit or left for shade or ornament; to dig or cause to be dug and carried away, any gravel, stone, clay or topsoil, which may be necessary to con-

Authority given to secure material from land adjacent to roads.

Making of ditches. ditches through the same, as said road commissioners may deem necessary for the betterment of the road, doing as little injury to said land or the timber or improvement thereto, as the nature of the case and public good will permit; and the drains and ditches so made shall be conducted to the nearest ditch, water course, or waste ground, and shall be kept open by the said road commissioners, and shall not be obstructed by the owner of such land or any other person or persons under the penalty of forfeiting the sum of not less than five dollars or not exceeding ten dollars or imprisonment or work on the county roads for not less than ten or exceeding twenty days for each and every such offense, said penalty to be collected by the said road commission, and if in money to be paid over to the treasurer of the road commission of Yadkin Township. If the owner of any lands or the agent or agents of such owner having any lands from which timber, stone, gravel, clay or topsoil are taken, as aforesaid, shall present an account of the sale duly verified, to the chairman of the board of county commissioners within thirty days after the taking and carrying away of such timber, stone, gravel, clay or topsoil, it shall be the duty of said board of county commissioners to pay for the same at a fair price out of the general county funds of the county, and before deciding upon this, they may cause to be appointed an impartial jury of three freeholders, one to be selected by the road commissioners, one by the party claiming the damages, and the third to be selected by these two, which jury shall report in writing their decision for revision and confirmation: *Provided*, that the said landowner or his agent shall have the right of appeal to the Superior Court from the decision of said board of county commissioners.

Penalty for obstructing ditches. Penalty collected by commission. Payment of claims for material. Jury may be selected to assess damages. Right of appeal secured to plaintiff. Contractors required to give bond.

SEC. 12. That the said Yadkin Township road commissioners are authorized and empowered as hereby stated, to contract for the construction of roads, and in doing so, they shall require of the contractor or contractors a bond or bonds in a reasonable amount, to be fixed by said Yadkin Township commissioners, requiring the full and faithful performance of their contract.

Barren land from which topsoil has been removed as material for road construction to be plowed by contractors. *Proviso*: No front yard nor garden must be entered for material.

SEC. 13. That whenever the said Yadkin Township commissioners shall enter upon the lands for the taking of material in the construction of public roads as herein provided for, they shall require of the contractor or contractors to plow or break up the barren land from which the topsoil has been taken for road purposes: *Provided further*, that no yard in the front of a residence or used as a garden or orchard shall be entered upon by the commissioners or their contractors for the purpose of obtaining sand, stone, gravel or any road material.

SEC. 14. That the purchaser or purchasers of said bonds or any part of said bond shall not be required to see the application or the appropriation of said fund by the board of county commissioners of Stokes County, or by the road commissioners of Yadkin Township. Purchasers relieved from seeing application of fund.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 197

AN ACT TO PROVIDE FOR THE WORKING OF THE PUBLIC ROADS OF GRAHAM COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Graham County shall annually levy a tax for the purpose of keeping up and repairing the public roads of Graham County of not less than thirty cents or more than sixty cents on the hundred dollars worth of property listed for taxation in said county, and not less than ninety cents or more than one dollar and eighty cents on each poll, always observing the constitutional equation between the property and poll, and the amount raised by said tax shall constitute a special fund for the purpose of repairing and keeping up the public roads of Graham County and making changes therein and for no other purpose, except as hereinafter provided. Commissioners directed to levy road maintenance tax of not less than 30 nor more than 60 cents on \$100, and not less than 90 cents nor more than \$1.00 on the poll. Proceeds a special fund.

SEC. 2. That on the first Monday in May, one thousand nine hundred and nineteen, the board of county commissioners of Graham County shall make a correct inventory of the number of miles of road in each township in Graham County, of which inventory there shall be a permanent record made by the said board. Inventory of miles of road in each township ordered.

SEC. 3. That when the said taxes are levied, the board of county commissioners of Graham County shall apportion and prorate said taxes to the different townships according to the proportion that the miles of the public road in said township bear to the total mileage of public road in said county and shall place said sum to the credit of the highway commissioners of the several townships of Graham County. Taxes apportioned and prorated according to proportion township road mileage bears to mileage of county.

SEC. 4. That W. D. Crisp, Jim Crisp, and T. J. Broadshaw and their successors in office are hereby incorporated as the highway commission of Stecoah Township, Graham County, and shall hold office until the first Monday in December, one thousand nine hundred and twenty, or until their successors shall be elected Stecoah Township road commission incorporated. Term of office.

Successors.

and qualified: *Provided*, that there shall be biennially elected in Stecoah Township three competent men as highway commissioners at the same time and under the same laws and regulations as govern the general election of township officers. Said highway commission shall have the same supervision, powers and rights in respect to all public roads and bridges in Stecoah Township as has heretofore been vested in the board of county commissioners of Graham County, except as such powers and rights are modified herewith, and except such powers and rights as are given to the board of county commissioners in chapter two hundred and one, Public-Local Laws of one thousand nine hundred and thirteen, and amendments thereto.

Powers.

Yellow Creek
Township commis-
sion incorporated.
Term of office.

SEC. 5. That G. W. Schular, Jim Turpin, and A. Wall and their successors in office are hereby incorporated as the Highway Commission of Yellow Creek Township, Graham County, and shall hold office until the first Monday in December, one thousand nine hundred and twenty, or until their successors shall be elected and qualified: *Provided*, that there shall be biennially elected in Yellow Creek Township three competent men as highway commissioners at the same time and under the same laws and regulations as govern the general election of township officers. Said highway commission shall have the same supervisions, powers and rights in respect to all public roads and bridges in Yellow Creek Township as has heretofore been vested in the board of county commissioners of Graham County, except as such powers and rights are modified herewith, and except such powers and rights as are given to the board of county commissioners in chapter two hundred and one, Public-Local Laws of one thousand nine hundred and thirteen, and amendments thereto.

Successors.

Powers.

Road supervisor
to receive \$3 per
day for work.

SEC. 6. That the road supervisor of each township of Graham County shall receive the sum of three dollars (\$3) per day for each and every day that he is engaged in work on said public roads of his township, and that they are authorized and empowered to pay for labor on said roads an amount not in excess of two dollars and fifty cents (\$2.50) per day, according to the value of the working qualifications of the man employed.

Empowered to pay
\$2.50 per day for
labor.

Compensation of
highway commis-
sioners.

SEC. 7. That the highway commissioners of each township shall receive the sum of three dollars per day for each day actually engaged in the work of said office, and five cents for each mile traveled.

Commissioners to
make six-month
contracts for up-
keep of roads
with lowest bidder.

SEC. 8. That the highway commissioners of each township are authorized and empowered to contract for the upkeep and repair of any part or all of the public roads of said township to the best and lowest bidder on same, not to exceed six months, first requiring said bidder to file a good bond with sufficient sureties assuring compliance of the contract, conditioned that if

Bond required
of bidder.

the said principal fail the sureties will keep up the road or pay to the highway commissioners the amount necessary which they shall expend in keeping up said road, over and above what they would have paid the said contractor: *Provided*, that no money shall be paid to any contractor until his road has been inspected by the road supervisor and declared to be in good condition: and *Provided further*, that fifteen per cent of the amount due to the contractor shall be retained until the said term of the contractor expires as a further assurance that his said contract will be complied with.

If principal fail sureties keep up road or pay for upkeep.
 Proviso: No payment to contractor until work is approved by supervisor.
 Proviso: Fifteen per cent to be retained until contract expires.

SEC. 9. That section twelve, chapter two hundred and one, Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out in line two thereof the word "twenty-one" and inserting in lieu thereof the word "eighteen."

Minimum age limit of free labor reduced.

SEC. 10. That part of the road laws of Graham County which conflict with this law are hereby repealed, and all of that part which does not conflict with this is hereby reenacted as though it was a part of this act.

Part of county road laws not conflicting reenacted.

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 198

AN ACT TO AUTHORIZE THE BOARDS OF COMMISSIONERS OF HALIFAX, NORTHAMPTON AND BERTIE COUNTIES TO BUILD A BRIDGE OVER THE ROANOKE RIVER AT, OR NEAR, NORFLEET'S FERRY AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the counties of Halifax, Northampton, and Bertie are hereby authorized and empowered by joint action and agreement to build and construct a bridge over the Roanoke River at, or near, Norfleet's Ferry, and to build and construct a road leading from the bridge to the highlands, or present established public roads, of Halifax and Bertie counties.

Commissioners of three counties authorized to build bridge and road connecting with present established roads.

SEC. 2. That for the purpose of raising funds with which to build and construct said bridge and road, the boards of commissioners of said counties of Halifax, Northampton, and Bertie shall each have full power and authority to issue the bonds of said respective counties to an amount not to exceed the actual cost of said bridge and road, the bonds to be issued by the county of Halifax not to exceed, in any event, sixty thousand dollars

Bond issues by three counties authorized.

Halifax's bonds limited to \$60,000.

Northampton's bonds limited to \$10,000; Bertie's to \$30,000.

Denomination. (\$60,000); and the bonds to be issued by the county of Northampton not to exceed, in any event, ten thousand dollars (\$10,000); and the bonds to be issued by the county of Bertie not to exceed, in any event, thirty thousand dollars (\$30,000). Said bonds to be in denominations of one thousand dollars, or less, with interest coupons attached, payable semiannually, at such times and places as may be directed by such boards, and to be in 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 such boards may determine: *Provided*, that none of such bonds shall be disposed of either by sale, exchange, hypothecation, or otherwise, for less price than their face value.

Interest payable semiannually.

Maturity.

No bonds to be sold at less than par.

Special taxes to be levied to pay interest and create a sinking fund.

Collection.

SEC. 3. That the county commissioners of the respective counties shall, in order to provide for payment of the bonds to be issued hereunder, and interest thereon, compute and levy each year at the time of levying other county taxes a sufficient tax upon all real and personal property in each county to pay the interest on the said bonds, and shall also levy a sufficient tax to create a sinking fund to provide for the payment of said bonds at maturity. Such taxes 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.

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 199

AN ACT TO AMEND CHAPTER 602, PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1915; AND TO PROVIDE FOR DEPUTY SHERIFFS IN ALAMANCE COUNTY TO RECEIVE FEES PROVIDED BY LAW FOR SERVING PAPERS ACTUALLY SERVED BY SUCH DEPUTY SHERIFFS.

The General Assembly of North Carolina do enact:

SECTION 1. That all that part of section one of chapter six hundred and two of the Public-Local Laws of North Carolina of one thousand nine hundred and fifteen, beginning with section four and one-half, be stricken out, and that the following be inserted in lieu thereof:

"SECTION 4½. That the sheriff shall not be called upon to collect or account for fees for serving papers which shall actually be served by deputy sheriffs, and these fees shall not belong to

Deputy sheriffs actually serving papers to receive fees.

the sheriff, nor to the county of Alamance; but shall go and belong to the deputy sheriff actually serving said papers; and as to these fees, the provisions of sections one, two, three, and four of said chapter six hundred and seventeen of Public-Local Laws of North Carolina of one thousand nine hundred and eleven, shall not apply.”

Provisions of chapter 617, Public-Local Laws of 1911, do not apply to these fees.

SEC. 2. That all laws or parts of laws in conflict with the provisions of this act shall be, and the same are hereby repealed.

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 200

AN ACT TO AMEND SECTION 3733 OF THE REVISAL OF 1905, RELATING TO PUBLIC DRUNKENNESS IN GREENE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand seven hundred and thirty-three of the Revisal of one thousand nine hundred and five be and the same is hereby amended by inserting in line four thereof after the word "Gaston" the word "Greene."

Greene included in counties under provisions public drunkenness law.

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 201

AN ACT TO PREVENT PUBLIC DRUNKENNESS AND DISORDERLY CONDUCT IN POLK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person who shall be guilty of public drunkenness, boisterous, disorderly conduct, obscene or vulgar language on any public highway or in any public place shall upon conviction therefor, be fined not more than fifty dollars or imprisoned not more than thirty days at the discretion of the court.

Public drunkenness, disorderly conduct or obscenity, punishable by fine of \$50 or 30 days imprisonment.

SEC. 2. That this act shall apply to Polk County only.

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 202

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF PUBLIC
ROADS IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

County commis-
sioners authorized
to issue bonds for
construction and
maintenance of
roads and par-
ticularly to im-
prove designated
roads.

SECTION 1. That for the purpose of purchasing road building machinery, implements and tools; and for the purpose of repairing public roads, opening and constructing new roads; and for grading, building, and maintaining those highways in Brunswick County which have heretofore been built and repaired in the townships by township bonds; and for the purpose of improving the following parts of roads in said county as the first specific new construction, viz.: from the end of the bond built road in Shallotte Township to some point on the South Carolina line; from the town of Shallotte to Wet Ash Swamp in Waccamaw Township; near Southport to Allen's Creek crossing on what is known as the Mud Road; and from Bolivia to the Southport Public Road near Mill Creek Baptist Church, the county commissioners of Brunswick County are hereby authorized, empowered and directed to issue bonds for such road improvements to an amount not to exceed twenty thousand dollars, in denominations of not exceeding one thousand dollars, and not less than one hundred dollars, same to bear interest from date at a rate not exceeding five per cent per annum, with interest coupons attached, interest coupons payable semiannually at some bank in New York city; said bonds to be twenty year bonds: *Provided*, that the county commissioners shall not dispose of same for a less price than their face value. Such bonds shall be numbered and shall be signed by the chairman of the board of county commissioners, and attested by the clerk of said board, and shall bear the corporate seal of said county. The coupons attached to each bond shall bear the number of the bonds and the number of coupon, and shall bear the signature of the said officer or their lithographed signatures. A record of said bonds sold shall be kept, showing to whom sold, the amount and date of sale as to each bond.

Limitation of
bonds.

Denominations.

Interest.

How payable.

Maturity.

No bonds to be
sold at less than
par.

Bonds to be serial.

Record to be kept
of sales.

For payment of
interest and retire-
ment of bonds
special tax of 15
cents on \$100 and
45 cents on poll
is authorized.

SEC. 2. That in order to pay the interest on said bonds, to create a sinking fund to liquidate the said bonds at maturity, and to maintain an all the time road working force, chain-gang, and convict force in the event that the county commissioners may deem the same advisable, for the working, repairing, reconstructing, opening new roads in whole or in part, and for supervising and providing for the upkeep of all the public roads of Brunswick County, the board of county commissioners shall annually, at the time of the levy of other county taxes, compute

and levy a tax of fifteen cents on the hundred dollars valuation on all taxable property in said county, and forty-five cents on each poll: *Provided*, that until June first, one thousand nine hundred and twenty, the said county commissioners shall not be compelled to take over as a public charge other than those roads that have heretofore been constructed with township bond money and those roads built under the provisions of this act, but after which date all the public roads of said county shall be taken over and maintained by the county system herein provided for, but authority to take over any public roads is hereby granted that the said board of commissioners may deem advisable: *Provided also*, that upon the taking over of any such roads in the county that the road hands assigned to work thereon shall be by the supervisor assigned to road duty on the remaining roads in the respective townships prior to June first, one thousand nine hundred and twenty: and *Provided further*, that there shall be no poll tax levied for the purposes of this act until June first, one thousand nine hundred and twenty, at which time road work by manual labor of the free citizens on the public roads of said county shall cease, and the complete system of road work by taxation fully inaugurated. But until such date, the present system, as herein modified, shall remain in full force and effect.

SEC. 3. That a separate account of all funds derived under this act shall be kept, and the said funds shall be used for no other purpose.

SEC. 4. That the county commissioners shall select and appoint a road superintendent in said county, who shall be responsible to the said county commissioners for his official service, and the said board of county commissioners shall make such rules and regulations and impose such restrictions as the said board may deem advisable and proper in the work of repairing, constructing, and building of the public roads; and are given authority to purchase and acquire modern machinery, implements and tools, to pay salaries and wages, and for services performed on the roads under the direction of the road superintendent, and to require such reports as they may deem advisable from those employed, to acquire rights of way for public roads as provided by law where necessary, and to safeguard the funds as in case of other county funds.

SEC. 5. That the said taxes shall be collected, accounted for, paid out and accounted for under the direction of the county commissioners in the same manner and under the same penalties as other county taxes are collected, kept and paid out.

SEC. 6. That for the purpose of this act the county commissioners and its agents shall have the power to enter upon lands adjoining such public roads and adjacent thereto and dig and carry

Proviso: Until June 1, 1920, commissioners shall not be compelled to take over those roads other than those constructed with township bond money, but after that date all roads shall be part of county system; meanwhile they may take over any road.

Proviso: When county takes over road supervisor shall assign its road hands to duty on remaining roads of township.

Proviso: No poll tax to be levied under this act until June 1, 1920, at which time free road labor ceases.

Proceeds of tax to be separate fund.

Road superintendent to be appointed by commissioners.

Commissioners given full charge of roads.

Collection of taxes.

Commissioners and agents empowered to secure material from adjacent lands.

Settlement of claims for damages.

Jury, if requested.

Assessment of damages.

Proviso: Right of appeal secured to landowner.

Proviso: Cultivated lands, and premises immediate to home not to be entered until right of way has been procured by law.

Obstructing road work misdemeanor.

First roads built with view to improving main thoroughfares.

Commissioners authorized to cooperate with State or Federal governments as deemed proper.

Roads to be taken over by commissioners as rapidly as practicable.

away sand, gravel, clay, timber or other material necessary, and to dig such drainage ditches from the said roads as may be necessary for the betterment of the said public highway. If the owner shall claim damages and the same be not settled within sixty days after claim filed in writing, such person may then in writing demand a jury of award, and forthwith the county commissioners shall request the sheriff or his deputy to select three freeholders of the county, qualified to act as jurors, who shall be impartial men, which duty by said sheriff shall be performed in five days, to whom shall be delivered by the sheriff all writings relative to the claim from the board, who shall in three days go upon the lands and assess the damages sustained by the owner, taking into consideration the benefits the owner will receive by reason of the road, not common to others, who shall state the same in writing and transmit the entire to the county commissioners, when it shall become a valid claim against the said fund and stand for payment: *Provided*, that the owner of the county may appeal on or before the first meeting of the county commissioners after the same is filed, when the same may be heard *de novo* in the Superior Court of the county, and any further proceedings had shall be as in other actions, the provisions of this section shall also apply to the work of laying out any opening new road for a public highway, or the altering of any part of any road: *Provided*, that no entry shall be made upon any cultivated lands, nor through the yard and premises immediate to any home until the right of way has first been procured by law.

SEC. 7. That any person wilfully obstructing or resisting the said county commissioners, road superintendent, their agents or servants, in the discharge of their duties under this act; or who shall wilfully obstruct any drain or in any way injure work done under this act, shall be guilty of a misdemeanor.

SEC. 8. That the lines of road first to be constructed shall be those named in section one of this act, with a view to improving the main thoroughfares of the county and the maintenances by improved methods of main system of roads serving the public.

SEC. 9. That the county commissioners are hereby authorized and empowered to cooperate with the State or Federal government under the provisions of law enacted by either or both with respect to the funds provided by this act in such manner and way as the said commissioner may deem proper for the county and for the benefit of the public roads of the county.

SEC. 10. That such road shall be taken over under the county system as rapidly as the progress of the work will permit, notice of which, as to any road or part of road, shall be given by the county commissioners to the road supervisors of the township in

which road is located for their information in reallocating road hands up until June first, one thousand nine hundred and twenty-one.

SEC. 11. This act shall be in force and effect from and after its ratification.

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 203

AN ACT TO AUTHORIZE THE COMMISSIONERS OF JACKSON COUNTY TO LEVY SPECIAL TAXES TO MEET THE GENERAL INDEBTEDNESS AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners for the county of Jackson are hereby authorized and empowered at the regular times for levying taxes to levy a special tax of not exceeding ten cents on the one hundred dollars worth of property and thirty cents on the poll, to be determined by said board of commissioners in said county for the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty, for the support of the poor and to liquidate existing indebtedness incurred against this account, observing the constitutional equation between property and poll.

SEC. 2. That in addition to the levies authorized in section one, the said board of commissioners for said county are hereby authorized and empowered at the regular times for levying taxes to levy a special tax for the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty, not to exceed twenty cents on the one hundred dollars worth of property and sixty cents on the poll, to be determined by said board of commissioners, for the purpose of discharging and paying off the general indebtedness of said county, and for the purpose of discharging and paying off such general indebtedness as may have been incurred heretofore by said county or may be incurred during the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty, observing the constitutional equation between property and poll.

SEC. 3. That for the purposes of constructing, improving, maintaining and repairing public bridges of the county, the said board of commissioners for said county are hereby authorized and empowered at the regular times for levying taxes, to levy a special tax in any year of not exceeding ten cents on the one hundred dollars worth of property and thirty cents on the poll, to be determined by the said board of commissioners, observing the constitutional equation between property and poll.

Commissioners authorized to levy special tax of 10 cents on \$100, and 30 cents on poll to support poor.

Levy of special tax for 1919 and 1920 of 20 cents on \$100, and 60 cents on poll to pay off general indebtedness authorized.

Bridge tax of 10 cents on \$100 and 30 cents on poll authorized.

Collection of taxes. SEC. 4. That the taxes herein authorized to be levied shall be collected and accounted for by the sheriff or tax collector of said county in the same manner and under the same penalties as are now provided by law for the collection of other taxes in said county.

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 204

AN ACT TO ABOLISH THE OFFICE OF COUNTY AUDITOR OF GASTON COUNTY.

The General Assembly of North Carolina do enact:

Office of county auditor abolished.

SECTION 1. That sections eight, nine, ten, and eleven, chapter one hundred and ninety, Public-Local Laws of one thousand nine hundred and thirteen, empowering the board of commissioners of the county of Gaston to appoint a county auditor, be and the same is hereby repealed.

SEC. 2. That this act shall be in force from and after the first day of December, one thousand nine hundred and twenty.

Ratified this the 28th day of February, A. D. 1919.

CHAPTER 205

AN ACT TO AUTHORIZE A SPECIAL TAX IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Commissioners authorized to levy 12½ cents on \$100 for 1919 and 1920 to supplement general fund and pay off indebtedness.

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 twelve and one-half cents on the one hundred dollars valuation on all taxable property in said county for the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty, for the purpose of supplementing the general county fund of said county, and shall be used in the payment of the indebtedness and current expenses of the said county.

Collection 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 following said levy and accounted for by the sheriff or other collecting

officer, and shall be held, accounted for, and paid out by the disbursing agent or officer of said county in the same manner and under the same penalties that other county taxes are collected, accounted for, held, and paid out in said county.

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. 1919.

CHAPTER 206

AN ACT ABOLISHING THE RECORDER'S COURT OF CUMBERLAND 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 Cumberland County, North Carolina, be, and the same is hereby abolished. Recorder's court abolished.

SEC. 2. That chapter six hundred and sixty-seven of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, be and the same is hereby repealed. Chapter 667, Public-Local Laws 1913, repealed.

SEC. 3. That all actions pending in said court of which the Superior Court of Cumberland 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 justice's court or courts of the justices of peace have concurrent jurisdiction, shall on or before May thirty-first, nineteen hundred and nineteen, be transferred by the recorder of said recorder's court to a proper justice or justices of the peace for further proceeding. All actions within jurisdiction of Superior Court transferred to Superior Court. All actions within jurisdiction of justice of peace transferred to justice's court.

SEC. 4. That this act shall take effect the first day of June, A. D. nineteen hundred and nineteen. Act effective June 1, 1919.

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 Cumberland County a duly certified copy of the same. Secretary of State to transmit copy of act to clerk Superior Court and clerk recorder's court.

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

SEC. 7. Provided, that the county commissioners of the county of Cumberland may at some date prior to June first, one thousand nine hundred and nineteen, call an election at which time the qualified voters of the county of Cumberland shall vote upon the provisions contained in the foregoing act. Ballots shall be provided for the said voters upon which shall be printed or written the words "For Recorder's Court," and also ballots upon which shall be written or printed the words "Against Recorder's Court," Operation of act contingent on ratification by voters. Form of ballot to be used.

that said election shall be held in the same manner and under the same provisions as elections for members of the General Assembly. If a majority of the qualified voters shall be in favor of the recorder's court, then the provisions of this act shall not become effective, otherwise to remain in full force and effect.

Ratified this the 28th day of February, A. D. 1919.

CHAPTER 207

AN ACT TO AUTHORIZE AND EMPOWER THE PASQUOTANK HIGHWAY COMMISSION OF PASQUOTANK COUNTY TO ISSUE BONDS TO BE USED IN THE CONSTRUCTION AND MAINTENANCE OF PERMANENT ROADS OF THAT COUNTY.

The General Assembly of North Carolina do enact:

Pasquotank highway commission authorized to issue bonds.
Amount not to exceed \$500,000.
Denominations prescribed.

Interest not to exceed 6 per cent.
Commission to prescribe form of bonds, etc.

SECTION 1. That the Pasquotank highway commission of Pasquotank County be and they are hereby authorized and empowered to issue bonds not exceeding five hundred thousand dollars (\$500,000) to be denominated "Pasquotank County Road Bonds." That said bonds shall be issued in denominations of not less than one hundred dollars (\$100) nor more than five thousand dollars (\$5,000) to bear interest at not exceeding six per cent and be evidenced by coupons attached to said bonds. The said Pasquotank highway commission is also authorized to prescribe the form of said bonds, the length of time they shall run, and the denominations in which said bonds shall be issued. The said bonds shall bear the signature of the chairman and secretary of the said Pasquotank highway commission and sealed with the common seal of the commission and the coupons attached to the said bonds shall bear the facsimile signature of the chairman of the said board, and the said Pasquotank County road bonds so issued shall be the valid and binding obligation of the county of Pasquotank.

Bonds not to be sold for less than par.
Sale in discretion of commission.

SEC. 2. That no bonds issued under the provisions of this act shall be sold or otherwise disposed of for less than par and accrued interest. Said Pasquotank highway commission is authorized and empowered to sell or dispose of the said bonds either by public or private sale or by sealed bids, as to them may seem best, and in case they sell at a public sale, they shall give notice thereof in one or more newspapers published in the State of North Carolina for at least thirty days and said Pasquotank highway commission may also advertise the sale of said bonds in one or more newspapers which may make a business of advertising such sales, published within or without the State.

SEC. 3. That the purchase money arising from said sale of said bonds issued under the provisions of this act shall constitute a separate and distinct fund to be applied and appropriated to the laying out, construction and maintenance of the hard-surfaced public roads and bridges in Pasquotank County, and the said Pasquotank highway commission shall cause the treasurer or disbursing officer acting in the place of the treasurer of said county to keep separate accounts of said funds so that the condition of same may, at all times, be shown, and they shall also keep a book in which the number of bonds sold shall be entered, and with them the date, the amount paid for the same, and when the interest shall fall due.

Proceeds of bond sale constitute separate fund.

Purpose of fund specified.

Treasurer to keep separate account.

SEC. 4. That the disbursement of the said funds arising from the sale of the bonds aforesaid shall be under the direction of the Pasquotank highway commission created by chapter one hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and fifteen, or their successors in office.

Disbursement of funds under commission.

SEC. 5. That immediately upon the issue of the said bonds they shall be certified by the secretary of the Pasquotank highway commission to the board of county commissioners of Pasquotank County and in order to pay the interest on said bonds as it may accrue and create a sinking fund for the payment of said bonds at maturity, the board of county commissioners of Pasquotank County shall annually levy a special tax of such amount as in their discretion may be deemed to be necessary to meet the interest accruing upon said bonds and to create a sinking fund to pay for the bonds as they may mature. That said tax shall be levied and collected as other county taxes 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 the State and it shall be collected by the officer or officers charged with the collection of other county taxes, and he 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 other taxes.

Bonds to be certified to commissioners.

Commissioners to levy special tax for interest and sinking fund.

Collection of tax provided for.

SEC. 6. That the purchaser or purchasers of any part of said bonds shall not be required to see to the application of the proceeds of said funds by the commissioners of Pasquotank County or the highway commission of Pasquotank County.

Purchasers not required to see to application of proceeds.

SEC. 7. Whenever in the discretion of the board of county commissioners it may be necessary or advisable, they may make an assessment upon the lands of abutting property owners or those owning lands directly benefited by the construction of roads hereunder, under the provisions of chapter two hundred and eighty-four of the Public Laws of one thousand nine hundred and seventeen, sections forty-nine to sixty-one inclusive, which are hereby made a part of this act.

Abutting property may be assessed.

Act not to restrict county's privileges under other acts.

SEC. 8. That nothing herein contained shall be construed to prevent the county of Pasquotank or its duly constituted authorities from taking advantage of the provisions of chapter six of the Public Laws of one thousand nine hundred and seventeen, known as the Clark Law to encourage road building in North Carolina by state's aid, or any other legislation that is now or may hereafter become effective in this State.

Act not to repeal road laws now in effect.

SEC. 9. Nothing herein contained shall be construed as repealing the road laws now in effect in the county of Pasquotank, but this act is enacted as an amendment thereto.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 28th day of February, A. D. 1919.

CHAPTER 208

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE PUBLIC ROADS OF GRIFFINS TOWNSHIP, MARTIN COUNTY.

The General Assembly of North Carolina do enact:

Commissioners to call election for road tax on petition of 25 per cent of voters.

SECTION 1. That upon petition of twenty-five per cent of the qualified voters of Griffins Township, county of Martin, the county commissioners of the said county shall, within thirty days and after due advertisement, call an election in said township to determine the question of a tax for the purpose of improving the public roads. At the said election the voters shall cast a ballot upon which is written or printed thereon the words "For Road Tax" or "Against Road Tax." If a majority of the votes cast be "For Road Tax," the county commissioners of the said county are authorized and directed to levy a tax not to exceed thirty-five cents on the one hundred dollars property valuation and one dollar and five cents on each poll, the same to be expended in the improvement of the public roads of Griffins Township. The said tax shall be levied at the same time as other taxes of the county are levied, and shall be collected at the same time and in the same manner as other taxes by the sheriff or other tax collector of the county and paid in to the county treasurer, who shall keep the same separate and apart from other funds. The same shall be paid out by the treasurer only upon order signed by the chairman of the board of road commissioners and countersigned by its secretary.

Form of ballot prescribed.

If road tax carries, commissioners to levy tax.

Rate not over 35 cents on property; not over \$1.05 on poll.

Tax levied and collected as other taxes.

To be paid to county treasurer, and kept separate from other funds.

Board of township road commissioners to be elected.

SEC. 2. At the time of the aforesaid election for road tax, the vote shall be taken to elect five men, who shall be known as the board of township road commissioners, and who shall hold office

until the next general election or until their successors are elected and qualified. At the said election the five persons receiving the highest number of votes cast shall be declared elected.

SEC. 3. The result of the said tax election and election for township road commissioners shall be returned not later than the Thursday following the election to the board of county commissioners, who shall record the same in their minutes and no other declaring or recording of said election shall be necessary.

Result of election to be returned.

SEC. 4. For the purpose of holding the said elections, the county commissioners are authorized to appoint a registrar and two judges of election, who shall receive the same compensation as is now allowed by law in general elections.

Commissioners to appoint election officers.

SEC. 5. The members of the board of township road commissioners elected at any election called under the provisions of this act shall serve until the next general election for members of the General Assembly, when their successors shall be elected by vote as in case of other county officers, and their said successors when so elected shall hold office for two years from the first Monday in December following such election or until their successors are elected and qualified. In case of vacancy caused by death, resignation or otherwise in the membership of the said board of township road commissioners, the same shall be filled by a vote of the remaining members of the same board of township road commissioners, the person named to fill such vacancy to be selected from the same section where the member causing such vacancy lived.

Road commissioners to serve until general election.

Successors to hold office for two years.

Vacancies to be filled by vote of remaining commissioners.

SEC. 6. The duties of the said board of township road commissioners shall be as follows: They shall immediately qualify by taking the usual oath of office and shall organize by election one of their number chairman and one secretary on the last Saturday in August, one thousand nine hundred and nineteen; they shall lay out, widen, construct, maintain, and generally provide for the repair and upkeep of the public roads of said township; they are empowered to make any reasonable change in said roads which may be deemed necessary, and they are also authorized and empowered to pay, out of said township funds, for all damages incurred and timber and earth and materials used in the construction or repair of the highways of the said township; they are further authorized and empowered to employ labor for the purpose of working said roads or to contract with others for such work: *Provided*, that all contractors shall be required to give a bond to be approved by the said board of road commissioners for the satisfactory performance of the said work. In the construction, maintenance, and repair of the highways, the commissioners shall distribute such work in such manner that all the roads of said township shall receive their share of the benefits as their actual needs may require.

Commissioners to qualify and organize.

Duties and powers prescribed.

May pay for damages and material, and employ labor.

May let work by contract.

Provide: Contractors to give bond.

Work to be distributed.

Commissioners to purchase equipment.

SEC. 7. The said board of road commissioners are authorized and empowered to purchase such road machinery, tools, and other equipment as may be necessary for the proper construction, maintenance, and care of the public roads of the township and to use the same in such manner as to them may seem best.

Compensation of commissioners \$2 per day.

SEC. 8. The members of the township road commissioners herein provided for shall receive as compensation each two dollars per day, together with their actual expenses while engaged in the performance of their public duties.

Township to receive automobile tax.

SEC. 9. That the county commissioners of Martin County shall compute from the tax list of Griffins Township the amount of the automobile tax to which the said township is entitled and place the full amount of such (less the part retained by the State) to the credit of Griffins Township, to be expended on the roads of the said township by the board of township road commissioners as the other road funds of the township are expended.

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

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

Ratified this the 28th day of February, A. D. 1919.

CHAPTER 209

AN ACT TO AMEND CHAPTER 690 OF THE PUBLIC LAWS OF 1901, RELATING TO THE BUILDING OF PULP AND PAPER MILLS AND TANNERIES IN THE COUNTIES OF HAYWOOD AND SWAIN.

The General Assembly of North Carolina do enact:

Act amended so as to exclude Swain County from operation.

SECTION 1. That section three of chapter six hundred and ninety of the Public Laws of one thousand nine hundred and one be and the same is amended by striking out the word "counties" in line one and inserting in lieu thereof the word "county," and by striking out the words "and Swain" in line two thereof, so that the first sentence of section three shall read as follows: "That this act shall apply only to the county of Haywood."

SEC. 2. That all laws and parts 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 28th day of February, A. D. 1919.

CHAPTER 210

AN ACT RELATING TO THE REESTABLISHMENT OF THE COUNTY TREASURER OF CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and thirty-two of the Public-Local Laws of the session of one thousand nine hundred and fifteen, and chapter seventy-six of the Public-Local Laws of the session of one thousand nine hundred and seventeen, are hereby repealed in so far as it relates to Catawba County; and chapter four hundred and thirty-five of the Public-Local Laws of one thousand nine hundred and thirteen is hereby reënacted and in full force and effect, and the office of county treasurer of Catawba County is hereby reëstablished. County treasurer's office reëstablished.

SEC. 2. That the county commissioners of Catawba County are hereby authorized to appoint some competent person to act as county treasurer until the next general election when a treasurer shall be elected, and until said treasurer is qualified. Commissioners to appoint treasurer.

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 28th day of February, A. D. 1919.

CHAPTER 211

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF GUILFORD COUNTY TO ISSUE AND SELL \$250,000 OF BONDS, THE PROCEEDS OF WHICH ARE TO BE USED IN COMPLETING, FURNISHING AND EQUIPPING THE NEW COURTHOUSE.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of completing, furnishing and equipping the new courthouse now being erected, 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 per cent per annum, for an amount not to exceed two hundred and fifty thousand dollars, the said board to prescribe the form and the denominations 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 Commissioners to issue \$250,000 bonds for courthouse and furnishings. Interest not to exceed 5 per cent. Bonds due in commissioners' discretion. Interest payable semiannually.

Bond issue declared lawful, and purpose a necessity.

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.

Bonds exempt from taxation.

SEC. 2. 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.

Bonds to be advertised for 30 days before sale.

SEC. 3. That before selling said bonds the county commissioners of the county of Guilford shall advertise the same for thirty days immediately preceding the day 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 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.

Bids may be rejected.

Proceeds to be separate fund.

SEC. 4. That the proceeds arising from the sale of the bond issue under the provisions of this act shall constitute a separate and distinct fund to be applied and appropriated for the purposes for which said bonds are issued, 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 such treasurer for his services in receiving, keeping, and disbursing the said funds: *Provided, however*, that if the bond 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.

Treasurer to keep separate account.

Treasurer liable for fund, and required to give bond.

Amount of bond required.
Treasurer receives no compensation above salary.

Proviso: Treasurer may give corporate surety bond; county pays premium.

Commissioners to levy special tax of ten cents on property.

SEC. 5. 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 the other taxes upon property in Guilford County, a special tax not exceeding ten 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, which funds shall be used to pay the interest upon said bonds and the principal of said bonds as they mature.

Taxes to be collected as other taxes.

SEC. 6. 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.

Taxes collected for interest and sinking fund to be kept in separate fund.

SEC. 7. 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.

Commissioners may retire bonds outstanding at any time.

SEC. 8. That full authority is hereby conferred upon the board of county 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.

Full authority conferred on commissioners.

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 and effect from and after its ratification.

Ratified this the 28th day of February, A. D. 1919.

CHAPTER 212

AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF CIDER, WINE, BEER, BEERINE, MALT OR OTHER INTOXICATING DRINKS IN CERTAIN LOCALITIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to manufacture, sell, give away or dispose of for gain, remuneration, or for any other purpose, cider, wine, beer, beerine, malt or any other intoxicating drinks of whatever description or kind within four miles of Corinth Baptist Church, in Nashville Township, Nash County, North Carolina; within four miles of Mount Zion Church, in Mannings Township, Nash County, North

Manufacture, sale or gift of intoxicants prohibited within certain territory.

Carolina; within four miles of Pleasant Grove Baptist Church, in Mannings Township, Nash County, North Carolina; within four miles of the Methodist Episcopal Church in Nashville Township, Nash County, North Carolina, and within four miles of the Baptist Church, in Nashville Township, Nash County, North Carolina: *Provided*, that this act shall not be understood as prohibiting the manufacture and sale of wine and cider as now permitted by the general law of the State.

Violation of act
misdemeanor.

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, 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 28th day of February, A. D. 1919.

CHAPTER 213

AN ACT TO AMEND CHAPTER 833, PUBLIC LAWS OF 1909, TO INCREASE THE SPECIAL TAX FOR PUBLIC ROADS IN NASHVILLE TOWNSHIP, NASH COUNTY, AND TO AUTHORIZE THE ROAD COMMISSIONERS OF SAID TOWNSHIP TO PURCHASE ROAD MACHINERY.

The General Assembly of North Carolina do enact:

Tax rate increased.

SECTION 1. That section nine of chapter eight hundred and thirty-three, Public Laws of one thousand nine hundred and nine, be and the same is hereby amended by striking out the words "thirty cents" in line ten and inserting in lieu thereof the words "sixty cents," and by striking out the words "ninety cents" in line eleven and inserting in lieu thereof the words "one dollar and eighty cents."

Road commis-
sioners authorized
to purchase
machinery and
material.

SEC. 2. That the road commissioners of the road district of Nashville Township, Nash County, are hereby authorized and empowered to purchase such machinery and material as may be necessary for the proper construction, maintenance, and repair of the public roads in said road district, and to borrow money upon the credit of said road district in order to pay for said machinery and material.

To borrow money
on credit of road
district.

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 28th day of February, A. D. 1919.

CHAPTER 214

AN ACT TO AUTHORIZE THE ISSUE OF TOWNSHIP ROAD BONDS FOR THE TOWNSHIPS OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of the county of Robeson, upon petition of one-fifth of the registered voters of the last general election of any township of the said county for a bond issue for the construction, reconstruction or maintenance of the roads of said township, shall make an order providing for holding an election any time not less than thirty days from the date of such order which shall be designated therein, to open the polls and take the sense of the qualified voters of the township on the question of whether the board of county commissioners shall issue bonds for said township for the purpose provided for in the petition: *Provided*, that it is stated in the petition the amount of bonds it is proposed to issue and the approximate number of miles of roads it is proposed to improve by such bond issue: *Provided further*, that the maximum amount of bonds issued under this act in such township, together with all other bonds previously issued, including any county bonds for which the township valuation is liable and remaining unpaid for such township shall not, in any case, exceed an amount equal to ten per cent (10%) of the total assessed valuation of the township: *Provided further*, that the board of county commissioners shall determine whether the petition herein referred to contains the names of one-fifth of the registered voters in the last general election, and such finding by them properly entered upon their minutes shall be final and conclusive: *Provided further*, that the order of the county commissioners that one-fifth of the registered voters of the township have asked for an election on bonds shall be final and conclusive.

Commissioners to call bond election on petition of one-fifth of voters.

Proviso: Amount of bonds and purpose to be specified in petition.

Proviso: Amount of bonds not to exceed 10 per cent of assessed valuation.

Commissioners to determine when petition sufficient.

Determination of commissioners final.

SEC. 2. A new registration shall be ordered by the board of county commissioners for any election held under the provisions of this act, the said new registration to be conducted in the same manner and under the same rules and regulations as are provided for registration in the general election. 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 election for the members of the General Assembly except as herein provided: *Provided, however*, that the said board of county commissioners shall appoint registrars of the election, judges or inspectors and any other election officers, and that registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly.

New registration required.

Election to be held under general laws.

Subsequent election may be called in six months.

SEC. 3. That if at any election provided for by this act a majority of the votes cast shall be against the issue of bonds, the county commissioners of Robeson County are authorized and empowered to call a new election in the manner herein prescribed after the lapse of six months from the election at which the bond issue failed to carry.

Separate ballot box for tickets for road supervisor.

SEC. 4. That at every election held in any township for road bonds under this act, there shall be provided a separate ballot box labeled "Road Supervisor" and ballots shall be provided for the election of a road supervisor and the person receiving the highest number of votes shall be declared elected to that office.

Road supervisor to be elected by voters of township.

Said road supervisor shall be elected by the qualified voters of the township in which he is to serve as township road supervisor and shall hold office until the next general election; and thereafter, he shall be elected as other county officers of Robeson County. The township road supervisor so elected shall have

Supervisor to have charge of road work under engineer and superintendent of roads. Compensation to be fixed by commissioners.

charge of the road work in his township under the supervision of the county road engineer and county superintendents of roads. The compensation of the said township road supervisor in any township shall be fixed by the road commissioners of Robeson County and paid out of the funds provided by the sale of the bonds or the tax levied for the maintenance of the roads of the particular township in which he is elected.

Form of ballots prescribed.

SEC. 5. That at any special election or elections held under the provisions of this act the ballots tendered and cast by the voters shall have written or printed upon them, "For Township Road Bonds" or "Against Township Road Bonds," and all electors who favor the issue of said bonds shall vote a ballot having written thereon "For Township Road Bonds" and those opposed to the issue of the bonds shall vote a ballot having written thereon "Against Township Road Bonds." The votes shall be counted at the close of the polls and returned to the said board of county commissioners or clerk of the board of county commissioners within three days following the election, and said board shall tabulate and declare the result of the election not later than the next regular meeting following the return of the vote of the said 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 the election shall be necessary. The result of the vote shall be counted, declared and reported to the board of county commissioners as prescribed by law in the election of the members of the General Assembly.

Votes to be counted and returned in three days.

Result to be recorded in commissioners' minutes.

If bonds authorized commissioners to carry out wishes of voters.

SEC. 6. In the event that a majority of the votes cast shall be "For Township Road Bonds" at any election herein provided for, if the result has been declared and recorded as aforesaid, the

board of county commissioners, at its next regular meeting, shall proceed to carry out the wishes of the voters expressed at said election as herein provided for in this act.

SEC. 7. The board of county commissioners shall then proceed with the least possible delay to issue such bonds in such denominations and of such class and for such terms as may be deemed best by the said board of county commissioners. In making the sale of the said bonds, advertisement of the same shall be made in a newspaper published in the county for at least thirty days and also in such other newspaper as the county commissioners may decide upon, published within or without the State.

Commissioners to issue bonds. Denomination and terms of bonds. Sale to be advertised.

SEC. 8. If any act shall be passed by this or any subsequent session of the General Assembly authorizing the State to loan money to the counties to aid in the building or improving of the public roads taking county bonds as collateral for such loan, or if any provisions shall be made for the Federal Government to loan money to the county for the purpose as stated above, then the board of county commissioners is hereby authorized and empowered to avail themselves of the privilege and benefit of such act.

Commissioners to avail themselves of benefit of other legislation.

SEC. 9. When any bonds are issued under the provisions of this act, the board of county commissioners shall levy annually, on the first Monday in May or at such time as county taxes are levied, a special tax for the township in which such bonds are issued of such an amount on the property, both real and personal and on the polls as will provide a sufficient sum with which to pay the interest due on the bonds issued and provide a sinking fund for the retirement of the principal of said bonds as they may mature. The tax so levied shall be collected as other taxes and shall be kept as a separate fund to be applied for the purpose stated above, and it shall be a misdemeanor for the members of the board of county commissioners to use such funds for any other purpose.

When bonds are issued commissioners to levy tax for interest and principal.

To be kept in separate fund.

SEC. 10. That funds derived from the sale of the bonds or from any tax provided for in this act shall be kept as a separate fund and used by the road commissioners of Robeson County only for road work in the particular township for which the bonds are issued, or such tax is collected: *Provided*, that the road commissioners of Robeson County shall apportion to each township that votes bonds hereunder its *pro rata* share, according to its taxable property, of the general road fund of Robeson County, after deducting said township's *pro rata* part, according to its taxable property, of the general overhead county road expenses, to be expended upon the public roads of that township.

Fund to be used in township issuing bonds or paying tax.

Proviso: General road fund to be apportioned.

SEC. 11. All moneys derived from the sale of bonds authorized and sold under the provisions of this act or from the levy of tax herein provided shall be turned over to the county treasurer or

All moneys for roads to be turned into county depository, and kept in separate fund.

Interest on daily balances to be credited to fund.

Proviso: Commissioners to levy special tax in addition to tax for bonds.

Additional special tax not to exceed 10 cents on property and 30 cents on poll.

Purchasers not required to see to application of proceeds of sale.

county depository and kept as a separate and distinct fund from other funds: *Provided*, that the interest on daily balances from such fund shall be placed to the credit of the road fund from which the fund is derived: *Provided further*, that the board of county commissioners shall, at the time of levying the other taxes of the county, levy a special tax on the real and personal property of any township voting for bonds under this act, in addition to the necessary tax to pay the interest and provide a sinking fund for retiring said bonds, a tax not exceeding ten cents on the one hundred dollars (\$100) property valuation and thirty cents on the poll, to be collected as other taxes of the county and used for the maintenance of the public roads of that township.

SEC. 12. That the purchaser or purchasers of any part of the said bonds herein provided for shall not be required to see to the application of the proceeds of said bonds by the commissioners of the county of Robeson or other public officials.

SEC. 13. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 28th day of February, A. D. 1919.

CHAPTER 215

AN ACT TO PROVIDE FUNDS, RATIFY TAX LEVY AND AUTHORIZE ISSUING REFUNDING BONDS FOR ROADS FOR HOLLY GROVE TOWNSHIP, IN GATES COUNTY.

The General Assembly of North Carolina do enact:

Holly Grove constituted road district.

Act supersedes all other laws.

Public roads to be under management of three commissioners.

Board of commissioners created.

Commissioners and terms of office.

SECTION 1. That from and after the passage of this act Holly Grove 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 of said township shall be under the management of three commissioners, hereinafter provided for.

SEC. 2. That for the purpose of working, improving, and maintaining the public roads in Holly Grove Township, in Gates County, a board of commissioners is hereby created, which said board shall consist of three members, who shall be elected for a period of six years; that J. T. Morgan, W. T. Benton, and W. C. Beamon be and they are hereby appointed and shall constitute a board of commissioners of Holly Grove Township, in Gates County; that the term of office of J. T. Morgan shall be six years, the term of office of W. T. Benton shall be four years, and the

term of office of W. C. Beamon shall be for two years, from the date of their qualification and organization under this act and until their successors shall be elected and duly qualified; that immediately after the ratification of this act the three members aforesaid shall meet in Gatesville in said county, and organize by electing one of their number as chairman of the board and one of their number as secretary of the board; that the said 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 said board should occur, by reason of the 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 specially provided for that purpose, and shall make and file with the register of deeds of Gates County an annual statement showing such proceedings, a financial statement to be made by the secretary and posted at three public places in Holly Grove Township, showing all receipts and disbursements for each year.

Commission to organize and elect officers.

Remaining members to fill vacancies on board.

Members to take oath

Secretary to keep records.

To file statement with register of deeds.

To post statement.

SEC. 3. That the said board of road commissioners of Holly Grove Township in Gates County, and its successors in office be and it is hereby constituted a body corporate under and by virtue of the laws of North Carolina and by this act and under the name and style of "Highway Commission of Holly Grove 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 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 lands for the purpose aforesaid, it shall adopt the same method of procedure as now obtains.

Commissioners a body corporate.

Name and powers prescribed.

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 Holly Grove Township now maintaining as public roads, and it is hereby vested with all the powers, rights, and authority now vested in the board of commissioners of Gates County for Holly Grove Township, of any other or others acting under any law or laws for the general supervision of the roads of said township, and for the construction and repair thereof; and the said highway commission of Holly Grove Township is hereby authorized and empowered in

To take charge of all roads.

Vested with powers of county commissioners as to Holly Grove Township.

To issue bonds not exceeding \$5,000.

Designation and denomination of bonds.

Interest not to exceed 6 per cent.

Issue of bonds must be by majority consent.

Form of bonds, redemption and term at discretion of commission.

Commission to have seal.

All property and polls to be liable for payment.

Bonds validated.

Special tax to be levied and collected.

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 not to exceed five thousand dollars, in new bonds, for the construction and maintenance of the public roads in said township. If bonds are issued they shall be styled "Holly Grove Township Good Roads Bonds," and the same shall be of such denominations as the said highway commission may deem advisable, bearing interest from 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 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 said bonds shall be disposed of for less than par value. Said 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, or any refund bonds issued under this act shall have the corporate seal of the commission attached thereto. All taxable property, real, personal or 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 said bonds; and the taxes for the payment thereof shall be levied and collected as other taxes are levied and collected in Holly Grove Township, Gates County. The bonds issued hereunder and by virtue of this act by the aforesaid highway commission shall be as valid in law and the same liable for the payment therefor imposed upon Holly Grove Township as if the same had been issued by the county commissioners of Gates County, for Gates County, under same power and authority.

SEC. 5. That for the purpose of providing a sinking fund for the payment of the said bonds issued hereunder and the interest thereon, and to provide for the expenditures provided for in this act for the maintenance of the said roads the board of county commissioners of Gates County are authorized and directed and shall, when requested by the commission herein provided and created, 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 Holly Grove Township, of not more than forty cents on the hundred dollars assessed valuation on property and not more than one dollar and twenty cents on each taxable poll, in said township; and the levy so made by the county commissioners of Gates County, for Holly Grove Township, for year nineteen and eighteen, of forty cents of assessed valuation of one hundred dollars on property and one dollar and twenty cents on the polls, is hereby ratified, authorized, and sanctioned: *Provided*, at all times commissioners shall always observe constitutional equation between the property and poll tax. The amount of taxes to be levied hereunto is to be determined by the said commission, but must not exceed amount provided for in this act. The taxes so levied shall be collected by the legal tax collector for Gates County, Holly Grove Township, and the said tax collector shall receive two and one-half per cent commission for collecting and depositing the said taxes with the treasurer of Gates County, the said treasurer to turn same over to the said commission upon its order. In addition to the foregoing tax, all able-bodied male persons in said township, between the ages of twenty-one and fifty years, both inclusive, shall pay to the tax collector, when called upon to do so, a road tax of three dollars.

Not more than 40 cents on property and \$1.20 on poll.

Tax levy ratified.

Tax collector to receive 2½ per cent.

All persons liable to road duty to pay \$3.

SEC. 6. That for the purpose of construction and repair of the roads of said township, the highway commission shall employ a road superintendent and such other subordinate employees as may be necessary for the proper construction, repair, and maintenance of the roads of the said 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 superintendent such powers as will enable him to carry out for the commission the provisions of this act. The relation between the commission and the superintendent shall be based on contract. Subject to the approval of the commission he shall have general supervision of the roads in said 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 commission. The commission may require of the road superintendent such reports in regard to construction, expenditure of money and needs in regard to road improvement as may be deemed necessary. No bond shall be required of the road superintendent.

Road superintendent and subordinates to be employed.

Powers to be delegated to superintendent.

Superintendent required to make reports.

No bond required of superintendent.

SEC. 7. The said commission is hereby authorized to purchase or otherwise acquire in the construction and maintenance of the said roads, any machinery, tools and implements, and teams as may be necessary, and to exercise such rights and authority as will enable them to carry out the provisions of this act. The

Commission to acquire equipment and exercise necessary authority.

Authorized to take road materials. said commission, through its officers, agents and employees, is hereby authorized to enter upon any uncultivated land adjoining or near the roads in the said township, to cut and carry away timber, except trees in groves, orchards, grave yards, etc.; to dig, or cause to be dug any sand or clay or other road building materials for the proper repair and construction of the said roads in said township; to enter upon any land adjacent to any road in said township in order to make such drain or ditches through the same that the said commission may deem necessary for bettering the roads. And the ditches and drain so made shall not be obstructed by any person, and any person obstructing same, or in any way interfering with any member of the commission, or any agent, officer or employee of same while engaged in the performance of the duties on said roads shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned for more than thirty days.

May dig ditches or drains.

Ditches not to be obstructed.
Obstruction of processes misdemeanor.

Punishment.

Commissioners to pay for material.

SEC. 8. That the owner of any land from which any timber or other road material has been moved, may present to the commission his claim therefor in writing, and upon presentation it shall be the duty of the commission to pay same, if they know it to be just and due, and if they do not know it to be just and due, to set a day for the hearing of his claim. Such landowner may object to 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 the commissioners shall communicate report to landowner, and if the landowner is 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 is to meet to assess the damage. Unless the said landowner shall present his claim within six months from the time the road material is taken from his land or the damage done to the said commission, his claim shall be forever barred, and unless the landowner shall recover more, in event of appeal to Superior Court, then the commission offers to pay for damage done or material used, the appellant shall not recover costs against the commission.

Provision for adjustment of claims against commission.

Work may be done by contract.

SEC. 9. Nothing herein shall be construed to prevent the said commission from repairing, constructing, and maintaining any of said roads in said township by contract, if in the judgment of the commission it will be to the interest of the taxpayers to have it done in that way.

If bonds issued, none to be sold for less than par.

SEC. 10. If any bonds are issued under this act it shall not be required of the commission to advertise the sale thereof, but none shall be sold for less than par value.

SEC. 11. Any person to whom the road funds are intrusted under this act shall be guilty of a misdemeanor should he misapply or misuse such funds, and upon conviction shall be fined or imprisoned in the discretion of the court. Misapplication of road funds a misdemeanor.

SEC. 12. The commissioners shall have two dollars per day for examining roads and looking after the business in connection with the roads, constructions, repair, etc.: *Provided*, that no one commissioner shall receive more than twelve dollars for services during any one year. Per diem of \$2 for commissioners service. Limit of \$12 per year.

SEC. 13. No funds shall be paid out of the treasury except upon order of the commission, signed by the chairman and countersigned by the secretary. No funds paid out except on commissioners' orders.

SEC. 14. The chairman shall have power to call meetings of the commission at such times and places as he may deem proper for the carrying out of this act. Chairman may call meetings.

SEC. 15. That the repair, construction, and maintenance of the roads of Holly Grove Township, in Gates County, be and the same is hereby declared a necessary county expense for Holly Grove Township. Road expense declared necessary.

SEC. 16. That all bridges heretofore kept up in said township by the county, shall hereafter be kept up by the county. Bridges county expense.

SEC. 17. 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 Holly Grove Township," as created by this act. References to commissioners defined.

SEC. 18. That the bonds issued for Holly Grove Township by the commissioners of Gates County, under the state-wide township act, now due and unpaid or to become due, may be surrendered to the commissioners of Gates County and by them destroyed as provided by law, and it shall be the duty of the highway commission of Holly Grove Township in Gates County to refund and substitute a bond in its place issued by the said Holly Grove highway commission as authorized herein, until the eleven thousand dollars now outstanding shall have been refunded and substituted by township bonds of Holly Grove Township, issued by the said highway commission, and approved only by the board of county commissioners, as a necessary county expense for Holly Grove Township in Gates County. Bonds outstanding may be refunded.

SEC. 19. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 28th day of February, A. D. 1919.

CHAPTER 216

AN ACT TO PROTECT GAME IN ORANGE COUNTY.

The General Assembly of North Carolina do enact:

Close season on game February 1st to November 15th, except for squirrel.

Close season on squirrel February 1st to July 1st.

Violation of act misdemeanor.

Punishment, fine of \$50 or 30 days imprisonment.

SECTION 1. The close season of each year in Orange County for wild turkey, quail, woodcock, snipe, robin, meadowlark, and rabbit or hare, shall extend from February first to November fifteenth. Close season for squirrel shall extend from February first to July first.

SEC. 2. Any person who shoots, kills, wounds or in any manner hurts, takes or captures any of these game birds or animals during such close season shall be guilty of a misdemeanor and fined not more than fifty dollars (\$50) or imprisoned not more than thirty days, for each offense.

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

Ratified this the 28th day of February, A. D. 1919.

CHAPTER 217

AN ACT TO AMEND THE HENDERSON COUNTY ROAD LAW,
CHAPTER 3 OF THE PUBLIC-LOCAL LAWS OF NORTH
CAROLINA, SESSION 1913.

The General Assembly of North Carolina do enact:

Definition of public roads and bridges.

Justices of peace created boards of township trustees.

Incorporated.

Trustees to meet on first Monday in April, and on call.

To keep records.

To elect chairman.

SECTION 1. All roads and bridges that have been laid out or appointed by virtue of any act of the Assembly, or any order of the court in Henderson County, are hereby declared to be public roads and bridges.

SEC. 2. The justices of peace in each township in said county shall have the supervision and control of all the public roads and bridges in their respective townships, except as hereinafter provided. They are hereby incorporated, and the Board of Township Trustees shall be their corporate name. They shall have the right to sue and be sued, plead and be impleaded in any of the courts in this State.

SEC. 3. The board of township trustees shall meet at some place in their respective townships, to be agreed upon by themselves, on the first Monday of April of each year, and at such other times as they may be called together by their chairman, or by the general road supervisor, or as majority of them may deem advisable. They shall keep a record of all their proceedings and shall annually at their April meeting elect one of their mem-

bers chairman; it shall be the duty of the township trustees of the several townships of Henderson County, at their meeting on the first Monday in April, to divide their respective townships into suitable road districts, and to appoint a district supervisor for each district so laid out. The board of township trustees shall furnish each district supervisor with the names of all parties who are liable to road duty in his district. It shall be the duty of the township trustees to examine into the condition of the public roads and bridges of their respective townships, and to see that each district supervisor performs his duty, and to make a report of the condition of the roads and bridges in their respective townships to the judge of the Superior Court, said report to be made on the first Monday in May and the first Monday in November of each year, these reports to be transmitted to the solicitor with such instructions as the judge of the Superior Court may deem proper. And it is hereby made the duty of the solicitor to prosecute any and all such persons who shall neglect or refuse to perform the several duties enjoined upon them by this act.

To divide townships into road districts, and appoint supervisors.

To make list of persons liable to road duty.

Reports to be made to judge of Superior Court.

Duty of solicitor to prosecute.

SEC. 4. The township trustees shall have the right to fill all vacancies which may occur in the office of district supervisor by death, resignation or otherwise. Any township trustee who shall willfully neglect or refuse to fully perform the several duties enjoined upon him by this act shall be guilty of a misdemeanor.

Trustees to fill vacancies.

Failure of trustees to perform duty misdemeanor.

SEC. 5. It shall be the duty of the township trustees to see that all of the district supervisors shall have performed annually five days work on the public roads or bridges in their respective townships, by each and every person subject to road duty, as hereinafter provided, and that all money coming into the hands of the said district supervisors shall be expended on the roads or bridges in his district, and properly accounted for, and that each district supervisor makes a complete and full report of the work performed and the money expended in his district for the preceding year, said report to be filed with the township trustees at their meeting on the first Monday in April, and when passed upon by the said board, to be approved by the chairman and transmitted by him to the board of county trustees as hereinafter provided.

Supervisors to require performance of 5 days work on roads and bridges.

Supervisor to make report.

SEC. 6. All able-bodied male persons between the ages of twenty-one and forty-five years, excepting those persons who may be designated as district supervisors, shall be liable to do and to perform annually five days labor on the public highways or bridges under the direction of the district supervisor in the district in which he resides: *Provided*, that if any person, being notified as hereinafter provided, shall pay the district supervisor of the district in which he lives the sum of four dollars, the same

Road service required.

Payment of \$4 relieves person of service.

shall be received in lieu of the five days labor, if said sum of four dollars is paid to the said supervisor on or before the first day of May of each year.

Person failing to respond to notice to work guilty of misdemeanor.

SEC. 7. Any person subject to road duty who shall willfully refuse or neglect, after having been personally warned by the proper officer, or notified by a written notice left at his usual place of abode, said person having had at least two days notice, to attend and perform the duties specified in the foregoing section, or send a proper substitute in his place who shall be satisfactory to the supervisor, or shall spend his time when so employed on the roads or bridges in idleness or inattention to his duties, shall be guilty of a misdemeanor. All such fines so collected shall be paid over to the supervisor in whose district the offense shall have been committed, and shall be applied by him on the roads or bridges in his district, and shall be accounted for by him at the annual meeting of the township trustees.

Fines to be applied to road and bridge work.

Persons not liable for road duty in more than one place.

SEC. 8. That in case any person shall move from one district to another, who has prior to such removal performed the whole or any part of the labor required by him by this act, or in any way paid the whole or any part of the amount due by him and who shall procure a certificate from the supervisor of the district from which he has moved, such certificate shall be accepted by the supervisor for the amount therein specified; and should any person produce a certificate or receipt from the proper authorities from any other county or State showing that his tax has been paid in full for the year in which he is warned, then such person shall not be liable for road duty in this county for that year.

Time to commence days work.

SEC. 9. That any person called upon to perform any labor on the public roads or bridges, under any provision of this act, shall appear at the place appointed by the district supervisor, at the hour of seven-thirty a. m. with such tools, implements or teams as the supervisor may direct, and that nine hours shall constitute a day's work.

Nine hours constitute day's work.

Place of residence defined.

SEC. 10. That the residence of any person subject to road duty who has and lives with a family shall be held to be where his family resides; and the residence of any other person shall be held to be where he boards, in any road district in Henderson County.

Regulations under which new roads may be laid out.

SEC. 11. In establishing new roads or in changing the location of old roads after the same have been authorized by the board of county commissioners, it shall be the duty of the general road supervisor to lay off and mark out such new roads or changes in old roads to the best interest of the public, doing as little damage to the property over which said roads shall pass as the nature of the case and the welfare of the public will permit. He shall make a report of his work to the board of county com-

missioners, giving the beginning and ending point of the new road or the change of the old road, the names of the landowners whose property said road shall pass over, assessing the amount of damage to be paid to each landowner (and, in assessing damage, due consideration shall be given to the benefits derived from the building or opening of said road); and when said report has been passed upon and accepted by the board of county commissioners, then such new road or change in old road shall be constituted a public road. And it shall be lawful for the general road supervisor or any district supervisor to enter upon the lands of any property holder over which said road may pass for the purpose of constructing, building, and opening to the public travel said road: *Provided*, that after any new road or change in an old road has been granted, and made a public road according to law by the county commissioners, then the building and opening of said road shall not be delayed by any appeal from the commissioners to the Superior Court on account of damages.

Damages.

Rights of way.

Damage suits not to delay construction.

SEC. 12. The general road supervisor or any district supervisor shall have the right to use thirty feet in width for the construction of any public road where it is directly under the control of the Henderson County road supervisors, if deemed advisable by the general road supervisor; and the proper authorities shall have the right to enter upon any lands for a distance of fifteen feet on either side of any public road and remove any timber that may damage said road on account of shade: *Provided*, that this shall not apply to any ornamental or shade trees surrounding buildings.

Width of roads 30 feet.

May clear 60 feet.

SEC. 13. The general road supervisor, or any district supervisor is hereby authorized to enter upon any lands adjoining public roads for the purpose of opening ditches for draining said roads, and they shall have the right to turn the water out of any public road at any point that they may deem necessary, doing as little damage to the lands adjoining the road as the nature of the case and the public good will permit. Any person who shall willfully or negligently obstruct any such ditch shall be guilty of a misdemeanor and on conviction shall be fined not more than twenty-five dollars or imprisoned not more than thirty days.

Authority to enter on property to open ditches.

Obstruction of ditch misdemeanor.

SEC. 14. That if any person shall willfully demolish, throw down, alter, or deface any guide-board, mile-post, damage any public bridge, fill up or obstruct any side ditch or drain, or in any way willfully damage any part of the public highway, every person so offending shall be guilty of a misdemeanor.

Damage of property or obstruction of drain misdemeanor.

SEC. 15. That if any person or persons or corporation or any agent or servant of any corporation shall obstruct any public highway of this county, by permitting any railway cars or locomotives to remain upon or across any public road or highway for a period longer than five minutes, or shall permit any timber,

Unlawful to obstruct roads with cars or locomotives.

iron, rock or any other obstruction to remain upon or across any public highway, to the hindrance or inconvenience of any person or persons passing along said highway, any such person or corporation so offending shall be guilty of a misdemeanor.

Unlawful for railway to obstruct drainage or to empty water into public roads.
To keep crossings in order.

SEC. 16. It shall be unlawful for any railway company to obstruct the drainage or any public road or highway in any manner, or to empty the water from its ditches into any public road; and it shall at all times keep in repair all public railway crossings; and if said company shall raise or lower, the grade of any such crossings, it shall be the duty of such company to make, at its own expense, proper and convenient approaches to such crossings on a grade which may be easily and conveniently used; and if any railway company shall fail or refuse, after written notice by the general or district road supervisor left with any agent of such company upon whom a summons in a civil action may be served, to repair any such grade or crossing, or to change the water from any side ditch from the public road, or to make any other necessary changes as to any ditch for the protection or preservation of said public road, then such railway company so offending shall forfeit and pay the sum of twenty-five dollars for each and every such offense, to be recovered by the supervisor of the district in which such offense was committed, in an action before a justice of the peace, and all sums so recovered shall be applied by such supervisor on the roads or bridges in his district, and shall be accounted for by him as provided for in section seven of this act.

Penalty for failure of railroad to observe requirements.

Fines to be applied to roads and bridges.

Rule of road division.

SEC. 17. That any persons meeting each other on any public road or bridges, traveling in carriages, wagons, automobiles, or other vehicles, each person shall reasonably drive his vehicle to the right of the middle of the travel part of the road so that the other person or vehicle may pass without interference. Every person so offending against the provisions of this section shall be guilty of a misdemeanor.

Every person liable to duty to be warned out.

SEC. 18. It shall be the duty of each and every supervisor to warn out every person liable for road duty in his district, and to see that every such person either performs five days labor annually or shall pay the sum of four dollars as hereinbefore provided for. The district supervisors shall be responsible for the roads and bridges in their respective districts, and shall keep in repair at all times said roads and bridges. Should any district supervisor, having a large bridge, or a part of a large bridge, in his district needing repairing, find that said bridge would require more work to be repaired than he could do without assistance, then it shall be his duty to report the condition of said bridge to the general road supervisor, and thereafter do such work as may be necessary under the direction of the general road supervisor.

Supervisors responsible for roads and bridges.

Assistance from general road supervisor where necessary.

SEC. 19. It shall be the duty of every district supervisor to warn out his men to work on any new road or change in any old road which has been made a public road in his district, when ordered by the chairman of his township or by the general road supervisor. Each district supervisor shall keep an accurate account of all work done in his district, giving the names of the persons, and the number of days of work done by each person, the amount of money collected, and the name of the party from whom the money was collected, as well as an account of all money expended, and shall make out this account on blanks, furnished by the board of county road trustees, and shall swear to and file said account with the township trustees at their meeting on the first Monday in April.

Supervisor to warn out men when ordered.

Supervisor to keep account of work done.

To make reports.

SEC. 20. Every district supervisor having less than fifteen men in his road district shall receive annually for his services the sum of five dollars, and any district supervisor having more than fifteen men in his road district shall receive ten dollars per year for his services—no district supervisor to be paid until his report has been made out and accepted by the township trustees at their meeting on the first Monday in April.

Pay of supervisor regulated.

SEC. 21. Every district supervisor who shall neglect or fail to do his duty or shall refuse to serve as district supervisor after having been appointed by the township trustees, shall be guilty of a misdemeanor, and shall forfeit and pay the sum of twenty dollars or be imprisoned for the term of thirty days, or both, to the discretion of the court.

Failure of supervisor to perform duty misdemeanor.

Punishment.

SEC. 22. That to make this law effectual there shall be constituted a board of three road trustees elected by the board of commissioners, immediately after the ratification of this act. One of which shall be a member of the board of county commissioners and the other two shall be men of known business qualifications, who have proven themselves to be interested in the promotion of the best interests of Henderson County. The member selected from the board of commissioners shall serve during his term of office, and of the other two, the first one elected shall serve for two years and the other for one year and this shall constitute the term of office of the members of said board of trustees, their successors to be appointed by said board of commissioners. Said members of said board to be selected from men of known business qualifications who have proven themselves to be interested in promoting the best interests of Henderson County. This board is to be known as the Board of County Road Trustees for Henderson County. Under this name, they are hereby constituted a corporate body with all the rights of corporations to sue and be sued and to act in general for the best interest of all the public roads of Henderson County, and shall have ultimate control and supervision of all of the other road officers in said county.

Board of trustees to be elected.

Qualifications of members.

Terms of office.

Board of county road trustees. Corporate body with corporate powers.

Meetings of board. This board shall meet at the courthouse in Henderson County immediately after their appointment and thereafter shall meet monthly on the Saturday before the first Monday in each month, and as often during the year as they may agree upon, or as they may be called together by the general road supervisor.

To make rules for government of road officers. SEC. 23. The board of county road trustees shall have the power to make rules and regulations for the government of all of the road officers, township trustees, and district supervisors, and any other such rules as they may deem advisable for the best interest of the public roads of Henderson County not inconsistent with this act. And it shall be a misdemeanor for anyone to violate any rule so made by this board.

Board to organize and employ general supervisor. SEC. 24. That said board of county trustees shall as soon as they organize enter upon the duty of finding and employing a suitable and competent full-time man to be known as general road supervisor of all the public roads of Henderson County. To fix salary of supervisor. They shall have the right to fix a salary of the general road supervisor and it shall be their duty to discharge said supervisor at any time his services shall not be satisfactory to a majority of the board of trustees. The said supervisor shall under the direction of said board of trustees have general supervision and charge of all the road and bridge work in the county including the management of the chain-gang.

Supervisor to have charge of work and management of chain-gang. SEC. 25. The board of county road trustees shall have full management and control of the Henderson County chain-gang as now organized, and it shall be lawful for any of the courts of the State to send convicts to said chain-gang, to be received by said board, and governed, managed, and worked upon the public roads of Henderson County under such rules and regulations as may be adopted by said board.

Henderson County may receive convicts from other counties. SEC. 26. The board of county road trustees shall have directly Enumeration of roads controlled. under their control the following roads: Haywood Road, from the corporate limits of the town of Hendersonville to the iron bridge across Mills River; the Asheville Road, from the corporate limits of the town of Hendersonville to the Buncombe County line; the Edneyville Road from the corporate limits of the town of Hendersonville to Broad River bridge; the Blue Ridge Road, from its intersection with the Edneyville Road to its intersection with the old Ridge Road at the Hampton Hyder place; the Greenville Road, from the corporate limits of the town of Hendersonville to the South Carolina line; the Spartanburg Road from where it leaves the Greenville Road to the Polk County line; the Crab Creek Road from the corporate limits of the town of Hendersonville to the top of the ridge at the Crab Creek Church; the Shaw's Creek Road, from the corporate limits of the town of Hendersonville to the iron bridge across the French Broad River at Horse Shoe. And it shall be directly responsible:

for the upkeep of these roads, and shall appoint at their May meeting one district supervisor for each of these roads, giving said supervisor a list of hands to be worked on said roads, said hands to consist of men living on said roads. To be responsible for upkeep of roads enumerated.

SEC. 27. The board of county road trustees shall have full power and authority to make rules and regulations governing all of the road officials; a right to employ and fix the salary of the officers that may be necessary to supervise, and guard the chain-gang, and all other officers necessary; to remove all officers for proper cause; to fill all vacancies caused by removal, death, resignation, or otherwise; and to have charge of the expenditure of all money collected for road and bridge purposes. Rights of trustees enumerated.

SEC. 28. It shall be the duty of the road supervisor to keep an accurate and correct account in proper books of all expenditures, defining the purpose of the expenditures, and it shall be his duty to examine carefully all accounts made out against any and all road and bridge funds, which shall be O. K.'d by him and the chairman of the road trustees, before allowed and ordered paid by the board of county commissioners. It shall likewise be his duty to see that the road law is fairly and vigorously carried out. He shall be the advisor of all the road officers. Supervisor to keep accounts.

SEC. 29. The county commissioners of Henderson County are hereby authorized, empowered, and required to levy at the June session of said board annually for road purposes not less than two mills on the dollar, and for bridge purposes not less than one mill on property, and a tax on polls as required by the constitutional equation, and the chairman of the board of county commissioners shall place the same on the tax list for the current year, to be collected with the annual tax: *Provided*, the board of county commissioners shall have the power if necessity calls for it to increase the levy herein provided for for roads and bridges. Said levies not to exceed four mills for road purposes and two mills for bridge purposes. County commissioners to levy tax for road purposes. Rate of tax.

SEC. 30. That for the purpose of saving the money already spent and to be spent by Henderson County in grading, widening, and improving the leading thoroughfares in said county, the board of county commissioners are hereby authorized, empowered, and directed to issue twenty-five thousand dollars in Henderson County coupon bonds, to be due in ten years, drawing interest at the rate of six per cent, payable semiannually, and to seal said bonds at the highest market price obtainable after advertising the same for sale for thirty days. Said bonds are to be issued in denominations to suit the purchaser. The interest on said bonds and the principal at maturity shall be paid by levying a special tax for that purpose, all levies to be made on property and polls as required by law. All of the money derived from the sale of these bonds shall be spent under the supervision of the board of Commissioners to issue \$25,000 bonds. Interest rate 6 per cent. Sale of bonds. Denominations to suit purchaser. Interest and principal provided by special tax. Bond money to be used for surfacing roads.

road trustees in sand-claying or in otherwise hard-surfacing the main thoroughfares of Henderson County, which have been or may hereafter be graded, widened, and made ready for hard-surfacing. The county commissioners shall protect the county by requiring bonds of all agents, or agencies of contractors, who shall handle any of these funds, and shall see that none of the money derived from the sale of the bonds is misused or diverted from the purposes of this act. All claims paid out of said fund must first be itemized and sworn to and then audited and allowed by the board of county commissioners.

Bonds to be required of persons handling funds.

County commissioners may issue township bonds.

SEC. 31. The county commissioners of Henderson County are hereby authorized, empowered, and directed to issue township bonds for any township in Henderson County when fifty per cent of the qualified voters of any township shall have filed a petition with said board asking for said bonds to be issued, said petition to specify the amount of bonds to be issued, the manner in which the bonds are to be paid, and by whom the money derived from the sale of said bonds shall be spent.

Secretary of State to furnish printed copies of act.

SEC. 32. The Secretary of State shall furnish the chairman of the board of county commissioners of Henderson County a sufficient number of printed copies of this act as herein amended for the use of the district supervisors, township trustees, and all road officials of said county, and the county road trustees shall furnish the necessary receipts blanks, report blanks, and other necessary stationery for the township trustees and the district supervisor.

SEC. 33. All taxes levied by the county commissioners under this act shall be levied in accordance with the constitution of the State, and shall apply to all cities and towns.

Duty of trustees to put in system, and secure benefit of government road aid if possible.

SEC. 34. That the board of said road trustees shall regard it as their first and paramount duty to put into force as rapidly as possible a system which will result in the most perfect maintenance of first the public thoroughfares and next all the public roads in said county and shall exert themselves and do all in their power to get the benefit of any governmental aid that may be available for the maintenance of the public roads of said county.

Supervisor to take road material, and may pay therefor.

SEC. 35. That the public road supervisor of Henderson County shall have the right to go upon any lands in Henderson County, for the purpose of getting material for the construction and maintenance of the public roads, and in taking said material he shall do so with the least possible damage to the property from which it is taken and shall have the right to pay to the owner of the property from which material is taken a reasonable compensation therefor, to be agreed upon by him and the owner of the property.

Provision for payment for material when owner and supervisor cannot agree.

If he cannot agree with the owner then it shall be his duty to offer the owner a reasonable price for the material taken, and if the owner will not accept it, then and in that event the owner

shall have the right to present his claim to the board of commissioners of Henderson County, who shall make an order allowing such compensation as they may find to be just, and if the owner is not satisfied with the action of the board of county commissioners, he shall have the right to appeal from the decision of the board of county commissioners to the Superior Court: *Provided, always*, that he shall not have the right of appeal until he shall execute a bond with satisfactory security in the sum of \$200 to protect the county against the payment of cost if he shall fail to obtain judgment on his appeal to the Superior Court for an amount greater than the amount allowed by the board of county commissioners: *Provided*, that no controversy or litigation as to the amount of damage shall interfere with the right to take and use the material needed for the construction and maintenance of public roads.

SEC. 36. That it shall be the duty of the board of road trustees to regard the upkeep, repair, and maintenance of roads now in existence in Henderson County of more importance than the construction of new roads. Upkeep of roads required in preference to building new roads.

SEC. 37. It shall be the duty of the board of road trustees and the road supervisor to see to it that plain sign boards shall be permanently erected at all cross roads, and all forks of roads in said county. The expense thereof to be paid out of the public road funds. Sign boards to be erected at cross roads and at forks.

SEC. 38. All laws and parts of laws in conflict with this act are hereby repealed.

Ratified this the 28th day of February, A. D. 1919.

CHAPTER 218

AN ACT TO AMEND CHAPTER 338 OF THE PUBLIC-LOCAL LAWS OF 1913. AUTHORIZING A SPECIAL TAX IN SCUPPERNON TOWNSHIP, TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter three hundred and thirty-eight of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is amended as follows: In line eight, after the word "commissioners" and before the word "the" insert the words "before March first of each year"; and after the word "of" and before the word "dollars" in the same line, strike out the word "three" and insert the word "five" in lieu thereof. Time of levy. Increase of rate.

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 28th day of February, A. D. 1919.

CHAPTER 219

AN ACT TO REGULATE THE FEES TO BE CHARGED IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

Fees to be collected.	SECTION 1. That there shall be charged and collected in Guilford County the following fees:
Executing summons.	Executing summons or any other writ or notice, one dollar; but the board of county commissioners may fix a less price than one dollar, but not less than fifty cents, for the service of one road order.
Arrest of defendant in civil action.	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.
Arrest of person indicted.	Arrest of a person indicted, including all services connected with the taking and justification of bail, one dollar and fifty cents.
Imprisonment. Release from prison.	Imprisonment of any person in a civil or criminal action, fifty cents, and release from prison, fifty cents.
Executing subpoena. Conveying prisoner. Guards.	Executing subpoena on a witness, fifty cents. Conveying a prisoner to jail in another county, ten cents per mile. For prisoner's guard, if necessary and proved by the county commissioners, going and returning, per mile for each, five cents.
Expense of travel to be allowed by county commissioners.	Expense of guard and all other expenses of conveying prisoners to jail, or from jail to another for any purpose, or to any place of punishment, or to appear before a court of 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.
Allotment of widow's allowance. Claim and delivery.	For allotment of a widow's year's allowance, one dollar and fifty cents. 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 actual cost of keeping the same until discharged by law, to be paid on affidavit of the returning officer.
Conveying prisoners to penitentiary. Guard.	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 to 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 the coming and returning and the actual expense for 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.

State Treasurer to pay for transportation of prisoners to penitentiary.

Itemized statement required.

Providing prisoners in county jails with suitable beds, bed clothing and other clothing and fuel, and keeping the prison grounds clean, whatever sum shall be allowed by the commissioners of the county.

Prisoners in jail.

Collecting fine and cost from convict, five per cent on the amount collected.

Collecting fine and cost.

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 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.

Collecting executions.

Advertising a sale of property under execution at each public place required, twenty-five cents.

Advertising sale.

Seizing specific property under an order of court, or executing any other order of a court or judge, not specially provided for, to be allowed by the court or judge.

Seizing property.

Taking any bond or undertaking, including furnishing blanks, one dollar.

Taking bond.

The actual expenses of keeping all property seized under process or order of court to be allowed by the court on affidavit of the officer in charge.

Expense of keeping property.

Summoning a grand or petit jury, for each man summoned, fifty cents, and twenty-five cents for each man summoned on the special venire.

Summoning jury.

For serving any writ or process with the aid of the county 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 writ or process.

All just fees paid to any printer for any advertisement required by law to be printed.

Fees to printer.

Bringing up any prisoner upon a habeas corpus to testify or answer to any court or before any judge, two dollars and all necessary and actual expenses for such service and ten cents per mile by the route most usually traveled, and all expenses for any guard actually employed and necessary.

Bringing prisoner on habeas corpus.

Summoning and
qualifying ap-
praisers.

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.

Levying attach-
ment.
Qualifying jurors
and commis-
sioners.

For levying an attachment, one dollar and fifty cents.

For attendance to qualify jurors to lay off dower or for commissioners to lay off year's allowance, one dollar and fifty cents; and for attendance to qualify commissioners for any other purpose, one dollar.

Executing deed.

Executing a deed for land or any interest in land sold under execution, one dollar and fifty cents, to be paid by the purchaser.

Writ of ejectment.

Service of a writ of ejectment, one dollar and fifty cents.

Execution.

For every execution either in civil or criminal cases, one dollar.

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. 1919.

CHAPTER 220

AN ACT TO AMEND CHAPTER 269 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE PUBLIC ROADS IN SYLVA, DILLSEBORO, AND CULLOWHEE TOWNSHIPS, IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Chapter 269,
Public-Local Laws,
1913, amended.

SECTION 1. That section twenty of chapter two hundred and sixty-nine of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by adding at the end thereof the following: "That any township in Jackson County which has adopted the provisions of this law as provided for herein may, upon petition signed by a majority of the qualified voters of such township, be released from the operation of this law. Upon receiving such petition, the board of county commissioners of the county of Jackson, at their next regular meeting, shall make an order in their minutes, and if they find that a majority of the qualified voters of the said township have signed such petition, the provisions of this act shall thereafter become inoperative in that township."

Petition of ma-
jority of voters
releases from
operation of law.

Commissioners to
make order.

SEC. 2. That all laws and parts 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 3d day of March, A. D. 1919.

CHAPTER 221

AN ACT TO AMEND SECTION 1283 OF THE REVISAL OF
1905, RELATIVE TO THE FEES OF COUNTY OFFICERS.

The General Assembly of North Carolina do enact:

SECTION 1. That if there be no prosecutor in a criminal action, and the defendant shall be acquitted, or convicted and unable to pay the cost, or a *nolle prosequi* be entered or judgment arrested or if "not a true bill" is returned, the county shall pay the clerks, sheriffs, constables, justices, and witnesses full fees. County to pay fees in certain cases.

SEC. 2. That all laws and parts of laws in conflict herewith are hereby repealed: *Provided*, that this act shall apply only to Jackson County.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 222

AN ACT TO FIX THE COMPENSATION OF THE REGISTER
OF DEEDS FOR UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in lieu of all fees and compensation of every character now provided by law, the register of deeds of the county of Union shall after the first Monday in December, nineteen hundred and twenty, receive as compensation for all services rendered by him the sum of twenty-one hundred dollars to be paid by the board of county commissioners out of the general county fund. Salary of register of deeds fixed.

SEC. 2. That in addition to the above the said board of county commissioners shall pay for the services of a clerk or assistant to the register of deeds for said county the sum of three hundred dollars each year, to be paid out of the general funds of said county. Commissioners to pay clerk.

SEC. 3. That the register of deeds shall require all fees to be paid in advance and, when received by him, he shall turn the same over weekly to the county treasurer to be placed in the general county fund and he shall also furnish weekly to the county treasurer an itemized statement of the fees so collected. Fees to be paid in advance, and turned over to treasurer.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 223

AN ACT TO REGULATE THE COMPENSATION OF THE MEMBERS OF THE BOARD OF COMMISSIONERS OF HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Pay of county commissioners.

SECTION 1. That the members of the board of commissioners of Harnett County, exclusive of the chairman of said board, shall receive as compensation for their services five dollars per day each, together with mileage as now allowed by law, for the days in actual attendance upon the meetings of said board: *Provided*, members shall not be paid for attendance upon more than two in any one month.

Act does not apply to chairman.

SEC. 2. That this act shall in no wise interfere with the compensation now provided by law for the chairman of said board.

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. 1919.

CHAPTER 224

AN ACT TO AMEND SECTION 2785 OF THE REVISAL OF 1905, IN REGARD TO THE COMPENSATION ALLOWED COUNTY COMMISSIONERS FOR THE COUNTY OF UNION.

The General Assembly of North Carolina do enact:

Pay of chairman of board of commissioners.

SECTION 1. That the chairman of the board of county commissioners of Union County shall receive for his services in attending regular, special, and called meetings of the board of county commissioners of said county the sum of five dollars per day and mileage as now allowed by law.

Pay of commissioners.

SEC. 2. The members of the board of county commissioners of Union County, other than the chairman, shall receive for attending regular, special, and called meetings of the board of commissioners of said county the sum of four dollars per day for their services and mileage as now allowed by law.

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

SEC. 4. That this act shall be in force and effect from and after the first day of March, nineteen hundred and nineteen.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 225

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF WILSON COUNTY TO PAY THE FINANCIAL AGENT OF
WILSON COUNTY COMPENSATION FOR HIS SERVICES.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and sixty-two of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended as follows: The board of commissioners of Wilson County are authorized to pay unto the financial agent of the said county, to be appointed as herein provided for, for the services to be rendered by such financial agent, under the terms of this act, a reasonable amount, in full compensation for such services rendered.

Chapter 262,
Public-Local Laws
1915, amended.
Commissioners
authorized to pay
financial agent.

SEC. 2. All laws or parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 226

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF DURHAM COUNTY TO ISSUE BONDS FOR BUILDING,
REPAIRING, AND MAINTAINING THE PUBLIC ROADS OF
DURHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of grading, building, constructing, repairing, and maintaining the public roads of Durham County, the board of commissioners of Durham County is hereby authorized and empowered to issue coupon bonds not to exceed in amount the sum of two hundred and fifty thousand dollars (\$250,000), 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 board of commissioners of said county and named therein, but in no instance shall the time named be more than thirty years from the date of said bonds.

Issue of bonds
authorized.

Denominations.

Rate of interest
and how paid.

Form and pay-
ment of bonds.

SEC. 2. Said serial bonds and their coupons shall be numbered, and the bonds shall be signed by the chairman of the board of commissioners of Durham County, and countersigned by the

Bonds and coupons
to be numbered.

clerk of the said board, and shall have the corporate seal of said Durham County impressed thereon, and the coupons thereto attached shall bear the facsimile signature of the chairman of the board of county commissioners of said county engraved or lithographed thereon.

Record of bonds to be kept.

SEC. 3. That a record of said bonds shall be kept showing the numbers and denominations thereof, when the same will mature, the interest bearing rate thereof, the amount received from the sale of the same, the date of paying the proceeds into the treasury of Durham County, and such other data in relation to the same as the said board of commissioners may direct to be kept.

Bonds to be sold under direction of commissioners.

SEC. 4. That the bonds hereby authorized shall be sold under such regulations and in such manner as said board of commissioners may direct, but none of said bonds shall be sold for less than their face value, and the chairman of the board of commissioners of said county shall not deliver said bonds or any of them to the purchaser thereof until the purchase money shall be paid in full.

Commissioners authorized to levy tax.

SEC. 5. That the said board of commissioners of Durham County is hereby authorized to levy and collect each year, in addition to all other taxes levied and collected in said county, an *ad valorem* tax upon all the taxable property in said county sufficient to pay the interest and principal of said coupon bonds authorized by this act as the same become 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 county; and the money paid into the county 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 be transferred by order of the said board of commissioners of Durham County to the general road fund of said county.

Taxes collected under act to be used for payment of bonds only.

Commissioners may invest sinking fund in bonds or approved security.

SEC. 6. That it shall be the duty of the said board of 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, 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 solvent banking institution or trust company in North Carolina, 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 authorized by this section shall be made by the treasurer of Durham County under the direction of the board of commissioners of said county.

SEC. 7. That 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 moneys. Treasurer to keep separate account of sinking fund.

SEC. 8. It shall further be the duty of said treasurer to keep an account with each bond, showing what coupons and what bonds have been paid, and to whom and when.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 227

AN ACT TO FIX THE AMOUNT OF BOND REQUIRED OF THE TREASURER OF LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the bond to be required of the treasurer of Lincoln County be and the same is hereby fixed at twenty-five thousand dollars (\$25,000). Bond of county treasurer fixed at \$25,000.

SEC. 2. All laws and parts of laws in conflict with the provisions of this act 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. 1919.

CHAPTER 228

AN ACT TO AMEND CHAPTER 737 OF THE PUBLIC LAWS OF 1907, AND CHAPTER 613, PUBLIC LAWS OF 1909, RELATING TO THE PAY OF CERTAIN COUNTY OFFICERS IN RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of said act be amended by striking out of line two of said section, after the word "thousand" and before the word "hundred," the word "two" and inserting in lieu thereof the word "three"; and by striking out of line three of said section, after the word "allowed" and before the word "hundred," the word "four" and by inserting in lieu thereof the word "five." Salary of clerk of court increased from \$1,200 to \$1,300, with \$500 allowance for assistance.

SEC. 2. That section five of said act be amended by inserting after the word "thousand" and before the word "dollars" in line two thereof the words "one hundred." Treasurer's salary to be \$1,100.

Allowance made for necessary expenses.

SEC. 3. That chapter seven hundred and thirty-seven of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by adding after the word "residence" at the end of section one, the following: "And shall be allowed in addition thereto all expenses necessarily incurred by them while engaged in the discharge of their duties as such commissioners which said expenses shall not include transportation for which mileage is charged."

Commissioners authorized to increase pay of jailor and to pay him reasonably for keeping prisoners.

SEC. 4. That the county commissioners of Rutherford County shall have authority to increase the pay now provided for the jailor of Rutherford County for keeping prisoners and are hereby authorized to pay the jailor of Rutherford County a reasonable and just compensation for keeping the prisoners of said county, said amount to be determined upon and fixed by said county commissioners.

SEC. 5. That all laws and clauses of laws in conflict herewith are hereby repealed and that all parts of chapter seven hundred and thirty-seven, Public Laws of one thousand nine hundred and seven, and all parts of chapter six hundred and thirteen, Public Laws of one thousand nine hundred and nine, and all parts of chapter four hundred and thirty-eight, Public Laws of one thousand nine hundred and eleven, and all parts of chapter five hundred and sixty-four, Public-Local Laws of one thousand nine hundred and thirteen, in conflict or inconsistent with this act are hereby especially repealed.

SEC. 6. That this act shall be in force from and after March first, one thousand nine hundred and nineteen.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 229

AN ACT TO REPEAL CHAPTER 92 OF THE PUBLIC-LOCAL AND PRIVATE LAWS OF 1917, AND CHAPTER 424 OF THE PUBLIC-LOCAL AND PRIVATE LAWS OF 1917, AMENDATORY THEREOF, THE SAID ACTS BEING ACTS REGULATING TIME OF PAYMENT OF EMPLOYEES IN MANUFACTURING, MINING, AND LUMBERING PLANTS IN AVERY AND MITCHELL COUNTIES, AND TO PROVIDE FOR THE PAYMENT OF EMPLOYEES OF AVERY COUNTY.

The General Assembly of North Carolina do enact:

Chapter 424, Public-Local Laws, 1917, repealed.

SECTION 1. That chapter four hundred and twenty-four of the Public-Local and Private Laws of North Carolina, session of one thousand nine hundred and seventeen, be and the same is hereby repealed as to Avery County.

SEC. 2. That chapter ninety-two of the Public-Local and Private Laws of North Carolina, session of one thousand nine hundred and seventeen, be and the same is hereby repealed as to Avery County. Chapter 92, Public-Local Laws, 1917, repealed.

SEC. 3. That all persons, firms, and corporations operating manufacturing, mining, and lumbering plants in Avery County, North Carolina, shall pay all employees for services rendered from the first to the fifteenth of each month on or before the thirtieth of said month and from all services rendered from the fifteenth to the thirtieth of the month, on or before the fifteenth of the following month. Employees to be paid for services semimonthly.

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

Act applicable to Avery County only.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 230

AN ACT TO PROVIDE FOR THE REPAIR AND MAINTENANCE OF THE PUBLIC ROADS OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of repairing, improving, and maintaining the public roads and bridges of Bladen County there is hereby created a special board of three members, who shall be known as the "Board of Road Commissioners for Bladen County" which board shall have entire supervision and jurisdiction of all the public roads and bridges in said county and to succeed to and exercise all the powers and duties heretofore exercised by and imposed upon the board of county commissioners of said county in reference to repairing, improving, and maintaining all the public roads and bridges of said county. The members of the said board shall hold their offices for the term of six years and until their successors are elected and qualified, except as provided in section two herein. Board of road commissioners created. Succeeds county commissioners in jurisdiction of public roads and bridges. Term of office.

SEC. 2. That E. J. Cox, S. P. McNair, and G. W. Corbett, are hereby appointed and constituted the board of road commissioners for said county. The first named on the said board, to wit, E. J. Cox, shall hold the said position of commissioner until the first day of January, one thousand nine hundred and twenty-five; the second named, S. P. McNair, shall hold the said position of commissioner until the first day of January, one thousand nine hundred and twenty-three; and the third named, G. W. Corbett, until the first day of January, one thousand nine hundred and twenty-one. At the general election held in one thousand nine hundred and twenty, and biennially thereafter, there shall be elected one Board members named. First named to serve six years. Second named to serve four years. Third named to serve two years. Successors to hold office six years.

member of the aforesaid road commission, who must be a qualified voter of the said county and who shall take office on the first day of January succeeding his election.

Members to qualify by April 1st.

SEC. 3. That the members of said county board of road commissioners appointed by section two of this act shall each qualify before an officer authorized to administer oaths on or before the first Monday in April, one thousand nine hundred and nineteen.

Organization of board provided for.

SEC. 4. That on or before the first Monday in April, one thousand nine hundred and nineteen, the said board of road commissioners of said county shall organize by electing one of their members as chairman and by electing a secretary, who may be one of the members of said board. The secretary of said board thus elected shall, in a book for the purpose, keep a full and perfect record of all the proceedings and actions of the board, which record shall be open to the inspection of the citizens of the county. The compensation of the members of the said board shall be four dollars per diem and mileage of five cents per mile, the distance to be computed by the nearest traveled route.

Secretary to keep record.

Compensation of board.

Board to meet on first Mondays.

The said board shall meet on the first Monday in each month at the courthouse in Elizabethtown, and at such other times and places as the board may deem necessary for the proper conduct of their business. At all meetings they shall be authorized to transact any business and duties with reference to the improvement and maintenance of said roads and bridges within said county: *Provided*, that the said board shall receive compensation for not more than fifteen meetings in any calendar year: *Provided further*, that the said board may designate special duties to be performed by any member of the said board, and for the time spent in the performance of these duties said member shall receive as compensation four dollars per diem and mileage at five cents per mile, distance to be computed by the nearest traveled route.

Proviso: Not to receive pay for more than 15 days per year.

Board may delegate special duties to one member.

Board and its successors a body corporate.

SEC. 5. That said board of road commissioners and its successors shall be and is hereby constituted to be a body corporate by the name and style of the "Board of Road Commissioners of Bladen County." They shall adopt a common seal and by that name 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 municipal corporations.

Name, seal, and powers.

To take control of roads and bridges.

SEC. 6. It shall be the duty of the said board of road commissioners to take control and management of the public roads and bridges already established in said county, and said commissioners are hereby vested with all the rights and powers of such control and management as are now vested in and exercised by the board of county commissioners of Bladen County as pertains to the repair and maintenance of said highways in said county. The

board of county commissioners of Bladen County shall turn over to the board of road commissioners herein created all the road-making and road-repairing machines, tools or material at present on hand.

SEC. 7. It shall be the duty of the county commissioners of Bladen County to levy annually a tax of thirty cents on the hundred dollars valuation on the real and personal property in said county and ninety cents on each poll in said county, at the same time that the county and State levy is made. Upon petition of fifty per cent of the qualified voters of Bladen County it shall be the duty of the county commissioners of Bladen County to increase the aforementioned tax not to exceed forty cents on the one hundred dollars valuation on the real and personal property in said county: *Provided*, that if after the levy of one thousand nine hundred and nineteen, the board of road commissioners shall find that the taxes levied under the provisions of this act create a sum greater than may be necessary for the building and repairing and maintenance of the public roads, in Bladen County, the said board of road commissioners shall certify this fact to the board of county commissioners of Bladen County, and the said board of county commissioners may reduce the said tax within their discretion to an amount not less than fifteen cents on the hundred dollars valuation of property and forty-five cents on the poll. The said taxes so levied shall be collected as other taxes are collected and shall be turned over to the treasurer of said county by the sheriff or other tax collectors. The said treasurer shall keep a separate account of the taxes raised under the provisions of this act and the same shall be expended by the said road commissioners for the purposes set forth in this act, except as may be provided in section eight of this act.

County commissioners to surrender road machinery.

Commissioners to levy tax of 30 cents on property and 90 cents on poll.

Amount of levy may be increased on petition.

Proviso: Rate may be lowered.

Road taxes to be collected as other taxes.

County treasurer to receive and keep separate account of funds.

SEC. 8. That the board of county commissioners of the county of Bladen, upon application of the board of road commissioners for Bladen County, shall borrow not to exceed the sum of forty thousand dollars (\$40,000) for the purpose of maintaining and repairing the public roads of Bladen County, the said funds to be turned over to the treasurer of the said county by the county commissioners, and the said treasurer shall pay out the same only upon warrant or order of the said board of road commissioners. The treasurer of Bladen County is hereby authorized to pay out of the proceeds of the tax mentioned in section seven of this act the interest on the aforementioned bonds, and is further authorized to set aside out of the proceeds of the said tax each year a sum sufficient to secure the retirement of the bonds at their maturity: *Provided*, that no such retiring fund may be set aside out of the proceeds of the levy of the year one thousand nine hundred and nineteen: *Provided further*, that

Commissioners may borrow not to exceed \$40,000.

Treasurer to pay interest on bonds.

Proceeds of tax to be set aside for retirement of bonds.

Proviso: Townships having issued road bonds exempt from act.

those townships in Bladen County which have already voted bonds, or hereafter may vote bonds, for the construction and also the maintenance, either by bonds or special levy, of the public roads in said township are hereby exempted from the provisions of this act.

Members may fill vacancies in board.

SEC. 9. That in case of the death, resignation or vacancy from other cause on the said board of road commissioners, such vacancy shall be filled by the remaining members of the said board.

Free labor abolished.

SEC. 10. That from and after the ratification of this act free road labor is abolished in Bladen County, and only convicts shall be required by law to work upon the public roads of Bladen County.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 231

AN ACT TO REPEAL CHAPTER 333, PUBLIC-LOCAL AND PRIVATE LAWS OF 1917, TO RETURN OF WARRANTS OF JUSTICES OF THE PEACE OF PENDER COUNTY.

The General Assembly of North Carolina do enact:

Chapter 333, Public-Local Laws, 1917, repealed.

SECTION 1. That chapter three hundred and thirty-three of the Public-Local and Private Laws of one thousand nine hundred and seventeen session of the General Assembly, is hereby repealed.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 232

AN ACT TO AMEND THE SCHOOL LAW OF NORTH CAROLINA IN ITS APPLICATION TO BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Chapter 518, Public-Local Laws, 1913, repealed.

SECTION 1. That section three of chapter five hundred and eighteen of the Public-Local Laws of North Carolina enacted at the session of the General Assembly of one thousand nine hun-

dred and thirteen be and the same is hereby stricken out and repealed and the following substituted therefor, and in lieu thereof, to wit:

"The county board of education of Buncombe County shall at the regular meeting on the first Monday in April, one thousand nine hundred and nineteen, and annually thereafter, appoint and select in each of the townships of the county of Buncombe and in each of the special school tax districts of Buncombe County, three school committeemen who shall be men of intelligence and of good business qualifications, who are known to be in favor of public education, who shall serve one year from the date of their appointment as school committeemen in their respective townships and special tax districts and until their successors are appointed and qualified. If a vacancy shall occur at any time by death, resignation or otherwise, it shall be the duty of said county board of education to fill such vacancy. Such committeemen shall be subject to all rules, regulations, and laws of the State as laid down by the general laws of the State of North Carolina where same has not been specifically changed in its application to Buncombe County in said state.

Board of education to appoint school committees.

Committeemen to serve one year.

Committeemen to be subject to general laws.

SEC. 2. That section ten of chapter seven hundred and thirty-four of the Public-Local Laws of North Carolina enacted at the session of the General Assembly of one thousand nine hundred and fifteen be amended as follows: Strike out the word "three" between the words "exceed" and the word "dollars" in line twelve of said section ten and insert in lieu thereof the word "five."

Per diem of board of education increased.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 233

AN ACT TO PROVIDE MONEY TO EXTEND AND MAINTAIN THE PUBLIC ROADS OF DAVIDSON COUNTY; TO PROVIDE FOR FUNDING AND PAYING THE FLOATING INDEBTEDNESS OF THE BOARD OF ROAD COMMISSIONERS OF SAID COUNTY, AND TO REGULATE THE USE OF THE PUBLIC ROADS OF SAID COUNTY BY TRACTION ENGINES AND MOTOR TRUCKS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Davidson County, at the time other road taxes are levied, and in addition-

Commissioners to levy additional road tax.

Rate 30 cents on property and 90 cents on poll.

Taxes to be used for road purposes, and paying indebtedness.

Taxes to be assessed and collected as other taxes.

Road commissioners to make rules covering use of roads.

Unlawful to use roads contrary to rules.

To issue notes of county for not over \$60,000.

Interest not to exceed 6 per cent.

\$12,000 of notes due December 1, 1920.

\$12,000 due December 1, 1922.

\$12,000 due December 1, 1923.

\$12,000 due December 1, 1924.

\$12,000 due December 1, 1925.

To pay indebtedness and apply surplus to road purposes.

tion to the taxes now authorized to be levied under existing laws, shall levy annually on all taxable property in Davidson County, subject to taxation for State and county purposes, a special tax of thirty (30) cents, on each one hundred (100) dollars of valuation of such property, real, personal, or mixed, and shall also levy annually at said times a tax of ninety (90) cents on each taxable poll in the county, and said taxes shall be used by the board of road commissioners of said county, for the purpose of maintaining the present public roads and extending the same, and paying the outstanding indebtedness of the said board of road commissioners; and said taxes shall be assessed and collected as other taxes for county purposes, and shall be turned over to the treasurer of the board of road commissioners, to be used for the purposes hereinbefore mentioned.

SEC. 2. That said board of road commissioners of Davidson County are hereby authorized and empowered to make reasonable rules and regulations for the use of said roads of the county, and the operation thereon of traction engines, motor trucks, trucks for transporting oil and freight, and also of jitneys carrying passengers over the roads for hire.

SEC. 3. That it shall be unlawful for any person to operate in the county any motor vehicle or traction engine, contrary to the rules and regulations of said board of road commissioners of Davidson County.

SEC. 4. That the board of road commissioners of Davidson County are hereby authorized to issue notes of the county, for the sum not exceeding sixty thousand dollars (\$60,000), which notes shall bear interest at not exceeding six per centum (6%) per annum, and may be payable semiannually, and shall become due as follows: Twelve thousand dollars December one, one thousand nine hundred and twenty; twelve thousand dollars December one, one thousand nine hundred and twenty-two; twelve thousand dollars December one, one thousand nine hundred and twenty-three; twelve thousand dollars December one, one thousand nine hundred and twenty-four; twelve thousand dollars December one, one thousand nine hundred and twenty-five, and the board of road commissioners shall place said notes to the best possible advantage, and shall out of the proceeds pay off the floating indebtedness of the board, whether due by note, account or overdraft, and use the surplus, if any, for road purposes.

SEC. 5. That all laws and clauses of laws inconsistent with this act 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. 1919.

CHAPTER 234

AN ACT TO AMEND CHAPTER 525 OF THE PUBLIC-LOCAL LAWS OF 1917, FIXING THE SALARY OF THE COUNTY TREASURER OF LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter five hundred and twenty-five of the Public-Local Laws of nineteen hundred and seventeen be and the same is hereby amended by striking out in line three the words and figures "eight hundred (\$800)" and inserting in lieu thereof the words and figures "one thousand (\$1,000)."

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

SEC. 3. This act shall take effect from and after its ratification. Ratified this the 3d day of March, A. D. 1919.

CHAPTER 235

AN ACT TO CREATE A HIGHWAY COMMISSION FOR SURRY COUNTY FOR THE IMPROVEMENT OF THE PUBLIC ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That A. E. Smith, J. B. Sparger, A. G. Click, W. B. Williams, M. F. Butner, and J. Sol Patterson and their successors in office are hereby incorporated under the name of "The Highway Commission of Surry County" 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 all other rights and privileges as are incident to other municipal corporations of like nature. That A. E. Smith be and is hereby appointed chairman; and J. Sol Patterson be and is hereby appointed secretary and treasurer of the said commission.

SEC. 2. That the said commission shall always consist of an equal number of members of opposite political faith hereafter to be designated by the board of county commissioners of Surry County as their terms expire, except as hereinafter provided, and of those named, A. E. Smith, and W. B. Williams shall hold office for eight years; A. G. Click and J. B. Sparger for six years; J. Sol Patterson and M. F. Butner for four years. Should a vacancy occur by death, resignation or removal or otherwise, the same shall be filed by the board of county commissioners of Surry County by choosing someone of the same political faith

Salary of treasurer increased.

Highway commission created, and members named.

A. E. Smith chairman; J. Sol Patterson secretary-treasurer.

Commission to consist of equal number from each political party.

Terms of office.

Vacancies to be filled by commissioners.

as was the member whose place became vacant, and said successor so chosen shall hold office until his successor shall be chosen by the board of county commissioners and shall qualify.

Commission to meet and organize first Monday in April.

SEC. 3. That the members of the Surry highway commission shall meet at Dobson on the first Monday of April, one thousand nine hundred and nineteen and organize, and the secretary and treasurer shall be the same member, hold both positions: *Provided*, that the said members shall take and subscribe an oath for the faithful performance of their duties.

Power and authority of board.

SEC. 4. That the said highway commission shall have full power and authority to order the laying out of public roads where necessary in their judgment and discontinue such roads as they shall find useless, and to alter roads so as to make them more useful and to have vested in them all powers, rights, and authority necessary for the carrying out of the provisions of this act; and shall have the full right and authority to lay out cartways, church and mills roads, and to order or discontinue the same in the way and manner provided for in the general law, except as to such laws as are hereby modified: *Provided*, that the public roads of the county to be known as the main thoroughfares shall not be less than twenty-five feet wide, and that all other roads shall be not less than sixteen feet wide, unless in the judgment of the highway commission such width shall be impractical.

Public roads not less than 25 feet wide.

License fees to be imposed on automobiles and trucks.

SEC. 5. That the said highway commissioners shall have the right and authority to impose the following license fees, or registration fees, upon automobiles and automobile trucks as follows: On each automobile having a rating of twenty-six horsepower or less, a license fee of \$5. Automobiles having a rating of more than twenty-six horsepower, and not more than forty horsepower, a license fee of \$7.50; forty and over, \$10. On motor trucks, or motor wagons of a ton capacity, \$15; of a ton and a half capacity, \$30; of a two ton capacity, \$50; and two and a half ton, \$75; of a three ton capacity and more, \$100 yearly; and that before operating the said automobile or trucks upon the said highways of the county, that the owner shall apply to the treasurer of the highway commission for a license: *Provided*, that any person violating any provision of this section shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars (\$50) or imprisoned not exceeding thirty days.

Unlawful to operate automobile before applying for license.

Commissioners to employ expert engineers.

SEC. 6. That in order that the roads decided upon to be finished and built may be properly done, authority is hereby expressly conferred upon the commission to employ one or more expert road engineers at a compensation to be fixed by it and paid out of the general funds 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 over the work as the said commission may direct. provided that if the State furnishes to the county the engineering assistance in its road work, that the acceptance of such services from the State by the commission shall be considered as fulfilling the requirements by the commission under this act.

Services of State engineer sufficient.

SEC. 7. That for the purpose of constructing and repairing the roads of the said county, the highway commission may employ a road superintendent and such subordinates thereto as may be necessary to carry out the provisions of this act, and shall pay them such salaries to be fixed by the said highway commission as will compensate for their work; and the said highway commission shall delegate to him or them such power as the commission may think necessary to carry out the provisions of this act.

Commission may employ superintendent and subordinates.

May fix salaries and delegate powers.

SEC. 8. That as soon as the roads to be improved and changed are surveyed and located, the commission shall advertise and let the building, repairing, and constructing of the same under the plan and specifications furnished by the engineer and approved by the commissioners, to the lowest bidder, reserving the right to reject any and all bids and to readvertise for other bids; and that the contractor, or contractors, who are awarded the contracts to build, revise, and construct such roads, shall enter into bond with sufficient security in such an amount as the commission shall designate for the completion of the said work according to plans and specifications, and in the time fixed, provided that the commission reserves the right to construct and repair any or all the roads, if in their judgment it is best, and shall have the right to supply the force and purchase the necessary equipment to do the work and pay for same out of the road funds.

Repair and construction to be let to contract.

Contractor to give bond.

SEC. 9. That in constructing new highways, widening and straightening old roads and repairing the same, the said highway commission, through its agents, is hereby authorized to enter upon any land and locate and build such highways. If the highway commission and owner or owners of the said land cannot agree as to the damages, if any, the commission shall, after sixty days after the said highway is completed, cause to be summoned three disinterested freeholders of said county, who shall go upon the said land and assess the damages and benefits, the commission selecting one of the free-holders, the landowner one, and the clerk of the Superior Court of Surry County the third. And that the said highway commission is hereby authorized to enter upon the lands adjacent or lying near to any such road as is being constructed or repaired and take therefrom necessary rock, timber, dirt, sand or gravel to macadamize, sand-clay, top-soil and gravel to improve the said roads and to cut all trees within fifty feet of the road which shade same, together with the free ingress

Commissioners have right of eminent domain.

Provision for payment of damages for property.

May take necessary material.

To make drains and ditches over adjacent lands.

Provision for payment of damages.

Unlawful to obstruct commission.

Unlawful to drain water into public road.

Chairman and secretary-treasurer to hold office two years. Treasurer to give bond.

Bond to be filed with county commissioners. Treasurer to keep funds in solvent bank. Itemized statement to be posted.

Semiannually accounting to highway commission.

Members not permitted to contract.

and egress over the lands for the transportation of the said materials; and are further authorized to enter upon said adjacent lands of those lying near said roads to make such drains and ditches through the same as may be deemed necessary for the betterment of the roads. And if the highway commission and the landowner cannot agree upon the damages for the material so taken and the drains and ditches so cut, that then the said parties shall have the damages assessed in the same manner as is herein provided for the assessment of land taken for the building and repairing of the said roads: *Provided*, that the landowner or the highway commission shall have the right to appeal from the award made by the said arbitrators to the Superior Court.

SEC. 10. That any person who shall obstruct the said commission, its agents or employees in making survey or changing any road or the opening of a new public road or highways, or the taking of necessary timber or other materials as aforesaid, or for cutting ditches or drains, shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars and imprisoned not exceeding thirty days.

SEC. 11. 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 into the public roads of the county, and any person violating provisions of this section shall be guilty of a misdemeanor and upon conviction fined not exceeding fifty dollars and imprisoned not exceeding thirty days.

SEC. 12. That the chairman of the highway commission and the secretary and treasurer shall hold their offices for two years or until their successors are selected and qualified; and that the treasurer before entering upon his duties shall enter into a bond in such sum as the highway commission may designate with ample security conditioned for the faithful performance of his duties and the accounting for all moneys coming into his hands; and the said bond shall be filed with the clerk of the board of county commissioners and that the said treasurer shall keep all the funds on hand deposited in some solvent bank or banks in Surry County that will pay the highest rate of interest on daily balances; that the treasurer shall also, once every three months, post at the courthouse door in Surry County an itemized statement showing in full an account of his receipts and disbursements of highway funds for the preceding months and he shall account to the highway commission twice yearly for the said highway funds.

SEC. 13. That no member of the commission shall take any contract to build, repair or keep up any section of any public

road of the county, nor shall he be in any way financially interested in the building, repairing or keeping up of roads of the county.

SEC. 14. That all expenses incurred by the commission on account of meetings held by reason of their duties imposed by this act, or all expenses incurred in making necessary examinations of the roads by the board or any member thereof, shall be paid by this order out of the funds herein. That each member of said commission shall be entitled to receive \$4 per day for the days spent in regular meetings or call meetings, provided the number of meetings does not exceed twelve yearly.

Expenses of commission to be paid.

Pay of commissioners.

SEC. 15. That the said commission shall hold two public meetings at the courthouse in Dobson, the two meetings to be fixed by the commission, and at said meetings anyone having any grievance or any other business, can be heard. They can hold other meetings, if thought necessary, by call by the chairman and secretary of the board by giving three days notice to the other members.

Commission to hold two public meetings.

SEC. 16. That if any law already existing or shall be passed, at this or any subsequent sessions of the General Assembly authorizing the State to loan money to the counties to aid in building or improving public roads, or taking county bonds for collateral for such loans, or any provisions made by the federal government or the state government appropriating, loaning or donating to the counties for road improvement, then the commission is hereby authorized and empowered to avail itself of the privilege or benefits of any such act or acts: *Provided*, that if at any time the state or federal government shall appropriate a sum of money to be used in the improvement of the public roads upon the conditions that the counties taking advantage such appropriation shall raise as much as is appropriated by the state or federal government, that in that case the said highway commission is hereby authorized to apply to the board of county commissioners of Surry County to issue county bonds in sufficient quantity to cover the amount so appropriated by the said governments to the said county, and said bonds, if issued at the discretion of the board of county commissioners, shall bear the same rate of interest as the bonds hereinafter provided for, and shall in all respects be issued in the same manner as is hereinafter provided for in the issuance of other bonds, and the money so acquired shall be used for the building and repairing of the public roads of the county.

Provision for securing State or Federal aid.

If necessary to secure aid, county bonds may be issued.

Form and interest.

SEC. 17. That the said commission shall construct and improve the roads in the townships of the county that have not voted bonds or that have not sold bonds, and keep in repair the same as in other townships.

Road improvement to be uniform in all townships.

Commission may employ attorneys.

SEC. 18. That the said commission shall have the power to retain any employed attorneys and make such contracts with them for compensation as it may deem reasonable and just.

Bridges to be under county commissioners.

SEC. 19. That all the bridges in the county shall be under the control of the board of county commissioners as is provided for in the general law: *Provided*, that no person shall drive or ride at a greater rate of speed over any bridge in the county than five miles an hour. That any person violating this provision shall be fined for every such offense \$5 upon conviction.

Unlawful to exceed five miles per hour over bridges.

Regulation of kinds of roads to be built.

SEC. 20. That all roads changed, improved or constructed as provided for in this act shall be created and covered with the necessary amount of top-soil to make first-class roads of them, provided that this shall apply to the roads in the county designated as main thoroughfares; that the other roads shall be put in good passable condition and kept so.

County commissioners may issue bonds on petition.

SEC. 21. That upon the request of the highway commission made in writing, signed by the chairman and countersigned by the secretary, and upon the petition of twenty-five qualified voters of each township in the said county presented, the board of county commissioners of Surry County are hereby authorized, empowered, and directed to issue bonds of Surry County, from time to time, in amounts to be fixed by the board of county commissioners for the construction, repairing, and improvement of the roads of Surry County not to exceed the aggregate sum of five hundred thousand dollars (\$500,000). The bonds so issued shall be styled "Surry County Good Roads Bonds" and the same shall be of such denomination as the said board of county commissioners may deem advisable, bearing interest from date of issuance, not to exceed five per cent per annum, payable semi-annually, having interest-bearing coupons attached, and said bonds shall be signed by the chairman of the board of county commissioners and countersigned by the clerk of the board, with the seal of the county affixed, and shall not be sold for less than par, and the place and payment of the interest and the principal of the bonds shall be designated by the board of county commissioners and shall be made payable at such time or times as the board of county commissioners may designate, not to exceed thirty years; that the coupons shall be signed by the chairman only.

Sum of bonds issued not to exceed \$500,000.

Interest not to exceed 5 per cent. Authentication of bonds.

May not be sold for less than par. Time and place of payment to be designated.

Special tax to be levied for payment of bonds.

SEC. 22. That for the purpose of providing a sinking fund for the payment of the said bonds and the payment of the interest thereon, and for a maintenance fund to keep up the said roads, the board of county commissioners of Surry County and their successors in office shall annually, at the time the general taxes of the county are levied, levy and lay a special tax on all property subject to taxation within the limits of the county of Surry as in cases of other taxes for general county purposes: *Provided*,

taxes so levied not to exceed forty cents (40c) on the one hundred dollars (\$100) valuation of real and personal and mixed property and not exceeding one dollars and twenty cents (\$1.20) on the poll. The taxes so levied shall be collected by the sheriff of Surry County in the same manner as other taxes are collected and without additional charge, and shall be kept separate from other taxes. The money so collected from the sale of bonds and taxes shall be turned over to the treasurer of the county of Surry upon the order of the chairman of the highway commission and shall be by him turned over to the treasurer of the highway commission, attested by the secretary: *Provided*, that the treasurer of Surry County shall not receive any additional compensation for handling such funds.

Tax not to exceed 40 cents on property and \$1.20 on poll.

Taxes to be collected by sheriff without charge.

Funds from bonds and taxes to be turned over to treasurer of highway commission.

SEC. 23. That the bonds issued under the provision of this act when called for by the highway commission and upon the petition of the qualified voters, as heretofore set out, shall be advertised by the board of county commissioners of Surry County for thirty days and sold at a public auction at the courthouse door in Dobson, and that the said board of county commissioners shall have the right to reject any and all bids and readvertise.

Bonds to be sold at auction.

Commissioners may reject bids.

SEC. 24. That whereas Mount Airy Township has outstanding eighty thousand dollars (\$80,000) in bonds, the proceeds of which have been expended in making permanent road improvement in the said township; and whereas Elkin Township has outstanding the sum of forty thousand dollars (\$40,000) in bonds, the proceeds of which have been expended in improvement of the roads in the township; and whereas Marsh Township has outstanding twenty thousand dollars (\$20,000) in bonds, the proceeds of which have been expended in making permanent road improvements in the said township; and whereas Rockford Township has outstanding twenty thousand dollars (\$20,000) in bonds, the proceeds of which have been expended in making permanent improvement in said township; and whereas Siloam Township has outstanding twenty-five thousand dollars (\$25,000) in bonds, the proceeds of which have been expended in making permanent road improvements in said township; and whereas Shoals Township has outstanding thirty thousand dollars (\$30,000) in bonds, the proceeds of which have been expended in permanent road improvements in said township; and whereas Pilot Township has outstanding thirty thousand five hundred dollars (\$30,500) in bonds, the proceeds of which have been expended in making road improvements in said township; and whereas Westfield Township has outstanding thirty thousand dollars (\$30,000) in bonds, the proceeds of which have been expended in making permanent road improvement in said township; and whereas Longhill Township has outstanding thirteen thousand five hundred dollars (\$13,500) in bonds, the proceeds of which have been expended in making permanent road

County bonds provided for may be used to retire township bonds.

improvements in said township; and whereas Stewarts Creek Township has outstanding twenty-five thousand dollars (\$25,000) in bonds, the proceeds of which have been expended in making road improvements in said township; and whereas Dobson Township has outstanding thirty-five thousand dollars (\$35,000) in bonds, the proceeds of which have been expended in making permanent road improvements in said township; and whereas it is desired to make the whole road improvement scheme a county, instead of a township movement, the board of county commissioners of Surry County shall issue Surry County bonds in the sum of five hundred thousand dollars (\$500,000), the same being authorized by this act, properly signed and sealed, three hundred and forty-nine thousand dollars (\$349,000) of the said issue to be substituted for the three hundred and forty-nine thousand dollars (\$349,000) of the township bonds now outstanding, if the holders thereof will consent thereto. If the holders of the said outstanding township bonds, or any number of the same, refuse to accept the county road bonds authorized by this act, or funds arising therefrom in exchange for their township bonds, then the said county bonds, or such part of the same as the holders of the township road bonds refuse to accept, shall not be issued. The money arising from the sale of any bonds herein provided for shall be devoted, first, to the payment or exchange of the three hundred and forty-nine thousand dollars (\$349,000) township bonds now outstanding as above set out, and any accrued interest thereon or so much thereof as the holders of said township bonds agree to exchange. The balance of the fund arising from the sale of the five hundred thousand dollars (\$500,000) county road bonds herein authorized shall be paid over to the treasurer of the county, to be paid out by him on order of the highway commission of Surry County as other road funds: *Provided*, that the outstanding bonds of any of the said townships bearing a higher rate of interest than five per cent then the excess rate shall be paid up upon a special levy of taxes upon the property of the said townships, levy to be made as hereinbefore provided for levying taxes to pay the interest on the bonds.

Proportion of county bonds may not be issued if exchange of township bonds cannot be arranged.

Payment or exchange of outstanding bonds provided for.

Proviso: Township bonds bearing more than 5 per cent to be paid by special tax.

Township funds to be used by township.

Commission to organize convict force.

SEC. 25. That any funds, either in cash or in taxes, already levied in any of the townships already mentioned as having voted road bonds under this act, when this act shall become effective, shall be and belong to the said township and shall be expended by the highway commission of Surry County upon the roads in the said township.

SEC. 26. That the highway commission shall have the authority and are hereby expressly empowered to organize a convict force and to employ the convicts of the county of Surry, or convicts of other counties of the State Penitentiary in the build-

ing, repairing or improving the public roads of the county, and the expense of operating the convict force shall be paid for out of the funds raised under this act. Expense of convict force to be paid out of road fund.

SEC. 27. That the highway commission of the various townships that have organized such commissions shall have six months after the passage of this act within which to wind up the affairs of the said township: *Provided, however,* that they shall not engage in any road building or construction after the organization of the county highway commission provided for in this act. Township commissions to be dissolved in six months.

SEC. 28. That all of the machinery, working equipment belonging to any of the townships that have voted bonds and used for the building and repairing of the roads of the township, shall, upon the organization of the highway commission, be turned over to the said highway commission and shall become the property of the county highway commission. All machinery to be delivered to highway commission.

SEC. 29. That for the six months herein set out that the highway commissions of the various townships having such commissions may act as advisory committees of the county highway commission, but shall have no right to change the plans of the said county highway commission in reference to any matter pertaining to the roads of the township. Township commissions may not change plans of county commissions.

SEC. 30. That after the organization of the county highway commission all free labor on public roads shall cease. Free labor abolished.

SEC. 31. That all laws and clauses of laws that are in conflict with this act are hereby repealed.

SEC. 32. That this act shall be in force from and after its ratification.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 236

AN ACT TO ALLOW THE COUNTY COMMISSIONERS OF MACON COUNTY TO BUILD AND MAINTAIN A BRIDGE IN THE COUNTY OF SWAIN.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Macon County be and they are hereby authorized to build and maintain a bridge across the Nantahala River, near Nantahala, in Swain County. Commissioners to build bridge across Nantahala River.

SEC. 2. That the county commissioners of Macon County be and they are hereby authorized to appropriate such sum of money as may be necessary to build and maintain said bridge out of the regular or special bridge fund of Macon County and shall have To appropriate money necessary, unless joined by Swain County.

complete control thereof, unless Swain County should help to construct said bridge as hereinafter provided, in which case the two counties shall have joint control.

Highway commis-
sion of Swain
County authorized
to appropriate
money.

SEC. 3. That the highway commission of Swain road district in Swain County, are hereby authorized to help construct and maintain said bridge, and to appropriate any amount they may deem proper for said purpose out of the road or bridge fund of said Swain road district.

Macon County to
build bridge if
Swain fails or
refuses to appro-
priate money
therefor.

SEC. 4. That should the said highway commission of Swain road district, in Swain County, fail or refuse to so appropriate funds to help build and maintain said bridge, then and in that event the said county commissioners of Macon County may build said bridge and maintain it entirely out of the bridge fund of Macon County, as before specified.

Commission to
condemn lands on
which to build
bridge.

SEC. 5. That it shall be the duty of the highway commission of Swain road district in Swain County to condemn under existing laws of North Carolina, or of Swain County, sufficient lands on each side of Nantahala River on which to build or construct said bridge, and to turn the same over to the county commissioners of Macon County for the purpose of constructing said bridge, should they refuse to help construct the same, otherwise to the joint control of said commissioners of Macon County and highway commission of said Swain road district in Swain County, any damage to land to be paid by Macon County out of bridge funds of said county.

Damages to land
to be paid by
Macon County.

SEC. 6. That all laws and clauses 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 3d day of March, A. D. 1919.

CHAPTER 237

AN ACT TO ALLOW THE ROAD COMMISSION OF LOVELADY TOWNSHIP, BURKE COUNTY, TO BORROW MONEY UNTIL BONDS ARE SOLD, AND FOR OTHER PURPOSES.

Preamble.

WHEREAS, Lovelady Township, Burke County, on the thirtieth day of September, one thousand nine hundred and sixteen, voted to issue fifty thousand dollars (\$50,000) in thirty- (30) year five (5) per cent coupon bonds for the purpose of constructing a system of improved highways including a section of the State high-

way running through said township, under the provisions of chapter one hundred and twenty-two, Public Laws of one thousand nine hundred and thirteen, and

WHEREAS, by reason of present market conditions, said township has only been able to sell twenty thousand dollars (\$20,000) of said bond issue, and is now unable to dispose of the remainder of said issue amounting to thirty thousand dollars (\$30,000) at par on account of the low interest rate, and

WHEREAS, unless money can now be raised to complete the State highway and other necessary roads through said township, work will have to be discontinued and a heavy loss sustained upon the work on said roads now partly completed,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Burke County is hereby authorized and empowered to borrow on behalf of Lovelady Township from time to time money to an amount not exceeding twenty thousand dollars (\$20,000) for a term not exceeding three (3) years, and at a rate of interest not exceeding six (6) per cent per annum, and for that purpose to execute a note or notes in the name of said board of commissioners to be signed by the chairman and attested by the secretary of said board of commissioners of Burke County, which notes shall be paid off and discharged out of the first moneys arising from the sale of the \$30,000 of Lovelady Township' road bonds not heretofore sold. Said note or notes shall be of such form and tenor and shall be payable at such time and place and in such installments as the board of commissioners of Burke County may approve.

SEC. 2. That said board of commissioners of Burke County are hereby authorized and empowered to issue the remaining thirty thousand dollars (\$30,000) of bonds heretofore duly voted by said Lovelady Township at an election duly called and held on the thirtieth day of September, one thousand nine hundred and sixteen, the bonds so issued to bear interest at six (6) per cent per annum, payable semiannually, and to be of such form and tenor and to be payable at such time and place and in such installments as said board of commissioners of Burke County may approve.

SEC. 3. That said board of commissioners of Burke County is hereby authorized, empowered, and directed to levy a special tax upon all of the taxable property, and polls in said Lovelady Township, Burke County, to pay the interest on said bonds when due and to create a sinking fund sufficient for the discharge of said bonds at maturity as provided in chapter one hundred and twenty-two, Public Laws of one thousand nine hundred and thirteen.

Bond election validated.

SEC. 4. That the election held in Lovelady Township, Burke County, upon the question of issuing \$50,000 in bonds for road purposes on September thirtieth, one thousand nine hundred and sixteen, is hereby in all respects ratified, approved, and confirmed, and the bonds voted at said election including the thirty thousand dollars (\$30,000) of bonds authorized under this act are hereby declared to be in all respects valid and binding obligations of said Lovelady Township.

Commissioners may sell bonds at their discretion.

SEC. 5. That the bonds authorized by this act may be sold by the commissioners of Burke County in pursuance of the advertisement heretofore made by said board of commissioners, any change in the interest rate on said bonds notwithstanding, or said board may readvertise the same in the manner provided by law and sell the same at such time as they deem advisable.

Bonds authorized by Upper Creek and Quaker Meadow townships to be issued by commissioners.

SEC. 6. That the bonds heretofore duly voted by Upper Creek and Quaker Meadow townships in Burke County under the provisions of chapter one hundred and twenty-two, Public Laws of one thousand nine hundred and thirteen, may be issued by the board of commissioners of Burke County in their discretion, to bear interest at the rate of six per cent per annum payable semi-annually, and may be of such form and tenor and made payable at such time and place and in such installments as the board of commissioners may approve; and if and when said bonds are issued it shall be the duty of said board of commissioners of Burke County to levy a special tax upon all the taxable property and polls in the townships which voted said bonds sufficient to pay the interest on said bonds when due and to pay the principal of said bonds at maturity. Said bonds may be sold by the commissioners of Burke County after advertisement as provided by law.

When bonds are issued commissioners to levy tax for.

Excess of proceeds from bonds after paying loan, to be turned over to Lovelady Township.

SEC. 7. The proceeds of the sale of the bonds authorized to be issued for Lovelady Township by this act, after reimbursing Burke County for any sums borrowed by said county on behalf of said Lovelady Township as hereinbefore provided, shall be paid over to the township road commission of Lovelady Township to be expended by them in the construction, alteration, repair, and maintenance of the public roads of said township in the manner provided by chapter one hundred and twenty-two, Public Laws of one thousand nine hundred and thirteen and the acts amendatory thereof.

SEC. 8. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 238

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF GATES COUNTY TO CANCEL A DEBT OF THE BOARD
OF EDUCATION OF SAID COUNTY.

WHEREAS, the county board of education of Gates County, made, executed, and delivered to the county board of commissioners of said county a voucher, dated June fifth, one thousand nine hundred and sixteen, in the sum of three thousand one hundred and eighty dollars (\$3,180), which represents money borrowed from the said board of commissioners for the purpose of erecting school buildings and for general purposes in the county of Gates; and,

WHEREAS, the county board of commissioners as aforesaid in regular session on the first Monday in February, one thousand nine hundred and nineteen, agreed to have the said debt canceled by act of the General Assembly and that they would abide by such act: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the voucher issued by the county board of education to the county board of commissioners, dated June fifth, one thousand nine hundred and sixteen, in the sum of three thousand one hundred and eighty dollars (\$3,180) representing money borrowed from the county board of commissioners for the purpose of erecting school buildings and for general school purposes be and the same is hereby canceled and that the debt which the said voucher represents be, and the same is, hereby declared void as to the said county board of education.

Voucher of board
of education
cancelled.

Debt represented
by voucher
declared void.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 239

AN ACT TO PROHIBIT THE BUYING AND RECEIVING OF
ANY FARM PRODUCE IN THE NIGHT TIME OR ON SUN-
DAY IN THE COUNTIES OF HERTFORD AND NORTH-
AMPTON.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to buy and receive any farm produce between sunset and sunrise or on Sunday.

Unlawful to buy
farm product at
night.

Unlawful for tenant to remove property between sunset and sunrise, or on Sunday.

SEC. 2. That it shall be unlawful for any renter, tenant or cropper to remove from the premises of his landlord or lessor any household or kitchen furniture, goods, wares or merchandise, corn, cotton, peanuts, or tobacco, hogs or cattle, or procure or allow another to remove said property for him between sunset and sunrise or on Sunday without the permission of his landlord or lessor.

Violation of act 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.

SEC. 4. That this act shall apply only to the counties of Hertford and Northampton.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 240

AN ACT TO PROHIBIT THE FELLING OF TIMBER OR THROWING THE CARCASSES OF ANIMALS IN THE FRENCH BROAD RIVER OR ANY OF ITS TRIBUTARIES IN TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

Unlawful to throw trash or carcasses in French Broad River or tributaries.

SECTION 1. That it shall be unlawful for any person to throw, cut or fell timber or brush in the French Broad River or any of its tributaries in Transylvania County. It is also hereby made unlawful for any person to throw the dead carcasses of any animal or fowl in the said waters.

Violation of act misdemeanor. Punishment.

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 in the discretion of the court.

Commissioners to examine river and remove obstructions.

SEC. 3. It is hereby made the duty of the county commissioners of Transylvania County to personally examine at least once every three months, either by one or more of their number or by someone appointed by them, for the purposes of removing any obstruction placed in the said waters and ascertain the names of the parties who committed the offense with property witnesses, if they can be found, and make report of the same to the clerk of the court of said county for inspection of the solicitor of the district, whose duty it is hereby made to prosecute the same.

Names of offenders to be reported.

Solicitor to prosecute.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 241

AN ACT TO APPOINT A SUPERINTENDENT OF ROADS FOR
LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Jas. 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 (\$1,000) for a period of two years from the expiration of his present term of office, and actual traveling expenses up to five hundred dollars (\$500) per annum: *Provided*, that at the expiration of his term of office as herein provided for his successor shall be elected by the board of county commissioners of Lincoln County.

Road superintendent appointed at salary of \$1,000 a year and traveling expenses up to \$500.

SEC. 2. That all laws and parts of laws in conflict with the provisions of this act be, and they 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. 1919.

CHAPTER 242

AN ACT TO AMEND CHAPTER 603 OF THE PUBLIC-LOCAL
LAWS OF 1915, RELATING TO THE OFFICE OF AUDITOR
OF RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section ten of chapter six hundred and three of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby repealed, and the following is enacted in lieu thereof:

Chapter 603, Public-Local Laws 1915, repealed.

“SEC. 6. That the board of county commissioners of the said county shall create the office of auditor for Richmond County and may, at their discretion, appoint some person, who shall be well qualified to hold said office for a portion or all of the time, the said auditor to be under the control and direction of the said board of county commissioners, and the said board of county commissioners is hereby authorized to fix the compensation of said auditor: *Provided*, that the county commissioners may at any time have any of the books or records of the county audited, including records of fees or other records kept by the county officers.”

Commissioners to create auditor's office and appoint auditor.
To fix compensation.
Proviso: County books or records may be audited at any time.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 243

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY TO EMPLOY ASSISTANTS TO SAID BOARD.

The General Assembly of North Carolina do enact:

Commissioners authorized to employ person to discover and list property not listed for taxation.
Compensation.

SECTION 1. That the board of county commissioners of Cherokee County is hereby authorized and empowered to employ some competent person to assist the said board in discovering and listing for taxation the property in Cherokee County, that has not been listed for taxation as required by law, and the said board is further authorized and empowered to pay out of the public funds of said county to such employed discoverer such compensation as they deem just for his services to the board including, computing the tax on said discovered poll and property and making receipt for tax collector and keeping such discovery books, as the said board may require.

Employment of assistant to audit county officers' accounts authorized.

Compensation.

SEC. 2. That the board of county commissioners of Cherokee County are hereby authorized and empowered to employ some competent person to assist the said board in examining and auditing the accounts of the sheriff, clerk of the court, treasurer, and the register of deeds of the said county, and to pay to such person out of the public funds of the county such amount, not to exceed one hundred and eighty dollars a year, as the board may deem proper.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 244

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY AND THE BOARD OF ALDERMEN OF THE CITY OF FAYETTEVILLE TO BUILD A COTTON PLATFORM.

The General Assembly of North Carolina do enact:

County commissioners and city aldermen authorized to jointly build cotton platform.

SECTION 1. That the board of county commissioners of Cumberland County and the board of aldermen of the city of Fayetteville, be and they are hereby authorized to jointly purchase the necessary real estate and erect thereon a cotton platform in the city of Fayetteville, to be used by the public cotton weigher for the weighing of cotton and such other things as the two boards may authorize from time to time.

SEC. 2. That in the purchase of said real estate and the erection of said cotton platform, the board of county commissioners shall pay one-half the expenses and the board of aldermen of the city of Fayetteville shall pay one-half of the expense and the deed for the property shall be made to the county of Cumberland and the city of Fayetteville in equal proportions.

SEC. 3. That the board of county commissioners of Cumberland County and the board of aldermen of the city of Fayetteville be and they are hereby authorized to make such rules and regulations in regard to weighing of cotton and other things and the storage of cotton and other property on said platform and to make such charges for storage purposes as they may see fit.

SEC. 4. That all sums collected from persons, firms or corporations for rent or for storage from said cotton platform, after deducting the expenses therefor, shall be paid one-half into the treasury of Cumberland County, and the other half into the treasury of the city of Fayetteville.

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 3d day of March, A. D. 1919.

CHAPTER 245

AN ACT TO AMEND CHAPTER 220 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE HIGHWAYS OF MANNING'S TOWNSHIP, NASH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and twenty of the Public-Local Laws of one thousand nine hundred and thirteen be amended by striking out the word and figures "thirty (30)," in line ten of section one, and inserting in lieu thereof the word and figures "fifty (50)," and by striking out the word and figures "ninety (90)," in line eleven of section one, and inserting in lieu thereof the words and figures "one dollar and fifty (\$1.50)."

SEC. 2. That section five of the said act be and the same is hereby repealed and the following enacted in lieu thereof.

"SEC. 5. That the Manning's Township road supervisor shall consist of three persons and they are hereby incorporated under that name and shall hold office as follows: W. I. Reed for six years, S. C. Edwards for four years, P. A. Morgan for two years. At the expiration of the term of office of each of the members herein named, the board of county commissioners are authorized,

Expense to be shared equally.

Rules and regulations to be made.

Profits to be shared equally.

Tax rate increased.

Board of three road supervisors appointed.

Successors.

Oath required.
Vacancies.

Proviso: Supervisor not an office in meaning of Constitution.

Duties of supervisors.

empowered, and directed to elect his successor for a term of six years to hold office until his successor is elected and qualified. Before entering upon the duties of their office they shall take and subscribe an oath for the faithful performance of duty. All vacancies by death, resignation, and other causes, except expiration of term shall be filled by the remaining members of the board for the unexpired term: *Provided*, that the position of road supervisor shall not constitute an office within the meaning of article fourteen, section seven of the constitution of North Carolina. That it shall be the duty of the said supervisors to take control and management of all the roads of Manning's Township, Nash County, and they are hereby vested with all the rights and powers for said control and management."

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

SEC. 4. That this act shall be in force from and after April, the first, one thousand nine hundred and nineteen.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 246

AN ACT RELATIVE TO THE WORKING OF THE PUBLIC ROADS OF DAVIDSON COUNTY, AND THE CORPORATE TOWNS THEREOF.

The General Assembly of North Carolina do enact:

Half of tax from towns turned back to them.

SECTION 1. That the sheriff of Davidson County shall turn over, and pay to the governing boards of any incorporated cities or towns in Davidson County fifty per cent (50%) of all taxes levied and collected for road purposes from the property and polls within such incorporated cities or towns respectively.

Fund to be paid to treasurer.

SEC. 2. That the amounts so collected and paid to the governing boards of such cities and towns shall be paid to the treasurers of the same, and shall be a separate fund to be used for building and improving, and maintaining the streets, of such towns or cities, or at the discretion of the governing bodies, every such cities or towns to pay the interest of bonds issued for permanent streets of said cities and towns respectively.

Use of fund restricted.

SEC. 3. That the board of road commissioners of Davidson County shall not have authority or power to expend any further portion of the road funds of the county for work in said cities or towns.

Road commissioners not to expend further funds in towns.

SEC. 4. That the board of road commissioners of Davidson County shall not incur obligations or borrow money in any one year in excess of ten thousand dollars, over and above the amount of road taxes for any year, to be used for road work, to

Road commissioners not to borrow excess of \$10,000 over road tax for one year.

be paid out of the road funds coming into its custody by virtue of any road acts of the General Assembly of North Carolina, and the violation of this provision is hereby declared to be a misdemeanor on the part of the individual members of the board and as to the board itself in its corporate capacity and the said violation shall be punishable by a fine of not less than one thousand dollars or over five thousand dollars, or by imprisonment in the county jail of not less than thirty days or over four months.

Violation of act
misdemeanor.

Punishment.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 247

AN ACT PROVIDING A PENALTY FOR THE DESTRUCTION OF BRIDGES IN WASHINGTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person, firm or corporation, while engaged in the dredging or construction of canals or other work, or who shall willfully, negligently or otherwise damage or destroy any bridge in the county of Washington, and fail to repair said damage or to replace the said bridge of the same material and of as good construction as the bridge originally damaged or destroyed, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred dollars (\$100), and not exceeding five hundred dollars (\$500).

Damaging or
destroying bridge
a misdemeanor.

Penalty.

SEC. 2. All laws and parts of laws in conflict with the provisions of this act 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. 1919.

CHAPTER 248

AN ACT TO AUTHORIZE THE COMMISSIONERS OF MECKLENBURG COUNTY TO REFUND ITS BONDED INDEBTEDNESS OF \$300,000 AUTHORIZED BY CHAPTER 146 OF THE PUBLIC LAWS OF 1889, AND OTHER ACTS.

WHEREAS, the board of commissioners of Mecklenburg County, Pursuant to chapter one hundred and seventy-one of the Public Laws of one thousand eight hundred and sixty-eight and sixty-

Preamble.

nine, did cause to be submitted to a vote of the people of Mecklenburg County the question as to whether said county should subscribe for two hundred thousand dollars of the stock of the Charlotte and Atlanta Airline Railroad Company, and one hundred thousand dollars of the stock of the Atlantic, Tennessee and Ohio Railroad Company, and issue its coupons bonds for three hundred thousand dollars in exchange, or payment, for said stock in said railroad companies; and

Preamble.

WHEREAS, at the election held pursuant to said order of said board a large majority of the qualified voters of said county voted in favor of said stock subscription, and the issuance of said bonds by said county in payment therefor, as appears from the resolutions of said board adopted on the first day of June, one thousand eight hundred and seventy, declaring the result of said election as hereinbefore set forth, and

Preamble.

WHEREAS, thereafter, the said board of commissioners did, by resolution, duly adopted in the year one thousand eight hundred and seventy, issue and deliver to the proper officers of said railway companies three hundred thousand dollars of its coupon bonds in exchange for three hundred thousand dollars of the stock of said railway companies, as aforesaid, which bonds matured twenty years from their date; and

Preamble.

WHEREAS, upon the maturity of said bonds the said county of Mecklenburg, not having the necessary funds with which to pay off the same, was authorized by chapter one hundred and forty-six of the Public Laws of one thousand eight hundred and eighty-nine, to refund said bonded indebtedness by issuing three hundred thousand dollars of its coupons, bearing interest, payable annually, at the rate of not to exceed six per cent per annum, in such denominations as said board might deem best, to mature thirty years after date, all of which will more fully appear by reference to said act; and

Preamble.

WHEREAS, the board of commissioners of said county did, on the first day of November, one thousand eight hundred and ninety, pursuant to the authority contained in, and conferred upon, said board by said last named act, issue three hundred thousand dollars of coupon bonds, due thirty years from the date thereof, which bonds were sold and the proceeds thereof used in taking up the railroad bonds, as hereinbefore referred to, and in refunding the indebtedness of the county, thereby created; and

Preamble.

WHEREAS, the said three hundred thousand dollars of said coupon bonds, issued pursuant to chapter one hundred and forty-six of the Public Laws of one thousand eight hundred and eighty-nine, will mature in one thousand nine hundred and twenty, at which time the county of Mecklenburg will be without sufficient funds, available for that purpose, with which to pay off said bonds, thereby rendering it necessary that said county should obtain

authority from the General Assembly of North Carolina to again issue three hundred thousand dollars of its coupons bonds with which to pay off said present outstanding bonds, of like amount, and refund said indebtedness: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Mecklenburg County be, and it is hereby authorized and directed to issue refunding bonds of the county of Mecklenburg to an amount not exceeding three hundred thousand dollars, of denominations not greater than one thousand dollars, bearing interest from the date thereof at the rate of not exceeding five and one-half per cent, 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 to exceed thirty (30) years from the date thereof, and in 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 upon the request of any holder, or holders, of said bonds the clerk of said board is authorized and empowered to register the same and to make same payable to the order of the registered holder only and from the date of said registration, which shall be entered upon the face of the bonds so registered, they shall cease to be payable to the bearer. Said board of commissioners is hereby expressly authorized to issue said bonds in either one or more series, which series of bonds, if more than one, so issued may be made to fall due at different dates so that any number of said bonds may become due at any time after five (5) years from the date thereof, not to exceed thirty (30) years from their date: *Provided*, the total issue of said bonds authorized under this act shall not exceed three hundred thousand dollars, and the maximum rate of interest thereon shall not exceed five and one-half per cent.

SEC. 3. 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 Mecklenburg County shall levy and cause to be collected annually, as other county taxes are levied and collected, a special tax upon all subjects of taxation in accordance with chapter eight hundred and forty (840) of the Public Laws of North Carolina of one thousand nine hundred and five, and acts amendatory thereof, sufficient in amount to pay said interest and create said sinking fund to pay the principal of said bonds at the maturity thereof.

County commissioners directed to issue refunding bonds not to exceed \$300,000, interest not over 5½ per cent, maturing within 30 years to refund \$300,000 railroad bonds.

Bonds to be issued serially.

Special tax to pay interest and provide sinking fund to be levied.

Record of bonds, sales and retirements, to be kept.

SEC. 4. That the clerk of the board of commissioners of said county shall provide a record in his office in which shall be entered and kept the name of every purchaser of said bonds, and the number and amount of bonds so purchased; and also a record of the bonds paid off, or redeemed, together with the date of their payment or redemption, and the bonds and coupons, when paid or redeemed, shall be recorded so paid or redeemed, and shall be destroyed by fire in the presence of said board of commissioners and the clerk of the Superior Court of said county, and a record of such destruction shall be made, dated and preserved.

Bonds to be advertised 30 days prior to sale.

SEC. 5. That before selling said bonds said board of commissioners shall advertise the same for thirty (30) days immediately preceding the date of sale in at least one newspaper of general circulation, published in Mecklenburg County, and may also advertise said sale in one or more financial journals published anywhere in the United States, giving the time and place when bids will be open for the sale of said bonds and the terms upon which said bonds are issued: *Provided*, that said board shall have the right, in its discretion, to reject any and all bids for said bonds, but shall not accept any bid for less than par: *Provided further*, that after said board of commissioners shall have advertised for bids for said bonds and no acceptable bids shall have been made therefor, then said board shall have the discretion to sell said bonds, or any part thereof, privately to such person, or persons, as shall make a satisfactory offer therefor, which offer, however, shall not be less than par with accrued interest, or to readvertise for bids for said bonds as provided in this section, in case a satisfactory sale thereof cannot be effected.

Proviso: Bids may be rejected in discretion of commissioners.
Proviso: If no bids, bonds may be sold privately.

No bonds to be sold at less than par.

Proceeds to be kept in separate fund to pay off debt.

SEC. 6. That the total net proceeds arising from the sale of all bonds issued pursuant to the provisions of this act, shall constitute a separate and distinct fund, and shall be used exclusively for the purpose of refunding and paying off the present outstanding bonded indebtedness of said county of three hundred thousand dollars, authorized and created and contracted pursuant to the several acts of the legislature referred to in the preambles to this act, and which indebtedness consists of, and is evidenced by, the present outstanding coupon bonds of said county aggregating three hundred thousand dollars, issued on the first day of November, one thousand eight hundred and ninety, and due and payable on the first day of November, one thousand nine hundred and twenty; and the board of commissioners of said county shall cause the treasurer thereof to open and keep a separate account of all funds received from the proceeds of the sale of said bonds and the disbursements thereof, and the said treasurer shall be liable officially, as well as personally, to all the requirements of law now, or hereafter prescribed for other county funds in his hands, and the faithful keeping and disbursement thereof; and

Indebtedness specified.

the board of commissioners of said county shall require said treasurer to give bond for the faithful, honest performance of his duties in respect to said special fund, which said bond shall be in such amount as said board, in its discretion, may fix. Said treasurer shall receive no compensation for his services in receiving, keeping, and disbursing said funds other than the premium paid upon the official bond which said board of commissioners shall require him to give for the protection of said fund. And all taxes levied hereunder shall be collected by the sheriff, tax collector, or other officer charged with the collection of other county taxes, and they shall in respect thereto be liable officially, as well as personally, to all the requirements of law now, or hereafter, prescribed for the faithful collection and payment of other county taxes, and the bonds given by said officials for the collection of county taxes shall include the taxation levied hereunder.

Treasurer to give bond in amount fixed by commissioners.

Premium on bond to be paid by county. Collection of taxes.

Collectors to give bond.

SEC. 7. That in order to provide for the safe keeping and investment of the funds arising from the collection of taxes levied under this act, over and above the amount necessary to pay the interest on said bonds, the treasurer, or other custodian of county funds, shall open upon his books an account designated "Railroad Refunding Bond Account," and all sums received by said treasurer, or other custodian of county funds, from taxes levied hereunder which shall not be necessary for the payment of the accrued, or accruing, interest on said bonds hereby authorized to be issued, shall be credited to the account of "Railroad Refunding Bond Account," and said fund shall be kept to the credit of said account, separate and distinct from all other county funds, for the purpose of paying the principal of the bonds hereby authorized to be issued at the maturity thereof; and said treasurer, or other custodian of county funds, is hereby authorized and directed to invest any funds which belong to said "Railroad Refunding Bond Account" from time to time, in safe interest bearing securities payable to the county of Mecklenburg for the use and benefit of said fund: *Provided*, that no investment of said funds shall be made until the security thereof is approved by the board of commissioners of said county, and *Provided further*, that the preference shall be given in making said investment in the purchase, if possible of the bonds issued hereunder, and the treasurer, or other custodian of county funds, shall be liable on his official bond for the faithful and honest performance of the duties imposed by this section.

Railroad refunding bond account.

Investment of funds.

proviso: Security must be approved by commissioners.

proviso: Preference given to purchase of bonds issued under act.

SEC. 8. That the duties imposed, and the powers conferred, by this act shall be construed to be mandatory, and not directory, and any official provided for under this act failing to perform any duty imposed, or power conferred, upon him under the provisions of this act, shall be guilty of a misdemeanor and fined or imprisoned at the discretion of the court.

Duties mandatory: failure to perform them a misdemeanor.

Bonds to show on
face their nature.

SEC. 9. That the bonds issued under this act shall be known as "Mecklenburg County Refunding Bonds," and shall be so designated on their face.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 249

AN ACT TO PROVIDE COMPENSATION FOR THE COUNTY COMMISSIONERS AND MEMBERS OF THE BOARD OF EDUCATION OF JONES COUNTY.

The General Assembly of North Carolina do enact:

Per diem fixed at
four dollars with
mileage.

SECTION 1. That the board of county commissioners and the board of education of Jones County shall receive as compensation for their session four dollars (\$4) per day and mileage not to exceed five cents per mile to and from the county-seat for each regular and special meeting attended by them.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 250

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF MECKLENBURG COUNTY TO DONATE CERTAIN LAND FOR REFORMATORY OR HOME FOR FALLEN WOMEN.

The General Assembly of North Carolina do enact:

Commissioners
authorized to give
and convey county
home tract for
establishment of
home for fallen
women.

SECTION 1. That the board of county commissioners of Mecklenburg, North Carolina, is hereby authorized and empowered to donate, give, grant, and convey for the purpose of establishing a home or reformatory for fallen women under the provisions of chapter two hundred and sixty-four, Public Laws of one thousand nine hundred and seventeen and acts amendatory thereof, being an act to establish reformatories or homes for fallen women, a tract of land containing not more than fifty acres of the land

in Mecklenburg County known as the County Home tract, deed to be made to the proper authorities as set forth in the above mentioned act.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 251

AN ACT TO REGULATE THE DRAWING OF REGULAR JURORS TO SERVE IN THE SUPERIOR COURTS AND FORSYTH COUNTY COURTS OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Forsyth County be and they are hereby authorized and directed, to in the drawing of regular jurors for service in the trial of causes in the Superior Courts and county courts of said county, to provide a sufficient number of boxes, to the end that when jurors are drawn for the trial of causes in the Superior Courts of Forsyth County and in the drawing of jurors for the trial of causes in Forsyth County courts, said jurors shall be so drawn from the boxes so that no jurors shall be drawn for service in either court more than once in two years.

Sufficient number of boxes to insure that no juror shall be drawn more than once in two years.

SEC. 2. That this act shall apply to Forsyth County only.

SEC. 3. That this act shall be in force from and after the first day of May, one thousand nine hundred and nineteen.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 252

AN ACT TO REPEAL CHAPTER 618 OF THE PUBLIC-LOCAL LAWS OF 1917, DEFINING THE DUTIES OF THE COUNTY SOLICITOR OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and eighteen of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby repealed.

Chapter 618, Public-Local Laws 1917, repealed.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 253

AN ACT TO APPOINT TWO ADDITIONAL ROAD COMMISSIONERS FOR ICARD TOWNSHIP, BURKE COUNTY.

The General Assembly of North Carolina do enact:

Two commissioners appointed to serve until general election.

SECTION 1. That H. H. Vanhorne and D. A. Heavner be and are hereby appointed to serve until the next general election of county officers as road commissioners in Icard Township, Burke County. The two members of the said road commission hereby appointed shall serve on said board for the period above named and shall be entitled to the rights, powers, and privileges of the other members of said board.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 254

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER OF ALAMANCE COUNTY, AND TO PROVIDE FOR THE HANDLING OF THE FUNDS OF ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

Office of treasurer abolished.

SECTION 1. That the office of treasurer of Alamance County be, and the same is hereby abolished.

Sheriff authorized to cash county vouchers.

SEC. 2. That the sheriff of Alamance County is authorized and empowered to cash vouchers regularly issued by the county, and in all settlements made with said sheriff, such vouchers shall be recognized as cash.

Funds collected by sheriff to be kept separate.

SEC. 3. The sheriff of Alamance County shall keep the funds collected by him separate and distinct, and shall only use county funds for cashing vouchers, and school funds for cashing school vouchers, and he shall collect all sums to be paid in lieu of road work and this sum shall be deposited, held and paid out as are other road funds.

Commissioners to designate depositories.

SEC. 4. All funds collected by the sheriff of Alamance County, and not used by him in cashing vouchers as hereinbefore provided, shall be deposited in such bank, or banks, as may be designated by the board of commissioners of Alamance County, and such funds shall be deposited in two accounts. One account shall be for county funds, and one account shall be for school funds,

Two accounts: school and county funds.

and such banks are authorized and empowered to cash vouchers drawn against said funds just as though they were checks regularly drawn on said accounts. How drawn upon.

SEC. 5. Said board of commissioners of Alamance County shall handle, as by law provided, all sinking funds for which provision is made in the various acts, under which bonds have been, or may be issued by Alamance County; and they shall have accounts kept showing said funds, and the manner in which they are invested; and they are authorized and empowered to pay any clerk employed in and about the office in the courthouse in Alamance County, a reasonable sum for the keeping of said records. Commissioners guardians of sinking funds. Authorized to pay for keeping of record.

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

SEC. 7. This act shall be in force and effect from and after the first Monday in December, one thousand nine hundred and twenty. Act effective first Monday in December, 1920.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 255

AN ACT TO FIX COMPENSATION FOR THE CLERK OF THE SUPERIOR COURT AND OF REGISTER OF DEEDS OF McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and eighty-three of the Public-Local Laws of nineteen hundred and seventeen be and the same is hereby repealed.

SEC. 2. That the clerk of the Superior Court of McDowell County shall receive as his only compensation for services as such clerk such fees as are allowed clerks of Superior Court under the general laws of North Carolina. Clerk to receive regular fees.

SEC. 3. That the register of deeds of McDowell County shall receive as his only compensation for his services as such register of deeds and as clerk to the board of county commissioners such fees as are allowed registers of deeds as such and as clerk to the board of county commissioners: *Provided, however,* that the full compensation shall not exceed the sum of twelve hundred dollars per annum for his services as such register of deeds and as clerk to the board of county commissioners. Register of deeds to receive regular fees. Proviso: Total fees shall not exceed \$1,200 per annum.

SEC. 4. That said register of deeds shall keep an accurate account, in a book provided for that purpose, of all fees received by him as register and as clerk to the county commissioners, and shall render an account of same to said commissioners of Register of deeds to keep account of fees and make annual report.

Excess over
\$1,200 to be paid
to county.

McDowell County on the first Monday of December of each and every year, and in the event same shall exceed the sum of twelve hundred dollars per annum, or that rate of compensation per annum, then said register of deeds shall pay over to said commissioners for the benefit of the county, on said date, such amount as is in excess of twelve hundred dollars, and his bond as register of deeds shall be liable for such amount.

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 the first day of March, 1919.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 256

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF BLADEN COUNTY TO ISSUE BONDS FOR THE PURPOSE OF BUILDING A FREE OR TOLL BRIDGE ACROSS CAPE FEAR RIVER WITH SUITABLE APPROACHES.

The General Assembly of North Carolina do enact:

Bridge at
Elizabethtown
declared public
necessity.

Commissioners
authorized to issue
\$250,000 twenty-
to forty-year 6 per
cent bonds to
build bridge.

Bonds to be sold
and bridge built
with dispatch.

Form of bonds.

No bonds to be
sold at less
than par.

SECTION 1. That for the purpose of building a free or toll bridge, to be determined from time to time by the board of commissioners, with suitable approaches, across the Cape Fear River at Elizabethtown, North Carolina, which is hereby declared to be of great public importance and a public necessity, the board of commissioners of Bladen County are authorized and empowered to issue coupon bonds of the county of Bladen, not to exceed two hundred and fifty thousand dollars, running a period of twenty to forty years to be determined by the county commissioners and drawing a rate of interest not exceeding six per cent payable annually or semiannually as determined by the county commissioners.

SEC. 2. That the said board of commissioners of Bladen County shall proceed at once to issue and sell the bonds voted for, and with all reasonable dispatch proceed to build the bridge and the approaches thereto.

SEC. 3. That the bonds issued under this act shall be numbered and signed by the chairman of the said board of county commissioners and attested by the clerk of said board with the corporate seal of the county affixed, and the coupons shall bear the engraved or lithographed signature of the chairman of said board. They shall be in such denominations as the board of county commissioners shall prescribe, and shall not be sold, ex-

changed or hypothecated for less than their par value. That said commissioners, in their discretion, shall provide for the registration of said bonds, and shall have the power to make the principal and interest of said bonds, or either of them, payable at such place or places as they may determine.

Bonds may be registered.

SEC. 4. In order to pay the interest on said bonds and provide a sinking fund the board of commissioners of Bladen County shall annually compute and levy at the time of levying other public taxes, a special tax on the polls and the real and personal property valuation and other subjects of taxation in said county, always observing the constitutional equation between the levy on property and polls.

Special tax for interest and sinking fund must be levied.

SEC. 5. That the taxes shall be collected by the sheriff in the same manner as other taxes, and he shall receive a commission not exceeding one per cent upon the total amount collected by him.

Collection of tax. Sheriff's commission.

SEC. 6. The sinking fund shall be invested by the board of county commissioners, if they so determine, in bonds of the United States, North Carolina State bonds, bonds of any county, city, or town of the State of North Carolina, or upon note or bonds secured by deposit of any of the aforesaid bonds as collateral security.

Investment of sinking fund.

SEC. 7. All expenses incident to the preparation, issue and sale of said bonds together with the expense of an engineer or engineers shall be paid by the board of county commissioners out of the proceeds of the sale of said bonds.

Expenses of bonds to be paid out of proceeds.

SEC. 8. The proceeds of the sale of said bonds shall be paid over to the board of county commissioners to be disbursed by them upon proper vouchers, and the said funds shall be deposited in such bank or banks within the said county as may be designated, at such rate of interest as may be agreed upon: *Provided, however,* that said commissioners shall require the depository bank or banks to give a bond in a sufficient amount to account for the proceeds of the sale of the bonds.

Commissioners guardians of bond fund.

Proviso: Depository to be required to give bond.

SEC. 9. That upon a petition to the board of county commissioners signed by fifty qualified voters, the said commissioners shall immediately secure the services of a competent engineer or engineers to locate the most desirable location for the bridge within two miles of Elizabethtown, North Carolina, and the estimated cost of the bridge and the approaches thereto; that said commissioners by and with the advice of the engineer or engineers shall select the location of the bridge and the estimated cost thereof.

Upon petition of 50 voters, commissioners shall secure engineer to locate bridge and estimate cost.

SEC. 10. That upon receiving the report of the engineer or engineers, the said board of commissioners shall call an election to vote upon the question of issuing bonds to build the bridge and approaches thereto and specify the amount of the bond issue

Following location of bridge, bonds to be submitted to vote of people.

determined by the aforesaid estimate, the time the bonds are to run, the interest, and that no part of said bonds shall be issued until the same shall be approved by a majority of the qualified voters of Bladen County at an election to be held in said county for that purpose.

Notice of election. SEC. 11. For at least thirty days preceding said election said commissioners shall give public notice of said election, and the purpose thereof, in one or more newspapers published in Bladen County, if there be any published, and at the courthouse door

Manner of holding election. and four other public places in the county. That said election shall be conducted in the same manner as prescribed by law for

Proviso: Commissioners shall appoint election officers. holding elections for members of the General Assembly: *Provided, however,* that said board of commissioners shall appoint the registrars and judges of election, and any other election officers and the registration and challenge of voters shall be conducted in like manner as is provided for in the election of mem-

New registration. bers of the General Assembly, and said commissioners shall order a new registration for said election; the vote shall be counted

Canvass of vote. at the close of the polls and returned to the said board of county commissioners on Thursday next following the election, and said commissioners shall tabulate and declare the result of said election, all of which shall be recorded in the minutes of the board of commissioners, and no other recording or declaring of the result shall be necessary. At said election all qualified voters

Form of ballot. in favor of the issue of said bonds shall vote a ballot on which shall be printed or written "For Bridge," and all qualified voters opposed to the issue shall vote a ballot on which shall be written or printed "Against Bridge." In the event a majority of the qualified voters of said county shall vote "For Bridge" at said election, and the result declared and recorded as aforesaid the said board of commissioners shall be authorized and empowered to issue bonds for the purpose hereinbefore set out.

Board to appoint engineer to supervise construction. SEC. 12. That it shall be the duty of the said board of commissioners to select and appoint a competent engineer or engineers to supervise the location, drawing of plans, advertising and acceptance of bids, and the erection of the aforesaid bridge and the approaches thereto.

In event of surplus it shall be used to pay interest. SEC. 13. That in the event the money received from the sale of the said bonds is more than enough to build the bridge and approaches and pay all of the expenses connected therewith, the remainder shall be used by the said commissioners to pay the interest on said bonds as they become due.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 257

AN ACT TO PROVIDE MACHINERY BY WHICH A CART ROAD OR TIMBER ROAD CAN BE LAID OUT AND ESTABLISHED IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all petitions requesting the establishment of any cart road, church road, mill road, timber road or other private roads in Clay County shall be addressed to the county commissioners of Clay County and said commissioners are hereby vested with original jurisdiction; that an appeal shall lie from the commissioners to the Superior Court.

Petitions to be addressed to county commissioners who are vested with original jurisdiction.

SEC. 2. That otherwise all cart roads, church road, mill road, timber road, and other private roads shall be laid out and established in said county under the general state law relating to such roads taken in connection with the road law of Clay County.

Roads not petitioned for laid out under general law.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 258

AN ACT TO REGULATE SQUIRREL HUNTING IN PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful for any person to hunt or kill squirrel in Pasquotank County until the first day of December, nineteen hundred and twenty (December 1, 1920), and thereafter it shall be unlawful to hurt or kill squirrel except in the months of December and January. Persons violating this law shall be guilty of a misdemeanor and fined twenty dollars or imprisoned thirty days for each offense.

Hunting squirrel prohibited until December 1, 1920. Open season thereafter.

Penalty for violation of act.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 259

AN ACT TO PROHIBIT IN BUNCOMBE, McDOWELL, AND CRAVEN COUNTIES THE SOLICITATION OF PASSENGERS FOR AUTOMOBILES OR PUBLIC HACKS ON RAILROADS.

The General Assembly of North Carolina do enact:

Unlawful to solicit passengers on train.

SECTION 1. That it shall be unlawful for any persons to seek or solicit passengers for any automobile or public hacks while on any of the railroad trains within Buncombe, McDowell, and Craven counties or on any coaches of any trains while at any station within said counties of Buncombe, McDowell, and Craven.

Penalty for violation of act.

SEC. 2. That any person violating this act shall be guilty of a misdemeanor and fined not exceeding fifty dollars (\$50), or imprisoned not exceeding thirty (30) days for each and every offense.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 260

AN ACT TO PROVIDE FOR THE ENFORCEMENT OF THE GAME LAWS AND FOR THE PROTECTION OF GAME AND FURBEARING ANIMALS IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

Clerk of court and game warden made game protection commissioners.

SECTION 1. That the clerk of the Superior Court and game warden of Clay County are hereby constituted game protection commissioners for the better protection and preservation of game in Clay County and to secure the better enforcement of the game laws of said county.

Commissioners to prescribe hunter's licenses and keep record.

SEC. 2. That the game protection commissioners shall prescribe the form of license for all hunters, and all other blanks and also books for the purpose of keeping a record of all hunters' licenses that may be issued.

Non-resident hunter's license.

SEC. 3. Any nonresident of the State of North Carolina who shall desire to hunt, or shoot in any part of said county shall apply to the clerk of the Superior Court of said county for license, which license shall be issued to him upon the payment of a license tax of ten dollars and the clerk's fees of fifty cents, the license to expire upon the termination of the hunting season:

Proviso: Non-resident not required to pay to hunt on own lands.

Provided, that a nonresident landowner shall not be required to pay a license tax to hunt upon his own lands.

SEC. 4. That all residents of the state shall be entitled to hunt in said county upon the payment of a license tax of five dollars and fifty cents clerk's fees.

Licenses for residents of State.

SEC. 5. That no person shall hunt upon the lands of another without the written consent of the owner.

Permission required to hunt on another's land.

SEC. 6. It shall be unlawful to kill more than ten quail or partridges per day per gunner; or have or employ another to kill game birds. No person shall take or carry out of Clay County any quail or partridges or other game birds: *Provided*, that any nonresident holding a license may take from said county not to exceed twenty game birds so carried out to be open to view. It shall be unlawful for any person at any time to sell or offer for sale any quail, partridges or other game bird in Clay County.

Bag limit for quail.

No game birds to be taken out of county.

Proviso: Non-resident licensed hunter may take out 20 birds. Sale of birds prohibited.

SEC. 7. That the open season for hunting or killing wild turkeys, pheasant (grouse), quail partridge shall be from the first day of December to the fifteenth day of February in each year and that it shall be unlawful for any person to allow bird dogs to run at large between the fifteenth day of February and the first day of December in each year.

Open season for game birds.

Closed season for dogs.

SEC. 8. That no person or persons shall be allowed to shoot or kill more than three wild gobblers and two turkey hens during the open season and no person or persons shall be allowed to trap or to build pens for any wild turkeys or any other game in said county.

Bag limit for wild turkeys.

Trapping prohibited.

SEC. 9. That it shall be unlawful for any person to trap or kill any furbearing animal, to wit: raccoon or opossum, fox, skunk, mink or muskrat or other furbearing animal from the first day of March to the fifteenth day of November in each and every year: *Provided*, this section shall not apply to rabbits and squirrels.

Closed season for fur-bearing animals.

Exceptions: Rabbits and squirrels.

SEC. 10. That it shall be unlawful for any person to hunt or kill with dog or dogs and gun or in any manner deer in Clay County for ten years next after the ratification of this act, after the expiration of ten years it shall be lawful to hunt and kill deer in said county from the first day of November to the first day of January with gun only.

Hunting of deer prohibited for ten years.

Open season thereafter.

SEC. 11. That the clerk of the Superior Court shall appoint a game warden for said county on the first Monday of December who shall hold his office for the term of two years. He shall diligently enforce the game laws in said county and he is hereby authorized to appoint deputy game wardens in the various township of the county whose duties shall be to aid in the enforcement of the game laws of the county.

Game warden appointed by clerk for term of two years.

Duties.

SEC. 12. That every warden so appointed shall before entering upon the duties of his office take and subscribe before the clerk of the Superior Court an oath to faithfully discharge the duties of his office and shall execute a bond in the sum of two hundred

Wardens to take oath.

dollars for the faithful performance of the duties of his office, such oath and bond to be recorded by the said clerk of the Superior Court in his office, and the warden so appointed shall exercise all power and authority held and exercised by the constable of the common law under the statute of this state: *Provided*, that their power shall only apply to the execution of any paper in proceedings connected with the game laws.

Powers.

License taxes divided between schools and enforcement game laws.

SEC. 13. That the sums received by the clerk of the court from the sale of license shall be turned over to the treasurer or sheriff, one-half of which shall be turned into the county school fund and the other half of which shall be set apart as a fund for the enforcement of the game laws.

Violation of act a misdemeanor. Penalty.

SEC. 14. That any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars, nor more than fifty dollars or imprisoned not more than thirty days or both at the discretion of the court.

Reward for evidence securing conviction.

SEC. 15. That any person furnishing evidence sufficient for convicting any one of violating the provisions of this act shall be paid ten dollars for each conviction to be taxed as costs against the party convicted.

SEC. 16. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed, in so far as they apply to Clay County.

SEC. 17. This act shall be in full force from the date of its ratification.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 261

AN ACT TO AMEND CHAPTER 2, PUBLIC-LOCAL AND PRIVATE LAWS OF NORTH CAROLINA 1917, RELATIVE TO SALARY OF COUNTY TREASURER.

The General Assembly of North Carolina do enact:

Salary Columbus County treasurer made \$1,200 per annum.

SECTION 1. That section four of chapter two, Public-Local and Private Laws of North Carolina one thousand nine hundred and seventeen, be and the same is hereby amended by striking out the word "one thousand" in line two and three and insert in lieu thereof "twelve hundred."

SEC. 2. That this act shall be in full force and effect on and after the first day of March, one thousand nine hundred and nineteen.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 262

AN ACT TO REGULATE THE PAY OF JURORS IN
CARTERET COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and eighty-six of the Public Laws of North Carolina of one thousand nine hundred and seven be and the same is hereby amended by striking out the word "two" and the figure "(2)" in line three of said section and inserting in lieu thereof the word "three" and figure "(3)."

Pay of jurors increased from two to three dollars a day.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 263

AN ACT TO SUBMIT TO THE VOTERS OF BRUNSWICK
COUNTY THE QUESTION OF THE LOCATION OF THE
COUNTY SEAT, AND TO PROVIDE COUNTY BUILDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Brunswick County are hereby authorized and empowered, and directed to select a site, build and equip a courthouse and jail for Brunswick County as hereinafter provided.

Commissioners to select site for courthouse and jail.

SEC. 2. That the county board of elections of Brunswick County are hereby authorized and directed to give opportunity to the qualified voters of Brunswick County to vote on the question of moving the county seat of Brunswick County from Southport to either Supply or Bolivia, or to let it remain at Southport.

Board of elections to submit removal of county-seat to vote of people.

Three sites optional.

The election shall be held on the third Tuesday in April, one thousand nine hundred and twenty, and shall be conducted by said board of elections as general elections are now conducted.

Date of election.

For this election said board of elections shall provide for each precinct one ballot box labeled "County Seat," in which a voter favoring Southport as the county seat may vote a ballot with the word "Southport" written or printed thereon, a voter favoring Supply as the county seat may vote a ballot with the words "Removal to Supply" written or printed thereon, and a voter favoring Bolivia as the county seat may vote a ballot with the words "Removal to Bolivia" written or printed thereon. The vote shall be counted at the close of the polls and returned to the

Form of ballot.

Return and canvass of election.

board of county commissioners or clerk of the said board on the Thursday next following the election and the board of county commissioners shall tabulate and declare the result of the election not later than its next regular meeting following the return of the vote, all of which shall be recorded in the minutes of the said board of county commissioners, and no other recording and declaring of the result of the vote shall be necessary. The result of the vote shall be counted, declared, and returned by the board of county commissioners as prescribed by law in the election of the members of the General Assembly. If either of said places named receives a majority of the qualified vote of Brunswick County, such place shall be known and used as the county seat of Brunswick County, and if either Supply or Bolivia be selected, the removal of the county seat from Southport to such place shall take effect as soon as arrangements for the transfer of the business of the county, as hereinafter provided for, can be made.

Commissioners to record in minutes.

Place receiving majority of votes the county seat.

If no place has received majority, two with highest vote to be decided on at time of state-wide primary.

Conduct of election.

Ballots either written or printed.
Canvass of vote.

SEC. 3. That in the event no one of the three places named receives a majority of the qualified vote of Brunswick County at the election provided for in section two hereof, the said board of elections of Brunswick County shall give opportunity to the qualified voters of Brunswick County at the time of the state-wide primary to be held in the year one thousand nine hundred and twenty, to vote on the selection of a county seat as between the two places receiving the largest number of votes in the May, one thousand nine hundred and twenty, election. For this purpose a ballot box such as described in section two of this act shall be provided for each precinct by the county board of elections, and every voter shall be given opportunity to vote a ballot with the name of the place of his choice written or printed thereon, and the place receiving a majority of the qualified vote of Brunswick County shall be known and designated as the county seat of Brunswick County. The ballots in this election shall be either written or printed with the word or words as designated in section two of this act, as the case may be, thereon. The vote shall be counted at the close of the polls and return to the board of county commissioners or clerk of the said board on the Thursday next following the election, and the board of county commissioners shall tabulate and declare the result of the election not later than its next regular meeting following the return of the vote, all of which shall be recorded in the minutes of the said board of county commissioners, and no other recording and declaring of the result of the vote shall be necessary. The result of the vote shall be counted, declared, and returned by the board of county commissioners as prescribed by law in the election of the members of the General Assembly.

Selection of site and erection of buildings.

SEC. 4. That in the event either Supply or Bolivia be selected by the voters of Brunswick County as herein provided, the board

of commissioners of Brunswick County shall proceed with the selection of a site or sites, and the building and equipping a county courthouse and jail, as hereinafter provided.

SEC. 5. That should either Supply or Bolivia be selected as the county seat, in order to provide funds for the selection of a site or sites and the building and equipping of a courthouse and jail, the board of commissioners of Brunswick County be and they are hereby authorized, empowered, and directed to issue and sell within six months bonds of Brunswick County in the sum not to exceed sixty thousand dollars (\$60,000) for construction of courthouse and jail purchase of land on which to erect said courthouse and jail at a rate of interest not to exceed five per cent per annum, and shall not be sold for less than their par value. Such bonds shall be serial bonds in the sum of one hundred dollars or any multiple thereof not to exceed one thousand dollars each and numbered from one to the highest number issued, consecutively, and shall be payable two thousand dollars per year, according to their serial numbers, the first payment to be made one year after their date, and two thousand dollars each year thereafter. Each bond shall bear the signature of the chairman and the clerk of the board of commissioners of Brunswick County, and each interest coupon shall bear the facsimile signature of said chairman. The bonds shall be sold after due advertisement, and the proceeds paid over to the treasurer or financial agents of Brunswick County by the board of commissioners of said county, and shall be paid out by them under such rules and regulations as said board may prescribe. Before receiving said funds said treasurer shall make such bond as said board of commissioners may require, and for his services the board of commissioners may fix a reasonable compensation. The interest on said bonds shall be payable semiannually. The board of commissioners shall expend not exceeding ten thousand dollars of said sixty thousand dollars for the purchase of a site, and the building and equipping of a county jail.

Bond issue authorized.

Rate of interest.

Serial bonds.

Advertisement of sale. Custodian of funds.

Treasurer to give bond.

Compensation.

Limit to be expended for jail.

Special tax for interest and sinking fund authorized. Amount of tax.

Collection.

A separate fund.

Selection of site or sites.

SEC. 6. That in order to provide for the payment of the principal and interest of said issue of bonds when the same falls due and payable, the board of commissioners are hereby authorized and required to levy annually a tax of fifteen cents on the one hundred dollars valuation of property and forty-five cents on each poll or so much thereof as may be required. Such special tax shall be levied and collected in the manner and at the time that general taxes are levied and collected, and shall be paid to the treasurer or financial agent of the county, who shall hold and account for the same as a separate fund.

SEC. 7. That should either Supply or Bolivia be selected as the county seat at the elections herein provided for the board of county commissioners shall proceed to select a suitable site or

Report to be filed with register of deeds.

Majority of commissioners a quorum.

Employment of engineers and architects.

Acceptance of buildings.

Sites may be obtained by condemnation.

Notice to owner.

Report of proceedings and findings.

Title vested in county.

Proviso: Value assessed to be paid to owner.

Proviso: Right of appeal from appraisal.

Appeal given precedence.

Only question that of appraisal.

Site or sites paid for out of bonds.

If site condemned possession may be immediate.

sites for the courthouse and jail, and the lots or parcels of land may or may not, in the discretion of said commissioners, be contiguous. Said board may adjourn from time to time and from place to place, until such site or sites are selected, and when selected said board shall file with the register of deeds a report containing a description of such site or sites, which said report shall be registered on the minutes of said board and indexed. In this matter, as well as in all other matters herein prescribed, a majority of said board of commissioners shall be a quorum for the transaction of business.

SEC. 8. That said board of commissioners are hereby authorized to employ surveyors, engineers, and architects as may be necessary and to receive and accept plans and specifications for the courthouse and jail, and to have said buildings constructed and equipped, and when completed satisfactorily to them, to accept the same.

SEC. 9. That if title in fee simple vested in Brunswick County cannot be had for said site or sites by purchase, or by purchase at a fair and reasonable price in the judgment of said commissioners, or if for any other reason title in fee simple cannot be had for the site or sites selected, then the same may be obtained by condemnation, and in such event the said board of commissioners, after first giving the owner or occupant of the land ten days notice of the time and place of their meeting, are hereby authorized and empowered to hear such evidence as the owner or occupant may choose to offer them, and to fix and appraise the value of such site or sites, and said board shall make a report of their proceedings and findings in this matter, with a description of the said site or sites and the amount of the appraisal and such report shall be recorded by the register of deeds on the record of deeds, and such report so recorded shall have the effect to vest the title in fee simple to said site or sites in Brunswick County: *Provided*, that value assessed by said board of the value finally assessed shall be paid to such owner: *Provided further*, that the owner shall have the right of appeal from the appraisal of said board to the Superior Court of Brunswick County, and such appeal shall have precedence of all civil cases and be heard at the next term of said court, but no such appeal shall prevent or delay the erection of said county buildings and the only question to be determined on appeal shall be the amount of the appraisal, and the appellant shall give bond in the sum of two hundred dollars for costs, should the appeal be decided against him. Out of the issue of bonds herein provided for said board of commissioners shall pay the purchase price of the site or sites selected by them.

SEC. 10. If title to said site or sites selected by said board of commissioners must be had by condemnation, then the said board

may take immediate possession and proceed with the letting of the contract or contracts and the construction of said buildings pending such condemnation proceedings.

SEC. 11. That the board of county commissioners shall from time to time during the construction of said county buildings, and at least every three months file with the register of deeds of Brunswick County statements of receipts and disbursements of all funds and moneys in and about the construction and equipment of the said buildings, which statement shall be carefully filed and kept by said register of deeds, whose duty it shall be to produce and exhibit the same upon request of any qualified voter of Brunswick County.

Statement of disbursements required at least quarterly to be filed with register of deeds.

SEC. 12. That upon the completion of said courthouse and jail and the acceptance of them by the said board of county commissioners for the county of Brunswick, the same shall thereafter immediately be used and continued to be used as the courthouse and jail of Brunswick County and said board of commissioners are hereby directed to move within sixty days at the expense of the county all books, papers, record and all other documents and things belonging to the courthouse and jail, and county seat, to said new buildings.

Removal from old to new courthouse and jail.

SEC. 13. That upon completion of the public buildings herein provided for and the removal of the county seat to either Supply or Bolivia, as the case may be, the board of commissioners of Brunswick County are hereby authorized and empowered to sell and dispose of such real and personal property of the county of Brunswick at Southport as has heretofore been used for the courthouse and jail at either public or private sale, in their discretion, after first giving in either case thirty days public notice by advertisements in a newspaper published in Brunswick County and such other paper as may seem to them proper.

Sole of old property authorized.
Notice by publication of sale.

SEC. 14. That if either Supply or Bolivia be selected as the county seat, then and until the completion and acceptance of the new county buildings as herein provided, the county seat shall continue at Southport.

Southport county seat until buildings are erected.

SEC. 15. That all laws and parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 264

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF CHEROKEE COUNTY TO LEVY A SPECIAL TAX TO PAY OFF PRESENT COUNTY INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Commissioners
authorized to levy
special tax.

SECTION 1. The county commissioners of Cherokee County are hereby authorized and empowered to levy a special tax of ten cents on each one hundred dollars worth of real and personal property and thirty cents on each poll for the purpose of paying off the present county indebtedness incurred for the necessary expenses of said county.

SEC. 2. That all laws and clauses of law 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 3d day of March, A. D. 1919.

CHAPTER 265

AN ACT TO PROVIDE FOR THE ERECTION OF A NEW COURTHOUSE IN RICHMOND COUNTY AND TO AUTHORIZE A BOND ISSUE THEREFOR.

The General Assembly of North Carolina do enact:

Bond issue
of \$100,000
authorized for
courthouse.

SECTION 1. That the board of county commissioners of Richmond County is hereby authorized and empowered by a majority vote of the entire board at any meeting hereafter held on the first Monday in any month, to issue bonds to an amount not to exceed one hundred thousand dollars (\$100,000) for the purpose of building and erecting a county courthouse and purchasing a site therefor. The said bonds shall bear interest at a rate not to exceed six per cent (6%) per annum, and shall be issued in such manner, in such denominations and for such terms as may seem best to a majority of the entire board of county commissioners of Richmond County. The proceeds of the aforesaid bonds shall be kept separate and apart from the other funds of Richmond County and shall be used for the purpose of erecting and building a courthouse on the site of the present courthouse of Richmond County, or for the purpose of purchasing a new site in the city of Rockingham as provided in section four of this act, and erecting and building a courthouse thereon, and the said proceeds shall be applied to no other purpose whatsoever.

Rate of interest
on bonds.

Proceeds a
separate fund

Purposes for
which money may
be spent.

SEC. 2. The board of county commissioners of Richmond County is hereby authorized and empowered to levy and collect annually, at the same time and in the same manner as the other county taxes are levied and collected, a special tax on property and polls, observing the constitutional equation sufficient to pay the interest on said bonds and provide for their retirement at maturity, and the proceeds of said special tax shall be used for no other purpose whatsoever.

Special tax to pay interest and retire bonds.

SEC. 3. The courthouse erected by the funds provided for in this act shall be known as a memorial building to the soldiers of Richmond County. The board of county commissioners of Richmond County shall cause to be prepared a careful list of all the men from Richmond County who served in the War between the States or in the recent World War, shall cause the names of all of the men on the said lists to be engraved on marble tablets, and shall cause those marble tablets to be placed in the courtroom or hallways of the said courthouse.

Courthouse a memorial to soldiers of county. List of soldiers in Civil and World wars.

Lists on marble tablets.

SEC. 4. That the board of county commissioners of Richmond County is hereby authorized and empowered by a majority vote of the entire board at any meeting hereafter held on the first Monday in any month, to select and purchase a site within the limits of the city of Rockingham, in Richmond County, and to build and erect thereon a county courthouse.

Selection and purchase of site.

SEC. 5. To carry out the purpose of section four of this act, the board of county commissioners of Richmond County is hereby vested with the power of eminent domain; which said powers shall be exercised in the manner now prescribed for condemning lands by railroad companies; and said Richmond County, acting through its board of county commissioners, is hereby authorized and empowered to acquire by condemnation land upon which dwelling houses are situated and property of any other kind and description, and it shall not be subject to any of the restrictions and limitations imposed upon railroads and other corporations contained in section two thousand five hundred and seventy-eight of the Revisal of one thousand nine hundred and five.

Eminent domain.

Not subject to limitations of Section 2578, Revisal of 1905.

SEC. 6. To further carry out the provisions of this act the board of county commissioners of Richmond County are hereby authorized and empowered, by a majority vote of the entire board, at any meeting held on the first Monday of any month, to change the present courthouse site for the county of Richmond without previous notice by publication or otherwise of their intention to vote on the same and especially without complying with the provisions of subsection twenty-eight, section one thousand three hundred and eighteen, of the Revisal of one thousand nine hundred and five.

Present site may be changed without previous notice.

SEC. 7. If the said board of county commissioners of Richmond County shall erect a county courthouse on a new site, the

If new site is chosen old becomes a public square.

real property on which the present courthouse now stands shall remain dedicated for a public purpose and shall be maintained as a public square for the use of the people of Richmond County and for the site of such monuments as may be erected to the soldiers of Richmond County.

Present court-
house may be sold.

SEC. 8. The board of county commissioners of Richmond County is hereby authorized and empowered by a majority vote of the entire board at any meeting hereafter held on the first Monday of any month, to sell and convey the building at present used as a courthouse in Richmond County or any part thereof that the board of county commissioners may deem expedient.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 266

AN ACT TO AUTHORIZE WAKE COUNTY TO ISSUE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

Commissioners
authorized to issue
\$150,000 bonds.

Purposes for
which bonds may
be issued.

Special tax for
payment of
interest and retire-
ment of bonds.

Maturity of bonds.

Limitation of
installments.

SECTION 1. The board of county commissioners of Wake County is hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding one hundred and fifty thousand dollars, for any one or more of the following purposes, viz: Constructing or improving roads or bridges of said county, funding floating indebtedness heretofore or hereafter incurred for any one or more of said purposes, or funding floating indebtedness heretofore incurred for other necessary expenses of said county. Said board is hereby further authorized to levy annually a special tax *ad valorem* upon all taxable property in said county, for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due which tax shall be in an amount sufficient for said purpose and shall be in addition to all the other taxes authorized to be levied by said board.

SEC. 2. Said bonds may be issued either all at one time or from time to time in separate issues. Each issue shall mature in annual installments or series, the first of which shall be payable not more than three years after the date of the bonds of such issue, and the last not more than thirty years after such date. No such installment or series shall be more than one and one-half times greater in amount than the smallest prior installment or series of same bond issue.

SEC. 3. Said bonds shall be issued in such denominations, Rate of interest. shall bear interest at such rates, not exceeding six per cent per annum, payable semiannually, and shall be made payable at such place or places as said board of county commissioners may determine. They may be either coupon bonds or registered bonds, and Form optional. if issued in coupon form be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Wake County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and coupons of such bonds shall bear a printed or lithographed or engraved facsimile signature of the county treasurer. The delivery of bonds signed as aforesaid by Delivery of signed bonds valid. officers in office at the time of such signing shall be valid notwithstanding any change in officers occurring after such signing.

SEC. 4. Said bonds shall be sold upon sealed proposals at a price not less than par and any interest accrued up to the time of delivery of the bonds sold. Before any such sale, there shall Bonds not to be sold at less than par. be published at least once in a newspaper published in the city of Raleigh a notice containing a description of the bonds to be sold, the place of sale and the time limited for the receipt of proposals, which shall be not less than ten days after the first publication of such notice. The board of county commissioners Further publication. may cause such further publication of such notice to be made as the board may deem expedient. The notice of sale shall require that all bids accompanied by a certificate check drawn to the order of the county of Wake, or cash, for or in an amount equal Bids must be accompanied by certified check for two per cent of bid. to two per centum of the face amount of bonds bid for, to secure the county against any loss resulting from the failure of the bidder to comply with the terms of his bid. All proposals submitted pursuant to such notice shall be opened in public, and the Bids opened in public. bonds shall be awarded to the highest bidder, unless all bids are rejected. The county shall have the right to reject all bids. County may reject bids.

SEC. 5. The proceeds of the sale of such bonds shall be placed by the county treasurer in a separate fund and used only for the purpose for which the bonds were issued. The purchaser of the bonds shall not be bound to see the application of the proceeds. Proceeds a separate fund.

SEC. 6. The powers granted by this act are granted in addition to and not in substitution for existing powers of Wake County, and are not subject to any limitation or restriction contained in any other law. Powers additional and not subject to restrictions of other law.

SEC. 7. All laws and parts 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 3d day of March, A. D. 1919.

CHAPTER 267

AN ACT TO PROTECT THE PUBLIC ROADS OF
BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Unrepaired
damage to roads
by heavy vehicles
a misdemeanor.

SECTION 1. If any person, company or corporation shall damage any public road, bridge or causeway by hauling logs or lumber, or by using a traction engine, truck or other heavy vehicle thereon shall not repair the damage done thereto within six days after being notified of such damage by the overseer or superintendent of said road, or by any member of the board of supervisors or any member of the township road commissioners in which said road is situated, he shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars nor more than one hundred dollars, or be imprisoned not exceeding thirty days for each offense: *Provided*, if any person shall pay the damage as assessed by the board of supervisors, overseer, superintendent, or township road commissioners for injury to such road, the payment of such damages shall be a complete bar to any criminal prosecution under this section and if any criminal prosecution shall have been commenced prior to the payment of said damages all further proceedings in said criminal prosecution shall be ended by the defendant paying the cost necessarily incurred in said criminal prosecution and satisfying the court that said damages and all proper costs have been paid.

Penalty.

Proviso: Payment
of damages bar
to criminal
prosecution.
Further proceed-
ings ended by pay-
ment of costs.

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

Limited to Bladen
County.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 268

AN ACT TO AMEND CHAPTER 582 OF THE PUBLIC-LOCAL
LAWS OF 1915, RELATING TO THE PUBLIC ROADS IN
RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

Chairman of
commissioners
ex officio road
trustee, commis-
sioners appointing
other four
trustees.

SECTION 1. That chapter five hundred and eighty-two of the Public-Local Laws of one thousand nine hundred and fifteen be amended by striking out the last sentence of section one of said chapter and inserting in lieu thereof as the last sentence the following: "The chairman of the board of county commissioners shall be ex officio a member of the said board of road trustees

of Randolph County and the chairman thereof, and the commissioners shall also designate and appoint the other four members of the said board."

SEC. 2. That section two of said chapter shall be amended by striking out the word "five" in line two of section two and inserting in lieu thereof the word "other four" and by striking out all after the period in the third line of section two to the word "shall" in line five of section two and inserting in lieu thereof the following: "The chairman of the board of county commissioners as chairman of said board of road trustees."

SEC. 3. That section two be further amended by inserting at the close of said section the following: "*Provided*, that the chairman of the board of county commissioners of Randolph County shall upon the ratification of this act immediately become the chairman of the board of road trustees of Randolph County, who shall hold said office until the first Monday in December, one thousand nine hundred and twenty, and the term of office of the chairman of the board of road trustees shall hereafter begin and end with that of the chairman of the board of county commissioners."

1915 act made to conform.

Chairman of commissioners immediately becomes chairman of road trustees.

Term of office.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 269

AN ACT TO PROVIDE ADDITIONAL PAY FOR HENDERSON COUNTY OFFICIALS.

The General Assembly of North Carolina do enact:

SECTION 1. That the clerk of the Superior Court of Henderson County shall be paid, in addition to the salary he is now receiving by virtue of the provisions of chapter eight hundred and six of the Public Laws of North Carolina, enacted at the nineteen hundred and nine session of the Legislature, and the allowances for deputy hire provided for in chapter four hundred and forty-two of the Public-Local Laws of one thousand nine hundred and thirteen, the sum of three hundred dollars per annum, to be paid in installments of twenty-five dollars per month in like manner, and out of the same funds his present salary is paid.

Increase of \$25 per month for deputy.

SEC. 2. That the register of deeds of Henderson County shall be paid, in addition to the salary he is now receiving by virtue of the provisions of chapter eight hundred and six of the Public Laws of North Carolina, session one thousand nine hundred and

Register of deeds to receive \$200 per year for making tax list.

nine, the sum of two hundred dollars per annum to partially compensate him for making out and preparing the tax list and tax books for said county in accordance with law. Said sum to be paid to said register of deeds each year as soon as practicable after he has finished making out said tax list and tax books, same to be paid in like manner as other county expenses are paid.

Tax collector and treasurer reimbursed for sums paid for bond.

SEC. 3. That the tax collector and treasurer of Henderson County shall be paid, in addition to the salary he is now receiving by virtue of chapter eight hundred and six of the Public Laws of North Carolina, session one thousand nine hundred and nine, such sum or sums each year as will equal the sum or sums said tax collector and treasurer is required to pay for his official bonds. Said sum or sums to be paid as soon as practicable after said bonds are made, in like manner and out of the same funds as other county expenses are paid.

Sheriff to be paid \$204 per annum additional.

SEC. 4. That the sheriff of Henderson County shall be paid, in addition to the salary and allowances he is now receiving by virtue of chapter eight hundred and six of the Public Laws of North Carolina, session one thousand nine hundred and nine, the sum of two hundred and four dollars per annum, to be paid him in installments of seventeen dollars per month and out of the same funds that his present salary is paid: *Provided*, that he shall also receive an additional two dollars and fifty cents per day for deputy hire for each day the Superior Court of said is in session, same to be paid to said sheriff in like manner and out of the same funds other county expenses are paid.

Proviso: \$2.50 per day for deputy hire.

Commissioners to receive \$4 per day and mileage for first Mondays.
\$2 per day for all other days.

SEC. 5. That each member of the board of county commissioners of the county of Henderson shall hereafter be paid the sum of four dollars for each first Monday, and the same mileage they are now receiving and two dollars per day for any and all other days which the duties of their office shall require them to sit or be in session. Said sums to be paid out of the same funds and in like manner as other county expenses are paid.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 270

AN ACT TO AMEND CHAPTER 445, PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO GOOD ROADS IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

Chapter 445,
Public-Local Laws
1913, amended.

SECTION 1. That section three of chapter four hundred and forty-five of the Public-Local Laws of one thousand nine hundred

and thirteen be amended by striking out the words "persons and" in lines four and five of said section, and striking out the words "and not less than thirty cents nor more than ninety cents on the poll" in lines seven and eight of said section.

SEC. 2. That section five of said chapter be amended by striking out said section and substituting the following in lieu thereof: Funds expended upon order of road commissioners.

"SEC. 5. That the moneys raised under the provisions of this act shall be expended in the supervision and control and upon the orders of the board of township road commissioners for the making and maintenance of the public roads of said township which said board of township road commissioners, to consist of three members, shall be elected at the same time of the election provided for in this act and at each general election thereafter." Election.

SEC. 3. That section six of said act be amended by striking out in line one of said section and in line ten and in lines sixteen and seventeen and in line nineteen and in line twenty-six and in line thirty-three and in line thirty-five the words "the board of county commissioners" and inserting in lieu thereof "the board of township road commissioners." Township commissioners substituted for county commissioners.

SEC. 4. That section seven of said chapter be amended by striking out the words "the commissioners of said county" and inserting in lieu thereof the words "the board of township road commissioners" in line one of said section.

SEC. 5. That section eight of said chapter be amended by striking out the words "commissioners of the county" in line two of said section and inserting in lieu thereof the words "the board of road commissioners of such township."

SEC. 6. That section ten of said chapter be amended by striking out in lines one and two thereof, the words "board of county commissioners" and inserting in lieu thereof, the words "township board of road commissioners."

SEC. 7. That it shall be the duty of the board of road commissioners of the several townships in Pender County to see that all roads that they have constructed in their respective townships shall have an average width of not less than twenty-five nor more than thirty feet. Average width of roads 30 feet.

SEC. 8. That it shall be the duty of the road overseers in each township in Pender County that has not adopted the provisions of chapter four hundred and forty-five of the Public-Local Laws of one thousand nine hundred and thirteen, as amended, to file with the board of road supervisors of his township at their regular meetings on the first Saturdays of February and August in each year, a verified itemized statement of all moneys received by him to that date from road hands or from any other sources which belongs to the road fund, showing the date, amount, and from whom each item was received and showing the date, amount, to whom and for what each item was expended and any balance Road overseers to file report.

then on hand. And said report and statement shall be audited by the said board of supervisors and filed with the records of their proceedings. And the said overseer shall not hire himself to work on the road over which he is overseer or buy any material from himself to be used on the said road.

Road superintendent or overseer to turn over fund and make report.

SEC. 9. That in all townships in Pender County adopting the provisions of chapter four hundred and forty-five of the Public-Local Laws of one thousand nine hundred and thirteen as amended, the road superintendents or overseers shall turn over to the treasurer of the township road fund, within not less than twenty days after receipt of same, all moneys received by him from road hands or from any other source, which belongs to the road fund and shall at each regular meeting of the board of which he has notice, unless relieved by them of so doing, file with the board of road supervisors, a verified, itemized statement of all the moneys received by him from road hands or from other sources which belong to the road fund, showing from whom and when received and when turned over to the treasury, which report shall be audited by the said board and filed with the records of their proceedings.

Report to be filed.

Failure to make report misdemeanor.
Penalty.

SEC. 10. That any road overseer or road superintendent failing to make said report as herein provided, shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days in the discretion of the court.

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 3d day of March, A. D. 1919.

CHAPTER 271

AN ACT TO VALIDATE CERTAIN TAX LEVY MADE BY THE COUNTY COMMISSIONERS OF YANCEY COUNTY.

Preamble.

WHEREAS, the board of county commissioners of Yancey County, at their regular meeting on the first Monday in June one thousand nine hundred and eighteen did make a tax levy for the said county of Yancey for the year one thousand nineteen hundred and eighteen as follows:

- First. State tax, 27 $\frac{3}{4}$ cents on the \$100, valuation on property;
- Second. Regular school tax, 20 cents on the \$100 valuation on property;
- Third. Special school tax, 15 cents on the \$100 valuation on property;

Fourth. County purposes, 60 cents on the \$100 valuation on property;

Fifth. Road bonds, 50 cents on the \$100 valuation on property;

Sixth. Courthouse and jail bonds, 13 cents on the \$100 valuation on property;

Seventh. Road maintenance, 13 cents on the \$100 valuation on property; and,

WHEREAS, it now appears that the said board of county commissioners were not authorized by special legislation to levy more than 19 cents on the \$100 valuation on property for county purposes or 13 cents for the payment of courthouse and jail bonds, but did have authority to make all the balance of the said levy; and

WHEREAS, it is necessary to provide funds for the payment of general county expenses and for the payment of the bonds maturing and the interest on the same issued for building the new courthouse and jail; now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That that tax levy for county purposes to the extent of nineteen cents on the one hundred dollar (\$100) property valuation be and the same is hereby in all respects ratified, confirmed and validated and that the special tax of thirteen cents for the payment of bonds and interest thereon for building the courthouse and jail is in all respects ratified, confirmed, and validated and the sheriff or other tax collector of Yancey County is hereby empowered and directed to collect the said tax in the same manner and under the same penalties and regulations as other taxes of the county.

SEC. 2. The county commissioners of the county of Yancey are hereby authorized, empowered, and directed at their meeting the first Monday in May or at such other time as the general taxes are levied, to levy annually a special tax of not to exceed twenty cents on the one hundred dollar (\$100) property valuation for the purpose of providing funds for the payment of interest and to provide a sinking fund for the payment of the maturing bonds issued for the purpose of building a courthouse and jail in the county of Yancey.

SEC. 3. The board of commissioners of the county of Yancey are authorized, empowered, and directed at their meeting on the first Monday in May or at such other time as the general taxes of the county are levied to levy annually a special tax not to exceed twenty cents on the one hundred dollars property valuation for the special purpose of paying off the indebtedness now outstanding against the county of Yancey.

SEC. 4. The tax provided for in the preceding sections shall be collected by the sheriff or other tax collector of Yancey County

Tax levy for county purposes ratified.
Special tax validated.

Commissioners to levy special tax for courthouse and jail bonds.

Commissioners to levy special tax for indebtedness.

Tax collectible as other taxes.

at the same time and in the same manner and under the same penalties and regulations as the other taxes of the county and paid over by him to the treasurer of the county to be used for the special purposes herein specified.

SEC. 5. That all laws and parts 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 3d day of March, A. D. 1919.

CHAPTER 272

AN ACT TO REPEAL SECTION 2 OF THE GUILFORD COUNTY FARM-LIFE SCHOOL LAW AS IT APPLIES TO ROWAN COUNTY FARM-LIFE SCHOOL AND TO NAME THE BOARD OF TRUSTEES OF THE SAID ROWAN COUNTY FARM-LIFE SCHOOL.

The General Assembly of North Carolina do enact:

Section 2 repealed
as to Rowan
County.

SECTION 1. That section two of the Guilford County Farm-life School Law as it applies to the Rowan County Farm-life School be and the same is hereby repealed.

School operative
under chapter 84,
Public Laws 1911.

SEC. 2. That the Rowan County Farm-life School is hereby made operative under the provisions of the County Farm-life School Law, chapter eighty-four, Public Laws one thousand nine hundred and eleven, as amended by the General Assembly of one thousand nine hundred and nineteen, except as it provided for an election to determine upon the issuance of bonds and the location of the school and furthermore, as it applies to the selection of the present board of trustees.

Exception.

Trustees named.

SEC. 3. The board of trustees of the Rowan County Farm-life School shall be named as follows: J. B. Lingle, F. D. Patterson, W. J. Swink, D. L. Neel, and B. L. Phillips, who shall serve for a term of six years; J. S. Hall, W. D. Graham, I. T. Bailey, I. C. Shaver, W. P. Sloop, who shall serve for a term of four years; and C. A. Brown, C. M. Fisher, Col. A. H. Boyden, and A. M. Hannah, who shall serve for a term of two years. In the case of death or resignation of any of the above-named members, their successors shall be appointed or provided for in chapter eighty-four, section two, Public Laws one thousand nine hundred and eleven, and furthermore, at the expiration of the term of office of the above-named members, their successors shall be appointed as provided for in section eighty-four chapter two, Public Laws, one thousand nine hundred and eleven.

Succession.

SEC. 4. That immediately after the passage of this act, the above-named board shall meet and organize by electing a chairman and secretary and shall further appoint an executive committee, composed of the chairman, the secretary, and one other member of said board. Board to meet and organize.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 273

AN ACT TO ESTABLISH AN AUDITOR FOR DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. There is hereby created and established the office of "Auditor of Davidson County." The said auditor shall be a citizen of Davidson County and have a thorough knowledge of bookkeeping and possess the qualifications necessary to fill the position. The term of said auditor shall be four years, and shall be elected at the general election in November, one thousand nine hundred and twenty, and qualified on the first Monday in December, one thousand nine hundred and twenty, and every four years thereafter. Auditor's office created.
Qualifications.
Term of office.
Election.

SEC. 2. Before entering upon the discharge of his duties the said auditor shall execute a good and sufficient bond, payable to the State of North Carolina, in the penal sum of two thousand dollars (\$2,000), conditioned upon the faithful performance and discharge of his duties as required by law. Said bond shall be subject to approval by the board of county commissioners of Davidson County, and when approved shall be filed with the register of deeds of said county of Davidson. Bond of \$2,000 required.
Approval of bond.

SEC. 3. Before entering upon the discharge of his duties the said auditor, in addition to his oath to support the constitution and laws of the United States and the State of North Carolina, shall take before the clerk of the Superior Court or the chairman of the board of county commissioners of Davidson County, the following oath of office, which said oath shall be signed by such auditor, attested by the clerk of the Superior Court or chairman of the board of county commissioners, and recorded in the book of official oaths, to wit: To take oath of office.

"I,, do solemnly swear (or affirm) that I will honestly, diligently, and faithfully perform the duties Form of oath.

of the office of auditor of Davidson County to the best of my knowledge, skill, and ability, without fear, reward, favor or hope of reward; so help me, God."

To compute taxes, make tax receipts and investigate listing.

SEC. 4. It shall be the duty of the said auditor to compute the taxes and make out all tax receipts, to diligently inquire into and investigate the listing of all property in said county, and to cause all property subject to taxation to be properly listed and taxes computed on same.

To verify bills.

SEC. 5. It shall be the duty of said auditor to verify all bills to be paid by the county commissioners, the board of education and the board of road commissioners; that it shall be the duty of the said auditor to apportion the amount of money due each of the county funds, collected by the sheriff, and make a report to each of the respective county board on the first Monday of each month of funds due to be placed to their credit.

Apportion county funds.

Reports.

Detailed account of condition of boards.

SEC. 6. It shall be the duty of the said auditor of said county to file a detailed and itemized account of the condition of the board of county commissioners, board of road commissioners and board of education and make a true record thereof, and record the same in a book to be provided and kept by the auditor and known as the "Record of the Auditor of Davidson County," and the said auditor shall on the fifteenth of December, the fifteenth of April, and the fifteenth of August, of each year publish a sworn statement of the finances of the county, and showing by itemized statement the debit, when contracted, and what for, and when due, which said report shall be published at the courthouse door and in some newspaper published in the county at least one time immediately following the filing of said report.

Sworn statement to be published.

To audit books of county officers.

SEC. 7. It shall be the duty of said auditor to make an audit of sheriff, register of deeds, clerk of court and financial agent, on the first of December and the first of June of each year and record said audits in the "Record of the Auditor of Davidson County." It shall also be the duty of the auditor to make an audit or investigation that the board of county commissioners or board of education or board of road commissioners may request, which shall be of interest or of value to their respective department.

Record.

Special audits and investigations.

Room and supplies.

SEC. 8. The board of commissioners of Davidson County shall furnish a suitable room in the courthouse for the said auditor, together with necessary furniture, fixtures, supplies, stationery, postage, etc., the same shall be paid out of the general county fund.

Failure or neglect to perform duties misdemeanor.

SEC. 9. Any person who shall be elected or appointed as auditor of Davidson County who shall willfully fail or neglect to perform any duty required of him by 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. 10. In case of a vacancy of said auditor by death, resignation, or otherwise, his successor shall be appointed by the board of county commissioners for the unexpired term. Succession.

SEC. 11. The said auditor shall receive for his services two thousand dollars (\$2,000) per annum, payable in monthly installments from the general fund the same as all other county officers on a salary, and said auditor shall be allowed four hundred dollars (\$400) for clerical assistance, and said clerical assistance shall be paid out of the general county fund. Salary of \$2,000 per year. \$400 for clerical assistance.

SEC. 12. The board of county commissioners of Davidson County, the board of education and the board of road commissioners shall each pay one-third ($\frac{1}{3}$) of the salary of the auditor and clerical hire, and it shall be the duty of the board of county commissioners of Davidson County to render the board of education and the board of road commissioners a statement every six months of the amount due to be paid by said board to the board of county commissioners. Boards of commissioners, education and roads pay one-third each. Statement of amount of expense.

SEC. 13. All laws and parts of laws in conflict herewith are hereby repealed.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 274

AN ACT TO AMEND CHAPTER 353, PUBLIC-LOCAL LAWS OF 1913, RELATING TO FEES OF OFFICERS OF BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter three hundred and fifty-three of 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 for the register of deeds of Burke County the said register of deeds shall have and receive the fees of his said office as provided by the general law of the state for register of deeds and such fees shall be in full compensation to him for his service as such register of deeds. Chapter 353, Public-Local Laws 1913, repealed. Register of deeds replaced on fee system.

SEC. 2. That section three of said chapter three hundred and fifty-three, Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby repealed and in lieu of the said section the sheriff of Burke County shall have and receive the usual fees incident to the said office of sheriff both in the col- Sheriff replaced on fee system.

lection of taxes and the service of process and any and all allowances now allowed by the sheriff of said county and incident to the said office.

Intent of act.

SEC. 3. That all laws and clauses in conflict with this act are hereby repealed, the intention of this act being to place the office of register of deeds of Burke County and the sheriff of Burke County on fees as now provided by law.

Act operative from December 1, 1918.
Salaries paid to be returned.

SEC. 4. That this act placing said officers on fees shall date from the first day of December, nineteen hundred and eighteen, and that any salary paid either of said officers since the first day of December, nineteen hundred and eighteen, shall by such officer or officers be returned and repaid to the said county and such officer or officers shall be allowed to retain any and all fees collected by him or them since said date and that any fees paid into the salary fund as provided by said chapter three hundred and fifty-three, Public-Local Laws of nineteen hundred and thirteen, shall be paid such officer by the voucher of the county commissioners so as to place said officers on a fee basis from the first day of December, nineteen hundred and eighteen.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 275

AN ACT TO PROVIDE FOR FUNDS FOR THE NECESSARY EXPENSES OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

Purposes of bond issue.

SECTION 1. That in order to pay off the floating indebtedness of Transylvania County incurred prior to the first Monday in December, one thousand nine hundred and eighteen, which said indebtedness was largely incurred by reason of the flood of one thousand nine hundred and sixteen and large freshets thereafter, and also for the further purpose of repairing, altering, and improving the courthouse and jail; and for the further purpose of copying and preserving certain public roads of said county, all of which aforesaid purposes are public necessities and necessary expense of said county, the board of county commissioners of Transylvania County are hereby authorized and empowered to issue and sell bonds or other evidences of indebtedness, from time

Commissioners to issue bonds.

to time and at such time or times and in such amounts, and in such form or forms as in their judgment is necessary or expedient, the total amount of said bonds or other evidences of indebtedness in no event to exceed fifty thousand dollars and to become due and payable or to mature not more than thirty years from date, said bonds or other evidences of indebtedness to bear interest at a rate not to exceed six per centum per annum.

Not over \$50,000.
Maturity not over 30 years.
Interest not over 6 per cent.

SEC. 2. That said bonds or other evidences of indebtedness shall be in such form or forms and payable at such place or places and at such time or times and in such denomination as the said board of county commissioners may determine: *Provided*, that said bonds may be either term or serial bonds or coupon or registered bonds, as said board may determine.

Form of bonds and time of payment.

SEC. 3. That said bonds or other evidences of indebtedness or any of them, shall be sold or disposed of only after due advertisement of said sale or sales in some newspaper published in Breward, North Carolina, also in some newspaper published in Asheville, North Carolina, and also in some financial publication as said board of county commissioners may determine upon after consulting with the Treasurer of the State of North Carolina.

Sold only after due advertisement.
To consult State Treasurer.

SEC. 4. That the bonds or other evidences of indebtedness as provided for in this bill shall not be sold for less than par, and they shall be sold without any cost to the said county other and except the actual necessary expenses in effecting a sale of same.

Not to be sold for less than par.

SEC. 5. The board of county commissioners of Transylvania County shall, at the time the other taxes in said county are levied, in due and proper manner, levy a special tax upon all the taxable property in said county of sufficient rate and amount to pay the principal and interest annually maturing and accruing of any and all bonds or other evidences of indebtedness provided for and issued pursuant to the provisions of this act; said special tax to be in addition to any and all other taxes levied by said board of commissioners, and said tax to be collected at the same time and in the same manner as are other taxes levied by the said commissioners.

Special tax for principal and interest.

SEC. 6. That in the event that said board of commissioners shall determine to issue what are known as or are called "term bonds" then said commissioners shall provide for a sufficient sinking fund to pay said bonds at maturity, said sinking fund to be provided for under the same levy as hereinbefore provided for and to be part of said special tax.

To provide sinking fund for term bonds.

SEC. 7. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 276

AN ACT TO PREVENT THE SALE OF QUAIL IN
ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

Unlawful to
traffic in quail.

SECTION 1. That it shall be unlawful for any person to sell or offer for sale or to buy or offer to buy quail within the county of Rockingham for a period of four years from the ratification of this act. That it shall be unlawful for any person to carry or ship or in any manner transport quail out of said county to any other place for the purposes 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.

Unlawful to take
quail from county.

Violation of act
misdemeanor.

SEC. 2. That any person violating any of the provisions of section one 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.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 277

AN ACT TO AMEND CHAPTER 346, PUBLIC-LOCAL LAWS,
SESSION 1915, RELATIVE TO TAXING VEHICLES HAUL-
ING LOGS AND TIMBER OVER THE PUBLIC ROADS OF
NO. SIX TOWNSHIP, EDGECOMBE COUNTY.

The General Assembly of North Carolina do enact:

Chapter 346,
Public-Local Laws
1915, amended.

SECTION 1. That chapter three hundred and forty-six of the Public-Local Laws of session one thousand nine hundred and fifteen, creating the road district of No. Six Township, Edgecombe County, be and the same is hereby amended by inserting between sections fourteen and fifteen of said act, just after section fourteen and before section fifteen, the following, to wit: That it shall be unlawful for any person or corporation to carry on the business of hauling logs, timber, or lumber over the roads of No. Six Township without first having obtained a license therefor, and any person or corporation carrying on the business of hauling timber or lumber over said roads without a license shall be guilty of a misdemeanor and shall upon conviction thereof be fined not more than fifty dollars for each offense. Said license shall be issued by the board of road trustees of said No. Six Township and shall be signed by the chairman and counter-

Unlawful to haul
timber without
license.

Violation
misdemeanor.

License issued by
road trustees.

signed by the secretary thereof. The license tax which said board of road trustees shall collect is as follows, to wit: For each wagon drawn by two horses, fifteen dollars for each year or part thereof; for each wagon drawn by four horses, twenty dollars for each year or part thereof; for each traction engine, thirty dollars for each year or part thereof. The money thus collected from license taxes shall be paid over to the treasurer of said board of road trustees of No. Six Township to be held by said treasurer to the credit of said No. Six Township.

Scale of licenses.
Money paid to treasurer of road trustees.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 278

AN ACT TO FIX SALARIES FOR THE OFFICERS OF VANCE COUNTY AND PROVIDE FOR THE AUDITING OF THEIR ACCOUNTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff, clerk of the Superior Court, register of deeds, and treasurer or financial agent of Vance County and their respective deputies, shall collect and receive an account for all the fees to which they are entitled by virtue of their respective offices, and pay the same on or before the fifth day of every calendar month into the treasury or to the financial agent of Vance County; and they shall be responsible for and chargeable with all moneys of every kind which are to be or by law should be paid into their respective offices, and shall be held to strict account therefor; and the moneys so paid shall be kept by the treasurer or financial agent of said county in a separate fund, to be known as the salary fund.

Fees of county officers to be paid to treasurer.
Fees constitute salary fund.

SEC. 2. That the said officers shall faithfully collect all fees, commissions, profits, and emoluments of all kinds now or hereafter belonging or appertaining to or which may hereafter by any law belong or appertain to their respective offices; and they shall receive for their services only such salaries and compensation as is hereafter provided; and for any abstraction, concealment, or misapplication of any of the moneys payable into their respective offices, or which any of them have collected, any one of them so abstracting, concealing, or misapplying the same shall be guilty of a felony, and upon conviction shall forfeit their said office or offices and be punished as is now provided by law in cases of embezzlement by public officers.

Collection of fees.
Salaries for services.
Liability for fees.
Abstraction of fund felony.

Account books. SEC. 3. That each and all of said officers shall open and keep a separate set of account books, consisting of a daily journal and ledger, in which shall be promptly, correctly, truly, and accurately entered itemized accounts of all moneys collected or received by said officers, or which by law shall be payable into their respective offices, and all of said books shall at all times be open to the inspection of the public upon demand; and said books shall be safely and securely kept so as to prevent loss or destruction by theft, fire or any accident.

Itemized accounts. Books open to public on demand. Transcript required. SEC. 4. That on the first Monday of each and every calendar month a true and accurate transcript shall be transmitted by each of the officers of Vance County to the board of commissioners of said county, said transcript to contain and show all the entries made upon said books during the preceding calendar month, which shall be sworn to and duly verified by the officers filing the same.

Salary of sheriff \$3,000 per annum. Deputy, \$1,200 per annum. SEC. 5. That the sheriff of Vance County, shall receive a salary of three thousand dollars (\$3,000) per annum, and he shall be allowed one deputy at a salary of twelve hundred (\$1,200) per annum, who shall truly, faithfully, and diligently perform the duties of their offices as provided by law. The said sheriff may appoint one or more deputies in each township of said county, other than Henderson Township, and such deputies shall be allowed the fees made and collected by them in serving summons, subpoenas, notices, and process of all kinds, and all fees made and collected by them from executions: *Provided*, that said deputies in townships other than Henderson Township shall not serve papers in Henderson Township except in case of emergency, but nothing in this act shall relieve the sheriff and the deputy for Henderson Township from promptly serving papers and processes and executing writs issued to him in any part of the county: *Provided further*, that the deputy for Henderson Township shall collect and keep a correct record of all fees for serving summons, subpoenas, notices, and processes of all kinds and turn the amounts over to the county treasurer or financial agent, to be disposed of as provided by this act. Said sheriff shall also pay over to the said treasurer or financial agent all fees, mileage, and other allowances paid to him by the State of North Carolina or by state institutions for taking prisoners to the state's prison or insane persons to the state hospital, deducting from the amounts paid to him the actual necessary expenses therefor. Said sheriff shall be entitled to the fees allowed by law for the capture and destruction of illicit distilleries. Said sheriff shall not receive any other compensation or allowance whatsoever.

Township deputies, except Henderson, allowed fees. Proviso: Service of papers in Henderson Township. Deputy for Henderson Township to keep record. Sheriff to pay over fees, mileage, etc. Sheriff entitled to distillery fees. SEC. 5a. The said sheriff shall appoint a jailor. The said jailor shall receive such salary as shall be fixed by the board of county commissioners, and in addition to his duties as jailor he is to serve process and other papers in Henderson Township or

Sheriff to appoint jailor.
Salary of jailor.
Duties.

elsewhere in the county. He shall collect such fees as the law prescribes and keep a correct record of the same. He shall pay all such amounts collected to the county treasurer or financial agent by the fifth of each month, making such report of all fees collected as this act requires deputies to make. The actual expenses of maintaining the jail of said county shall be paid by the treasurer or financial agent of said county upon warrants drawn by the board of county commissioners and countersigned by the auditor.

SEC. 6. The clerk of the Superior Court of Vance County shall receive a salary of two thousand dollars (\$2,000) per annum as full compensation for his services as clerk of said court, and he shall be allowed one deputy at a salary of three hundred dollars (\$300) per annum and they shall truly, faithfully, and diligently perform the duties of said offices as provided by law. Said clerk and deputy shall not receive any other compensation or allowance whatsoever for their service to the county.

Salary of clerk of court \$2,000.
Salary of deputy \$300.
No other compensation allowed.

SEC. 7. The register of deeds of Vance County shall receive a salary of two thousand dollars (\$2,000) per annum as full compensation for his services, and may appoint a deputy register of deeds whose compensation may be fixed by the county board of commissioners at a sum not to exceed twelve hundred dollars (\$1,200) per annum. It shall be the duty of the register of deeds and his deputy, in addition to other duties incident to the office, to make out tax sheets or books of the county. Neither the register of deeds or deputy register of deeds shall receive any other compensation or allowance whatsoever for their service to the county.

Salary of register of deeds \$2,000.
Salary of deputy \$1,200.
Duty of register of deeds.
To make tax sheets.
No other compensation allowed.

SEC. 8. The county commissioners shall cause to be audited at least once every six months, or oftener if they shall deem advisable, the reports, books, and accounts of all public officers required to report under this act, by auditing committee of the county, or by some other competent person appointed for the purpose by said board of commissioners. In the event a county auditor is elected, said auditing shall be done by the county auditor as hereinafter provided.

Accounts of public officers to be audited.
County auditor.

SEC. 9. The board of county commissioners may, if they shall deem advisable and for the best interest of the county, elect some competent and suitable person as auditor for said county. Such election shall be held on the first Monday in December in each year, except the first election, which may be held at any regular meeting of the board. The auditor shall receive such salary as may be fixed by the board of county commissioners, not exceeding the sum of fifteen hundred dollars annually, and shall give bond in the sum of five thousand dollars, payable to the county of Vance, conditioned that he shall diligently and faithfully perform all the duties of his office and shall faithfully

Auditor may be elected.
Salary not over \$1,500.
Bond.
Duties.

account for and pay over to said county all penalties, moneys or other things of value coming into his hands, or which should come into his hands by virtue of his office, and he shall be liable for any negligence, default, malfeasance, or misconduct in office.

To audit reports
and act as
accountant.

SEC. 10. Said auditor shall audit monthly reports of all public officers of the county, and it shall be his duty to act as accountant for the county in settling with the county sheriff and treasurer or financial agent; to supervise, scrutinize, and examine at least once in every calendar month all books, accounts, receipts, and vouchers, and all other records of all the officers of Vance County which show fees and commissions collected and received by them; to examine at least twice each year the dockets of all justices of the peace and mayors of said county, and report his findings to the county commissioners, and he is hereby authorized to administer oaths or verification of claims which may be filed against the county, and to open a set of account books, in which shall be shown the total monthly receipts of fees and commissions of all the officers of said county, in an expert and intelligent manner, assigning distinct accounts for each and every of said officers, which books shall be permanently kept as the records of his office, and always open to public inspection. He shall likewise visit at least once in every calendar month the county jail and the county home for the aged and infirm, and examine the same, also the books and accounts kept by the jailor and by the superintendent of said home. It shall likewise be his duty to audit all bills and claims presented to the board of commissioners for payment, which bills shall first be verified on oath by the person to whom they may be due, and no claim or bill filed with said board of commissioners shall be allowed or paid until it has been audited and approved by said auditor; and all warrants drawn upon claims or bills allowed by said board of commissioners shall be countersigned by said auditor before they shall be paid by the treasurer or financial agent of said county.

To examine
books of justice
of peace.
May administer
oaths.

To countersign
warrants.

Made purchasing
agent.

SEC. 11. It shall be the duty of said auditor to familiarize himself with the market prices, and, under the direction of the said county commissioners, to buy all the supplies of said county, including office books, stationery, and coal, to the best advantage of the county.

To make tax
lists.

SEC. 12. It shall be the duty of said auditor to make out, by transcribing from the original sheets delivered to him by the register of deeds having been properly computed by the register of deeds, one copy of the tax lists of each township and deliver the same to the sheriff of Vance County with the order of the register of deeds endorsed thereon as required by law, and to perform all the duties required of the register of deeds pertaining to making out and delivering said copies of tax books, except the receiving of the original tax sheets and computing the same,

which shall be done by the register of deeds as heretofore provided by law as a part of the duties of register of deeds. That before making out the copy of the tax books as herein provided, the said auditor shall prove the computations made on the original tax sheets by the register of deeds. The said auditor shall investigate and inquire for all delinquent tax payers and require all delinquent property and polls to be placed upon the tax list and keep a record of all the transfers of property in the county, and the names and parties transferring the same and prices paid for same, as shown by the public records of the county, if the board of county commissioners shall so order, he shall also instruct, direct and supervise tax listers and assessors, and recommend the amount to be allowed each as reasonable compensation for their services, and shall direct and supervise the listing and assessing of all property liable to taxation in said county; and he shall perform such other duties as may be required of him by the board of commissioners.

Prove computation.

Delinquents.

Record of transfers of property.

SEC. 13. That all salaries herein provided for shall be paid by the treasurer or financial agent of Vance County to the persons entitled thereto, in monthly installments upon warrants drawn by the board of county commissioners and countersigned by the county auditor, if an auditor shall be appointed.

Salaries paid by treasurer in monthly installments.

SEC. 14. That the officers hereinbefore mentioned shall faithfully and truly perform all duties of their several offices now or hereafter imposed upon them by law, and shall receive no other compensation or allowance of any kind whatsoever for any extra or additional service rendered to the county or state or other governmental agency, and they shall be liable to all the pains and penalties provided by law for failure to perform the duties of their several offices.

Officers to faithfully perform duties imposed by law.

Penalty for failure.

SEC. 15. Any officer, deputy, clerk, or assistant herein mentioned who shall fail, or refuse to collect any fee, commission, or emolument of any kind belonging to his office shall be guilty of a misdemeanor; and all fees, commissions, or emoluments shall be demanded and collected in advance, unless otherwise provided by law.

Collection of fees.

SEC. 16. All moneys coming into the hands of the treasurer or financial agent of Vance County by virtue of this act shall be held by him as a separate and distinct fund for the benefit of said county, to be used by the board of commissioners of the county as other county funds. The said treasurer or financial agent shall open a separate account with each of the several officers of said county, showing the amounts received from each and the amount paid as salaries to each, which accounts shall be at all times open for public inspection.

Proceeds to be separate fund.

SEC. 17. The officers hereinbefore required to turn over to the treasurer or financial agent of Vance County moneys coming into

Officers to settle on or before fifth of month.

their hands shall make settlement with said treasurer or financial agent on or before the fifth day of each and every month; and the county commissioners may, at any time, require said officers or any of them to exhibit to them all books and accounts, showing all moneys received and turned over to the treasurer or financial agent under the provisions of this act.

Officers to be self-supporting.

SEC. 17a. Provided that the salaries herein fixed shall be paid to the officers out of the receipts of their respective offices, said receipts to include all fees, commissions, salaries, and allowances for special work based on the same commissions, fees, salaries, and allowances made prior to January first, one thousand nine hundred and fifteen: *Provided further*, that in ascertaining the receipts of any office, the office shall be credited with all extra work done by the officer and his deputy or assistant at the price paid for same work prior to January first, one thousand nine hundred and fifteen. Any new duties may be credited to the office at a price fixed by the county commissioners: *Provided further*, that if any office in any year, fails to collect or earn in fees, commissions and extra allowances, a sufficient amount to pay the salaries of its officers, deputy or assistant, the salary of the said officer and his deputy or assistant shall be reduced pro rata so that each office shall be self-supporting and shall collect or earn a sufficient amount to pay said officer, his deputy or assistant.

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

SEC. 19. That this act shall be in full force and effect from and after the first day of March, one thousand nine hundred and nineteen.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 279

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF FORSYTH COUNTY TO REFUND FLOATING INDEBTEDNESS OF THE COUNTY.

Preamble.

WHEREAS, the Forsyth highway commission, whose duty under chapter twelve, Public-Local Laws, Legislature, session one thousand nine hundred and thirteen, has been authorized and empowered to construct and maintain permanent roads and bridges in said county of Forsyth; and,

Preamble.

WHEREAS, in the construction and maintenance of said public roads and bridges in Forsyth County, said highway commission has created a floating debt of one hundred thousand dollars (\$100,000); and,

WHEREAS, the tax levied by the board of county commissioners Preamble. under chapter twelve, Public-Local Laws, session of one thousand nine hundred and thirteen, have not been sufficient to enable the Forsyth highway commission to pay off and discharge the costs incident to the repairing and construction of permanent roads and bridges; and,

WHEREAS, said highway commission has become indebted to Preamble. the amount of one hundred thousand dollars (\$100,000), which indebtedness was created by the construction and maintenance of permanent public roads and bridges in Forsyth County; and,

WHEREAS, All of said one hundred thousand dollars (\$100,000) Preamble. was necessarily expended by said Forsyth highway commission in the discharge of their duties as indicated under the law creating the same; and,

WHEREAS, it has become necessary to fund the floating in-Preamble. debtedness hereinbefore mentioned

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of paying the floating in-\$100,000 bonds debtedness of the Forsyth highway commission incurred for authorized for necessary expenses in the construction and maintenance of public roads and bridges in the county of Forsyth, the board of commissioners of said county of Forsyth is hereby authorized, empowered and directed to issue coupon bonds of said county of Forsyth to an amount not exceeding one hundred thousand dollars (\$100,000) and to be denominated Forsyth County road bonds, and to be in denominations of not less than one thousand Denomination. dollars (\$1,000) and not more than ten thousand dollars (\$10,000); that said bonds be payable as follows, to wit: ten thousand When payable. dollars (\$10,000) payable January first, one thousand nine hundred and twenty-four; twenty thousand dollars (\$20,000) payable January first, one thousand nine hundred and twenty-six; twenty thousand dollars (\$20,000) payable January first, one thousand nine hundred and twenty-eight; and fifty thousand dollars (\$50,000) payable January first, one thousand nine hundred and thirty; said bonds shall bear interest from date until maturity Interest rate 5 ½ per cent. at the rate not exceeding five and one-half per cent (5½%) with interest thereon payable semiannually, the said semiannual payments to be represented by coupons attached to each of said bonds and to be identified by proper numbers and by such other means as the said board of county commissioners may deem necessary.

SEC. 2. No bonds issued by the board of county commissioners Not to be sold for shall be sold or otherwise disposed of for less than par and less than par. accrued interest. Said board of county commissioners is authorized to sell or dispose of said bonds either by public or private sale, or by sealed bids, as they may see fit, after having Manner of sale.

advertised same as required by chapter one hundred and forty-seven of the Public Laws of North Carolina of one thousand nine hundred and seventeen.

Purchase money distinct fund.

SEC. 3. That the purchase money arising from the sale of the bonds under this act shall constitute a separate and distinct fund to be applied and appropriated to the payment of the outstanding indebtedness of one hundred thousand dollars (\$100,000) incurred as necessary expenses of the Forsyth highway commission, and the said board of commissioners shall cause the treasurer or disbursing officer, acting in the place of the treasurer in said county, to keep his account of said fund so that the condition of the same may at all times be shown, and they shall also keep a book in which the number of bonds sold shall be entered, when they fall due, amount paid for the same and when the interest shall fall due.

Application of proceeds.

Accounts.

Tax for interest and sinking fund.

SEC. 4. That in order to pay the interest on said bonds as it may accrue, the board of commissioners of Forsyth County shall annually levy a sufficient tax and the board of county commissioners are further authorized, empowered, and directed to levy such tax as they may deem proper to be denominated a sinking fund to meet the bonds hereinbefore stated as they mature.

Tax for interest and sinking fund.

SEC. 5. That in order to pay the interest on said bonds as it accrues and in order to create a sinking fund for the payment of said bonds at maturity, the board of county commissioners of Forsyth County, shall annually levy a sufficient tax, and said tax shall be levied and collected as other taxes are levied and collected, and shall be imposed upon such property, real and personal and other taxable property as are now or may hereafter be subject to taxation under the laws of the state, and it shall be collected by the officers or officer charged with the collection of other county taxes, and said officer shall in respect thereto be liable officially as well as personally to all the requirements of law now prescribed or which may hereafter be prescribed to the faithful collection and payment of other taxes.

Collection and liability.

Use of proceeds restricted.

SEC. 6. That no part of the proceeds from the sale of bonds herein provided, shall be used for any other purpose except to liquidate and pay off the floating indebtedness of one hundred thousand dollars (\$100,000) now existing and due by the Forsyth highway commission.

Application of proceeds.

SEC. 7. That the purchasers or holders of any part of said bonds shall not be required to see the applications of the proceeds of same.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 280

AN ACT TO AMEND AND SUPPLEMENT 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 section four of 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 the word "thirty" in line ten of said section and inserting in lieu thereof the word "fifty"; and by striking out the word "ninety" in line eleven and inserting in lieu thereof the words "one dollar and fifty cents."

Chapter 562,
Public-Local Laws
1913, amended.
Tax rate increased.

SEC. 2. That the road supervisors of Murfreesboro Township, in Hertford County, are hereby empowered, authorized and directed to work the main street of the town of Murfreesboro in said township and the approaches thereto from the Winton, Union, and St. Johns roads with the said township road machine or machines in the same way and manner and to the same extent that the public roads outside of said town are worked.

Township
supervisors to
work street.

SEC. 3. That the road supervisors of Winton Township in said county are hereby empowered, authorized, and directed to work the main streets in the towns of Winton and Tunis in said Winton Township, with the township road machine or machines in the same way and manner and to the same extent as the public roads outside of said towns are worked.

Township
supervisors to
work street.

SEC. 4. That every public road in Hertford County shall be at least thirty feet wide.

Public road to be
30 feet wide.

SEC. 5. That all laws and clauses of laws in so far as they 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 3d day of March, A. D. 1919.

CHAPTER 281

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF WILSON COUNTY TO ISSUE BONDS FOR THE PURPOSE OF BUILDING A COUNTY HOME AND HOSPITAL, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Wilson County are hereby authorized and empowered to sell and dispose of the present site and the land surrounding the same, or any and such

Commissioners to
dispose of county
home.

To erect new home.
 Proviso: If qualified voters approve.

portion as in their judgment may be best, of the present county home for the aged and infirm in Wilson County, and in the event of such sale, to use the proceeds in erecting another home or purchasing another site, if necessary: *Provided*, a majority of the qualified electors shall vote in favor of the issuance of the bonds as hereinafter provided.

Election on question of bond issue.

SEC. 2. The board of commissioners of Wilson County are hereby authorized and empowered to cause an election to be held

Notice of election.

in Wilson County, at such time as they shall name, providing the same election shall not be held until notice thereof shall have been 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 the said election, upon the question as to whether or not the board of commissioners of Wilson County shall issue fifty thousand dollars (\$50,000) of bonds of the county of Wilson, to be known and designated as "Wilson County Bonds for a County Home and Hospital."

\$50,000 bonds for county home and hospital.

Form of ballot.

SEC. 3. That at said election, if held, all qualified voters who favor the issuing of said bonds shall vote a ballot upon which shall be written or printed the words "For Wilson County Bonds for a County Home and Hospital," 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 Wilson County Bonds for a County Home and Hospital." 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 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.

Election under general laws.

Expense to be paid by county.

Return of officers of election.

May order new registration.

SEC. 4. The board of commissioners of Wilson County are authorized, if in their judgment it seems best, to order a new registration for said election.

Procedure after approval.

SEC. 5. In the event a majority of the qualified voters of Wilson County at said election shall vote "For Wilson County Bonds for a County Home and Hospital," 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

To issue bonds.

not to exceed fifty thousand dollars (\$50,000), in denominations Denomination.
 not to exceed one thousand dollars (\$1,000) nor less than one
 hundred dollars (\$100), which said bonds shall bear a rate Interest.
 of interest as hereinafter provided for, with interest coupons
 attached, payable semiannually on the first day of January and
 one the first day of July each and every year during which said
 bonds shall run; that the principal of said bonds shall be payable Term of bonds.
 and redeemable not more than thirty (30) years from the date of
 their issuance; both principal and interest shall be payable at Principal and
interest where
payable.
 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 Form of bonds.
 be prescribed by the board of commissioners of Wilson County
 and shall be named and styled "Wilson County Bonds for a
 County Home and Hospital." Said bonds shall be signed by the Authentication.
 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 inter-
 est 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 com-
 missioners at a regular meeting of the said board and shall be
 entered upon the minutes of said board; that the faith and credit Faith and credit
of county pledged.
 of the county of Wilson shall be pledged for the payment of both
 principal and interest of said bonds.

SEC. 6. The proceeds received from the sale of the said bonds, Proceeds from
county home and
hospital.
 together with the proceeds received from the sale of the present
 site, if sold, shall be used by the board of commissioners of Wil-
 son County in defraying the costs of building a new county
 home and hospital, and buying furniture and fixtures therefor.
 If, in the opinion of the said board of commissioners, it should
 be best so to do, they may provide in said county home and
 hospital, one or more wards, in which indigent persons may be Skilled treatment
of indigent
persons.
 treated by competent and skilled physicians and surgeons, either
 free of cost to them or upon the payment of such charges as such
 persons may be able to pay, to be determined by the board of
 commissioners, and to also provide nursing and board for such Nursing and
board for patients.
 persons during the time that they are confined in said wards.
 The board of commissioners of Wilson County are authorized and
 empowered to make a contract with the town of Wilson for the Contract for light
and water.
 lighting of the said building and for the furnishing of water
 therefor; or the said board of commissioners may install the
 proper machinery for the purpose of lighting the said building
 and supplying water therefor. The said board of commissioners To receive gifts.

are authorized and empowered to receive from any and all persons gifts for the benefit of the said county home, either in property or in money, and in the event any one shall desire to give unto the said county, for the benefit of said home, a fund, the interest upon which shall be used for the benefit of the said home, the board of commissioners are hereby authorized and empowered to receive the same and hold it for said purpose.

Sale of bonds.
Advertisement.

SEC. 7. 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 bonds and the fact thereof.

Terms of sale.
Rate of interest
named by bidder.

Special tax for
interest and
principal.

SEC. 8. In the event that a majority of the qualified voters of Wilson County shall vote at said election "For Wilson County Bonds for a County Home and Hospital" 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, sufficient to provide for the payment of the interest coupons on said bonds and a fund for the payment of the principal of said bonds as it shall become due.

Use of special tax
fund restricted.

SEC. 9. 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 when due, and no other purposes; 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

Sinking fund
commission.

Surplus after
interest, paid to
sinking fund
commission.

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 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 maturity of the said bonds, and which notice shall contain a notice of the place at which said bonds are payable.

SEC. 10. 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.

SEC. 11. 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.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 282

AN ACT TO REGULATE THE HUNTING OF FOXES IN GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to hunt any fox or foxes in the county of Granville between the first day of March and the first day of September of each year, and the period in each calendar year between said dates shall be the close season or time of the year during which no fox or foxes shall be hunted in said county.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 283

AN ACT TO AMEND CHAPTER 4, PUBLIC-LOCAL AND PRIVATE LAWS OF 1917, RELATIVE TO SALARY OF CLERK OF THE SUPERIOR COURT FOR COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Salary of clerk increased.

SECTION 1. That section two of chapter four, Public-Local and Private Laws of North Carolina, one thousand nine hundred and seventeen, be and the same is hereby amended by striking out the word "twenty-four" in line five and inserting in lieu thereof the word "twenty-five."

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 on and after the first day of March, one thousand nine hundred and nineteen.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 284

AN ACT TO AMEND CHAPTER 126, PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE HIGHWAY COMMISSION OF PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

Chapter 126, Public-Local Laws 1915, amended.

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 the word "five."

Members appointed.

SEC. 2. That O. F. Gilvert, J. Wesley Foreman, and A. B. Houtz 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 nineteen; that J. J. Morris be and he is hereby appointed a member of the Pasquotank highway commission for a period of two years, commencing with the first Monday in March, one thousand nine hundred and nineteen, 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 in March following their appointment.

Terms of office.

Succession.

SEC. 3. That section five of said chapter be amended further by striking out all of section five and inserting in lieu thereof the following:

Duties transferred to county auditor.

"SEC. 5. That all duties hereinafter prescribed for the secretary of the Pasquotank County highway commission, shall be per-

formed by the county auditor and for the performance of said duties he shall be paid a salary by the Pasquotank highway commission, in addition to his regular salary as auditor, out of the road funds of said county, a sum of not to exceed four hundred dollars (\$400) per annum. Addition to regular salary.

SEC. 4. That said chapter be amended further by striking out all after the word "act" in line seven of section twenty-four.

SEC. 5. That said chapter be amended further by striking out all of section twenty-nine and inserting in lieu thereof the following:

"SEC. 29. That the highway commission shall hold regular Sessions of commission. monthly sessions on the second Monday of each month, and at the request of any three of its members it may hold not to exceed ten special sessions during any one year, and receive as pay for Per diem of members. attendance upon such sessions, regular and special, five dollars per day."

SEC. 6. That chapters four hundred and nine and six hundred Chapter 409 and 687, Public-Local and eighty-seven of the Public-Local Laws of North Carolina Laws of 1917, repealed. of one thousand nine hundred and seventeen, together with all other laws and clauses of laws in conflict herewith 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 3d day of March, A. D. 1919.

CHAPTER 285

AN ACT FOR THE BETTER ENFORCEMENT OF THE GAME LAW IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to hunt with gun or with dogs, or in anywise kill or capture any deer on any of the lands, in Pender County, belonging to the state board of education, Unlawful to hunt deer on lands of board of education.

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

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 286

AN ACT TO PROTECT GAME IN GASTON COUNTY.

The General Assembly of North Carolina do enact:

Close season on
quail, squirrel,
dove.

SECTION 1. That it shall be unlawful for any person or persons to shoot, kill, capture or destroy any quail, partridge, squirrel or dove in the county of Gaston, except between the 25th day of November and the 25th day of January of each year.

Rabbits.

SEC. 2. That it shall be unlawful for any person or persons to run with dogs, shoot, kill, capture or destroy any rabbits in Gaston County except between the 25th day of November and the 1st day of February of each year. That it shall be unlawful for any person to set boxes for the purpose of catching and killing rabbits in Gaston County, except between the 25th day of November and the 1st day of January of each year.

Opossum.

SEC. 3. That it shall be unlawful for any person or persons to run with dogs, capture, kill or destroy any opossum in Gaston County, except between the 15th day of October and the 1st day of January of each year.

Den trees.

SEC. 4. That it shall be unlawful for any person or persons to cut down or destroy any tree in Gaston County known to be, or supposed to be a den for squirrel or opossums, except when desiring to clear the land for agricultural purposes.

Commissioners
game commission.

SEC. 5. That the board of county commissioners of Gaston 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.

Chief game
warden.

SEC. 6. That the county board of commissioners, on the first Monday in May, one thousand nine hundred and nineteen, and biennially thereafter, shall appoint a chief game warden for each township in Gaston County, who shall hold office for a term of two years, and it shall be the duty of such commission and of said game wardens to diligently enforce the game law of the county.

Deputy game
wardens.

SEC. 7. That the said game warden in each township of Gaston County, shall appoint such deputy game wardens as he thinks best. That each game warden, shall, before entering upon the duties of his office, take and subscribe and oath, by some official qualified to administer oaths, to perform the duties of said office; and it shall be the duty of said game warden and deputy game wardens to enforce the game law of the county, and to prosecute all persons violating said game law.

Duties.

Fees.

SEC. 8. That in every trial resulting in a conviction in any court in the county, for the violation of any of the provisions of this law, that in all such cases the sum of five dollars (\$5) shall be taxed as costs, for each case, for the game warden or

deputy game warden, as the case may be for his services in enforcing the law 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. 9. That said game wardens or deputy game warden shall ^{Powers.} have all the powers given to similar officers, and to sheriff and constables by the general law of the state.

SEC. 10. That any person violating any provision of this act, ^{Penalty.} shall be guilty of a misdemeanor, and fined not exceeding fifty dollars (\$50), or imprisoned not exceeding thirty days, or both.

SEC. 11. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 287

AN ACT TO AMEND CHAPTER 807 OF THE PUBLIC LAWS OF 1909, RELATING TO THE DESTRUCTION OF ILLICIT DISTILLERIES IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eight hundred and seven of the Pub- ^{Chapter 807,} lic Laws of one thousand nine hundred and nine be and the same ^{Public Laws} is hereby amended by adding after section three thereof the ^{1909, amended.} following:

"SEC. 3. That for every distillery seized in Caswell County ^{Fees.} under this act, the sheriff or police officer making the seizure shall receive the sum of fifteen dollars (\$15) which shall be allowed by the commissioners of the county: *Provided*, that if ^{Proviso: Capture} the sheriff or other police officer making the seizure of the said ^{of operator.} distilling apparatus shall apprehend and secure the conviction of the man or men operating same, he shall receive the sum of ^{Fee.} thirty-five dollars (\$35) instead of fifteen dollars (\$15) as herein provided, said thirty-five dollars (\$35) to be taxed as part of the costs against the man or men convicted: *Provided further*, that ^{Proviso: Bona} the board of county commissioners shall not pay the amount if it ^{fide seizure.} is specified after due investigation that the seizure of said distillery was not bona fide made."

SEC. 2. That this act shall apply to Caswell County only.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 288

AN ACT TO AMEND CHAPTER 676 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE LICENSE TAX ON MOTOR VEHICLES USED AND OPERATED IN GASTON COUNTY.

The General Assembly of North Carolina do enact:

Chapter 676,
Public-Local Laws
1917, amended.

SECTION 1. That chapter six hundred and seventy-six of the Public-Local Laws of one thousand nine hundred and seventeen be amended by striking out section four of said act, and substituting the following therefor:

Not to apply to
nonresidents.

“SEC. 4. That the provisions of this act shall not apply to any automobile or motorcycle belonging to any nonresident of Gaston County.”

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 289

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

The General Assembly of North Carolina do enact:

County divided
into districts.

SECTION 1. That for the purpose of nomination county commissioners of Robeson County, the county shall be divided into five districts as follows: District number one shall be composed of Lumberton, Wisharts, Britts, Orrum, and Sterlings townships. District number two shall be composed of Rowland, Thompsons, Gaddy, Fairmont, and White House townships. District number three shall be composed of Maxton, Smiths, Alfordsville, Pembroke, and Back Swamp townships. District number four shall be composed of Red Springs, Burnt Swamp, Raft Swamp, Shannon, and Lumber Bridge townships. District number five shall be composed of St. Pauls, Parkton, Rennert, Howellsville, and Saddle Tree townships.

District No. 1.

District No. 2.

District No. 3.

District No. 4.

District No. 5.

Nomination of
commissioners.

SEC. 2. That at the primary election for county officers in Robeson County to be held in the year one thousand nine hundred and twenty, and every four years thereafter, there shall be nominated by each of the political parties a commissioner from each of the three districts numbers one, two, and four, as designated in section one of this act, 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 three districts numbers one, two and four of this act: *Provided, however,* the person voted for for commissioner shall be a resident of the district for which he offers himself a candidate and shall only be voted for by the electors of said district. Proviso: Candidate resident of district.

SEC. 3. 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 every four years thereafter, there shall be elected three commissioners for Robeson County who shall serve for a term of four years until their successors are elected and qualified, and the candidate nominated from each of the three districts numbers one, two, and four as designated in section one of this act, at the primary election preceding the general election in the year one thousand nine hundred and twenty, and every four years thereafter, shall be voted for by the county at large. Manner of election.

SEC. 4. That at the primary election for county officers of Robeson County to be held in the year one thousand nine hundred and twenty-two, and every four years thereafter, there shall be nominated by each of the political parties of Robeson County a commissioner for each of the districts numbers three and five as designated in section one of this act, 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 two districts numbers three and five of this act: *Provided, however,* that in any primary election the candidate voted for shall be a resident of the district for which he offers himself a candidate for commissioner and only the electors of that district shall be entitled to vote for said candidate: *Provided further,* that until the general election to be held in November, one thousand nine hundred and twenty-two, Rory McNair shall serve as commissioner of Robeson County from district number three and J. G. Hughes shall serve as commissioner of Robeson County from district number five as designated in section one of this act. Alternate terms. Proviso: Candidate resident of district. Commissioners named.

SEC. 5. That at the general election to be held in November, one thousand nine hundred and twenty-two, for the election of county officers of Robeson County, and every four years thereafter, there shall be elected two commissioners for Robeson County, one from district number three and one from district number five who shall serve for a term of four years and until their successors are elected and qualified, and the candidates nominated from each of the districts numbers three and five as designated in section one of this act shall be voted for by the county at large. Manner of election.

SEC. 6. That chapter thirty-nine of the Public-Local Laws of North Carolina, session one thousand nine hundred and seven- Chapter 39, Public-Local Laws 1917, repealed.

teen of the General Assembly, in so far as it conflicts with the provisions of this act, be and the same is hereby repealed, and all other laws and clauses of laws in conflict with the provisions of 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 3d day of March, A. D. 1919.

CHAPTER 290

AN ACT TO AMEND CHAPTER 46, PUBLIC-LOCAL LAWS, 1913, RELATING TO THE ROAD LAW OF LENOIR COUNTY AND ESPECIALLY FIXING THE RATE OF SPECIAL TAXATION THEREFOR.

The General Assembly of North Carolina do enact:

Chapter 46,
Public-Local Laws
1913, amended.

SECTION 1. That section two of chapter forty-six, Public-Local Laws of North Carolina, one thousand nine hundred and thirteen, 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 the public roads of said county," be and the same is hereby amended in the following manner, to wit: That the words "thirty cents" in line seven in said section to be stricken out and the words "sixty cents" be substituted therefor. And further, that the words "ninety cents" in line nine of said section be stricken out and the words "one dollar and eighty cents" be substituted therefor.

Change of rate
of taxation.

Chapter 645,
Public-Local Laws
1917, repealed.

SEC. 2. That all laws and clauses of laws in conflict with this act, especially including chapter six hundred and forty-five, Public-Local Laws of one thousand nine hundred and seventeen, are hereby repealed.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 291

AN ACT TO AUTHORIZE CASWELL COUNTY TO ISSUE ROAD IMPROVEMENT BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

Commissioners to
issue bonds.

SECTION 1. The board of county commissioners of Caswell County is hereby authorized to issue bonds of said county in an

aggregate principal amount not exceeding two hundred thousand dollars, for the purpose of laying out, opening, altering, constructing, and improving county highways in said county. Amount and purpose.

SEC. 2. If the board or body having charge and control of the county highways of Caswell County shall at any time or times make any request to the board of county commissioners of said county in regard to the issuance of any bonds authorized by this act, it shall be the duty of the board of county commissioners to comply with such request, it being intended by this act to vest the power to issue such bonds in the board of county commissioners, but subject to the control of the board or body having charge and control of the county highways of said county. Power vested in commissioners.

SEC. 3. Immediately after the ratification of this act and before any bonds are issued hereunder, the clerk of the board of county commissioners of Caswell County shall cause to be published once a week for four successive weeks in one or more newspapers published in Caswell County, a notice substantially in the following form, with the blanks properly filled in, and with the name of such clerk appended to the notice, viz: Notice is hereby given to the voters of Caswell County that after the expiration of thirty days after the first publication of this notice, the board of county commissioners will issue Caswell County road improvement bonds under the provisions of a special act ratified by the General Assembly on the.....day of....., one thousand nine hundred and nineteen (here insert date of ratification of this act), authorizing the issuance of not exceeding two hundred thousand dollar bonds for county highways. Notice is also given that the question of issuing such bonds will not be submitted to the voters at an election, unless within said period of thirty days there shall be filed with the clerk of the board of county commissioners a petition for an election on such question, signed by at least twenty-five per cent of the registered voters of said county. This notice was first published on the.....day of....., one thousand nine hundred and nineteen. Notice of bond issue.

.....
Clerk of the Board of County Commissioners. Form of notice.

SEC. 4. If a sufficient petition shall be filed with the board of county commissioners as provided in this section, no bonds shall be issued under this act unless and until the question of issuing such bonds shall be submitted to the voters of Caswell County at an election and a majority of the voters cast at said election are in favor of issuing such bonds. A petition demanding that the question of issuing the bonds be submitted to the voters at an election may be filed with the clerk of the board of county commissioners within thirty days after the first publication of the notice aforesaid. The petition shall be in writing and signed by at least twenty-five per cent of the registered voters in the county. No election except on petition.

.....
After petition, no bonds except by ratification of voters. Petition.

Verification of petition.	as shown by the registration books for the last preceding election therein. The residence address of each signer shall be written after his signature. Each signature to the petition shall be verified by a statement (which may relate to a specified number of signatures) made by some adult resident freeholder of the county under oath before an officer competent to administer oaths, to the effect that the signature was made in his presence and is the genuine signature of the person whose name it purports to be. The petition need not be all on one sheet. If on more than one sheet, it shall be verified as to each sheet. The clerk of the board of county commissioners shall investigate the sufficiency of the petition and present it to the board of county commissioners with a certificate stating the result of his investigation. The board of county commissioners shall thereupon determine the sufficiency of the petition, and the determination of said board shall be conclusive.
Sufficiency of petition.	
Special election.	SEC. 5. If the board of county commissioners determine a petition filed as aforesaid to be sufficient, the board shall submit the question of issuing bonds under this act to the voters at a special election to be held as soon as may be practicable. The board of county commissioners shall fix the date for holding said election, shall name the registrars and judges of election for the voting precincts of said county, and shall cause notice of said election to be given by publication at least once at least thirty days before the election in some newspaper published in Caswell County.
Date of election.	Said election shall be held and conducted in all other respects in accordance with the provisions of law relating to the holding and conducting of elections for members of the General Assembly. Those qualified to vote at said election shall be those who were qualified to vote at the last preceding election for members of the General Assembly and county officers and those who have since become qualified by becoming of age or otherwise. The decision of the board of county commissioners upon the right to vote of any voter shall be final and conclusive. At said election the voters who favor the issuance of said bonds shall vote a ticket with the words "For Road Improvement Bonds," written or printed thereon, and the voters who are opposed to the issuance of said bonds shall vote a ticket with the words "Against Road Improvement Bonds" written or printed thereon. The votes shall be counted at the close of the polls and returns thereof made to the said board of county commissioners on the Thursday next following the election, and said board shall by a resolution declare the result of said election as soon as possible after the return of said vote, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording or declaring of the result of the election shall be necessary. Said resolution of the board of county commissioners declaring the result
Notice.	
Manner of holding election.	
Qualification of voters.	
Decision of commissioners conclusive.	
Form of ballot.	
Result of election to be published.	

of said election shall be published once a week for at least two successive weeks in some newspaper published in Caswell County. No right of action or defense founded upon the invalidity of said election shall be asserted, nor shall the validity of the election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the first publication of said resolution. Validity not to be questioned after 30 days.

SEC. 6. That bonds authorized by this act may be divided into two or more separate issues. Each issue shall mature in annual installments or series, the first of which shall be payable not more than three years after the date of the bonds of such issue, and the last not more than thirty years after such date. No such installments or series shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously, the bonds outstanding at any one time shall mature as aforesaid. Maturity of bonds. Installments.

SEC. 7. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place, and medium of payment of principal and interest as the board of county commissioners may determine, subject to the limitations and restrictions of this act. They shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They be signed by the chairman of the board of county commissioners of Caswell County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and the coupons shall bear the printed or lithographed or engraved facsimile signature of the clerk of said board in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing. Form and denomination. Interest rate.

SEC. 8. Said bonds shall be sold upon sealed proposals at a price not less than par and accrued interest. Before any such sale, there shall be published in a newspaper published in Caswell County a notice containing a description of the bonds to be sold, the place of sale, and the time limited for the receipt of sealed proposals, which time shall be not less than ten days after the first publication of such notice. The board of county commissioners may cause such further publication of such notice to be made as the board may deem expedient. All proposals submitted pursuant to such notice shall be opened in public, and the bonds shall be awarded to the highest bidder, unless all bids are rejected. Sale of bonds. Notice of sale. Further notice. Proposals opened in public.

Proceeds
separate fund.

SEC. 9. The proceeds of the sale of such bonds shall be placed in a separate fund and used only for the purposes for which the bonds were issued. The purchaser of the bonds shall not be bound to see to the application of the proceeds.

Ad valorem tax
for principal and
interest.

SEC. 10. Said board of county commissioners is hereby further authorized to levy annually a special tax *ad valorem* upon all taxable property in said county, for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by said board.

Powers
additional.

SEC. 11. The powers granted by this act are granted in addition to and not in substitution for existing powers of Caswell County, and are not subject to any limitations or restrictions contained in any other law.

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

SEC. 13. This act shall be in force from and after its ratification.

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 292

AN ACT TO PROVIDE FOR GOOD ROADS AND TO ISSUE BONDS IN SOUTH MILLS TOWNSHIP THEREFOR.

The General Assembly of North Carolina do enact:

Highway
commission
incorporated.

SECTION 1. That W. I. Halstead, D. E. Williams, G. F. Riggs, C. T. Hodges, G. W. Burham, and their successors in office are hereby incorporated under the name of the highway commission of South Mills Township, and by that name may sue and be sued, make contracts, and do all things necessary to the carrying out of the provisions of this act. The first two shall hold said office for a term of six years, the next two for four years, and the last one for two years. At the expiration of the term of any, their successors shall be elected for a term of six years, at a ballot vote in the general election, by the voters of said township. All vacancies caused by death, resignation, or removal from said township, shall be filled for the unexpired term by the vote of 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 filled.

Position of
trustee 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 South Mills 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 vested in other municipal corporations.

Trustees body corporate.

SEC. 3. That it shall be the duty of said board of trustees to take control and management of the roads of said South Mills 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 Camden highway commission.

Rights and powers of trustees.

SEC. 4. The board of trustees shall annually elect a chairman and a secretary. The Savings Bank and Trust Company of Elizabeth City, North Carolina, shall act as treasurer of all funds arising by virtue of this act, and such funds shall be kept separate and apart from all other funds of said county, and all such funds created by virtue of this act shall be drawn by check, signed by the chairman, and countersigned by the secretary of the said board of trustees. The secretary of said board of trustees shall keep proper records of all transactions and minutes, and which records shall be open for public inspection at all times.

Organization.

Treasurer.

Secretary to keep record. Minutes open for inspection.

SEC. 5. And the said board of trustees are hereby vested with all rights and powers, within said township, as heretofore vested in the Camden highway commission, as authorized by chapter sixty-two, Public-Local and Private Laws of the General Assembly of North Carolina, session one thousand nine hundred and seventeen.

Trustees vested with powers of highway commission.

SEC. 6. That the said board of trustees shall be and are hereby authorized and empowered to issue bonds for said South Mills Township to be styled "South Mills Township Road Bonds," to an amount not exceeding fifty thousand dollars, of such denominations, and of such proportions as said board may deem advisable, bearing interest from the date of issue at a rate not exceeding six per cent per annum, with interest coupon attached, payable annually or semiannually as may be deemed best, at such time or times, or at such place or places as may be deemed advisable by said board; said bonds to be signed by the chairman and the secretary of said board, and to be of such form and tenure, and transferable in such way, and the principal thereof payable or redeemable at such time or times, not exceeding forty years from date thereof, and at such place or places as said board of trustees may determine. None of the 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 this act. The liability for the payment of said bonds, together

To issue bonds.

Amount.

Interest rate.

Authentication.

Maturity.

Liability for payment.

with all interest that may be due thereon, shall be attached to and imposed upon the political division of Camden County, known as South Mills Township, as constituted at the time of the ratification of this act.

Purchaser not responsible for application.

SEC. 7. That the purchaser or purchasers of any part of said bonds shall not be required to see to the application of the proceeds of any of said funds by the commissioners of Camden County or said board of trustees of said county.

Special tax for interest and principal.

SEC. 8. That immediately upon the issue of said bonds they shall be certified by the secretary of the board of said trustees, to the board of county commissioners of Camden County, and in order to pay the interest on said bonds as it may accrue, and create a sinking fund for the payment of said bonds at maturity, the board of county commissioners of Camden County shall annually levy a special tax, on the property and polls in said South Mills Township observing always the constitutional equation between property and polls, of such amount as in their discretion may be deemed necessary to meet the interest accruing upon said bonds, and create a sinking fund to pay for said bonds as they may mature. That said tax shall be levied and collected as the other county taxes, and shall be imposed upon such property and other subjects of taxation as are now or hereafter may be subject to taxation under the laws of the state, and shall be collected by the officer or officers charged with the collection of other taxes, and who shall in respect thereof 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 their taxes. And his commission on the collection of said funds shall be one-half of the commissions now received by such officers in the collection of other taxes.

Levy and collection of tax.

Commission of collector.

Commissioners may assess abutting property.

SEC. 9. Whenever, in the discretion of the board of county commissioners, it may be necessary or advisable, they may make an assessment upon the lands of abutting property owners, or those owning lands directly benefited by the construction of roads hereunder, under the provisions of chapter two hundred and eighty-four of the Public Laws of one thousand nine hundred and seventeen, section forty-eight to sixty-one, inclusive, which are hereby made a part of this act.

Not to be restricted.

SEC. 10. That nothing herein contained shall be construed to prevent the said board of trustees or said board of county commissioners from taking advantage of the provisions of chapter six of the Public Laws, one thousand nine hundred and seventeen, known as the Clarke Law, to encourage road building in North Carolina by state's aid or any other legislation that is now or may hereafter become effective in this state.

Bridges.

SEC. 11. That the Pasquotank County highway commission or other governing body controlling the roads of Pasquotank County,

are hereby authorized to contribute to the building of the bridges connecting the counties of Pasquotank and Camden, or the roads approaching such bridges without regard to territorial limits, and they may use the convict road force in the construction of such approaches.

SEC. 12. That the said board of trustees shall use the moneys arising from the sale of said bonds in the building and repairing of the highways of South Mills Township in such manner as in their discretion may seem best; and all such work may be done by contract or otherwise, as in the discretion of the said board of trustees may seem advisable.

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 its ratification.

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 293

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF MONTGOMERY COUNTY TO DESIGNATE AND PURCHASE A NEW SITE AND BUILD A COURTHOUSE AND JAIL UPON THE SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Montgomery County by a majority vote of the entire board at any regular meeting hereafter held is hereby authorized and empowered to select and purchase a site within present corporate limits of Troy, or use old site, and build and erect thereon a new courthouse and jail, the cost of the same not to exceed eighty thousand dollars (\$80,000).

SEC. 2. In order to provide for the payment of the aforesaid sum, the said county commissioners are authorized and empowered to execute and issue obligations of the county of Montgomery in the form of promissory notes, and if in the discretion of the said board of county commissioners it shall be desirable or necessary to issue and sell bonds to raise all or any part of the aforesaid sum, they are authorized and empowered to issue such bonds in such amounts and to run for such length of time, not exceeding thirty years, and to bear such rate of interest as the said commissioners may determine.

In order to provide for the interest and a sinking fund for the retirement of said bonds the county commissioners are authorized and empowered to levy and collect a special tax on all property

Use of bond proceeds.

New courthouse and jail site.

Cost.

To issue bonds.

Bond issue authorized.

Maturity. Rate of interest.

Special tax for interest and sinking fund.

and polls of the county, said tax to be at such rate as may be determined in the discretion of said board of county commissioners.

Eminent domain.

SEC. 3. To carry out the purpose of this act, the said board of county commissioners is hereby invested with the power of eminent domain which said power shall be exercised in the manner now prescribed for condemning lands by railroad companies.

SEC. 4. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 294

AN ACT TO AMEND CHAPTER 123, PUBLIC LAWS OF SESSION, 1917, RELATING TO MINING IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Chapter 123,
Public Laws 1917,
amended.

SECTION 1. That section one chapter one hundred and twenty-three, Public Laws of session one thousand nine hundred and seventeen be amended by adding at the end of said section the following: *Provided*, that any person, company or corporation operating a mine or mines on Mine Creek, Mitchell County, shall be liable for all damages as the result of allowing such waste water and sediment to overflow the banks of said stream.

Proviso: Liability
for damages.

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

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 295

AN ACT TO AMEND CHAPTER 451 OF THE PUBLIC-LOCAL LAWS OF 1911, RELATING TO THE PUBLIC ROADS IN THE DIFFERENT TOWNSHIPS OF NASH COUNTY.

The General Assembly of North Carolina do enact:

Chapter 451,
Public-Local Laws
1911, amended.

Tax rate increased.

SECTION 1. That chapter four hundred and fifty-one of the Public-Local Laws of one thousand nine hundred and eleven be amended by striking out the word "ten" between the word "than" and the word "cents" in line ten of section ten, and inserting in lieu thereof the word "thirty"; and by striking out the word

“thirty” between the word “than” and the word “cents” in line ten of section ten, and inserting in lieu thereof the word “ninety”; and by striking out the word “thirty” between the word “than” and the word “cents” in line eleven of section ten, and inserting in lieu thereof the word “ninety”; and by striking out the word “ninety” between the word “than” and the word “cents” in line twelve of section ten, and inserting in lieu thereof the words “two dollars and seventy.”

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 296

AN ACT TO PROVIDE FOR THE WORKING OF PUBLIC ROADS OF PLEASANT HILL AND ROANOKE TOWNSHIPS IN NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of constructing, repairing, improving, and maintaining the public roads in Pleasant Hill and Roanoke Townships, Northampton County, there shall be a special board of three members who shall be known respectively as the board of road commissioners for Pleasant Hill Township and the board of road commissioners for Roanoke Township, which said board respectively shall have the entire supervision and jurisdiction of all public roads of said townships, each board in its respective township, and succeed to and exercise all the powers and duties heretofore exercised by and imposed upon the board of road commissioners and justices of the peace in reference to the establishment keeping, alteration, or discontinuance of all public and private roads, cartways, and other thoroughfares. The members of each of said boards shall hold their offices for the terms of six years until their successors are elected and qualified, except as provided in section two hereafter.

SEC. 2. That W. L. Reid, H. E. Vasser, and Charles M. Floyd are hereby appointed and constituted the board of road commissioners for Pleasant Hill Township, and L. E. McDaniel, B. F. Tenille, and J. R. Baughm are hereby appointed and constituted the board of road commissioners of Roanoke Township. The first named of each of said board, to wit: W. L. Reid and L. E. McDaniel, shall each of them hold the said positions of commissioner of his respective township until the first Monday in December, one thousand nine hundred and twenty; the next named

Boards of road commissioners.

Powers and duties.

Terms of office.

Commissioners for Pleasant Hill Township.

Commissioners of Roanoke Township.

Terms of office.

- of each said board, to wit: H. E. Vassar and B. F. Tenille, until the first Monday in December, one thousand nine hundred and twenty-two, and the last named of each of said board, to wit: Charles M. Floyd and J. R. Baughm, until the first Monday in December, one thousand nine hundred and twenty-four. At the regular election in the year one thousand nine hundred and twenty, and regularly every two years thereafter, there shall be one commissioner elected by the voters in each of said townships at the same time and in the same manner as county and township officers are elected. All vacancies caused by death, resignation, or otherwise, shall be filled by the remaining members of each of said board: *Provided*, that should more than one vacancy occur in either board at the same time the same shall be filled by appointment by the clerk of the Superior Court of Northampton County.
- Election of successors.
- Vacancies.
- Proviso: Appointment by clerk.
- To qualify.
- Qualification and meeting place.
- Places of meeting.
- Organization.
- Records.
- Compensation of secretary.
- Compensation of members.
- SEC. 3. That the members of said township boards of road commissioners shall, each in its respective township, qualify before any officer authorized to administer oaths, on or before the second Monday in December following their election, except those mentioned in section two of this act.
- SEC. 4. That the members of said board named in section two of this act shall qualify on or before the second Monday in March, one thousand nine hundred and nineteen, before any officer authorized to administer oaths, and they shall meet, those of the board of road commissioners of Pleasant Hill Township in the town of Pleasant Hill, and those of the board of road commissioners of Roanoke Township in Lasker, on or before the second Monday in March, one thousand nine hundred and nineteen, and each of said board shall organize by electing one of their number as chairman and by electing a secretary (who may be one of the board) and a treasurer. The secretary for each of said board thus elected shall in a book for the purpose keep a full and perfect record of all the proceedings and action of the board, which record shall be open to inspection by the citizens of the township at reasonable time. Compensation of the secretary shall not exceed two dollars per day for every day the board shall meet. The compensation of the members of each of said boards shall be three dollars a day, each of said board shall meet quarterly on the second Monday in December, March, June, and September, and oftener if necessary, and important, upon the call of the chairman or of any member, if requested by a majority of the members. At all of their said meetings, which shall be held for Pleasant Hill Township in the town of Pleasant Hill, and for Roanoke Township in the town of Lasker, they shall be authorized to transact any business and perform duties with reference to the roads of that township, respectively or within their jurisdiction.

SEC. 5. That each of said board of road commissioners and their successors shall be and are hereby constituted a body corporate by the name and style, one of them "The Board of Road Commissioners of Pleasant Hill Township," and the other by the name and style of "The Board of Road Commissioners of Roanoke Township," and each of said board shall adopt a common seal, and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase or devise; hold, exchange, and sell the same; and exercise such other rights and privileges as are incident to other municipal corporations.

SEC. 6. That it shall be the duty of each of said board of road commissioners to take control and management of the roads in their respective townships, and said commissioners are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of road or county commissioners of Northampton County, as pertaining to each of said townships.

SEC. 7. At or before their respective meetings in May of each year, each of said boards of road commissioners shall consult together as to the amount of money reasonably necessary to purchase suitable tools, machinery, teams, and supplies or for other things for the proper working and improving and establishing the public roads in each of said townships, and to pay all expenses thereof and the expense pertaining to the performance of their duties for one year, and shall fix and determine the rate of taxation on property and the polls of each of said townships for the purpose of raising said amount, which rate shall not be less than ten cents and not more than thirty cents on the one hundred dollars valuation on real and personal property, in each of said townships, and not less than thirty cents and not more than ninety cents on each poll for one year in each of said townships; and each of said boards of road commissioners shall report the rate of taxation thus ascertained and determined by them to the board of county commissioners of said county on or before their June meeting in each and every year, and it shall be the duty of the said board of county commissioners at their meeting in June or at such other time as may be fixed by law to levy a special tax as determined by each of said boards of township road commissioners for their respective townships, but the rate shall be in the discretion of the said board of county commissioners. Said taxes shall be collected as other taxes are collected, but shall be kept separate by the tax collector and paid over to the treasurer of each of said township's board of commissioners. Such taxes shall be levied upon and collected out of the property and polls in each of said townships whether in incorporated towns or not.

Constituted body corporate.

Duties.

Joint consultation of boards.

To fix rate of taxation.

Rate limited.

Report to county commissioners.

Commissioners to levy special tax.

Appointment
of treasurer.

Bond of treasurer.

Compensation of
treasurer.

Persons liable
for road duty.

Payment of money
in lieu of road
service.

Proviso: Payable
before March 1st.

Poll tax debtors to
work four days.

Convicts to
be sentenced.

Proviso: Time of
service of convict.

Term shortened
for good behavior.

Quarters for
convicts.

SEC. 8. That each of the said boards of township commissioners at its first meeting shall appoint some person or corporation as treasurer of said township road fund, the person or corporation so designated shall be required to give a sufficient bond payable to the said board, which said board shall fix the amount of the bond for the faithful performance of his or its duties as treasurer, and for the faithful holding and disbursing of said fund in accordance with the orders and directions of said board. Compensation for said services shall not exceed two per cent of disbursement of said road fund.

SEC. 9. That after January the first, one thousand nine hundred and twenty, every able-bodied male person between the ages of twenty-one and forty-five years residing in each of said townships, shall be liable annually to perform three days labor upon the roads of said township, under the supervision and direction of the road supervisor, overseer, or other officer appointed by the board of road commissioners of said township, who may assign such person to any portion of the road in each township in which said person resides as said officer may think best: *Provided, however,* that any such person shall be discharged from such labor for one year upon the payment to the proper officer of the sum of one dollar per annum in lieu thereof: *Provided further,* that such sum shall be paid on or before the first day of March, of said year.

SEC. 10. All persons who shall be liable to pay poll tax and who fail to pay the same shall be liable and compelled to work four days on the said roads under the direction and control of the road supervisor or officer in said township.

SEC. 11. That the judges of the Superior Court and Criminal Court of this state are hereby authorized and empowered to sentence convicts in said county or in other counties to work upon the public roads in either of said townships, and all the justices of the peace and mayors of towns of said county are hereby authorized and empowered to sentence persons tried before them and found guilty of vagrancy or any other violation of the criminal law within their jurisdiction to work upon the said public roads: *Provided,* that no person shall be required to work for a longer time than that for which he could have been imprisoned for the offense: *Provided further,* that said board of road commissioners of each of said townships and its authorized officers may shorten the time of labor in any individual case as much as one-fifth for good behavior and faithful performance of duty.

SEC. 12. That said board of road commissioners of each of said townships shall be authorized to provide proper quarters for convicts and to employ suitable guardians and overseers and to provide means for their safe keeping and control out of road funds.

SEC. 13. That the taxes and other revenues raised under this act or under any law applicable to the public roads each of said townships shall constitute a general road fund for the construction and improvement of the roads and bridges of said townships and for the purchase and maintenance of tools, machinery, teams, and other supplies or equipment for the better prosecution of the work and shall be expended according to the judgment and discretion of the said boards of road commissioners in each of said townships and the said boards shall in each of said towns, as often as they deem necessary, issue warrants or orders upon the township treasurer directing him or it to pay to the supervisor or other officer of roads the amount therein specified for the purpose of carrying out the provisions of this act.

Taxes constitute road fund.

Warrants on treasurer.

SEC. 14. That said board of road commissioners in each of said townships on the second Monday in December or at any regular meeting of the said board, may elect a township supervisor of roads at a salary to be fixed by said board, and who may be required to give bond payable to the said road commission in a sum to be fixed and approved by said board for the faithful and honest performance of his duties, which bond shall be filed and recorded, if required. It shall be the duty of the said township supervisor, subject to the supervision of the said boards respectively, to supervise, direct, and have charge of the building, construction, and maintenance of the roads of the townships and of the terms, tools, machinery, etc., for their working. Any part of said work or all of it in either township may be done by contract, if deemed best by the said board of road commission. Said supervisor shall see that all work on said roads is properly, promptly, and economically done; he shall make quarterly reports in writing to said board, giving the conditions of all the roads in the township, suggesting and recommending means and methods of improvement and the probable cost thereof, besides embracing matters required in section fifteen of this chapter, which written reports and regulations shall be filed with the clerk of the board and the board may provide money for the work which they may regard necessary. Said supervisor shall hold his office until his successor is elected and qualified or until he is discharged by said board.

Township supervisor.

Salary. Bond.

Duties of supervisor.

Work may be by contract.

Inspection and reports.

Term of office.

SEC. 15. That the township supervisor in each of said townships shall have charge and management of the plans, labor, teams, tools, apparatus, and machinery used on the roads under his charge, and shall render an itemized statement of the number of hands or persons including convicts worked on the road, the number of hours or days worked, the amount paid each hand, and the amount of money received and how the same was disbursed, and a list of the tools, machinery, implements, dump carts, carts, teams, and other apparatus in his hands and the

Powers and duties of township supervisor.

Itemized statement.

- condition thereof and any other information in reference to his management that may be reasonably required. Said reports shall be made quarterly, or oftener to said board if necessary. He shall have the team and all apparatus properly cared for.
- In all matters, he shall be subject to the control and direction of the said board.
- SEC. 16.** That said board of road commissioners in each of said townships shall have full power and discretion to adopt such methods and means and agencies for and in the management, improvement, and working of said roads as they may determine to be wise and best, regardless of any seeming limitations or restrictions in this act; and they may also make such purchases of gravel pit or pits, lands, timber, machinery, and teams as they may deem wise and important for the building, improvement, and maintenance of the roads, and they may have any or all of the roads or any part of any road widened so as to make them or such parts thereof fifteen feet on either side of the center of the road, thus making the road thirty feet wide between the ditches.
- SEC. 17.** That the said board of road commissioners in each of said townships shall make an annual statement of all their doings and proceedings in the same manner at the same time as is required by the board of county commissioners, which statement shall be recorded and preserved by the register of deeds in a suitable book which shall be subject to the inspection of the public and the register of deeds shall receive the same fees for such services as he receives in other like cases.
- SEC. 18.** All orders or warrants of said boards in each of said townships on the township treasurer authenticated as is required for such orders of the board of county commissioners shall be paid by said treasurer out of the road fund in his hand.
- SEC. 19.** That for the purpose of building, constructing, repairing, improving, and maintaining the public roads in each of said townships, the supervisor or other officer employed by said board of road commissioners of said township shall have the authority to enter upon any land in said township to cut and carry away any timber except trees or groves left for ornament or shade, to dig or cause to be dug or carried away any gravel, clay, earth, sand or stone, which may be necessary to build, construct, improve, or repair any of the roads in said township, to make such drains or ditches through the same as may be necessary for the benefit of the roads, doing as little damage to the land as possible, and any person wilfully obstructing or resisting the performance of these duties, or wilfully obstructing such ditches or drains when made, shall be guilty of a misdemeanor.
- SEC. 20.** That any person wilfully violating any provisions or requirements of this act shall be guilty of a misdemeanor and
- Reports to be made quarterly.
- Subject to direction of board.
- Adoption of methods.
- May make purchases.
- Width of roads.
- Report of road commissioners.
- Records kept by register of deeds.
- Authenticated warrants paid by treasurer.
- May take necessary material.
- Obstruction of officer misdemeanor.
- Violation of act misdemeanor.

upon conviction shall be punished by a fine not to exceed fifty dollars or imprisoned or sentenced to work upon the roads for not more than thirty days. Punishment.

SEC. 21. That the said boards of road commissioners in each of said townships may contract the building, improving, constructing or maintaining any part of or all of the roads in said township to some person, firm or corporation. That they may award contracts upon bids received by them, either publicly or privately, as they think is best in their discretion. Commissioners may contract. Contract let at discretion.

SEC. 22. That hereafter all road taxes collected by the sheriff of Northampton County or by township tax collector or otherwise in and for Pleasant Hill Township and Roanoke Township respectively and all moneys collected by said sheriff or any other person on account of said roads in each of said townships, shall be paid over to the treasurer or treasury designated by said board in each of said township, as it is collected. The said sheriff or other tax collector is hereby required to settle with the said treasurer of each of said townships, not later than the second Monday of April in each year. Funds to treasurer of township.

SEC. 23. That at their meeting the first Monday in March, one thousand nine hundred and nineteen, or as soon thereafter as practicable, the board of road or county commissioners of Northampton County shall give an order for and authorize the payment to the treasurer of the board of road commissioners for Pleasant Hill Township and Roanoke Township respectively, an amount equal to all the road taxes levied and collected in each of said townships of the levy of the year one thousand nine hundred and eighteen. Order for payment of road funds.

SEC. 24. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 25. That this act shall be in force from and after its ratification.

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 297

AN ACT TO AMEND CHAPTER 65, REVISAL OF 1905, RELATING TO FREE ROAD LABOR IN NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand seven hundred and twenty-one, Revisal of one thousand nine hundred and five, be and the same is hereby amended by striking out from lines fourteen, fifteen, and sixteen the words: "*Provided, that*" no man shall be required to work for a less time than seven hours nor Section 2721, Revisal, amended.

Ten hours constitute day's work.

Commutation of service \$2 per day.

Age for liability for road service raised to 21 years.

a longer time than ten hours in any one day," and inserting in lieu thereof the words: "*Provided*, that for the purposes of this act a day's work is taken to mean labor for at least ten hours, and a hand shall receive credit for one day's work only in case he has labored at least ten hours for such credit."

SEC. 2. That section two thousand seven hundred and twenty-one of the Revisal of one thousand nine hundred and five be and the same is hereby amended by striking out in line eighteen the words "one dollar" and inserting in lieu thereof the words "two dollars."

SEC. 3. That section two thousand seven hundred and twenty-five, Revisal of one thousand nine hundred and five, be and the same is hereby amended by striking out from line two thereof the word "eighteen" and inserting in lieu thereof the word "twenty-one."

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

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 298

AN ACT TO AMEND CHAPTER 439, PUBLIC-LOCAL LAWS OF 1915; ALSO CHAPTER 108, PUBLIC-LOCAL LAWS OF 1917, WHICH SAID LAWS RELATE TO THE IMPROVEMENT OF THE PUBLIC ROADS AND HIGHWAYS OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

Chapter 439, Public-Local Laws 1915, amended.

SECTION 1. That section two, chapter four hundred and thirty-nine, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out in line five, beginning with the word "in" after the comma, and ending with the word "price"; also striking out the last seven words of said section, which are as follows: "To be worked upon the highways only."

Proviso inserted.

SEC. 2. That section eleven, chapter four hundred and thirty-nine, Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out, beginning with the fourth word in line thirty-one, after the period, ten lines and a half, ending with the two words "road work" and inserting in lieu thereof the following: "*Provided, however*, the county commissioners may, in order to get more efficient and economical work, consolidate the convict forces, that is, the main camps or floating camps, into one or more main camps, and work the camps alternately in the different highway divisions, or on the public

Commissioners may consolidate forces.

roads, but it shall be the duty of the road engineer to keep a record of the value of the work done in each highway district or division, and on the roads, and submit a copy of the same to the board of commissioners on demand, so that ultimately each road division, district or section shall receive its just proportion of the taxes, and it shall be the duty of the county commissioners to keep each highway division or section as near equal from a work standpoint as practicable.”

Record of value of work done.

Proportion of taxes uniform.

SEC. 3. That section eleven-a, chapter four hundred and thirty-nine, Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the last two lines in said section, which read as follows: “*Provided*, all roads in Raleigh Township are hereby designated highways and shall be worked as other highways herein named.”

Designation of highways repealed.

SEC. 4. That section eleven-b, chapter four hundred and thirty-nine, Public-Local Laws of one thousand nine hundred and fifteen, and section six, chapter one hundred and eight, Public-Local Laws of one thousand nine hundred and seventeen, be stricken out, and add in lieu thereof the following, which shall be eleven-b: “That seventy-five per cent of the general road fund collected from each of the townships, except Raleigh Township, or a greater amount if the county commissioners deem necessary, and all dog tax, shall constitute a township road fund, and shall be expended under the direction of the road engineer, in the maintenance and construction of the various roads and bridges in the county, as the board may direct, and as they may deem just to the various townships and sections of the county: *Provided*, that all township road funds shall be paid into the county treasury with the highway funds, but it shall be the duty of the sheriff to keep a record of the amount of dog tax and property and poll tax collected from each township, and to furnish the road engineer and county auditor with a copy showing the amounts collected from each source each year. It shall be the duty of the road engineer to keep a record of the value of the work done on the roads and bridges in each township and submit this record, together with copy of sheriff’s statement of funds collected, to the county commissioners on demand.

Township road fund.

Expended under road engineer.

Proviso: All funds to be paid into county treasury.

Copy to road engineer and county auditor.

Road engineer to keep record.

SEC. 5. That section eleven-c, chapter four hundred and thirty-nine, Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out in line seven the words “by Stony Hill to J. W. Mangum’s Store” and inserting in lieu thereof “by the Sears School and E. B. Keith’s to the Falls Road at Mrs. Bell Thompson’s”; and by striking out lines eight, nine, and ten, beginning with the words “Nipper’s Graveyard Road” and inserting in lieu thereof “Pernell’s Road from Wake Forest, by Pernell’s to Free Union Church”; and also by striking out in lines eleven and twelve the words “leaving Nip-

Routes changed.

per's Graveyard Road, near Shell Thompson's and inserting in lieu thereof the words "from North of Hutchins' Store by Nipper's Graveyard."

Discontinuation
or alteration of
routes.

SEC. 6. That section twelve, chapter four hundred and thirty-nine, Public-Local Laws of one thousand nine hundred and fifteen be amended as follows: By striking out, in line two, said section, the following words: "The discontinuing or altering"; also by striking out in the last line of said section the words "the discontinuing or altering" and by adding at the end of said section the following: "The county commissioners shall have the power, however, to discontinue or alter any public road or highway upon the recommendation of the road engineer, or upon the recommendation of one of the members of their board."

Heavy hauling
restricted.

SEC. 7. That chapter four hundred and thirty-nine, Public-Local Laws of one thousand nine hundred and fifteen be amended as follows: By adding a new section after section thirty-six and numbering the same as thirty-six-a, which shall be as follows: No person, firm or corporation shall haul logs, lumber or other heavy material over the roads or highways of Wake County, when in the opinion of the county commissioners, or their authorized agents, the roads or highways are too wet and soft for the transportation of such materials, and after being notified in writing by the county commissioners or their authorized agents that the roads are too wet or soft for the transportation of such material, and after being so notified if they continue to haul or commence hauling again before being permitted to do so by said county commissioners or their authorized agents, then the said person, firm or corporation shall be guilty of a misdemeanor and on conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days for each and every offense.

Violation of order
misdemeanor.

Trucks over 5,000
pounds prohibited.

SEC. 8. That chapter four hundred and thirty-nine, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by inserting a new section following section thirty-six-a, which shall be numbered as thirty-six-b, and shall be as follows: It shall be unlawful to operate a truck on any of the highways of Wake County having a carrying capacity of more than five tons, and that it shall be unlawful to operate a truck on any of the township roads having a carrying capacity of more than three tons: *Provided*, that anyone operating a truck of over one and one-half tons on any of the roads or highways of Wake County shall be responsible to the county for all damage they may do to bridges, pipe or drains. It shall be unlawful for any person, firm or corporation to operate upon the roads of Wake County a truck or tractor engine that has upon its wheels cleats or spuds.

Operators of
trucks over 1½
tons responsible
for damages.

Tractors with
cleats or spuds
prohibited.

Digging into
roads prohibited.

SEC. 9. That chapter four hundred and thirty-nine, Public-Local Laws of one thousand nine hundred and fifteen be and the

same is hereby amended by inserting a new section after section thirty-six-b, and numbering the same as thirty-six-c, which shall be as follows: It shall be unlawful for any person, firm or corporation to dig into, or dig across, or in any way cut any of the highways in Wake County for any purpose without the written consent of the road engineer.

SEC. 10. That chapter four hundred and thirty-nine, Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by inserting a new section after section thirty-six-c, and numbering the same as thirty-six-d, which shall be as follows: Any person, firm or corporation violating any of the provisions 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. Violation of act
misdemeanor.

Ratified this the 4th day of February, A. D. 1919.

CHAPTER 299

AN ACT TO AMEND CHAPTER 503, PUBLIC-LOCAL LAWS OF 1913, AND TO INCREASE THE SPECIAL TAX FOR PUBLIC ROADS IN HOKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter five hundred and three, Public-Local Laws of one thousand nine hundred and thirteen, as amended by section one, chapter one hundred and eighty-one, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking the word "twenty" out of line five and inserting in lieu thereof the word "thirty" and by striking the word "sixty" out of line seven and inserting in lieu thereof the word "ninety." Special tax rate
increased.

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 4th day of March, A. D. 1919.

CHAPTER 300

AN ACT TO AUTHORIZE THE LEVY OF A SPECIAL TAX FOR ROAD MAINTENANCE IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Sampson County are hereby authorized, empowered, and directed to levy a special Commissioners to
levy special tax.

Limit.	tax of not less than five (5) cents nor more than twenty (20) cents on each one hundred dollars of all the taxable property and not less than fifteen (15) cents nor more than sixty (60) cents on each poll in the county, at all times observing the constitutional equation between the property and poll tax. Said tax to be levied annually, at the time of levying the other taxes, the rate each year to be fixed jointly by the road commission and the board of commissioners, which tax shall be collected by the sheriff of Sampson County at the same time and manner as the other taxes are collected, and he shall be allowed the same commissions for collecting same as he is or may be allowed for the collection of other taxes in said county. Said taxes shall be turned over to the treasurer, as collected, and kept as a separate fund, and shall be known as the "Road Maintenance Fund" of Sampson County.
Levy.	
Collection.	
Commissions.	
Taxes turned over to treasurer.	
Road commission to expend fund.	SEC. 2. That the road commission of Sampson County shall expend said fund, or so much thereof as they deem necessary, to improve and maintain those sand-clay roads of said county which said road commission shall designate as "county thoroughfares": <i>Provided</i> , that if the money collected for this fund shall not be expended for the purpose herein set out, the same shall not be expended during the next year: <i>Provided further</i> , that if the road commission shall build or rebuild any road designated "county thoroughfares" of other material than sand-clay, they shall maintain same out of said fund in the same manner as if the class of construction used had been specifically set out herein.
Fund restricted to road uses.	SEC. 3. That it shall be the duty of said road commission to adopt and maintain some practicable, systematic, and continuous system of road maintenance on said roads.
Proviso: Other roads to be maintained.	SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.
To adopt practical system.	SEC. 5. This act shall be in force and effect after its ratification.
	Ratified this the 4th day of March, A. D. 1919.

CHAPTER 301

AN ACT TO AUTHORIZE AND EMPOWER THE COMMISSIONERS TO LEVY A SPECIAL TAX FOR BUILDING BRIDGES AND CAUSEWAYS IN FENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Pender County, at the same time and in the same manner as they levy and assess the public taxes of each year, are hereby authorized

Special tax authorized.

and empowered to levy annually a special tax in Pender County, not to exceed ten cents on each one hundred dollars of taxable property and thirty cents on each taxable poll, to create a fund for the purposes provided for in this act; and the funds derived from said tax shall be a special fund to be used for this purpose and no other. Limit of tax.

SEC. 2. That the funds derived from section one of this act shall be used for the purpose of building bridges and causeways across Black River, North East River, and smaller streams in Pender County. For bridges and causeways.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 302

AN ACT AUTHORIZING THE COMMISSIONERS OF CUMBERLAND COUNTY TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners for the county of Cumberland are authorized and empowered to issue coupon bonds of the county in the aggregate sum of two hundred and fifty thousand dollars, for the purpose of paying off or funding the two hundred thousand dollars of floating debt necessarily incurred in the construction and improvement of its public roads and bridges, the balance to be used for the necessary improvement of public roads and bridges in said county. Commissioners to issue bonds. Amount. Purpose.

SEC. 2. That said bonds may be serial or otherwise, maturing not less than five nor more than thirty years after date of issue; bear interest at the rate of not more than six per centum per annum, payable semiannually, to be evidenced by coupons attached thereto; the denomination or denominations, rate of interest, maturity, and place of payment of the bonds, and the times and place of payment of the coupons, to be fixed by the aforesaid board of county commissioners. Form of bonds, maturity, interest rate. Details fixed by commissioners.

SEC. 3. That the bonds shall be consecutively numbered, signed by the chairman of said board of county commissioners and the clerk of said board, and bear the impress of the county seal. The coupons shall bear the engraved or lithographed facsimile of the signature of said chairman and clerk, and also be numbered. Authentication.

SEC. 4. That said bonds shall be sold, after due advertisement, at a price not less than par and accrued interest, the proceeds to be used in funding said floating debt and improving the public roads and bridges as aforesaid, and for no other purpose. Sale. Use of proceeds.

Special tax
for bonds.

SEC. 5. That the said board of commissioners shall compute and levy annually, on all taxable property within the county, such special tax as may be necessary to provide sufficient moneys with which to pay the interest on said bonds and for an adequate sinking fund for their redemption at maturity.

Use of tax
restricted.

SEC. 6. That no part of said special tax shall be used for any other purpose.

Treasurer to
receive no
commission.

SEC. 7. That the treasurer of Cumberland County shall receive no commission or other compensation for handling that part of the proceeds of the sale of said bonds used in the funding of the aforesaid floating indebtedness.

Chapter 284,
Public Laws
1917, repealed.

SEC. 8. That chapter two hundred and eighty-four of the Public Laws of nineteen hundred and seventeen is hereby repealed in so far as it is in conflict with this act, which chapter is entitled "An act to provide for the issuing of bonds for road improvement, for providing for county highway commissions, and for providing for the improvement of the public roads of the several counties of the state."

SEC. 9. That all laws and parts 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 4th day of March, A. D. 1919.

CHAPTER 303

AN ACT AMENDING CHAPTER 453 OF THE PUBLIC-LOCAL LAWS OF 1913, WHICH IS THE CUMBERLAND COUNTY ROAD LAW.

The General Assembly of North Carolina do enact:

Chapter 453,
Public-Local Laws
1913, amended.

SECTION 1. That chapter four hundred and fifty three of the Public-Local Laws of nineteen hundred and thirteen, entitled "An act providing for the building, repairing, and maintaining the public roads of Cumberland County, and levying a special tax," be amended by striking out the word "eighteen" in the thirty-fourth line of section five (in the first proviso on page nine hundred and forty-eight) and inserting the words "twenty-six" so as to provide for the levy of said special road tax until and including the tax year of nineteen hundred and twenty-six.

Period of tax
levy extended.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed in so far as they apply to this act.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 304

AN ACT TO AUTHORIZE CHOWAN COUNTY TO ISSUE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Chowan County is hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding three hundred thousand dollars, for the purpose of laying out, opening, altering, constructing, and improving county highways and bridges in said county. Commissioners to issue bonds for roads. Amount.

SEC. 2. Before any bonds are issued under this act, the board of county commissioners of Chowan County shall cause to be published once a week for four successive weeks in one or more newspapers published in Chowan County, a notice substantially in the following form, with the blanks properly filled in, viz: Notice to be published.

Notice is hereby given to the voters of Chowan County that after the expiration of thirty days after the first publication of this notice, the board of county commissioners will issue road and bridge bonds of Chowan County under the provisions of a special act ratified by the General Assembly on the . . . day of 1919 (here insert date of ratification of this act), authorizing the issuance of not exceeding three hundred thousand dollars bonds for county highways and bridges. Notice is also given that the question of issuing such bonds will not be submitted to the voters at an election, unless within said period of thirty days there shall be filed with the clerk of the board of county commissioners a petition for an election on such question, signed by at least twenty-five per cent of the registered voters of said county. This notice was first published on the day of , 1919.

Clerk of the Board of County Commissioners.

SEC. 3. If a sufficient petition shall be filed with the board of county commissioners as provided in this section, no bonds shall be issued under this act unless and until the question of issuing such bonds shall be submitted to the voters of Chowan County at an election and a majority of the votes cast at said election are in favor of issuing such bonds. A petition demanding that the question of issuing the bonds be submitted to the voters at an election may be filed with the clerk of the board of county commissioners within thirty days after the first publication of the notice aforesaid. The petition shall be in writing and signed by at least twenty-five per cent of the registered voters of the county, as shown by the registration books for the last preceding election therein. The residence address of each signer shall be written after his signature. Each signature of the petition shall be verified by a statement (which may relate to a specified num- Bond not issued without approval of voters if petition to contrary. Petition to be filed with commissioners. Form of petition. Addresses of signers required. Verification of signatures.

ber of signatures) made by some adult resident freeholder of the county under oath before an officer competent to administer oaths, to the effect that the signature was made in his presence and is the genuine signature of the person whose name it purports to be. The petition need not be all on one sheet. If on more than one sheet, it shall be verified as to each sheet. The clerk of the board of county commissioners shall investigate the sufficiency of the petition and present it to the board of county commissioners with a certificate stating the result of his investigation. The board of county commissioners shall thereupon determine the sufficiency of the petition, and the determination of said board shall be conclusive.

Sufficiency
of petition
investigated.

If petition
sufficient, election
to be called.

SEC. 4. If the board of county commissioners determine a petition filed as aforesaid to be sufficient the board shall submit the question of issuing bonds under this act to the voters at a special election to be held as soon as may be practicable. The board of county commissioners shall fix the date for holding said election, shall name the registrars and judges of election for the voting precincts of said county, and shall cause notice of said election to be given by publication at least once at least thirty days before the election in some newspaper published in Chowan County. Said election shall be held and conducted in all other respects in accordance with the provisions of law relating to the holding and conducting of elections for members of the General Assembly. Those qualified to vote at said election shall be those who were qualified to vote at the last preceding election for members of the General Assembly and county officers and those who have since become qualified by becoming of age or otherwise. The decision of the board of county commissioners upon the right to vote of any voter shall be final and conclusive.

Notice of election.

Form of ballot.

At said election the voters who favor the issuance of said bonds shall vote a ticket with the words "For Road and Bridge Bonds" written or printed thereon, and the voters who are opposed to the issuance of said bonds shall vote a ticket with the words "Against Road and Bridge Bonds" written or printed thereon. The votes shall be counted at the close of the polls and returns thereof made to the said board of county commissioners on the Thursday next following the election, and said board shall by resolution declare the result of said election as soon as possible after the return of said vote, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording or declaring of the result of the election shall be necessary. Said resolution of the board of county commissioners declaring the result of said election shall be published once a week for at least two successive weeks in some newspaper published in Chowan County. No right of action or defense founded upon the invalidity of said election shall be asserted, nor shall the

Declaration
of result.

Validity of
election.

validity of the election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the first publication of said resolution.

SEC. 5. The bonds authorized by this act may be divided into two or more separate issues. Each issue shall mature in annual installments or series, the first of which shall be payable not more than three years after the date of the bonds of such issue, and the last not more than thirty years after such date. No such installment or series shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously, the bonds outstanding at any one time shall mature as aforesaid.

SEC. 6. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place, and medium of payment of principal and interest as the board of county commissioners may determine, subject to the limitations and restrictions of this act. They shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Chowan County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and the coupons shall bear the printed or lithographed or engraved facsimile signature of the said clerk in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

SEC. 7. Said bonds shall be sold upon sealed proposals at a price not less than par and accrued interest. Before any such sale, there shall be published in a newspaper published in Chowan County, a notice containing a description of the bonds to be sold, the place of sale, and the time limited for the receipt of sealed proposals, which time shall be not less than ten days after the first publication of such notice. The board of county commissioners may cause such further publication of such notice to be made as the board may deem expedient. All proposals submitted pursuant to such notice shall be opened in public, and the bonds shall be awarded to the highest bidder, unless all bids are rejected.

SEC. 8. The proceeds of the sale of such bonds shall be placed in a separate fund and used only for the purposes for which the bonds were issued. The purchaser of the bonds shall not be bound to see to the application of the proceeds.

Special tax levy. SEC. 9. Said board of county commissioners is hereby further authorized to levy annually a special tax *ad valorem* upon all taxable property in said county, for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by said board.

In addition to other taxes.

Act not to affect former acts. SEC. 10. The powers granted by this act are granted in addition to and not in substitution for existing powers of Chowan County, and are not subject to any limitations or restrictions contained in any other law.

SEC. 11. All laws and parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 305

AN ACT PROHIBITING CARNIVALS IN UNION, CRAVEN, PERQUIMANS AND RICHMOND COUNTIES.

The General Assembly of North Carolina do enact:

Exhibition by carnival company prohibited.
Carnival defined.

SECTION 1. That it shall be unlawful for any carnival company to exhibit in Union County: *Provided*, the word "carnival" shall be construed to mean shows consisting of more than three distinct attractions, conducted for profit, whether under canvass or not: *Provided further*, that this act shall not apply to circuses, menageries, movies, or dog and pony shows: *Provided further*, this act shall not prohibit the exhibition of any show or shows, in connection with any fair held in Craven County by the fair association.

Proviso: Shows not affected.
Proviso: Not to affect fairs.

Penalty for violation of act.

SEC. 2. Any person or persons violating this act shall be fined not less than fifty or more than two hundred dollars or imprisoned not less than thirty or more than ninety days for each and every offense.

SEC. 3. That this act shall only apply to the counties of Union, Craven, Perquimans, and Richmond.

SEC. 4. That this act shall take effect from and after May first, one thousand nine hundred and nineteen.

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 306

AN ACT TO REPEAL CHAPTER 562, PUBLIC-LOCAL AND PRIVATE LAWS OF 1917, RELATIVE TO APPOINTMENT OF A STANDARD KEEPER FOR CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and sixty-two of the Public-Local and Private Laws of one thousand nine hundred and seventeen be and the same is hereby repealed. Chapter 562, Public-Local Laws 1917, repealed.

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

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 307

AN ACT TO AUTHORIZE THE ISSUANCE OF ROAD BONDS FOR SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. For the purpose of building and improving the public roads and bridges of Sampson County the board of county commissioners of said county is hereby authorized, empowered, and directed to issue as may be needed, bonds not to exceed in total amount the sum of two hundred thousand dollars, in denominations of not less than one hundred dollars and not more than five hundred dollars, bearing interest from their date at a rate not to exceed six per centum per annum, the rate to be fixed by the board of county commissioners at the time of issuing such bonds and shall be fixed at the lowest rate possible in order that the bonds may bring par on the market. The interest on said bonds to be payable semiannually on the first day of January and July of each year at the office of the county treasurer of Sampson County, or such other place as the board of county commissioners may designate at the time of issuing such bonds; said interest to be evidenced by coupons attached to said bonds. Commissioners to issue bonds. Amount. Denomination. Interest rate. Interest payable semiannually. Coupons.

SEC. 2. That said bonds shall be made payable twenty years from the date of their respective issue and shall bear on their face the purpose for which they are issued and the authority for the same, and shall be numbered consecutively, beginning at number one, and shall be signed by the chairman of the board of commissioners and attested and countersigned by the register of deeds of Sampson County, and shall be impressed with the corporate seal of said county. Payable in twenty years. Number and authentication. To bear corporate seal.

Record of sales
to be kept.

SEC. 3. A record shall be kept by said board of commissioners in a book to be provided by them for that purpose of all bonds sold, to whom sold, the amount and date of sale of each and the date of maturity of each bond so sold, together with its number. They shall also keep a record likewise provided for that purpose, of all bonds paid off and redeemed, which said bonds when so redeemed shall be cancelled.

Special tax.

SEC. 4. In order to pay the interest on the bonds so issued the board of commissioners shall annually compute the interest on the bonds by them sold, and at the time of levying other state and county taxes levy a sufficient special tax upon all of the real and personal property and taxable polls in said county, at all times observing the constitutional equation between the property and poll tax, to pay such interest as will accrue for the year in which such levy is made, and also a like tax sufficient to create a sinking fund to pay off such bonds at maturity.

Sinking fund.

Tax constitutes
separate fund.

SEC. 5. That said tax, when collected, shall be kept separate and apart from all other taxes, and shall be used only for the purposes for which same is levied and collected. After paying the interest on said bonds the balance of the fund so collected shall be placed in the sinking fund. And the board of commissioners may invest the sinking fund, either in state or United States bonds, first mortgage on real estate, or may use same to purchase any bonds authorized by this act outstanding which may be on the market. Any commissioner who shall by any means cause any of said taxes to be used for any other purpose than that for which they were levied and collected shall be guilty of a misdemeanor, and upon conviction be fined or imprisoned in the discretion of the court.

Investment of
sinking fund.

Advertisement.

SEC. 6. That the said board of commissioners shall advertise said bonds in some newspaper published in Sampson County, and at the courthouse door for a period of thirty days, and shall also have authority, in their discretion, to advertise the same in any bond advertising paper or journal for such period as they may designate, and they shall sell the same for not less than par. The proceeds of said sales shall be turned over and charged to the treasurer of Sampson County, to be paid out by him for road work on the warrant of the road commission of Sampson County.

Not to be sold
for less than par.

Application
of proceeds.

SEC. 7. The money derived from the sale of said bonds shall be used by the road commission of Sampson County for the purposes and in the manner provided in chapter two hundred of the Public Laws of one thousand nine hundred and seven. But no purchaser of said bonds shall be responsible for the application of the money derived therefrom.

Taxes collected
by sheriff.

SEC. 8. That all taxes levied under the provisions of this act shall be collected by the sheriff of said county and turned over

to the treasurer of said county for disbursement in the same way that all other taxes are collected and disbursed, and the sheriff and treasurer shall receive the same commission for collecting or disbursing said fund as they do or shall receive for collecting or disbursing other county funds.

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

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 308

AN ACT TO AMEND CHAPTER 156 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA AT ITS SESSION OF 1915, IN REGARD TO JAIL FEES IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and fifty-six of the Public-Local Laws of North Carolina at its session of one thousand nine hundred and fifteen be amended by striking out the words "fifty cents" in line four thereof and inserting in lieu thereof the words "one dollar." ^{Jail fees increased.}

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 309

AN ACT FOR THE PROTECTION OF THE PUBLIC ROADS OF BUNCOMBE COUNTY.

WHEREAS, the use of automobile trucks and other freight-carry-^{Preamble.} ing vehicles of much weight have become very common in the county of Buncombe, and on account of climate conditions and the grades of roads in said county, said trucks and other heavily loaded vehicles from time to time do much damage to the roads of said county, and the commissioners of said county under the existing law are helpless to combat conditions as they now arise; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Bun-^{Commissioners to make rules.}combe County be and they are hereby authorized and empowered to make and promulgate just and reasonable rules and regulations for the use of automobile trucks and other heavy freight-

carrying vehicles to be used or run over the improved roads and bridges of the county of Buncombe from time to time, as in their best judgment are reasonable and proper, to meet such conditions, climatic or otherwise, as may arise.

Rules may
be changed.

SEC. 2. That the said board of commissioners of Buncombe County may change, alter, or repeal any of the rules and regulations by it made from time to time, so as to meet the various conditions that arise, fixing the road upon which trucks and heavy vehicles may run during a given period, or the maximum amount in tonnage which any one vehicle or train of vehicles may carry over such roads at such periods, as in their judgment is wise; that said rules and regulations, when so made, and published three times in a daily paper published in the city of Asheville, and posted at the courthouse door, shall then be and become the law relative thereto.

Violation of rules
misdemeanor.

SEC. 3. That any person, firm or corporation violating any of the rules or regulations so made and promulgated by the board of county commissioners of Buncombe County, shall be guilty of a misdemeanor, and on conviction thereof shall pay a fine of twenty dollars (\$20) for each and every offense, and the owner of such automobile truck or other freight-carrying vehicle shall be liable in damages to the county of Buncombe for all damage that is done to the roads or bridges of said county by reason of running the same in violation of such rules and regulations so promulgated.

Penalty.

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

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 310

AN ACT AUTHORIZING THE COMMISSIONERS OF BLADEN COUNTY TO PAY DEPUTY CLERK OF THE SUPERIOR COURT OF SAID COUNTY DURING THE TERMS OF THE SUPERIOR COURT IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Commissioners to
pay deputy clerk.

SECTION 1. That the commissioners of Bladen County are authorized and empowered to pay the deputy clerk of the Superior Court during the terms of the Superior Court in said county the sum of three dollars per day, for each day actually employed during said term of the Superior Court.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 311**AN ACT TO REGULATE THE FEES OF THE COUNTY SURVEYOR OF WAYNE COUNTY.**

The General Assembly of North Carolina do enact:

SEC. 1. The county surveyor of Wayne County, when doing work for the county as surveyor, shall receive the sum of seven dollars and fifty cents (\$7.50) per day for his services. ^{Pay of county surveyor.}

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 and effect from and after its ratification.

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 312**AN ACT PROVIDING FOR THE ERECTION OF A CONFEDERATE MONUMENT IN THE TOWN OF WAYNESVILLE, IN HAYWOOD COUNTY.**

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Haywood County are hereby authorized, empowered, and directed to appropriate out of any funds in the county unappropriated an amount of money not to exceed the sum of two thousand dollars (\$2,000) for the purpose of erecting a monument to the memory of the Confederate soldiers both living and dead. ^{Appropriation for monument.} ^{Amount.}

SEC. 2. That the said monument shall be placed at or near the southeast corner of the courthouse square fronting Main Street, and the same shall be erected under the supervision of the Daughters of the Confederacy acting in conjunction with the county commissioners of said county. ^{Location of monument.}

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 313**AN ACT TO INCREASE THE FEES OF THE SHERIFF OF GREENE COUNTY.**

The General Assembly of North Carolina do enact:

SECTION 1. The sheriff of Greene County shall be allowed the following fees, viz: ^{Fees of sheriff.}

Arrest of a defendant in a civil action and taking bail including attendance to justify, and all services connected therewith, two dollars (\$2).

Arrest of any person indicted including all services connected with taking of bail, two dollars (\$2).

Taking any bond or undertaking, including furnishing the blanks, seventy-five cents (75c).

Executing a subpoena on a witness, fifty cents, when not traveling less than one mile to do so.

Levying an attachment, two dollars (\$2).

Service of writ ejection, two dollars (\$2).

Serving claim, and delivery process, two dollars (\$2).

Advertising sale of property under execution at each place required thirty-three and one-third cents (33 $\frac{1}{3}$ c).

SEC. 2. This act shall apply to Greene County only.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 314

AN ACT FOR THE COMPENSATION OF RURAL POLICEMEN IN ANSON COUNTY.

The General Assembly of North Carolina do enact:

Pay increased.

SECTION 1. That chapter four hundred and fifty-one of the Public-Local Laws of one thousand nine hundred and fifteen be amended by striking out the words "seventy-five" in section three, line two, and inserting in lieu thereof the words "one hundred."

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 315

AN ACT TO AMEND CHAPTER 388 OF PUBLIC LAWS OF 1895, AS AMENDED BY CHAPTER 279 OF PUBLIC LAWS OF 1903. RELATIVE TO FEES OF COTTON WEIGHERS IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Fees increased.

SECTION 1. That chapter three hundred eighty-eight^t of the Public Laws of eighteen hundred ninety-five, as amended by chapter two hundred seventy-nine of the Public Laws of nineteen hundred three, be and the same is hereby amended by adding the following thereto: "*Provided*, that the county commissioners may in their discretion increase said charges to a sum not exceeding sixteen (16) cents per bale."

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 316

AN ACT TO REPEAL SECTION 2, CHAPTER 141, PUBLIC-LOCAL LAWS OF 1913, EXTRA SESSION.

The General Assembly of North Carolina do enact:

SECTION 1. That section two, chapter one hundred and forty-one of the Public-Local Laws of one thousand nine hundred and thirteen, extra session, be and the same is hereby repealed. Section 2, chapter 141, Public-Local Laws, amended.

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

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 317

AN ACT TO REGULATE IN FORSYTH COUNTY THE CARRYING OF DEADLY WEAPONS.

The General Assembly of North Carolina do enact:

SECTION 1. If any one (except such person as may have a permit, as provided for in section two of this act), except when on his own premises, shall carry concealed about his person any pistol, bowie knife, dirk, dagger, slung-shot, loaded cane, brass, iron or metallic knucks, or razor or other deadly weapon of like kind, he shall be guilty of a misdemeanor, and fined not less than two hundred dollars, or more than five hundred dollars, or imprisoned for not less than ninety days or more than two years for the first or second offenses, and for the third or subsequent offenses he shall be imprisoned for not less than four months or more than two years. It shall be the duty of the prosecuting attorney in all cases to ascertain whether or not the charge is the first, second, third or subsequent offense, and if it shall be the third or subsequent offense, it shall be so stated in the indictment returned and the prosecuting attorney shall introduce the record evidence before the trial court of said third or subsequent offense. This section shall not apply to the following persons: Concealed weapons prohibited. Violation misdemeanor. Punishment for first and second offense. Punishment for third offense. Duties of prosecuting attorney. Indictment, what to contain. Exceptions.

officers and soldiers of the United States army, civil officers of the United States while in the discharge of their official duties, officers and soldiers of the militia and the state guard when called

- into actual service, officers of the state or of any county, city or town, charged with the execution of the laws of the state, and acting in the discharge of their official duties: *Provided*, that nothing herein shall prevent a person from carrying any such weapon (and if it be a pistol or other firearms unloaded) from the place of purchase to his home, or place of residence, or a place of repair, and back to his home or residence.
- Exception.
- May make application for permit. SEC. 2. That when any person desires when off his own premises to carry a pistol or other weapon mentioned or referred to in section one hereof, for any lawful purpose, he shall make application to the Municipal Court of an incorporated city, if such person is a resident of the city where such Municipal Court is held, or to the Superior Court of the county, if such person is not a resident of such municipality, setting forth therein the time when said weapon shall be carried, the purpose thereof, and if the same is lawful the presiding judge shall grant a permit to said person, describing the weapon and giving the time and purpose when it may be carried off the premises of the applicant, upon the payment to the clerk of said court of the sum of five dollars, and upon the filing of a bond with the clerk of said court in the penalty of five hundred dollars, conditioned that such applicant will not carry such weapon except in accordance with his said application, and as authorized by the court.
- Judge may grant permit to carry weapon.
- Fee for permit.
- Bond to be filed.
- Violation of act misdemeanor. SEC. 3. If any person, except when on his own premises, shall carry any weapon set forth or referred to in section one of this act unconcealed, without a permit, as provided in section two of this act, he shall be guilty of a misdemeanor, and punished as provided in section one of this act for carrying a concealed weapon.
- Purchase of weapon to be listed. SEC. 4. Any person who shall be the owner of any pistol or other firearms, or who shall hereafter purchase any such pistol or other firearms, shall list the same with the tax lister of his respective ward or precinct for taxation at the same time and in the same manner as other property is listed for taxation, or at the same time polls are required to be listed, giving the name of maker of such pistol or other firearms. Any person, firm or officer of corporation that fails to comply with any of the provisions of this section, shall be guilty of misdemeanor, and fined not less than fifty dollars, or more than five hundred dollars, or imprisoned for not less than thirty days or more than two years, in the discretion of the court: *Provided*, that this section shall not apply to any licensed dealer in pistols or other firearms.
- Description.
- Failure to comply with act misdemeanor. Penalty. SEC. 5. Any deadly weapon set forth or referred to in sections one, three or four of this act, that shall be found on a person convicted under the provisions of sections one and three of this act, or owned by a person convicted under the provisions of sec-
- Weapons confiscated.

tion four of this act, shall be forthwith confiscated and delivered to the court having jurisdiction of the case.

SEC. 6. This act shall apply only to Forsyth County.

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

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 318

AN ACT TO AMEND CHAPTER 650 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO LOCAL IMPROVEMENTS IN CERTAIN COUNTIES OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section thirteen of chapter six hundred and fifty of the Public-Local Laws of one thousand nine hundred and seventeen be amended by adding at the end of said section the following words: Chapter 650, Public-Local Laws 1917, amended.

“*Provided*, that the Board of Commissioners may allow such assessments to be paid in five annual installments, the deferred payments to bear interest at six per cent per annum.” Extension of time for payment of assessments.

SEC. 2. Amend section eighteen of said chapter six hundred and fifty of the Public-Local Laws of one thousand nine hundred and seventeen by adding after the word “Brunswick” in line three of said section the word “Forsyth.” Act extended to Forsyth County.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 319

AN ACT TO REGULATE THE PUBLICATION OF THE ANNUAL REPORTS OF CERTAIN OFFICERS OF ROBESON COUNTY

The General Assembly of North Carolina do enact:

SECTION 1. That the annual report of the register of deeds, clerk of the Superior Court, auditor and other officers of Robeson County that are now required by law to be published in some newspaper in Robeson County shall hereafter be published only once in any such newspaper. Reports county officers to be published once.

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 4th day of March, A. D. 1919.

CHAPTER 320

AN ACT TO REGULATE SALES ON SUNDAY IN FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Unlawful to sell goods on Sunday in four miles of incorporated town.

Business places closed Sunday.

Proviso: does not apply to places serving food.

Proviso: drug-stores exempted.

Proviso: ice dealers and dairies exempted.

Livery stables, garages, newspapers exempted.

Violation of act misdemeanor.

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 four miles 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 cafes 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: *Provided further*, that drug stores, cigar stands, and news stands, may sell cigars, tobacco, and newspapers between the hours of seven o'clock A. M. and ten-thirty o'clock A. M., and between the hours of four o'clock P. M. and six o'clock P. M.: *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.

SEC. 2. Any person, firm, or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court.

SEC. 3. All acts or parts of acts in conflict herewith are hereby repealed.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 321

AN ACT RELATING TO GRAND JURIES IN THE COUNTY OF BUNCOMBE.

The General Assembly of North Carolina do enact:

Grand juries to serve six months.

SECTION 1. That the grand juries drawn in the Superior Court for the county of Buncombe in July and January of each and every year hereafter shall be and constitute the grand jury for each and every term of the Superior Courts where a grand

jury is authorized by the law for the fall and spring terms of the court held in said county, and no other grand jury shall be drawn during said fall and spring terms.

SEC. 2. That all vacancies occurring in the grand jury for any cause whatsoever shall be filled by drawing a sufficient number of names in the manner now provided for drawing grand juries, from the jurors regularly summoned to appear at any term of court.

Vacancies in grand jury filled by draft.

SEC. 3. That the judge of the Superior Court is authorized and empowered to call together the grand jury at any regular or special term of the Superior Court if in his opinion it is necessary.

Judge may call grand jury together.

SEC. 4. That this act shall apply only to the county of Buncombe.

Act restricted to Buncombe County.

SEC. 5. That this act shall be in full force and effect from and after the 1st day of July, 1919.

SEC. 6. That all laws in conflict herewith are repealed.

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 322

AN ACT TO PROVIDE COMPENSATION FOR DEPUTIES AND CLERICAL ASSISTANTS TO THE SHERIFF, CLERK OF THE SUPERIOR COURT AND REGISTER OF DEEDS, AND TO INCREASE THE SALARY OF THE TREASURER OF IREDELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Iredell County shall be allowed the sum of one thousand dollars, or so much thereof as he may actually expend, for the purpose of paying his office deputy, or assistant, and deputies to aid him in the collection of delinquent or other taxes and fees due the state and county.

Sheriff allowed \$1,000 for office deputy.

SEC. 2. That the clerk of the Superior Court of Iredell County shall appoint a competent deputy clerk who shall receive a salary of seventy-five dollars per month, to be paid as the salaries of other county officers are now paid under the provisions of section twelve, chapter five hundred and nineteen, Public-Local Laws of one thousand nine hundred and thirteen. The clerk shall have power to remove the deputy and appoint another in his stead.

Clerk allowed \$900 for deputy.

SEC. 3. That the register of deeds of Iredell County shall be allowed the sum of one thousand dollars, or so much as he may actually expend, for the purpose of employing an assistant or assistants in discharging the duties of his office. That section three, chapter three hundred and sixty, Public-Local Laws of one thousand nine hundred and seventeen is hereby repealed.

Register of deeds allowed \$1,000 for assistance.

Chapter 360, Public Local Laws 1917, repealed.

Salary of treasurer increased.

SEC. 4. That the salary of the treasurer of Iredell County be increased from fifteen to eighteen hundred dollars per year.

Sheriff and register of deeds to make statements.

SEC. 5. That the sheriff and register of deeds shall make monthly statements under oath to the county treasurer of all sums expended under the provisions of this act, which statements shall contain the names of persons to whom payments were made, the amount paid to each, and the purpose for which each payment was made: *Provided*, that the total payments made by each officer shall in no year exceed the sum of one thousand dollars.

Proviso: not to expend over \$1,000 each.
Chapter 519, Public-Local Laws 1913, repealed.

SEC. 6. That the provisions of chapter five hundred and nineteen, Public-Local Laws of one thousand nine hundred and thirteen, in so far as the same are in conflict with this act, are hereby repealed.

SEC. 7. That this act shall be in force and effect from and after February twenty-eighth, one thousand nine hundred and nineteen. Ratified this the 4th day of March, A. D. 1919.

CHAPTER 323

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF YADKIN COUNTY TO ISSUE BONDS FOR ROAD IMPROVEMENTS.

The General Assembly of North Carolina do enact:

Commissioners to issue bonds.

SECTION 1. That the board of commissioners of Yadkin County be and they are hereby authorized and empowered to issue interest bearing coupon bonds of said county to an amount not exceeding fifty thousand dollars, in such denominations as they may determine, bearing interest from the date thereof at not exceeding six per cent per annum, 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 way, and the principal and interest thereof payable at such time and place as the said board may determine, not exceeding forty years from date thereof: *Provided*, that none of said bonds shall be sold for less than par.

Not over \$50,000.

Interest not exceeding 6 per cent.
Form of bonds.

Term.

Proviso: bonds not sold for less than par.

Authentication of bonds.

SEC. 2. That the bonds or coupons shall be numbered and signed by the chairman of the board of county commissioners and countersigned by the register of deeds of said county.

Tax for interest and sinking fund.

SEC. 3. That in order to pay the interest on said bonds and to create a sinking fund to take up said bonds at maturity, the said board of commissioners shall levy annually, at the time of levying other taxes, a special tax of not exceeding twenty cents on the one hundred dollars valuation of real and personal property and sixty cents on each poll in said county.

SEC. 4. That the moneys derived from the sale of said bonds shall be used for the surveying, laying out, building and otherwise improving the public roads of said county. Use of proceeds.

SEC. 5. That C. S. Reavis, E. T. Davis, together with the present members of the Yadkin County road commission are hereby appointed and constituted a board of road commissioners for Yadkin County, and all powers and authorities heretofore vested in the Yadkin County road commission and the board of county commissioners in relation to roads are hereby vested in the board of road commissioners of Yadkin County as herein constituted. Board of road commissioners appointed.

That the term of office of 11 of the members of said board of road commission shall begin upon the ratification of this act, and upon their taking a proper oath of office, and shall terminate on the first day of December, one thousand nine hundred and twenty-one, at the expiration of the terms of office of all members of the said Yadkin County road commission, on the first day of December, one thousand nine hundred and twenty-one, the said road commission shall consist of four members, to be named by the Governor of the State, two of said members to be of the Republican party and two of the Democratic party; the member first named to be the chairman of the board. Powers.

SEC. 6. That the said members of the board of road commissioners shall hold their regular meetings at Yadkinville, North Carolina, on the second Monday of each month and shall receive the same pay as allowed the members of the board of county commissioners. Terms of office.

SEC. 7. That all laws and clauses of laws in conflict with this act are hereby repealed. To consist of four members.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 324

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

The General Assembly of North Carolina do enact:

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 nineteen and the year one thousand nine hundred and twenty, respectively, at the time for levying the general taxes for said county, which special tax shall be levied upon taxable property and polls and all other subjects of taxation in said county at a rate of taxation not to exceed fifty cents on the one hundred Special tax to be levied.

Limit of rate.

dollars property valuation and one dollar and fifty cents on each poll, observing the equation prescribed by the Constitution.

Purpose of tax.

SEC. 2. That said special tax is authorized and is to be levied and collected only for the purpose of constructing county bridges, highways, and public buildings of said county; to pay off an indebtedness heretofore contracted for the construction of county bridges, highways, and public buildings, and to make necessary provision to keep the same in good condition and repair; to pay off an existing indebtedness contracted by said board of commissioners for general county purposes and to aid and assist in meeting the current expenses of said county for the said two years.

To pay indebtedness.

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

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 325

AN ACT TO AUTHORIZE THE LEVY OF A SPECIAL TAX IN EACH TOWNSHIP IN SAMPSON COUNTY TO BUILD AND MAINTAIN PUBLIC HIGHWAYS.

The General Assembly of North Carolina do enact:

Commissioners to levy special tax.

SECTION 1. That the county commissioners of Sampson County are hereby authorized, empowered, and directed, annually, at the time of levying other taxes, to levy a special tax in each township in said county of not less than ten nor more than thirty cents on each one hundred dollars valuation of taxable property in said county, and not less than thirty and not more than ninety cents on each taxable poll in said county, the rate in each township to be fixed by its township road trustees, and certified by them on the first Monday in May each year to the county commissioners, who will make such levy in said township, which tax shall be collected by the sheriff of said county as other taxes are collected, and he shall be allowed the same commissions for collecting same as he is allowed for collecting the other taxes in said county. The said tax shall be kept separate for each township from all other taxes and shall be turned over, as collected, to the treasurer of said county and shall be kept as a separate fund and known as the "Road Fund of Township": *Provided, however,* that North and South Clinton Townships shall be combined into one road district, and directed by only one board of trustees.

Limit of rate.

How collected.

Tax to be kept in separate fund.

Commission to appoint trustees.

SEC. 2. That the road commission of Sampson County shall on the second Monday in April, one thousand nine hundred and

nineteen, and biennially thereafter, appoint in each of said townships three men, residents of said township, as township road trustees, who shall be immediately notified by said road commission of their appointment, and who shall hold said position for two years and until their successors are duly appointed and qualified, and they shall meet on the third Monday in April, one thousand nine hundred and nineteen, and biennially thereafter, and qualify by taking the usual oath of office and proceed to organize by electing one of their members chairman and one as secretary, and shall keep a book in which shall be kept a record of all their proceedings, and an accurate account of all of their receipts and disbursements, and they shall file with the road commission of said county on the second Monday of December, one thousand nine hundred and twenty, and annually thereafter an itemized report of their receipts and disbursements for the fiscal year ending December first, showing the total amount of moneys received, how expended, and the balance in hand, which shall be sworn to by the secretary of said board of trustees.

SEC. 3. That the secretary of the board of county commissioners of said county shall annually, as soon as the taxes are levied and the amount ascertained for each township, send a statement to the secretary of these respective township road trustees, showing the amount of road taxes due said township under this act, and said trustees shall expend said taxes less commissions of sheriff, insolvents, and property relieved in improving and maintaining the public roads in their respective townships, except such roads as shall be designated by the county road commission as "county thoroughfares" which latter roads are to be maintained by the county road commission.

SEC. 4. That it shall be the duty of said township road trustees to keep all the public roads and bridges in said township, except such bridges as are a county charge and maintained by the county commissioners, safe and clear for the traveling public, and to make such improvements thereon as said funds will permit.

SEC. 5. That said trustees shall meet quarterly on the third Monday in January, April, July, and October each year, and special meetings may be held at other times, and said meetings shall be held in each township at such place as said board of trustees shall designate, and they shall be paid the sum of two dollars and fifty cents (\$2.50) each per day for attending upon the meeting of said board, to be paid out of the road fund for said township.

SEC. 6. That they shall employ a township road foreman, fix his compensation and term of employment, and outline his duties and also employ such other labor, material, and equipment as they deem best, and fix the price for same, which shall be paid for out

Terms of office.

Meeting.

Organization.

Record of proceedings.

Report to be filed.

Statement of road taxes due township.

Taxes for benefit of public roads.

Duties of township trustees.

Trustees to meet quarterly.

Per diem of trustees \$2.50.

Township road foreman. Duties.

Payments on vouchers issued by trustees.

of said township road funds upon vouchers issued by said board of trustees upon the treasurer of Sampson County.

Township trustees and road supervisors to meet.

SEC. 7. That said township trustees shall meet with the township board of road supervisors at their regular meeting in August and February in one thousand nine hundred and nineteen, one thousand nine hundred and twenty and one thousand nine hundred and twenty-one, and aid and assist them in the selection of road overseers, and the road foreman in each township shall have direction and supervision over said overseers and the road hands, who shall follow his directions as to the time and manner of working the public roads in said township.

Selection of overseers.
Township road foremen to direct overseers.

Liability for road duty.

SEC. 8. All the road hands now required by law to work on the public roads of Sampson County under the road overseers shall continue to work said roads until relieved under the provision of this act. All hands liable for road duty, after being duly warned to work the road by the overseer, shall attend and work under the direction of the overseer, or he shall pay the road overseer the sum of two dollars and fifty cents (\$2.50) on or before the day he is summoned to work the road, for each day he shall fail to work the road, and any road hand wilfully failing and refusing to work the road each day according to his summons and failing to pay the overseer two dollars and fifty cents (\$2.50) per day as herein provided, shall be guilty of a misdemeanor and fined not exceeding fifty dollars (\$50), or imprisoned not exceeding thirty days.

\$2.50 per day commutation for labor.

Failure to work misdemeanor.

Penalty.

Reports of road overseers.

SEC. 9. That on the second Saturday in August, one thousand nine hundred and twenty-one, all road overseers in Sampson County shall make their annual report to the township supervisors, and turn over all funds in their hands to the road trustees of their township, and receive their discharge, and from and after that date all road hands in Sampson County are relieved and discharged from further road duty, and thereafter the public roads and bridges of Sampson County shall be maintained by taxation as herein or hereafter provided by law.

Discharge of overseers.

Roads and bridges maintained by taxation.

Township exempt by election.

SEC. 10. That if any township shall desire to withdraw from the provisions of this act after August, one thousand nine hundred and twenty, upon the filing of a petition, signed by one-fourth of the qualified voters of such township, with the board of commissioners of Sampson County asking for an election to determine whether said township shall remain under the provisions of this act the question shall be submitted to the qualified voters of said township at the next general election and those opposed to continuing under the provisions of this act shall vote a ticket on which shall be written or printed the words "Against Road Tax" and those in favor of continuing the provisions of this act shall vote a ticket on which shall be written or printed "For Road Tax," and if the majority of the votes cast be for road tax then

Form of ballot.

such township shall remain under the provisions hereof, but if the majority of votes cast be against road tax then such township shall immediately, upon certification of the election returns, return to the general laws governing road work by free labor as shall then be in force in the state: *Provided*, that the petition for an election hereunder must be filed more than sixty days prior to the next general election held in said county: *Provided further*, no election shall be held prior to the general election in one thousand nine hundred and twenty.

Proviso: petition to be filed.

No election before 1920.

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

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 326

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF ALLEGHANY COUNTY TO LEVY A SPECIAL TAX TO PAY THE INTEREST ON ROAD BONDS AND OTHER PURPOSES.

WHEREAS, certain freeholders of the county of Alleghany are preparing petitions to file with the board of commissioners of said county asking that a vote be taken in the county or in portions thereof to ascertain the wish of the electors of said county or portions thereof touching the issuance of bonds to be used in the construction and improvement of the public roads of said county or of the roads of certain townships or road districts of the county, and

Preamble.

WHEREAS, it is desired to provide a fund to pay the interest on any bonds that may be issued during the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty for road purposes in said county and to provide a sinking fund to pay for said bonds at maturity; therefore,

Preamble.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Alleghany County are hereby authorized, empowered, and directed, at the time of levying other taxes of said county, to levy a special tax upon the taxable property and polls of said county to pay the interest on any road bonds that may be issued by said board of commissioners of said county during the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty; that said tax shall not be in excess of thirty-five cents on the property and one dollar and five cents on the polls; that

Commissioners to levy special tax.

Purpose of bond issue.

Limit of rate.

Continuation of levy.

Levy restricted to territory issuing bonds.

said levy shall be continued as long as the same may be necessary in order to pay the interest on any bonds issued for road purposes during the said years, and to provide a sinking fund to discharge the principal of said bonds; that if the bonds are not issued on behalf of the county as a whole, but for certain townships or road districts thereof, then, in that event, the levy shall be upon the townships or property and polls of the townships or districts issuing said bonds, and the levy herein authorized shall be reduced to a sum in proportion as the property of such township or road district compared to the property and polls of the whole county.

Collected by sheriff.

SEC. 2. That the said tax shall be collected and accounted for by the sheriff of the said county in the same manner and under like penalties as prescribed by law for the collection of other taxes of said county.

Separate fund.

SEC. 3. That the proceeds arising from the levy and collection of said tax shall be kept separate from other funds by the board of commissioners and applied to the payment of the interest on the road bonds that may be issued by said county or subdivision thereof during the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty and to provide for a sinking fund for the discharge of said bonds upon the maturity thereof.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 327

AN ACT TO PROTECT COLD WATER CREEK AND ITS TRIBUTARIES OF BURKE COUNTY FROM CONTAMINATION.

The General Assembly of North Carolina do enact:

Watershed protected.

SECTION 1. That it shall be unlawful for anyone to erect on or within fifty feet of Cold Water Creek or its tributaries in Burke County, any privy or hog pen, or to throw any decayed or dead carcass therein so as to contaminate and render impure the water of said stream.

Violation of act misdemeanor.

SEC. 2. That anyone violating the provisions of this act shall be guilty of a misdemeanor and punished in the discretion of the court.

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

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 328

AN ACT TO APPOINT A BOARD OF ROAD COMMISSIONERS FOR BERTIE COUNTY AND TO INAUGURATE A BETTER SYSTEM OF WORKING THE ROADS OF SAID COUNTY AND TO ISSUE BONDS THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That E. L. Gatling of Windsor Township, Jesse Hoggard of Mitchell's Township, Dr. L. A. Nowell of Colerain Township, W. L. Baker of Whites Township, and W. C. Evans of Roxobel Township, be and they are hereby appointed and constituted a board of road commissioners for Bertie County; that the term of office of said members of the board of road commissioners of Bertie County, herein created, shall begin on the first day of April, one thousand nine hundred and nineteen, and the first two members of said board, named herein, E. L. Gatling and Jesse Hoggard, shall hold office for two years and until their successors are appointed and qualified; the third, fourth and fifth members of said board, named herein, Dr. L. A. Nowell, W. L. Baker and W. C. Evans, shall hold office for four years and until their successors are appointed and qualified; at the expiration of the terms of office of said commissioners as herein provided, their successors shall be appointed by the General Assembly at its biennial session for a term of four years. Each member of the board of road commissioners shall, before entering upon the duties of his office, take and subscribe an oath before the clerk of the Superior Court of Bertie County for the faithful performance of his duties as a member of said board. If for any reason, by failure to qualify, death, resignation or otherwise, a vacancy shall occur in said board, the clerk of the Superior Court of Bertie County shall fill such vacancy by appointing thereto a competent and discreet qualified elector of said county, and said appointee shall hold the office for the unexpired portion of the term for which he was appointed and until his successor is appointed and qualified.

SEC. 2. That said board of road commissioners herein created and their successors in office, be and they are hereby created and constituted a body corporate under and by virtue of this act and of the laws of North Carolina, and as such shall have the power to sue and be sued in all the courts of this state, and to make such contracts and exercise such rights and privileges as may be necessary to carry out the provisions of this act, and may adopt a common seal and shall be styled "The Board of Road Commissioners of Bertie County."

SEC. 3. That all rights, powers, and privileges heretofore conferred upon and now vested in the board of county commissioners

Board of road commissioners appointed.

Terms of office.

Successors appointed by General Assembly. Members to qualify.

Vacancies filled by clerk of court.

Commissioners created body corporate.

Powers.

Seal.

Official title.

Powers of county commissioners transferred to road commissioners.

of Bertie County, as to laying out, constructing, altering, repairing, improving, and maintaining the public roads, cartways and bridges in said county, be and are hereby transferred to, conferred upon and vested in "The Board of Road Commissioners of Bertie County," herein created, and the said board of road commissioners shall have and exercise as full and complete control and management of all of the public roads, cartways and bridges in said county in as full and complete a manner as have heretofore been, or may hereafter be, vested in or conferred upon the board of county commissioners of said county.

Powers and duties.

Meetings.

SEC. 4. That said board of road commissioners shall meet for transaction of business at the courthouse in Windsor, N. C., on the second Mondays in April, July, October, and January of each and every year, which meetings shall be known and designated as the regular meetings of said board, and they may hold such other meetings, at such times and places in said county as they may deem necessary for the proper performance of the duties of their office; and at their first meeting on the second Monday in April, one thousand nine hundred and nineteen, they shall

Organization.

Register of deeds secretary to board.

Record of proceedings.

Compensation of commissioners \$4 per day and mileage.

Proviso: chairman to receive \$25 additional.

To appoint engineer.

Compensation discretionary.

Designation.

Duties.

Under supervision of commissioners.

organize by the election of one of their number chairman, and the register of deeds of Bertie County shall as part of the duties of his office as register of deeds, be and act as secretary of said board of road commissioners, and he shall as such secretary keep a complete record of their proceedings in a proper record book to be provided for that purpose by the board of road commissioners, which record shall be kept in the office of said register of deeds of said county as a permanent record of the proceedings of said board of road commissioners as a public record of his office; and each member of the board of road commissioners shall receive as compensation for his services four dollars per day and mileage now allowed members of the board of county commissioners of said county for each and every day engaged in the performance of the duties of said board: *Provided*, the chairman of said board of road commissioners shall receive in addition thereto an annual salary of twenty-five dollars.

SEC. 5. The board of road commissioners of Bertie County shall appoint a competent discreet civil engineer experienced in the construction and maintenance of improved roads for such term and at such compensation as the said board may determine, not to exceed the sum of twenty-five hundred dollars per annum, who shall be known and designated as the county road engineer and whose duties shall be to lay out, locate, change, grade or otherwise alter any of the public roads of said county; to prepare plans and estimates of the cost of constructing permanent improved roads; to supervise all constructive work that shall be done by contract or otherwise on any roads in said county; to build, construct, maintain, and improve the roads of said county

under the supervision of the board of road commissioners, and to have general superintendence, under the supervision of the board of road commissioners, of the convict force of the county available for road duty; and to supervise and direct the working of the roads in the several townships or road districts by the road overseers of the county, and to perform such other duties as the board of road commissioners may designate and make such reports as they may require; and if said county road engineer shall fail or neglect to perform the duties herein provided and stipulated to be performed by the county road engineer, he shall be guilty of a misdemeanor and upon conviction punished in the discretion of the court: *Provided*, the board of road commissioners shall have the power to remove or discontinue the services of any county road engineer when in their discretion the best interest of the county will be promoted thereby.

Failure to perform duties misdemeanor.

Proviso: engineer may be removed.

Sec. 6. The board of road commissioners of said county may, with and under the advice of the county road engineer, divide the public roads of the county into convenient districts or sections and appoint an overseer over each section or district, and assign the able-bodied male persons living in said district or section, liable to road duty, to work the roads of the district or section nearest where they reside; and each overseer so appointed shall be known and designated as road overseer and shall perform the duties imposed by this act, and such duties as may be required by the board of road commissioners, or by the county road engineer under the supervision of said board.

Roads to be divided into districts.

To appoint overseers.

Duties of overseers.

Sec. 7. The said board of road commissioners of said county, be and they are hereby authorized and empowered, when in their judgment the best interest of the county will be promoted, to let by contract the building, constructing, repairing or maintaining of any section or district of any public roads in the county.

Commissioners may let work by contract.

Sec. 8. The said board of road commissioners may appoint and employ, with the power at any time to remove or discontinue same, such road overseers, foremen, guards or other employees as may be needed to properly take care of and work any and all convict force available in said county, or to do any other work which said board of road commissioners may desire to have done on the public roads or bridges of Bertie County.

May employ necessary assistants.

Sec. 9. The board of road commissioners of said county may appoint and employ road walkers or inspectors whose duties it shall be to travel the section of roads assigned to each at designated times, with such tools as may be necessary to remove leaves or other trash or obstructions from the road beds or ditches, which are likely to cause mud holes, or do other damage to said road, and shall fill the holes with sand or other material or by causeway so as to cover them. Each road walker shall receive such pay as the board of road commissioners may stipulate.

Road walkers. Duties.

Compensation of road walkers.

Signboards and mileposts to be erected.

SEC. 10. The board of road commissioners of said county shall cause to be erected at every cross of the roads, or fork of the roads in said county a suitable signboard or milepost designating each road and the distance to the nearest town or village in said county, and any person who shall injure, damage or in any manner mutilate or deface any signboard or milepost in said county shall be guilty of a misdemeanor and punishable in the discretion of the court.

Damage to signboard or milepost misdemeanor.

Prisoners may be assigned to work roads.

SEC. 11. That all prisoners confined in the county jail under final sentence of the court for crime, or imprisoned for nonpayment of costs or fine, or under final judgment in cases of bastardy, or under the vagrant act, or all insolvents who shall be imprisoned by any court in said county for nonpayment of costs, and all persons who would otherwise be sentenced in said county to the state's prison for a term of less than ten years, except such as may be necessary in the discretion of the board of county commissioners of said county to be worked on the county farm at Austin, shall upon request of the board of road commissioners of said county be assigned to work on the public roads of Bertie County; and upon application of the chairman of the board of road commissioners of Bertie County, the judges of the Superior and Criminal Courts, the justices of the peace, and the principal officers of any municipal or other inferior courts, in any other counties which do not otherwise provide for the working of their own convicts upon their own public roads, may sentence such able-bodied male prisoners to work on the public roads of Bertie County, and the costs of transporting, guarding and maintaining such prisoners as may be sent to Bertie County shall be paid by said board of road commissioners out of the county road fund, provided that the commutation now allowed by law for good behavior of prisoners in the state's prison shall apply to prisoners worked on the roads of said county.

Convicts from other counties.

Costs of transportation of convicts.

Commutation for good behavior.

Persons liable for road duty.

SEC. 12. That all able-bodied male persons in the county of Bertie between the ages of twenty-one and fifty years, except residents of incorporated towns and such persons as are now, or may hereafter be, exempted by the General Assembly or the board of county commissioners, shall work on the public roads of said county for four days of eight hours each, in each and every year at such times and places, and in such manner as may be designated by the county road engineer or road overseers: *Provided*, that each person who is subject to road duty shall be assigned to work the roads of the section or district in which they reside nearest where they reside and shall be given at least two days notice by the county road engineer or road overseer 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 such work is to be performed, and also designating in such notice the

Proviso: persons assigned to work near home.

Two days notice.

tool or implement with which such person shall be required to work. The county road engineer may exchange personal labor for use of team or tools, making due report thereof to the board of road commissioners. In case of a washout or other unexpected obstruction to travel on any road, the two days notice herein required to be given shall not be necessary, and any person subject to road duty on the section in which such obstruction to travel may occur, shall, upon being properly notified by the county road engineer, or road overseer, respond to such notice with reasonable promptness for the purpose of doing whatever work may be necessary to repair the said road: *Provided*, any person subject to road duty under this section may on or before the first day of April of each and every year, in lieu of working the roads of said county four days, pay to the sheriff of Bertie County four dollars, upon payment of which amount such person shall be exempt from all road duty in said county: *Provided further*, that any person coming of age, or becoming a resident of said county, after the first day of April of any year, who shall be subject to road duty under this section, shall be required to work out the remaining proportionate part of the road labor required by this section for that year, or to pay the proportionate part of the money required in lieu of such work. All money paid under the provisions of this section shall be by the sheriff of Bertie County paid to the county treasurer, who shall apply the same to account of the general road fund of said county; and the sheriff of said county shall issue a receipt to the person so paying, stating the amount paid and the purpose of same, and shall within thirty days after such payment furnish the board of road commissioners the names of every person in the county paying the same.

Personal labor may be exchanged for teams or tools. In contingencies two days notice unnecessary.

Proviso: payment of \$4 exempts from road duty.

Proviso: specification as to liability.

Commutation fees to county treasurer.

Receipts for commutation fees.

SEC. 13. That any person who shall, after being duly notified as provided in section twelve of this act, fail to appear and work the roads as required to do, after having failed to pay the money herein provided in lieu of such work, or any person who shall appear as notified to do and fail or refuse to perform good and reasonable labor as required by the county road engineer or road overseer, shall be guilty of a misdemeanor and upon conviction shall be fined not less than two nor more than ten dollars, or sentenced to work on the public roads of the county for not less than ten nor more than thirty days, and it shall be the duty of the county road engineer, or road overseer, to make complaint to some justice of the peace of any violation of this section and apply for a warrant for the offender.

Failure to work or to pay misdemeanor.

Penalty.

Road engineer or overseer to make complaint.

SEC. 14. That every section of roads in said county designated by the board of road commissioners, shall be worked not less than four days in each year, if same need working, at such times as may be appointed by the board of road commissioners, or county road engineer under the supervision of said board of road commis-

Roads designated to be worked four times each year.

Reports of time worked.

Names of hands working and failing to work.

Compensation of overseers.

Failure of overseer to perform duties misdemeanor.

Public roads defined.

Road commissioners to order layout and opening of road.

Roads to be 30 feet wide.

Commissioners empowered to widen road.

Engineer and overseers to commandeer materials.

sioners; and the county road engineer, or road overseer, shall on the second Monday in each month submit to the chairman of the board of road commissioners a written report of the number of days worked on each section of roads during the preceding month, the number and names of the hands who attended and worked each day, the number and names of the hands who failed to attend and work, whether they were legally notified, which monthly reports the chairman shall file with the board of road commissioners at each regular meeting.

SEC. 15. That every road overseer of said county shall receive as compensation for his services such amount as may be determined by the board of road commissioners of said county not to exceed four dollars per day for each day engaged in the performance of his duties; and every road overseer of said county who shall fail to perform any of the duties required of him by this act, or by the board of road commissioners, shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the court, and it shall be the duty of the board of road commissioners to report the names of all road overseers who fail to perform and discharge their duties to the solicitor of the Superior Court of said county.

SEC. 16. That all roads laid out or opened by virtue of any act of the General Assembly, or pursuant to any order of the court, or by resolution of the board of county commissioners of Bertie County, or otherwise adopted and used as a public road in said county, are hereby declared to be public roads; and the board of road commissioners of said county shall have full power and authority to order the laying out and opening of public roads in said county where necessary, and to appoint where bridges shall be located and built, to discontinue such roads as shall be found useless or unnecessary and to alter roads so as to make them more useful and convenient to the traveling public; and all of the public roads of the county shall be at least thirty feet wide, and the board of road commissioners are hereby authorized and empowered to widen any road in the county when and where they may deem necessary, not exceeding sixty feet in width.

SEC. 17. That for the purpose of carrying out the provisions of this act the board of road commissioners of said county, the county road engineer, and the road overseers, their servants and employees, are authorized and empowered to enter upon any lands near to or adjoining any public roads, to cut and carry away any timber or undergrowth (except trees or groves on improved lands planted or left for ornament or shade), to dig or cause to be dug, take and carry away any gravel, sand, soil, clay or any other material which may be necessary to construct, improve, or repair said roads, and to enter upon any lands lying near or adjoining the road in order to make such drains or ditches through

the same as may be deemed necessary for the betterment of the roads, and to cut and remove such trees and undergrowth outside of the right of way as may shade the road bed (except fruit trees or ornamental shade trees), doing as little injury to the said land or timber, or the improvements thereon, 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 ditch, drain or water course or waste ground that will give sufficient drainage to properly drain said roads, and shall be kept open by the said county road engineer, or road overseers, and it shall be unlawful for any person to obstruct any ditch or drain on the public roads in said county or to plow furrows across same, and any person so offending shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days; and it shall be the duty of the county road engineer, or road overseer, to have warrant issued by some justice of the peace in said county against any person guilty of said offense.

Drainage.

Unlawful to obstruct ditch or plow furrows across roads.

Misdemeanor.

Violation of act misdemeanor.

SEC. 18. If the owner of any lands, or the agent or agents of such owner having in charge lands from which any timber, gravel, sand, soil, clay, or other material has been taken shall present an account for the same to the board of road commissioners at any regular meeting of said board within six months after the taking and carrying away of such timber, gravel, sand, soil, clay or other material, it shall be the duty of the said board of road commissioners to pay for same a fair price; and before deciding upon the price to be paid therefor they may cause to be appointed an impartial jury of three freeholders, one to be selected by the board of road commissioners, one by the party claiming damages and the third one to be selected by these two, which jury shall properly investigate the damage done and report in writing to the board of road commissioners their award of damages, which award shall be binding upon the party claiming damages and upon the county.

Commissioners to pay for material used.

Jury to certify damage.

SEC. 19. That when any person or persons on whose land any new road or part of the road is located claims damages therefor, and within four months after the road is laid out and constructed, petitions the board of road commissioners for a jury to assess the damages, the said board of road commissioners shall order a jury of disinterested freeholders to be summoned by the sheriff or other officer as provided by law, who shall give said landowners or their local representatives two days notice of the time and place when and where said jury will meet to assess the damages, and said jury being first duly sworn shall view the premises and assess the damages and in considering the question of damages they shall take into consideration the benefits to the owner of the land, and if said benefits be considered equal to or greater than the damages sustained, the jury shall so declare and said

Bill for damages. to be filed in four months.

Jury of award.

Notice of meeting.

To assess damages.

Findings.

jury shall report in writing its findings to the board of road commissioners for confirmation or revision: *Provided*, that if said landowner be a nonresident of the county and have no local representative in said county, it shall be deemed sufficient service of said notice for said sheriff or other officer to forward by United States mail a written notice of the purpose, time and place of such meeting of said jury to the last known postoffice address of such landowner, seven days in advance of such meeting and also to post a notice of the same for seven days at the courthouse door of said county: *Provided further*, that damages, if any, shall be paid out of the road fund of the county.

Proviso: notice to non-resident.

Damages to be paid out of road fund.

Appeals from jury of award.

SEC. 20. That in case the landowner or his local representative shall be dissatisfied with the finding of the jury provided for in the preceding section, and with the decision of the board of road commissioners, he may appeal from the finding of the jury, and the decision of the board of road commissioners to the Superior Court of the county, and all such appeals shall be governed by the law regulating appeals from courts of justices of the peace, and the same shall be heard *de novo*, but the judge, in his discretion, may require the landowner to give bond when the case is taken by appeal to the Superior Court.

Roads and public roads defined.

SEC. 21. That the words "roads" and "public roads" used in this act shall include any and all bridges in the county.

Ditches across roads to be covered.

SEC. 22. Any person cutting a ditch across any public road in said county for private advantage shall keep the same covered in a substantial manner in accordance with the regulation and direction of the county road engineer, or board of road commissioners; and any person failing to keep said ditch so covered shall be guilty of a misdemeanor, and upon conviction shall be fined for each offense in the discretion of the court, or imprisoned.

Failure to cover ditches misdemeanor.

Punishment.

Corporations to maintain crossings.

SEC. 23. Railroad companies and other corporations shall erect and maintain in a substantial manner, subject to the approval of the board of road commissioners, all bridges and plantation crossings which the board of road commissioners may find necessary in crossing their tracks, and they shall not obstruct the drainage of any portion of the road or empty into any road water from their ditches. Any railroad company or other corporation violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined in the discretion of the court.

Violation of this section misdemeanor.

Punishment.

Road commissioners to adopt rules and regulations.

SEC. 24. The board of road commissioners of said county may adopt such rules and regulations for the construction, maintenance, and protection of the public roads of said county as they may deem necessary and advisable, including the regulation of the width of tires on vehicles used for hauling logs, lumber, either in the rough or dressed, or any other heavy substance; and any person who shall violate such rules and regulations shall be

Width of vehicle tires.

Violation of rules misdemeanor.

guilty of a misdemeanor and upon conviction be fined not exceeding fifty dollars or imprisoned not more than thirty days. Punishment.

SEC. 25. For the purpose of providing an adequate fund for the proper construction, improvement, and maintenance of the public roads and bridges of the county, and in lieu of all other special road taxes heretofore authorized to be levied therein, the board of county commissioners of Bertie County shall, at their regular meeting in June, one thousand nine hundred and nineteen, and at their regular meeting in June of each and every year thereafter, levy a special tax on all property subject to taxation under the state law in said county at such rate as the board of road commissioners of said county may request, which shall be not less than twenty-five cents nor more than fifty cents on the one hundred dollars (\$100) worth of property and not less than seventy-five cents nor more than one dollar and fifty cents (\$1.50) on each poll, the constitutional equation to be observed and maintained at all times, which taxes shall be collected under the same rules, penalties, and regulations and in the same manner as other county taxes are collected, and shall be paid to the county treasurer by the sheriff or other tax collector, who shall keep the same in a separate fund known as a special road fund to be used in the construction, improvement, and maintenance of the public roads and bridges of the county and for the purchase of material, implements, teams, wagons, camp outfit, road machinery, and for such other and further purposes as the said board of road commissioners of the county may deem necessary for properly carrying out the provisions of this act.

SEC. 26. The said board of road commissioners of Bertie County shall have full power and discretion to adopt such methods, means and agencies, and by-laws in the construction, improvement, working, and maintenance of the public roads of said county as they may determine to be for the best interest of the county, and are hereby authorized and empowered to accept any appropriations, funds, or other aid of any kind that may be extended under the provisions of law by either the state or national government, or both, and to cooperate with either or both in any manner that may be of benefit to the public roads of said county.

SEC. 27. That for the purpose of laying out, establishing, building, constructing, repairing, and maintaining public roads and bridges in Bertie County, the board of county commissioners of said county, upon a petition of the board of road commissioners of said county, are hereby authorized and empowered to submit to a vote of the qualified voters of Bertie County, at any time during the year one thousand nine hundred and nineteen or during the year one thousand nine hundred and twenty, the question, "Shall Bertie County issue one hundred thousand dollars (\$100,

Special tax to be levied for road funds.

Limit of tax rate.

Collection of taxes.

Separate fund.

Power to adopt methods and by-laws.

May accept funds or other aid.

To cooperate with state or national government.

Election for bond issue upon petition.

Amount of bonds voted on.

- Special tax for interest and principal. 000) 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, constructing, repairing, and maintaining the public
- Notice of election. roads and bridges in said county?" The said board of county 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 by posting notice thereof at the courthouse door of said county.
- Manner of holding election. SEC. 28. 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 county commissioners shall appoint the registrars and judges of election and any other election officers necessary for holding said election, and registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for election of the 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 voting precinct shall be kept open for twenty days prior to the election for the purpose of allowing electors to register who have not theretofore registered in the township or voting precinct of their residence, and who are entitled to register for said election, and the registration books shall close on Saturday next preceding the election, and the registrar shall transcribe the names of all persons who have registered for former elections in their townships or voting precincts, and are otherwise qualified electors at said election upon a new registration book. The registrars are authorized and directed to register any person legally qualified and entitled to vote in their respective townships or voting precincts who apply for such purpose in the same manner and under the same rules and regulations now or hereafter may be provided for registering electors for the general election in said county.
- New registration may be ordered.
- Books to be kept open twenty days.
- Vote to be counted. SEC. 29. The vote cast at said election 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 of said county by one member of said election officers on the second day next succeeding the day of said election; and the said board of county commissioners, at their next regular meeting, or at a called 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
- Form of ballot.

voters who favor the issue of said bonds and levy of said taxes 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 and levy of said taxes shall vote a ballot upon which shall be written "Against Road Bonds."

SEC. 30. 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 county commissioners of said county shall be and they are hereby authorized, empowered, and directed, upon demand of the road commissioners of said county, to have prepared and issued at such time or times and in such amount or amounts as they deem best, and as the work herein provided for shall require, bonds of Bertie County in denominations not exceeding one thousand dollars and not less than fifty dollars, the total amount not to exceed that provided for in section twenty-seven of this act. The said bonds shall bear a rate of interest not exceeding six per centum 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 county commissioners may determine, and the said bonds and coupons shall be payable at such place or places and at such time or times as the said board of county commissioners may direct.

If election carries commissioners to issue bonds.

Denominations.

Interest rate not over 6 per cent.

Bonds redeemable in not over forty years.

SEC. 31. That the bonds issued under this act, or provided for therein, shall be signed by the chairman of the said board of county 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 "Bertie 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 of county commissioners.

Authentication of bonds.

Designation.

SEC. 32. That none of the bonds issued by this act shall be disposed of by sale, exchange, hypothecation, or otherwise for less 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. The said board of county 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, to whom issued, and the number of coupons attached, and the date of delivery to the purchasers, and

Use of bond proceeds restricted.

Proviso: purchaser not required to see to application of funds.
Form of bonds.

Sale of bonds at auction. shall sell the said bonds at public sale at the courthouse door of said county to the highest bidder, after first making due advertisement of sale as they may deem proper.

Expense of election from general fund. SEC. 33. The expense 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 the board of road commissioners out of the general road fund of said county.

Per diem for persons holding election. SEC. 34. The registrars, judges of election and other election officers holding said election shall receive for their services the same pay as is now provided by law for holding general elections in said county.

Funds to be paid to treasurer. SEC. 35. That all funds arising from the sale of said bonds or from the levy of any taxes for road purposes in said county, or from any other source belonging to the road fund of said county, shall be paid to the treasurer of Bertie County and by him kept in a separate fund to be known as the road fund of said county and shall be used and expended as authorized in this act by the board of road commissioners of said county and the said treasurer shall pay out the same upon the order of said board of road commissioners as authorized by this act; and said board of road commissioners of Bertie 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 and all road funds belonging to said county arising from any and all other sources whatsoever.

Treasurer liable on bond for funds. SEC. 36. That the bond of the treasurer of said county shall be liable for the faithful accounting for all the funds received by him under this act, and he shall make an annual itemized statement of all receipts and disbursements thereof which statement shall be published annually on the first of July of each and every year in some newspaper published in said county, or by posting same at the courthouse door of said county as the board of road commissioners may deem best; and the said treasurer may be required to execute such additional bond or bonds as may be necessary at any time to fully protect the funds received by him under the provisions of this act and to secure the faithful performance of his duties in respect to the same, which bond or bonds shall be executed, taken, and approved by the board of county commissioners of said county as other like bonds are taken and approved.

To publish statements. He shall disburse said funds upon the order of the board of road commissioners of said county, which order shall be signed by the chairman thereof and countersigned by the clerk of said board.

Funds disbursed on order of road commissioners. SEC. 37. That in case an election is held for the issuance of the road bonds as herein provided, and the issuance of said bonds provided for is carried by an affirmative vote of the electors of the

If bonds issue, tax to be laid for interest and sinking fund.

county at any time during the time herein provided, then the board of county commissioners of said county be and is hereby authorized and directed, in order to raise a sufficient fund with which to pay the interest on said bonds as it accrues and to provide a sinking fund to pay the principal of said bonds at maturity, to levy a special road tax for said county, in addition to the tax hereinbefore authorized, of not more than twenty cents on the one hundred dollars valuation of real and personal property in said county subject to taxation, and not exceeding sixty cents on the poll, observing at all times 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 or other tax collector to the treasurer of said county, who shall keep the same in a separate fund to be known as the road bond fund of said county and shall be by said treasurer paid out upon the order of the board of county commissioners in payment of the interest on and principal of said road bonds and for no other purpose. The bond of the sheriff and the bond of the treasurer shall be liable for the faithful accounting for all moneys received by each under and by virtue of this section, and such officers may be required by said board of county commissioners to execute additional bonds to properly secure the fund arising from the levy and collection of said taxes under this section and to further secure the faithful discharge of their duties in preserving, securing and paying out the same.

Limit of tax.

To be kept in separate fund.

Bond of sheriff and treasurer liable.

SEC. 38. That all laws and clauses of laws in conflict with any part of this act or any provision thereof are hereby repealed.

SEC. 39. This act shall apply to Bertie County only.

SEC. 40. That this act shall be in force from and after the first day of April, one thousand nine hundred and nineteen.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 329

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF PITT COUNTY TO INCREASE THE LEVY OF TAXES FOR ROAD PURPOSES IN CERTAIN TOWNSHIPS IN PITT COUNTY.

WHEREAS, there is now outstanding a deficit in the fund for road construction, maintenance and repair in Ayden Township, Bethel Township, Beaver Dam Township, Carolina Township, Falkland Township, Fountain Township, Greenville Township, Factolus Township, and Swift Creek Township, Pitt County, which said outstanding indebtedness is now carried as a floating indebtedness against the road fund for each of said townships; and

Preamble.

WHEREAS, to provide for the payment of said deficit an additional levy and tax is necessary to an amount of not less than twelve cents on the one hundred dollar valuation on all the taxable property in each of said townships;

Now, therefore:

The General Assembly of North Carolina do enact:

Commissioners to increase tax levy in certain townships.

SECTION 1. That the board of commissioners of Pitt County in order to provide for the payment of the deficit and indebtedness now outstanding against the fund for road construction, maintenance and repair in the following townships: Ayden Township, Bethel Township, Beaver Dam Township, Carolina Township, Falkland Township, Fountain Township, Greenville Township, Pactolus Township, and Swift Creek Township, Pitt County, are hereby authorized, empowered and directed to increase the levy of taxes in said townships now levied for the purpose of construction, maintenance, and repair of roads, an additional twelve cents on the one hundred dollar valuation on all the taxable property in Ayden Township, Bethel Township, Beaver Dam Township, Carolina Township, Falkland Township, Fountain Township, Greenville Township, Pactolus Township, and Swift Creek Township, Pitt County.

To be used for specific purpose.

SEC. 2. That the additional tax levied and collected by virtue of this act shall be expended only for the purpose for which it is levied and no other.

To be levied for 1919 and 1920.

SEC. 3. That the additional tax authorized to be levied by virtue of this act, shall be levied only for the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 330

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF PITT COUNTY TO ISSUE BONDS FOR THE PURPOSE OF PAYING THE FLOATING INDEBTEDNESS OF PITT COUNTY.

Preamble.

WHEREAS, there is now outstanding a floating indebtedness against Pitt County amounting to one hundred thousand dollars which was outstanding at the time the present board of commissioners qualified and entered office, which said indebtedness is carried on short term notes of Pitt County for periods of six months; and

WHEREAS, it is necessary to renew said notes every six months covering the floating indebtedness of one hundred thousand dollars; and

WHEREAS, considerable difficulty and annoyance is experienced in renewing said short term notes due to the fluctuations of the money market; and

WHEREAS, said floating indebtedness can be better carried with less difficulty by the issuance of coupon interest bearing bonds; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of paying and satisfying the floating indebtedness of Pitt County, the board of commissioners of Pitt County are hereby authorized, empowered, and directed to issue bonds of said county in an amount not exceeding one hundred thousand dollars, said bonds to be in the denomination of five hundred dollars, one thousand dollars, or five thousand dollars, suitable to the purchasers thereof, and shall bear interest from the date of their issuance at a rate not to exceed six per cent per annum, to be evidenced by interest coupons attached to said bonds, payable semiannually on the first days of January and July in each year at such place as may be deemed advisable by said commissioners. The principal of said bonds as may be issued by the said commissioners by virtue of this act, shall be due and payable forty years from the date of issuance of said bonds, and shall be of such form and tenor as said commissioners may direct.

Commissioners to issue bonds.
Amount not to exceed \$100,000.
Denominations.
Interest.
Term forty years.

SEC. 2. That said bonds issued by virtue of this act, shall be numbered serially and a proper record kept thereof, and said interest coupons attached to said bonds, shall be serially numbered on each bond in the order in which they become due and shall also bear the number of the bond to which they are attached. Said bonds shall be signed by the chairman of the county commissioners of Pitt County, countersigned by the clerk to the said board of commissioners, and shall bear the corporate seal of Pitt County.

To be numbered serially and have coupons attached.
Authentication.

SEC. 3. That the board of commissioners of Pitt County, in order to provide for the payment of said bonds and the interest thereon, when the same shall become due, shall compute and levy each year at the regular time of levying taxes for state and county purposes, a sufficient tax on all the taxable property within the county to pay the interest on said bonds, and shall also levy in the same manner a sufficient tax on all taxable property within the county to create a sinking fund to provide for the payment of the bonds issued at their maturity. That the taxes levied by virtue of this act shall be annually collected as other taxes, and shall be paid by the collecting officer to the treasurer of Pitt County, and such taxes levied and collected by

To levy special tax.
Sinking fund.
Fund to be kept separate.

- Custodians of funds liable. virtue of this act, shall be kept separate and distinct from all other taxes and shall be expended only for the purpose for which they are levied, no other; and the sheriff or other officer in charge of the collection of said taxes, and the treasurer who shall hold and disburse the same, shall be liable therefor officially and as well as personally, as provided by law, governing their respective offices.
- Commissioners may invest funds. SEC. 4. That it shall be the duty of the county commissioners of Pitt County, to invest any and all monies coming into the hands of the treasurer of Pitt County, arising from the special tax levied by virtue of this act, for creating a sinking fund, in the purchase of any said bonds at a price advantageous to the county, and to loan said fund upon interest or bonds secured by bonds of the State of North Carolina, or to loan the same upon first mortgages upon real estate, where and when the said board shall find as a fact and cause to be spread upon the minutes of said board, the fact that the real estate upon which said fund shall be loaned exceeds in value the amount of said loan by fifth per cent, which said finding of fact shall be accompanied by a certificate that the title to said property is free and clear of all encumbrances.
- Loans. SEC. 5. That a record shall be kept by said commissioners in a separate book to be provided for that purpose, of all bonds sold to date, the amount, date of sale, and maturity of each bond, and its number, also a corresponding record of such bonds as are redeemed with the date of redemption of each; and the bonds and coupons thereto attached, when redeemed shall be recorded as redeemed and in the presence of said board of commissioners, be burned and completely destroyed.
- Records. SEC. 6. That this act shall be in force and effect from and after its ratification.
- Record of sales. Ratified this the 5th day of March, A. D. 1919.
- Record of redemptions.

CHAPTER 331 .

AN ACT TO INCREASE THE NUMBER OF COUNTY COMMISSIONERS OF PAMLICO COUNTY, TO PROVIDE FOR SUPERINTENDENT OF ROADS AND TO PROVIDE A SPECIAL TAX TO MEET OUTSTANDING INDEBTEDNESS, ETC.

The General Assembly of North Carolina do enact:

- Commissioners increased to five. SECTION 1. That at the next general election for state and county officers held in Pamlico County, and every two years thereafter, there shall be elected in said county of Pamlico five commissioners, one from each township, with the powers and duties which now are, or may be hereafter prescribed by law for county

commissioners. And DeWitt C. McCotter of Number Three Town-Additional commis-
 ship and Wright Goodwin of Number Four Township are hereby sioners named.
 appointed commissioners to serve, with the three already elected, Terms of office.
 until their successors are elected and qualified.

SEC. 2. That the commissioners, DeWitt C. McCotter and To qualify April 1.
 Wright Goodwin, appointed in section one of this act, shall qualify
 for their offices as prescribed by law on or before the first Monday
 in April, one thousand nine hundred and nineteen, or before en-
 tering upon the duties of said office.

SEC. 3. For the purpose of meeting necessary outstanding in-Special tax to be
 debtedness already incurred in bridge bonds sold and to build levied.
 and keep in necessary repair the public roads of Pamlico County,
 the board of commissioners of said county shall at their next
 regular meeting for the purpose of levying taxes for county pur-
 poses, and annually thereafter, levy a special tax of fifty cents Rate of tax.
 on the one hundred dollars valuation of all the property subject
 to taxation in Pamlico County, and not exceeding one and fifty
 one-hundredths dollars on the poll, the constitutional equation to
 be observed at all times, which said special taxes shall be col-
 lected in the same manner as the other taxes are collected for
 state and county purposes, and shall be kept separate and apart Separate fund.
 in the tax books of said county from other taxes and shall be
 known as the "Bridge bond and repair fund" to be used: first, Use of fund.
 to pay the interest on the one hundred thousand dollar issue of
 bridge bonds already sold, and second, to relocate, to construct,
 to improve, and to keep in good repair the public roads of said
 county, and to purchase material, implements, teams, road ma-
 chinery, and any other necessary equipment the commissioners
 may deem wise and necessary for the upkeep of the said public
 roads.

SEC. 4. That there shall be elected by said board of commis-Superintendent of
 sioners at their first regular meeting in April, one thousand nine roads provided for.
 hundred and nineteen, or as soon thereafter as convenient, and
 annually thereafter at their regular meeting in January, a com-
 petent, experienced, and practical superintendent of roads, skilled
 in the modern methods of road building, and who shall be paid a Compensation.
 just and reasonable compensation, to be fixed by said board of
 commissioners; and said superintendent of roads may at any May be removed .
 time be removed from office by said board of commissioners, after from office
 having been given ten days notice and a hearing, when in the
 opinion of said board there exists good and sufficient cause for
 said action; and for malfeasance or misconduct in office he may
 be removed by them without further notice other than may be
 necessary to give him a hearing; and said board of commissioners Vacancy in office
 shall have power to fill any vacancy in said office of superinten- of superintendent.
 dent of roads that may occur by removal, resignation, death, or

Superintendent to give bond. otherwise for the unexpired term of said office; and said superintendent of roads, before entering upon the duties of his office, shall deposit with said board of commissioners a good and lawful bond, to be approved by said board of commissioners, for the sum of two thousand dollars, as a guarantee of the faithful and honest discharge of the duties of his office and for the safe keeping and return of all property entrusted to his care (unavoidable accidents only excepted), which bond shall be duly registered in the office of register of deeds and filed for safe keeping with the clerk of the Superior Court of said county.

Bond to be registered.

To give entire time to work.

To have charge of work.

Reports of superintendent.

To have charge of roads.

Duties.

Commissioners to furnish equipment.

Work may be let by contract.

May furnish machinery to contractors.

Proviso: machinery kept in repair by contractors.

Commissioners to provide office.

SEC. 5. That it shall be the duty of said superintendent of roads to give his entire time to relocating, building, directing, maintaining, supervising, and repairing the public roads of said county, and he shall have (subject to the approval of the said board of commissioners) charge of supervision, repairing, and direction of the building of all public roads in said county, and shall submit a written monthly report concerning the work and progress, and shall submit semiannually a written report on the condition of the public roads and bridges of the said county, and also file plans and specifications for their improvement, which said semiannual reports shall include an inventory of the tools, implements, teams, and other property and equipments on hand belonging to the county for road purposes. The said superintendent of roads shall have direct charge, control, and management of maintaining and keeping in good repair all the public roads of said county, and it shall be his duty to maintain, repair, and keep in good condition all the said roads, either by contract or by employing someone under his direction to repair and maintain the same; and the board of commissioners of said county shall furnish the superintendent of roads as soon as convenient all necessary machinery, to build and keep in good repair the roads, and also road machinery and other necessary machinery to build and maintain good roads for each township in said county; and if the superintendent of roads, with the approval of the board of commissioners of said county, shall let by contract any or all of the public roads of the townships, he or they may take into consideration the furnishing of such road machinery as the board of commissioners may have or may hereafter provide for the building and repairing of the public roads, and make their contracts accordingly: *Provided*, machinery and equipments so furnished any contractor shall be kept in repair by the parties so furnished in contract, and any such machinery or equipments broken must be replaced to the satisfaction of the superintendent of roads.

SEC. 6. The board of county commissioners shall provide for the superintendent of the roads an office where he shall file copies of all correspondence, letters, contracts, proposals, plats, blue

prints, and surveys of roads, and shall keep an accurate record of all accounts and contracts with the supervisor or any other person who is dealing with the said board of commissioners in matters relating to the public roads of said townships. The superintendent of roads, with the approval of said board of county commissioners, may set apart at least one day in every month when he shall be in his office to attend to such road matters as may come before him, and the remainder of the time the said superintendent shall either be supervising the building and repairing of the public roads of said county, or making provision therefor. The said superintendent of roads shall not purchase any provisions, material, or other things for the building and repairing of the roads of the said county from himself or any firm or corporation in which he may have an interest or hold any stock, nor shall the said superintendent of roads hire or employ his own teams to do any work for the county upon any of the public roads thereof. Any superintendent of roads violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned at the discretion of the court.

SEC. 7. That with the approval of the county commissioners the said superintendent of roads shall divide the public roads of the county into sections of not less than three (3) miles and furnish plats of all such sections of public roads so divided, with culverts and bridges mentioned thereon to the commissioners to be filed in their office; and it shall also be his duty, with their approval, to let by contract at a fair and reasonable price, for a period not exceeding one year, to the best bidder, the building, maintaining, and keeping in good repair the different sections of public roads in the county; or in case a new public road is ordered opened by the board of commissioners of said county, it shall be his duty, with the approval of the county commissioners, to let the said contract as above mentioned. The said bidder or bidders, to be known hereafter as contractor or contractors, shall not begin work or receive any pay from the board of commissioners of the county for any work until he or they shall have entered into a written contract in the name of the board of commissioners of Pamlico County, to build, maintain, and keep in good repair, free from holes, ruts and dangerous places, and also well drained, with good crown upon the road, the sections of public roads being so contracted for, and also to keep in good repair the bridges thereon free from any dangerous places; and giving to the roads the usual width required by law. The said contractor or contractors shall also furnish, at the time of signing said contract a good and sufficient bond in the sum of one hundred dollars, or a larger amount if the contract may warrant same, in the estimation of said board of commissioners, to the

Time in office.

Contracts for sections of road.

Contractors to make written contract.

Specifications of contracts.

Contractors to make bonds.

- board of commissioners of Pamlico County to faithfully discharge the duties mentioned in his contract and as required of him or them by law; and if the said contractor or contractors shall fail to discharge the duties mentioned in said contract, or as required by him of them by law, the said board of commissioners shall have a right to recover the amount mentioned in his said bond in any of the courts of Pamlico County. The superintendent of roads upon the acceptance of the above mentioned contract shall write his approval therein and file same with the register of deeds of Pamlico County, and the said contracts shall be binding upon the said county when so approved by the board of county commissioners. The county superintendent of roads shall, from time to time, view the section of public roads so contracted for, and as the building of said roads so contracted for progresses under the contract so let, the said superintendent shall approve an order to the county commissioners for payment of said amounts of money as to him may seem to be due for the work so conducted, retaining, however, at all times as much as ten per cent in favor of the county until the work has been completed and accepted.
- Commissioners may recover on bond. To keep record of contracts and furnish statements. SEC. 8. The said superintendent of roads shall keep a correct and accurate record of the contracts and accounts made, and shall furnish to the commissioners an itemized statement of all laborers and teams hired and the price paid per day for each, and also a statement of material purchased and the price for same, which statement shall be duly signed and sworn to by the said superintendent of roads as being just and complete. The said board of commissioners if upon examination and inspection of said accounts and contracts for hire of labor and teams and for material furnished for the building and maintaining various roads in said county, find the same correct and no overcharge made thereon, they shall order payment thereof and keep account of the same.
- Superintendent to approve contracts. Statement sworn to. Road funds. SEC. 9. That all money in the hands of the county treasurer or bank selected for handling the funds of Pamlico County, on the first Monday in April, one thousand nine hundred and nineteen, to the credit of the road fund of the several townships of the county, shall remain to the credit of the said township to be expended under the supervision of the road authorities created by this act, for the construction and repair of public roads of said townships, each township to bear its pro rata share of expense, and all debts contracted by the said several townships prior to April first, one thousand nine hundred and nineteen, shall be and remain a separate charge against said townships.
- Superintendent to view contract work. To approve orders for payments. To reserve 10 per cent. Meetings of commissioners. SEC. 10. The board of commissioners of Pamlico County may hold meetings at such time as may be necessary to attend the duties imposed by this act, and the members shall be paid the same per diem and mileage as they receive at regular meetings of the county commissioners.
- To keep record of contracts and furnish statements. Statement sworn to. Road funds. To credit of townships. Township to bear pro rata part of expense. Meetings of commissioners. Per diem and mileage.

SEC. 11. Any resident of said county of Pamlico liable to poll tax under the general law who shall fail to pay his road poll tax on or before the first day of May next after the same shall have been levied shall be liable to work six days on the public roads of the townships wherein he resides, under the supervisions and control of the public road authorities thereof, for every such omission and failure. It shall be the duty of the sheriff to furnish the superintendent of roads, on or before the first day of June in each year, a list of all persons in said townships who have failed to pay said tax for the preceding year, and the superintendent of roads either orally or by leaving a written notice at the residence or place of business, to attend and work on said public roads as herein provided; and any person so liable who shall fail or refuse to attend and work on said public roads shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten nor more than fifty dollars, or imprisoned at hard labor upon the public roads of said townships for not less than ten nor more than thirty days.

Failure to pay poll tax creates liability for road service.

Sheriff to furnish list.

Superintendent to notify delinquents.

Failure to respond misdemeanor.

Penalty.

SEC. 12. It shall be unlawful for any person, corporation, or firm to obstruct the drainage of any public road or highway in any manner, or empty the water from any ditches or drains into any such road or highway; and any such person, corporation, or firm so offending shall be guilty of a misdemeanor, and for every five days after notice shall neglect or refuse to remedy such offense shall pay a penalty of five dollars (\$5).

Unlawful to obstruct drainage.

Violation of section misdemeanor.

Penalty.

SEC. 13. It shall be the duty of every person or corporation who shall construct any ditch or drain or culvert across a public road or highway to keep it up in good condition at his or their own expenses, and they shall construct and keep in repair the bridges across the same, and the approaches to said bridges, in a manner acceptable to the county commissioners. Any person or corporation who shall fail to perform the duties imposed by this section, having been warned by the chairman of the board of county commissioners, or road superintendent, leaving at his residence or the residence of his agent, or having been notified verbally by said charman, or road superintendent, and having failed to perform said duties acceptably to the board of county commissioners shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than fifty dolalrs.

Drains across roadway to be kept in repair.

Bridges.

Violation of section misdemeanor.

Penalty.

SEC. 14. All railroads and other incorporated companies shall each keep at their own expense all bridges on or over highways or public roads, or roads not public but used as neighborhood roads, and all crossings, which they have severally made it necessary to be built or made in establishing their respective roads, and upon failure to do so shall be guilty of a misdemeanor, and fined at the discretion of the Superior Court, and shall forfeit and pay

Railroads and corporations to keep bridges up.

Violation of section misdemeanor.
Penalty.

to said road fund twenty-five dollars for each ten days they shall fail to perform the duties of this section.

Poles or wires not to interfere with travel.

SEC. 15. It shall be unlawful for any person or corporation which shall have been granted license to erect poles or wires along the right of way of public roads of the county to allow the same to interfere in any way with public travel or to suffer the same to remain in a condition dangerous to the public or to interfere with the grades of said roads; and any person or corporation who shall fail or refuse to remedy such conditions shall be guilty of a misdemeanor, and upon conviction thereof, fined not exceeding fifty dollars, and their license to use said road may be revoked by said board.

Violation of section misdemeanor.

Penalty.

Signboards to be set up.

SEC. 16. It shall be the duty of the county commissioners, as said roads progress from time to time to cause to be set up along the highways and public thoroughfares of said county substantial mileposts, on which shall be indicated the distance from the county seat, and at important crossings and forks on said highways and roads said commissioners shall cause to be erected signs indicating to which important points each road leads, and the distance from the same; and if any person shall wilfully demolish, throw down, alter, or deface any such post or guide-board, or any other post or guide-board, he shall be guilty of a misdemeanor, and upon conviction thereof fined not exceeding twenty-five dollars and cost or imprisoned not more than thirty days and sentenced to work upon the said public roads.

Damage to signboards misdemeanor.

Penalty.

Commissioners have jurisdiction over use of roads.

SEC. 17. That the county commissioners shall exercise such jurisdiction over the use of the public roads of said county as shall best conserve the roads for the use of the people as a whole.

Certified copy of act to commissioners.

SEC. 18. That immediately upon the passage of this act the Secretary of State shall send a certified copy of this act to the chairman of the board of county commissioners of Pamlico County.

SEC. 19. That all laws and clauses of laws in conflict with this act are hereby expressly repealed.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 332

AN ACT TO AMEND CHAPTER 12 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE HIGHWAY COMMISSION OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Chapter 12, Public Local Laws 1913, amended.

SECTION 1. That sections twenty-two, twenty-three, twenty-four, twenty-five, and twenty-six of chapter twelve of the Public-

Local Laws of the Session of the General Assembly of one thousand nine hundred and thirteen, being entitled "An act to create a Highway Commission for Forsyth County," are hereby repealed.

SEC. 2. That any and all powers heretofore conferred by the sections enumerated in section one of the act, upon the road supervisors of Forsyth County, shall be invested in the Forsyth highway commission. Powers transferred to highway commission.

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 Monday in December, one thousand nine hundred and twenty.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 333

AN ACT TO FIX THE SALARY OF THE CLERK OF THE SUPERIOR COURT OF ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The clerk of the Superior Court of Alexander County shall faithfully collect and pay over to the treasurer of said county all fees, commissions, profits, and emoluments of every kind now or hereafter by law accruing, belonging, or appertaining to him by virtue of his office. Clerk to pay over fees to treasurer.

SEC. 2. The clerk of the Superior Court of said county shall receive a salary of twelve hundred dollars per annum, said salary to be in lieu of all other compensation whatever, and out of said salary shall pay his deputies and clerks. Salary of clerk.

SEC. 3. Said clerk shall faithfully perform all the duties of said office as is now, or may hereafter be imposed by law, and shall receive no other compensation or allowance whatever for any extra or additional service rendered to the county or state or other governmental agency, and the said clerk shall be liable to all the pains and penalties now or hereafter provided for failure to perform the duties of said office. To perform all duties. Liable to penalties.

SEC. 4. Said clerk shall be provided with a book in which shall be entered an itemized statement of all fees, commissions, profits, or other compensation, the services performed, and the amount charged and received therefor. Account of collections.

SEC. 5. The chairman of the board of commissioners of said county is hereby charged with the duty of auditing and approving monthly the report of fees, commissions, and profits received by said clerk of the Superior Court, and it shall be his duty to examine all books, papers and records kept by said clerk and to see that all fees, commissions, and profits earned by said clerk are properly charged and collected by him and turned over to the Chairman of commissioners to audit accounts.

treasurer of said county, on the first day of each calendar month, or within five days thereafter.

Salary to be paid by treasurer. SEC. 6. The salary herein allowed and provided for shall be paid by the treasurer of said county in monthly installments, to wit: on the first Monday of each month, and the receipt of said clerk shall be a valid voucher in the hands of said treasurer in making his settlements with the county authorities.

Failure to perform duties prescribed is misdemeanor. SEC. 7. If said clerk mentioned in this act shall wilfully fail or refuse to collect the full fees, commissions, or emoluments of any kind belonging to his said office, or shall wilfully fail or refuse to keep the records provided for in this act, or shall wilfully fail or refuse to make a full and accurate settlement of all fees, commissions, profits and emoluments of his said office as herein provided, shall be guilty of a misdemeanor, and upon conviction be punished by a fine or imprisonment, in the discretion of the court; and all such fees, commissions, profits, and emoluments must be collected in advance and before the service is rendered, except in suits or proceedings where bonds for costs are required and given, or when an order allowing the plaintiff or defendant to sue, or defend, in *forma pauperis* has been made, and fees of a defendant in a criminal action or proceeding.

Penalty.

Fees collectible in advance.

Exceptions.

Fees to general fund of county.

SEC. 8. All fees, commissions, profits, and emoluments of the said clerk, except as otherwise herein provided, shall be paid into the general fund of Alexander County.

Records to be delivered to successor.

SEC. 9. Upon the expiration of the term of office of said clerk mentioned in this act, all the records, books, process, and papers shall be turned over to his successor in office, who shall execute a receipt therefor, and said officer so receiving said records, books, process, and papers shall have the same authority in reference to all of said books, records, process, and papers as his predecessor had.

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

SEC. 11. This act shall be in force and effect on and after the first day of July, one thousand nine hundred and nineteen.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 334

AN ACT TO REGULATE FEES OF THE CLERK OF THE SUPERIOR COURT OF MONTGOMERY COUNTY, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Fees of clerk of court.

SECTION 1. That the fees of the clerk of the Superior Court of Montgomery County, shall be the following and no other, for the services designated herein, namely:

Advertising and selling under mortgage in lieu of bond, two dollars for sales of real estate and one dollar for sales of personal property. Affidavit, including jurat and certificate, fifty cents. Appeal from justice of the peace, or from any court inferior to the Superior Court, one dollar; docketing same, twenty-five cents. Appeal from the clerk to the judge, one dollar. Appeal to the Superior Court, including certificate and seal, two dollars. Appointing and qualifying justices of the peace, to be paid by the justice, twenty-five cents. Apprenticing infant, including indenture, one dollar. Attachment, order in, fifty cents. Auditing account of receiver, executor, administrator, guardian or other trustee, required to render accounts, if not over three hundred dollars, fifty cents; if over three hundred dollars and not exceeding one thousand dollars, eighty cents; if over one thousand dollars, one dollar. Auditing final settlement of receiver, executor, administrator, guardian or other trustee, required to render accounts, one-half of one per cent of the amount on which commissions are allowed to such trustee, for all sums not exceeding one thousand dollars; and for all sums over one thousand dollars one-tenth of one per cent on such excess; but such fees shall not exceed twenty dollars, unless there be a contest, when the clerk shall have one per cent on the said excess over one thousand dollars; but in no instance shall his fees exceed thirty dollars.

Fees set out in detail.

Auditing and recording the final account of commissioners appointed to sell real estate, one-half of the fees allowed for auditing and recording final accounts of executors. Bills of costs, preparing same, fifty cents. Bond on undertaking, including justification, seventy-five cents. Cancelling notice of lis pendens, twenty-five cents. Capias, each defendant, one dollar and fifty cents. Capias, when the defendant is not arrested thereunder, shall be such sum as the commissioners of his county may allow, not to exceed one dollar. Caveat to a will, entering and docketing same for trial, one dollar and fifty cents. Certificate (including certificate on indictment), except where it is a charge against the county, fifty cents; and where it is a charge against the county, the fee shall be such sum not exceeding fifty cents as the board of commissioners shall allow. Commission, issuing, seventy-five cents. Continuance, thirty cents; in criminal cases, thirty cents for each defendant. Docketing ex parte proceedings, one dollar. Docketing indictment, twenty-five cents. Docketing liens, twenty-five cents. Docketing judgment, in criminal cases, fifty cents; in civil actions, one dollar and fifty cents. Docketing summons, fifty cents. Execution and return thereon, including docketing, one dollar; and certifying return to clerk of any county where judgment is docketed, twenty-five cents. Filing all papers, twenty-five cents for each case. Filing and recording report of sales by commissioners and trustees, two dollars. Guardian, appointment

of, including taking bond and justification, one dollar. Impaneling jury, twenty-five cents. Indexing judgment one cross-index book, twenty-five cents for the judgment regardless of number of parties. Indexing liens on lien book, ten cents. Indexing lis pendens, ten cents, if required to be indexed. Indictment, each defendant in the bill, one dollar. Injunction, order for, including taking bond or undertaking and justification, one dollar. Judgment, final, in term-time, civil action, each defendant, one dollar and fifty cents. Judgment, final, against each defendant, in criminal action, one dollar. Judgment, final, before the clerk, one dollar. Judgment by confession, without notice, all services, three dollars. Judgment in favor of widow for year's support, fifty cents; and for docketing same, twenty-five cents. Judgment nisi, entering against a defaulting witness or juror, on bail bond or recognizance, fifty cents. Juror ticket, including jurat, ten cents. Justification of sureties on any bond or undertaking, except as otherwise provided (each), fifty cents. Letters of administration, including bond and justification of sureties, one dollar. Motions, entry and record of, in civil action, fifty cents; in criminal action, each, twenty-five cents. Notices, twenty-five cents, and for each name over one in same paper, ten cents additional. Notifying solicitors of removal of guardian, one dollar. Order enlarging time for pleading, in special proceedings and civil actions, twenty-five cents; and for all other interlocutory orders therein, fifty cents. Order of arrest, each defendant, one dollar. Order for appearance of apprentice, on complaint of master, one dollar; for appearance of master, on complaint of apprentice, one dollar. Order for the registration of a deed or other writing, which has been approved or acknowledged in another county, or before a judge, justice, notary, or other officer, except a chattel mortgage, twenty-five cents. Postage, actual amount necessarily expended. Presentment, each person presented, ten cents. Probate of a short form lien bond, or lien bond and chattel mortgage combined, fifteen cents. Probate of a deed or other writing, except as otherwise provided, proved by a witness, including the certificate, twenty-five cents. Probate of a deed or other writing, acknowledged by the signers or makers, including all except married women, who acknowledged at the same time, with the certificate thereof, twenty-five cents. Probate of a deed or other writing, executed by a married woman, for her acknowledgment and private examination, with the certificate thereof, twenty-five cents. Probate of limited partnership, fifty cents. Probate of will in common form, and letters testamentary, one dollar. Qualifying justice of the peace, to be paid by the justice, twenty-five cents. Qualifying members of the board of commissioners, to be paid by the commissioners, twenty-five cents. Recognizance, each party where no bond is taken, twenty-five cents. Recording and copy-

ing papers, per copy sheet, twenty cents. Recording names, qualifications and expiration of term of office of justices of peace, five cents for each name. Registering trained nurses, including certificate of registration, fifty cents. Recording certificates of incorporation of corporations, three dollars. Recording names of jurors as required by law, five cents, for each name. Resignation of guardian, relinquishment of right to administer, or to qualify as executor, receiving, filing and noting same, twenty-five cents. Seal of office, when necessary, twenty-five cents. Subpœna, each name, twenty-five cents. Summons, in civil actions or special proceedings, including all the names therein, one dollar and fifty cents, and for every copy thereof, twenty-five cents. Transcript of judgment, seventy-five cents. Transcript of any matter of record or papers on file, per copy sheet, fifteen cents. Trial of any cause, or stating an account, as referee, pursuant to order of the judge, such allowance as the judge may make. Warrant, one dollar. Witness ticket, including jurat, ten cents. Five per cent commissions shall be allowed the clerk on all fines, penalties, amercements, and taxes paid the clerk by virtue of his office; and three per cent on all sums of money not exceeding five hundred dollars placed in his hands by virtue of his office, except on judgments, decrees, and executions; and upon the excess over five hundred dollars of such sums, one per cent.

Keeping minutes of the court in term time, five dollars per day; and for making up bar dockets for each term of court, seven dollars and fifty cents per copy to be paid out of the general county fund.

SEC. 2. That the board of commissioners of Montgomery County, if they deem proper, may, in their discretion, allow or pay to the clerk of the Superior Court of Montgomery County in lieu of clerk hire and in addition to the fees he receives as provided in section one of this act, a sum not exceeding twenty-five dollars per month. Commissioners may pay salary.

SEC. 3. That the clerk of the Superior Court of Montgomery County may be absent from his office any Monday, except the first Monday of each and every month: *Provided*, he leaves a competent deputy clerk in said office. Absences of clerk permitted.

SEC. 4. That all laws and clauses of laws providing for the fees to be collected by the clerk of the Superior Court of Montgomery County, which are in conflict with the provisions of this act, whether special, local, public-local or general, and especially section two thousand seven hundred and seventy-three of the Revisal of one thousand nine hundred and five, are hereby expressly repealed. Conflicting laws 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. 1919.

CHAPTER 335

AN ACT TO AUTHORIZE PERQUIMANS COUNTY TO ISSUE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

Commissioners to issue bonds.

Not over \$300,000.

Purpose.

To give notice.

Form of notice.

SECTION 1. That the board of county commissioners of Perquimans County is hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding three hundred thousand dollars for the purpose of laying out, opening, altering, constructing, and improving county highways and bridges in said county.

SEC. 2. Before any bonds are issued in this act, the board of county commissioners of Perquimans County shall cause to be published once a week for four successive weeks in one or more newspaper published in Perquimans County, a notice substantially in the following form, with the blanks properly filled in, viz:

Notice is hereby given to the voters of Perquimans County that after the expiration of thirty days after the first publication of this notice, the board of county commissioners will issue road and bridge bonds of Perquimans County under the provisions of a special act ratified by the General Assembly of the.....day of, 1919 (here insert date of ratification of this act authorizing issuance of not exceeding three hundred thousand dollars (\$300,000) bonds for county highways and bridges). Notice is also given that the question issuing such bonds will not be submitted to the voters at an election, unless within said period of thirty days there shall be filed with the clerk of the board of county commissioners a petition for an election on such question, signed by at least twenty-five per cent of the registered voters of said county. This notice was first published on theday of....., 1919.

.....,
Clerk of the Board of County Commissioners.

If petition against issue, election to be held.

Petition to be filed in 30 days.

Twenty-five per cent of voters required.

SEC. 3. If a sufficient petition shall be filed with the board of county commissioners as provided in this section by any township, no bonds shall be issued against said township under this act unless and until the question of issuing such bonds shall be submitted to the voters of Perquimans County at an election and a majority of the votes cast at said election or in favor of issuing such bonds. A petition demanding that the question of issuing the bonds be submitted to the voters at an election may be filed with the clerk of the board of county commissioners within thirty days after the first publication of the notice aforesaid. The petition shall be in writing and signed by at least twenty-five per cent

of the registered voters of the county as shown by the registration books for the last preceding election therein. The residence address of each signer shall be written after his signature. Each signature to the petition shall be verified by a statement (which may relate to a specified number of signatures) made by some adult resident freeholder of the county under oath before an officer competent to administer oaths, to the effect that the signature was made in his presence and is the genuine signature of the person whose name it purports to be. The petition need not be all on one sheet. If on more than one sheet, it shall be verified as to each sheet. The clerk of the board of county commissioners shall investigate the sufficiency of the petition and present it to the board of county commissioners with a certificate stating the result of his investigation. The board of county commissioners shall thereupon determine the sufficiency of the petition, and the determination of said board shall be conclusive.

Verification of signatures.

May be more than one sheet. Each sheet to be verified. Sufficiency to be investigated.

SEC. 4. If the board of county commissioners determine a petition filed as aforesaid to be sufficient, the board shall submit the question of issuing bonds under this act to the voters at a special election to be held as soon as may be practicable. The board of county commissioners shall fix the date for holding said election, shall name the registrars and judges of election for the voting precincts of said county, and shall cause notice of said election to be given by publication at least thirty days before the election in some newspaper published in Perquimans County. Said election shall be held and conducted in all other respects in accordance with the provisions of law relating to the holding and conducting of elections for members of the General Assembly. Those qualified to vote at said election shall be those who were qualified to vote at the last preceding election for members of the General Assembly and county officers and those who have since become qualified by becoming of age or otherwise. The decision of the board of county commissioners upon the right to vote of any voter shall be final and conclusive. At said election the voters who favor the issuance of said bonds shall vote a ticket with the words "For Road and Bridge Bonds" written or printed thereon, and the voters who are opposed to the issuance of said bonds shall vote a ticket with the words "Against Road and Bridge Bonds" written or printed thereon. The votes shall be counted at the close of the polls and returns thereof made to the said board of county commissioners on the Thursday next following the election, and said board shall by resolution declare the result of said election as soon as possible after the return of said vote, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording or declaring of the result of the election shall be necessary. Said resolution of the board of county commissioners

If petition sufficient, issue to be submitted.

Commissioners to fix date of election.

Notice of election.

Manner of holding election.

Qualifications of voters.

Form of ballots.

Result declared.

Result published.

- declaring the result of said election shall be published once a week for at least two successive weeks in some newspaper published in Perquimans County. No right of action or defense founded upon the invalidity of said election shall be asserted, nor shall validity of the election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the first publication of said resolution.
- SEC. 5.** The bonds authorized by this act may be divided into two or more separate issues. Each issue shall mature in annual installments or series, the first of which shall be payable not more than three years after the date of the bonds of such issue, and the last not more than thirty years after such date. No such installment or series shall be more than two and one-half times as great in an amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously, the bonds outstanding at any one time shall mature as aforesaid.
- SEC. 6.** Said bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment or principal and interest as the board of county commissioners may determine, subject to the limitations and restrictions of this act. They shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually. They may be either coupon bonds or registered bonds and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Perquimans County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and the coupons shall bear the printed or lithographed or engraved facsimile signature of the said clerk in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.
- SEC. 7.** Said bonds shall be sold upon sealed proposals at a price not less than par and accrued interest. Before any such sale, there shall be published in a newspaper published in Perquimans County a notice containing a description of the bonds to be sold, the place of sale, and the time limited for the receipt of sealed proposals, which time shall be not less than ten days after the first publication of such notice. The board of county commissioners may cause such further publication of such notice to be made as the board may deem expedient. All proposals submitted pursuant to such notice shall be opened in public, and the bonds shall be awarded to the highest bidder, unless all bids are rejected.
- No right of action after 30 days.
- Bond issue may be divided. Maturity.
- Equalization of installments.
- Form and denomination.
- Interest rate not over 6 per cent. Coupon or registered bonds.
- Authentication.
- Change of officers not to affect validity.
- Sale not to be less than par. To be advertised.
- Conditions.
- Proposals opened in public.

SEC. 8. The proceeds of the sale of such bonds shall be placed in a separate fund and used only for the purposes for which the bonds were issued. The purchaser of the bonds shall not be bound to see to the application of the proceeds. Proceeds in separate fund.

SEC. 9. Said board of county commissioners is hereby further authorized to levy annually a special tax ad valorem upon all taxable property in said county and said township for this special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by said board. Commissioners to levy special tax.

SEC. 10. The powers granted by this act are granted in addition to and not in substitution for existing powers of Perquimans County and are not subject to any limitations or restrictions contained in any other law. Powers of act in addition to existing powers.

SEC. 11. All laws and parts of laws in conflict of this act are hereby repealed.

SEC. 12. This act shall be in force from and after its ratification. Ratified this the 5th day of March, A. D. 1919.

CHAPTER 336

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 are hereby authorized and empowered, and it shall be their duty on the first Monday in April, one thousand nine hundred and nineteen, to elect a road commissioner for each township in said county for the purpose of carrying out the provisions of this act. Each commissioner, when so appointed, shall take and subscribe to the oath of office, and shall be required to give such bond as the board of commissioners may require for the faithful performance of his duties and for properly accounting for all moneys which may come into his hands by virtue of his office. Commissioners to elect township road commissioners. Commissioner to take oath. To give bond.

SEC. 2. That it shall be the duty of the road commissioner of each township to lay off his township into such sections as he may deem best and expedient for the improvement and maintenance of the public roads of his township. In laying off such sections it shall be sufficient to fix the boundaries thereof in such intelligible way as will enable the public to ascertain the same, and such sections may be described by referring to the several tracts of land or farms composing the same. Said road commissioner, after dividing his township into sections, as aforesaid, shall make a report of such division to the board of commissioners of Anson County, and such report shall be filed of record. Township to be divided into sections. Boundaries. Report of division to county commissioners. Report to be filed.

and shall be prima facie evidence of the location of such boundaries, and competent as such in the several courts of said county.

Road commissioner to appoint overseer. SEC. 3. The road commissioner of each township shall appoint a road overseer for each road section, and such overseer shall work the roads of his section under the direction of said commissioner, subject, however, to such rules as the board of commissioners of Anson County may make for working said roads. Said road overseers, subject to the provisions of this act, shall be vested with all the authority and power now given to road overseers under the general laws of this state. Said road overseer shall be required to devote six (6) days work to his section each road year, and shall keep said roads in good repair in so far as the labor and funds available under this act shall permit.

Powers of overseers.

Overseers required to devote 6 days to section.

Overseers to report to commissioners. SEC. 4. Each road overseer shall make a report to the township commissioner within thirty (30) days after his appointment of the number of able-bodied men within the ages of eighteen (18) and forty-five (45) years within his road section, together with the names of each; and all men in said section shall be required under the provisions of this act to work on the public roads of Anson County six (6) days in each year, and ten (10) hours of good and faithful service shall constitute a day's work: *Provided, however,* that such persons liable to road duty may pay six dollars (\$6) per year in lieu of performing road work, payable three dollars (\$3) on or before the first day of January, and three dollars (\$3) on or before the first day of July of each year: *Provided, however,* that for the year one thousand nine hundred and nineteen such persons may pay three dollars (\$3) on or before the fifteenth day of May and three dollars (\$3) on or before the first day of October. All persons failing to pay said money on or before said dates shall be deemed to have waived their right to pay such money in lieu of road work.

Census of persons liable for road duty.

6 days road service required.

Commutation fee \$6.00

Township commissioners' books. Said township commissioner shall keep a book which shall contain the names of such road overseers and the names of all men in such sections liable to road duty under the provisions of this act.

Overseer to report to township commissioner. SEC. 5. It shall be the duty of each road overseer to report to the road commissioner of his township quarterly, on or before the first Monday in April, on or before the first Monday in July, on or before the first Monday in October, and on or before the first Monday in January of each year the exact number of days each road hand has actually worked, and the exact amount of money that he has received from each road hand in lieu of work during such quarter.

Failure of overseer to work misdemeanor. SEC. 6. Each road overseer wilfully failing to work his section for six (6) days in each year, as herein provided, shall be guilty of a misdemeanor, and shall be punished by a fine not exceeding fifty dollars (\$50) or imprisoned not exceeding thirty (30) days.

Penalty.

SEC. 7. It shall be the duty of each road overseer to give each hand two (2) days notice preceding the day work is to begin on his section, and it shall be the duty of such road hand to appear at the place and hour designated by the road overseer, and such road hand shall furnish or supply himself with such tool or tools as the overseer may designate in his notice. Said notice may be oral or written, and if written, it shall be sufficient for such overseer to leave such written notice at the residence of such person liable for road duty, and no other notice shall be necessary. Such notice may be served by any person authorized by said road overseer to make such service. Any person failing to work, after being warned as herein provided, on account of sickness incapacitating him for such labor, or other lawful excuse, shall pay to the road overseer one dollar (\$1) for each day which he fails to perform the work required of him.

Overseer to give 2 days notice to road hands.

Form of notice.

Penalty of \$1 for failure to work when hindered.

SEC. 8. Any person, after having been duly notified, who shall fail to appear at the time and place designated by the overseer, and shall fail and refuse to work, as herein required, on such public roads shall be guilty of a misdemeanor, and shall be punished by a fine not exceeding fifty dollars (\$50) or imprisoned not exceeding thirty (30) days.

Penalty for wilful failure to work.

SEC. 9. Each overseer shall make a quarterly report of all sums of money collected by him to the commissioner of his township, and shall deliver all sums collected by him to such township commissioner: *Provided*, that the funds collected from persons liable to road duty in each section shall be expended on the improvement of the roads of such section, and not otherwise.

Overseer to make report of collections.

SEC. 10. Each road overseer, subject to road duty, shall be required, without compensation, to work six (6) days in each year, and for all additional service shall be compensated as herein provided. Each road overseer shall canvass all men subject to road duty in his section on or before the first day of January, and on or before the first day of July of each year, at which time each person so canvassed shall be required to elect as to whether he shall perform the labor herein required of him, or shall pay cash in lieu thereof. Said overseer shall make a record of such election, and he shall be paid the sum of two dollars (\$2) for each complete canvass made by him.

Overseer to be paid for service in excess of 6 days.

Canvass of men liable for road duty.

Compensation.

SEC. 11. Any person liable for road duty who has paid any cash or performed any labor for the year one thousand nine hundred and nineteen previous to the fifteenth day of May shall receive credit therefor under the provisions of this act: *Provided*, that the election to pay cash for the year one thousand nine hundred and nineteen shall be made on or before the fifteenth day of May and on or before the fifteenth day of October, and each overseer shall make a canvass of his section for said year on or before said dates.

Credit for work performed.

Proviso: Must elect to pay cash before May 15 and October 15.

Overseer to employ hands.

Payment of hands.

Order for payment.

Road commissioners to meet with county commissioners.

Quarterly reports.

County commissioners to fix rules.

Term of office of road commissioner.

Compensation.

Commissioners may be discharged.

Terms of office of overseers.

Overseers may take material for roads.

Trees may be cut after notice.

Settlement of claims for damages.

SEC. 12. Each road overseer shall be authorized to employ hands to work on his section at such prices as may be agreed upon between him and his township commissioner, and such labor shall be paid for out of the funds to the credit of such section, together with such other funds as the board of commissioners of Anson County may assign to said section out of the general funds provided for under this act. Such road overseer shall give an order upon the township commissioner of his township to each laborer, and the township commissioner of said township shall pay to such laborer the amount called for in such order, and such order shall be a receipt to him for such disbursement.

SEC. 13. All township commissioners appointed under the provisions of this act shall be required to meet with the board of commissioners of Anson County at such times as the board of commissioners may direct, and shall make quarterly reports to the board of commissioners of Anson County of all funds received and all funds disbursed under the provisions of this act. Said township commissioners shall work the roads of their respective townships under such rules and regulations as the board of commissioners of said county may prescribe, and the term of office of each township commissioner shall be for one (1) year, and such term of office shall expire on the first Monday in December of each year: *Provided*, they shall receive such compensation as the board of commissioners may provide, not to exceed the sum of two and fifty one-hundredths dollars (\$2.50) per day for such time as they devote to the performance of their duties: *Provided, however*, the board of commissioners may in their discretion at any time discharge said commissioners for satisfactory reasons appearing to themselves. The term of office of each road overseer shall be one (1) year, and shall expire on the first Monday in December of each year: *Provided*, that such overseer may be discharged by the township commissioner for reasons which may appear to him satisfactory. The road overseers may receive such compensation for their services as the board of commissioners of Anson County may provide.

SEC. 14. All road overseers provided for by this act shall have the authority to enter upon the lands of any person to secure gravel or other material for surfacing and maintaining said roads, and shall have authority to cut timber, excepting fruit trees and yard trees, when necessary in their opinion for the protection of the public roads of their section. No trees shall be cut, however, without giving the owner thereof, or the person occupying said premises, thirty (30) days notice of such intention. In the event that any person shall suffer damage by reason of the removal of gravel, dirt or other material, or by reason of the cutting down of trees upon his premises, as herein provided for, it shall be proper for such person to present his claim to the board of com-

missioners of Anson County, and in the event that he and said board of commissioners can not agree upon the sum to be paid him for such damage, such claim shall be arbitrated by the board of commissioners and the claimant each selecting an arbitrator, which arbitrators shall select a third, and said arbitrators shall award such damages as to them may appear just and proper, taking into consideration, however, any special benefits that the claimant may enjoy by reason of the improvement of said road: *Provided*, either party shall have the right to appeal to the Superior Court of Anson County. Notice of appeal shall be given to the clerk of the board of commissioners, and he shall certify said appeal, together with the written submission and award to the clerk of the Superior Court of Anson County. Said clerk shall docket said appeal, and the issues raised thereon shall be tried as in other causes.

SEC. 15. That in order to provide a maintenance fund for the public roads of Anson County each person shall pay an annual tax not exceeding two and fifty-one hundredths dollars (\$2.50) on each automobile owned by him; five dollars (\$5) on each automobile truck having a capacity of one-half ($\frac{1}{2}$) ton and less than one and one-half tons; seven and fifty one-hundredths dollars (\$7.50) on each automobile truck having a capacity of one and one-half ($1\frac{1}{2}$) tons; ten dollars (\$10) on each automobile truck having a capacity of two (2) tons; fifteen dollars (\$15) on each automobile truck having a capacity of two and one-half ($2\frac{1}{2}$) tons; twenty dollars (\$20) on each automobile truck having a capacity of three (3) tons, and twenty-five dollars (\$25) on each automobile truck having a capacity of more than three (3) tons; one dollar (\$1) on each motorcycle; one dollar (\$1) on each mule and horse.

The taxes herein provided for shall be levied by the board of commissioners of Anson County at the same time the state and county taxes are levied, and all tax listers of the county at the time of listing taxes shall designate on the abstract the tonnage capacity of each automobile truck, and the taxes thereon shall be computed as other taxes. All taxes collected under this section shall constitute a special fund for the maintenance of the public roads of Anson County, and such funds shall be expended by the board of county commissioners for the maintenance of such roads in such manner and way as they may direct. The sheriff of Anson County shall collect the taxes herein provided for at the same time and in the same way and under the same power as state and county taxes are collected.

SEC. 16. In anticipation of the taxes to be collected under this act, the board of commissioners of Anson County are authorized to borrow money from time to time to carry on the work herein provided for: *Provided, however*, that the amount of money so

Right of appeal.

Notice of appeal.

Trial of appeal.

Per capita road tax.

Automobile truck tax.

Motorcycle tax.
Mule and horse tax.

Time of levying tax.

Designation of tonnage.

Taxes constitute special fund.

Collected as other taxes.

Commissioners may borrow money.

Proviso: loans not to exceed one year's taxes.

Obligation dis- charged each year. borrowed shall not exceed for any one year the amount of taxes collected under this act, and such obligation shall be discharged each year out of the revenue provided by the terms of this act.

Morven Township exempted. SEC. 17. Morven Township is hereby exempted from the provisions of this act.

SEC. 18. All laws and clauses of laws in conflict with this act are to such extent hereby repealed.

SEC. 19. This act shall be in effect from and after its ratification.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 337

AN ACT IN RELATION TO CERTAIN ROAD BONDS OF WATAUGA COUNTY.

Preamble. WHEREAS, at a special election held on the eighth day of May, nineteen hundred and seventeen, the qualified voters of Watauga County adopted a proposition to issue two hundred thousand dollars of road bonds of said county, of which fifty thousand dollars of bonds have been issued, fifty thousand dollars of bonds have been awarded at a public sale but have not yet been issued, and one hundred thousand dollars of bonds have not yet been awarded or issued; and,

WHEREAS, doubts have arisen as to the constitutionality of chapter two hundred and eighty-four of the Public Laws of one thousand nine hundred and seventeen, under which the proceedings for the issuance of said bonds were taken:

Now, therefore,

The General Assembly of North Carolina do enact:

Bonds validated. SECTION 1. That fifty thousand dollars of road bonds of Watauga County heretofore issued pursuant to a special election in said county on the eighth day of May, nineteen hundred and seventeen, are hereby validated.

Commissioners authorized to issue bonds. Not over \$150,000 for road purposes. SEC. 2. The board of county commissioners of Watauga County is hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding one hundred and fifty thousand dollars, for the purpose of constructing and improving public roads of said county, which bonds shall be deemed to be the unissued portion of the two hundred thousand dollars of road bonds authorized at the election aforesaid.

Unissued bonds ratified. SEC. 3. The award of fifty thousand dollars of the unissued bonds referred to in section two, which award was made by the board of county commissioners of Watauga County at public sale on the tenth day of February, nineteen hundred and nineteen, is

hereby ratified. Said fifty thousand dollars of bonds shall consist of fifty bonds of the denomination of one thousand dollars each, dated February first, nineteen hundred and nineteen, maturing one bond on February first in each of the years nineteen hundred and twenty-four and nineteen hundred and twenty-five, and two bonds on February first in each of the years nineteen hundred and twenty-six to nineteen hundred and forty nine, both inclusive, and bearing interest at the rate of five and one-half per centum per annum, payable semi-annually.

SEC. 4. The one hundred thousand dollars of said bonds which have neither been awarded nor issued may be issued as one issue or may be divided into two or more separate issues. Each issue shall mature in annual installments or series, the first of which shall be payable not more than five years after the date of the bonds of such issue, and the last not more than thirty years after such date. No such installment or series shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously, those outstanding at any one time shall mature as aforesaid. Said one hundred thousand dollars of bonds which have neither been awarded or issued shall be sold upon sealed proposals at a price not less than par and accrued interest. Before any such sale there shall be published in a newspaper published in Watauga County a notice containing a description of the bonds to be sold, the place of sale, and the time limited for the receipt of sealed proposals, which shall be not less than ten days after the first publication of said notice. The board of county commissioners may cause such further publication of such notice to be made as the board may deem expedient. All proposals submitted pursuant to such notice shall be opened in public, and the bonds shall be awarded to the highest bidder, unless all bids are rejected.

SEC. 5. All bonds issued under this act shall be issued in such form and denomination and with such provisions as to time, place, and medium of payment of principal and interest as the board of county commissioners of Watauga County may determine, subject to restrictions set forth in this act. The bonds not yet awarded shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. All of the bonds shall be coupon bonds, and may be made registerable. They shall be signed by the chairman of the board of county commissioners of Watauga County, and the seal of said county shall be affixed to the bonds and attested by the clerk of said board. The coupons shall bear a facsimile lithographed or engraved signature of said chairman.

SEC. 6. The board of county commissioners of Watauga County shall levy annually a special tax ad valorem upon all taxable

Denomination and dates.

Maturity.

Interest rate 5½ per cent.

Bonds may be issued at different times.

Maturity.

Term not over thirty years. Limit of installments.

To be sold on sealed proposals.

Advertisement of sales.

Proposals opened publicly. Bids may be rejected.

Form and denomination.

Place of payment.

Interest rate not over 6 per cent of coupon bonds registerable.

Authentication.

Special tax for payment of bonds.

property in said county, for the special purpose of paying the principal and interest of the bonds referred to in section one of this act and of all bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by said board.

Levy in addition to other taxes.

Powers in addition to former powers.

SEC. 7. The powers granted by this act are granted in addition to and not in substitution for existing powers of Watauga County, and are not subject to any limitation or restriction contained in any other law.

SEC. 8. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 9. This act shall be in force from and after its ratification. Ratified this the 5th day of March, A. D. 1919.

CHAPTER 338

AN ACT TO AMEND CHAPTER 144 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1917, RELATING TO 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:

Chapter 144, Public Local Laws 1917, amended.

SECTION 1. That section one of chapter one hundred and forty-four of the Public-Local Laws of North Carolina, session of one thousand nine hundred and seventeen, be stricken out and the following substituted in lieu thereof:

County divided into five 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 as designated, as follows, to wit: District number one shall be composed of Lumberton, Wisharts, Britts, Orrum, and Sterlings townships; district number two shall be composed of Rowland, Thompsons, Gaddy, Fairmont, and White House townships; district number three shall be composed of Maxton, Smiths, Alfordsville, Pembroke, and Black Swamp townships; district number four shall be composed of Red Springs, Burnt Swamp, Raft Swamp, Shannon, and Lumber Bridge townships; district number five shall be composed of St. Pauls, Parkton, Rennert, Howellsville, and Saddle Tree townships.”

Boundaries of districts.

Proviso added to law of 1917.

SEC. 2. That section fifty of chapter one hundred and forty-four of the Public-Local Laws of North Carolina, session of one thousand nine hundred and seventeen, be amended by adding the following at the end of said section: *Provided further*, that if the

Rate contingent on issue of bonds.

county commissioners of Robeson County shall fail to issue bonds of the county for the permanent construction of bridges in Robeson County, as authorized by an act to the General Assembly of North Carolina, session on one thousand nine hundred and nineteen, then the taxes to be levied and collected under the provisions of this act may exceed the sum of twenty-five cents on the one hundred dollars assessed valuation of property in said county, and the sum of seventy-five cents on each taxable poll, but shall not exceed the sum of forty cents on the one hundred dollars assessed valuation of property in said county subject to taxation and not exceeding one dollar and twenty cents on each taxable poll."

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. 1919.

CHAPTER 339

AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY OF PITT TO ISSUE BONDS, TO CONSTRUCT AND BUILD PERMANENT HARD SURFACE ROADS AND BRIDGES IN PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of building and constructing public roads, highways, and thoroughfares of durable material and in a permanent manner, such as brick, concrete and the like, and the purpose of building bridges in the county of Pitt, the county of Pitt, by and through its board of county commissioners, is hereby authorized, empowered, and directed to issue, in the manner hereinafter described, its bonds to an amount not to exceed five hundred thousand dollars (\$500,000), which said bonds shall be of the form and tenor prescribed by the board of commissioners of Pitt County; shall be engraved or lithographed and executed on behalf of said county by the signing of the chairman of said board of commissioners and by the clerk of said board, who shall attach thereto the seal of the county.

Commissioners
authorized to issue
bonds.

Not over
\$500,000.
Form and
authentication.

Sec. 2. That said bonds shall be issued in such denominations and shall bear interest at such rates, not exceeding six per cent per annum, payable in equal semiannual amounts, and shall be made payable both as to principal and interest at such place or places as the board of commissioners may determine. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal, or as to both principal and interest, and the coupons of said bonds shall bear engraved or lithographed facsimile signature of the county

Denominations.
Interest rate.

May be coupon or
registered bonds.

Change of officers not to invalidate bonds. treasurer. The delivery of bonds executed as in this act prescribed, by officers in office at the time of said signing and execution, shall be valid notwithstanding any change in officers occurring after such signing.

Special tax to be levied. SEC. 3. The board of commissioners of said county is hereby authorized, empowered, and directed to levy annually when other county taxes are levied, a special tax ad valorem upon all the taxable property in said county for the special purpose of paying the principal and interest of all bonds issued under this act as such principal and interest becomes due, which taxes shall be in an amount sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by said board. And the 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.

In addition to all other taxes. SEC. 4. The board of commissioners of said county is empowered and directed to invest any all moneys received from the special tax herein authorized to be levied over and above a sum sufficient to pay the interest on the bonds issued and outstanding, in the purchase of any of said bonds when the same can be purchased at a price advantageous to said county. But in the event the bonds cannot be purchased, then said commissioners are authorized and directed to invest such moneys in the securities in which guardians or other trustees are permitted to invest their

Fund to be separate. SEC. 5. That the said bonds shall bear date of their issue and shall be due and payable forty years after date. It shall be lawful for said board of commissioners and they are hereby authorized, empowered, and directed to, from time to time, sell such amount of said bonds as they may deem necessary and wise in carrying on the work of building hard surface public roads and bridges in said county, and nothing herein contained shall be construed to require said commissioners to sell all of said bonds at any one time.

Commissioners may invest proceeds of tax. SEC. 6. For the purpose of ascertaining the will of the voters of Pitt County upon the question of issuing the bonds authorized in this act, and the approval of the provisions thereof, an election shall be held at all the voting precincts in said county at such time as in the discretion of the county commissioners of Pitt County they may deem best. At said election all the voters of Pitt County qualified to vote at said election may vote a written

May purchase own bonds. Securities kept by treasurer. Securities to be examined. Statements. Date and period of maturity. Bonds sold in discretion of commissioners.

Election on question of bond issue. Form of ballot.

or printed ticket. Those who favor the purposes of this act shall vote a ticket or ballot with the words "For Permanent Road Improvement Bonds" written or printed thereon, and those who oppose the purposes of this act shall vote a written or printed ticket or ballot with the words "Against Permanent Road Improvement Bonds"; and if the majority of the votes cast at said election shall be "For Permanent Road Improvement Bonds" and the result shall be so declared, then the said bonds authorized in this act shall be issued and all the provisions of this act shall be in full force. But if the majority of the votes cast at said election shall be "Against Permanent Road Improvement Bonds," then this act shall be void and no bonds can be issued hereunder.

Result declared.

Bonds issued on approval of voters.

SEC. 7. That the board of commissioners of Pitt County be, and it is hereby, empowered to submit to the voters of Pitt County, at such time as in its discretion it may deem best, the question whether said county shall issue said bonds as herein provided for. The said board of commissioners shall, for at least thirty days before the election, give public notice of such election, together with purposes thereof, by publication, in one or more newspapers published in Pitt County, and by posting notice of the same at the courthouse door and at every voting precinct in Pitt County for at least thirty (30) days.

Election in discretion of commissioners.

Notice required.

SEC. 8. That the election under the provisions of this act shall be conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for the General Assembly: *Provided, however,* that the said board of commissioners shall appoint the registrars of election, judges or inspectors, and any other election officers, and the registration and challenge of voters shall be conducted in the same manner as is now, or may hereafter be provided for the election of members of the General Assembly; and the said county commissioners shall not order a new registration for said election. But the registration books shall be open for registration of those entitled to register whose names do not appear in the books. The votes shall be counted at the close of the polls and returned to said board of county commissioners on the Thursday next following the election, and the said board 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 recording and declaring of the results of the election shall be necessary.

Manner of conducting election.

New registration not to be required.

Result of election.

Records.

SEC. 9. That the proceeds of any and all bonds issued and sold by virtue of this act, together with all taxes levied and collected under and by virtue of this act, shall be paid over to the treasurer of the county, and by him held as a separate fund from other taxes and by him accounted for. The bond of the treasurer shall be liable for the proceeds of the sale of the bonds and taxes so collected as for other county moneys, and he shall be held liable to

Proceeds to be paid to treasurer of county.

Separate fund.

Treasurer's bond liable for proceeds of bonds and taxes.

the same pains and penalties, indictment, and punishment for misuse, embezzlement or failure to account therefor, as for other county funds.

Sale of bonds after advertisement.

SEC. 10. Before selling any of the bonds provided for herein, the said board of commissioners of said county shall advertise the sale and invite sealed bids in such manner as in their judgment may seem to be the most effectual to secure the highest price for said bonds at the lowest rate of interest as provided by law: *Provided*, that said bonds and none of them shall be sold at less than the face value thereof, and accrued interest thereon. The board of commissioners is authorized to reject any and all bids.

Sealed bids.

Proviso: not to be sold for less than par.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 340

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF ROBESON COUNTY TO ISSUE BONDS TO BE USED IN THE CONSTRUCTION AND MAINTENANCE OF PERMANENT BRIDGES IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Commissioners authorized to issue \$500,000 bonds.

SECTION 1. That the board of county commissioners of Robeson County be, and they are hereby, authorized and empowered to issue bonds not exceeding five hundred thousand dollars (\$500,000) to be denominated Robeson County bridge bonds. That the said bonds shall be in denominations of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000). Said bonds are to bear interest at the rate of not exceeding six per cent (6%) to be evidenced by coupons attached to said bonds.

Robeson County bridge bonds. Denominations.

Interest not over 6 per cent.

Issue in discretion of commissioners.

SEC. 2. The said bonds may be issued by the county commissioners of Robeson County at such times and in such amounts as in their discretion may be necessary; the bonds to run not exceeding twenty years.

Bonds not to run over twenty years.

May not be sold for less than par.

SEC. 3. That no bonds issued under the provisions of this act shall be sold or otherwise disposed of for not less than par and accrued interest. The said board of county commissioners are hereby authorized and empowered to sell or dispose of said bonds

Manner of sale in discretion of commissioners.

either at public or private sale or by sealed bids, as to them may seem best, and in case they sell the same at public sale, they shall give notice thereof in one or more newspapers published in the State of North Carolina for at least thirty days, and said board of

Notice required.

county commissioners may also advertise the sale of said bonds in one or more newspapers which make a business of advertising such sales, published within or without the state.

SEC. 4. That the purchase money arising from the sale of the said bonds issued under the provisions of this act shall constitute a separate and distinct fund to be applied and appropriated to the construction and maintenance of permanent bridges in Robeson County, and the said board of county commissioners shall cause the treasurer or other disbursing officer acting in place of the treasurer of said county to keep separate accounts of said funds so that the condition of same may, at all times, be shown and they shall also keep a book in which the number of bonds sold shall be entered and with them the date due, the amount paid for the same and when the interest shall fall due.

Proceeds constitute separate fund.

Purpose.

Officers to keep separate accounts.

Record of bonds sold; date due.

SEC. 5. That in order to pay the interest on said bonds as it may accrue and to create a sinking fund for the payment of said bonds at maturity, the board of county commissioners of Robeson County shall annually levy a special tax in such amounts as they may find to be necessary in order to meet the interest accruing on said bonds and to create a sinking fund to pay off the bonds as they may mature. That said tax shall be levied and collected as other county taxes are levied and collected and shall be imposed upon such property and other subjects of taxation as are now or may hereafter be subject to taxation under the laws of the state, and it shall be collected by the officer or officers charged with the collection of other county taxes and he shall, in respect thereto, be liable officially as well as personally to all requirements of the law now prescribed or which may hereafter be prescribed for the faithful collection and payment of the other taxes.

Special tax for interest and principal.

Tax levied and collected as other taxes.

Liability of officer collecting.

SEC. 6. That immediately upon the sale of the bonds herein provided for, the commissioners of the county of Robeson shall turn over to the treasurer or other disbursing officer of said county the said funds to be used and paid out by him upon vouchers properly signed and executed by the road commissioner of Robeson County for the purposes provided in this act.

Proceeds to treasurer.

To be paid on order of road commission.

SEC. 6-a. The said board of county commissioners may in its discretion order an election to determine whether they shall issue the said bonds. Said election, if so ordered by the board of county commissioners in its discretion, shall be held at a time to be fixed by the said board of county commissioners in its order, not exceeding forty days from the date of said order and under the rules and regulations covering general elections, except where they conflict with this act. The time and place of holding said election shall be advertised once a week for four weeks immediately preceding the election in some newspaper published in the county. The said board shall, at the time of making the order for such election, appoint a registrar and two judges of

Election in discretion of commissioners. Manner and form of election.

Registrar and judges.

Form of ballots. election for each voting precinct in the county. The question to be submitted to the voters shall be upon written or printed ballots "For Bridge Bonds" or "Against Bridge Bonds." At the close of the polls the registrar and judges of election shall canvass the returns and certify the same to the board of county commissioners at a meeting to be held by them the third day after the election is held. If it appear at such meeting that a majority of the votes cast at said election has been "For Bridge Bonds," then said board shall declare and enter the result upon its minutes and thereupon shall proceed to issue the bonds as hereinbefore provided. If a majority of the votes cast shall be "Against Bridge Bonds" then at any time after six months have elapsed from the first election, the said board of commissioners may resubmit the question of bridge bonds to the people of the county under the rules and regulations herein provided: *Provided, however,* that the said board of county commissioners may issue said bonds without calling an election thereon if, in its discretion, it chooses to do so.

New election in six months.

Proviso: commissioners may issue bonds without election.

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

SEC. 8. This act shall be in force from and after its ratification. Ratified this the 5th day of March, A. D. 1919.

CHAPTER 341

AN ACT TO EMPOWER THE BOARD OF COMMISSIONERS OF HYDE COUNTY TO USE ALL MONEYS ARISING FROM SPECIAL TAXES LEVIED FOR PAYMENT OF BONDED INDEBTEDNESS OF SAID COUNTY, IN EXCESS OF AMOUNT NEEDED FOR PAYMENT OF OUTSTANDING BONDS AND INTEREST COUPONS, FOR THE PURPOSE OF PAYMENT OF INDEBTEDNESS OF SAID COUNTY INCURRED FOR NECESSARY EXPENSES THEREOF, SINCE ISSUANCE OF SAID BONDS, AND TO AMEND CHAPTER 612 OF THE PUBLIC LAWS OF 1917.

Preamble.

WHEREAS, under authority provided in chapter one hundred sixty-eight, Public Laws of one thousand nine hundred and nine; chapter eight hundred and twenty-one, Public-Local Laws of one thousand nine hundred and Thirteen, and chapter six hundred and twelve of Public-Local Laws of one thousand nine hundred and seventeen of North Carolina, special taxes have been levied in Hyde County for purpose of providing for payment of bonds authorized and issued under the provisions of the aforesaid acts greatly in excess of the amount needed for the purposes for which said levies were originally made, and

WHEREAS, the treasurer of Hyde County is required under the Preamble. provisions of said acts to keep a special account of funds arising from said levies, and

WHEREAS, the necessary expenses of said county are greatly in Preamble. excess of its income from general tax levy for county purposes and an indebtedness of about ten thousand dollars (\$10,000) has accumulated for payment of which there are no funds in the county treasury, and

WHEREAS, it is necessary either to issue new bonds or provide Preamble. for authority in the board of commissioners of said county to use the excess of funds arising from special taxes provided for payment of said bonds in payment of such indebtedness,

Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the provisions of sections one, two, three, four, Chapter 612, and five of chapter six hundred and twelve of public laws of one Public Laws 1917, thousand nine hundred and seventeen of North Carolina be extended to Hyde County. extended to provide for payment of indebtedness of Hyde County accrued and outstanding on the thirty-first day of December, one thousand nine hundred and eighteen: *Provided*, no greater amount of bonds than is provided in said act shall be issued under the provisions of said act, that is to say, that no more than twenty-five thousand dollars (\$25,000) of bonds, including those already issued under authority of said act, shall be issued and sold as therein provided. Not over \$25,000 of bonds.

SEC. 2. That the treasurer of Hyde County, with the consent of the board of commissioners of said county, evidenced by proper resolution and order, be and is hereby, empowered to use any funds in his hands arising out of sale of bonds heretofore issued or arising from special taxes levied for the payment of said bonds—that may not be necessary for payment of said bonds and interest coupons as they mature—in payment of outstanding scrip or warrants issued by the board of commissioners of said county. Treasurer authorized to use special tax for general purposes.

SEC. 3. That the board of commissioners of Hyde County be, and they are hereby, authorized to issue special taxes to provide for the payment of bonds authorized under the provisions of the aforesaid acts of General assemblies of one thousand nine hundred and nine and one thousand nine hundred and thirteen and chapter six hundred twelve of acts of one thousand nine hundred and seventeen as hereby amended, and for payment of necessary county expenses: *Provided*, no greater levy of special taxes shall be made than has heretofore been levied or collected for the purposes provided in above enumerated acts. Special tax authorized for payment of bonds. Levy limited.

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 5th day of March, A. D. 1919.

CHAPTER 342

AN ACT TO REPEAL THE THIRD PROVISIO OF SECTION 43 OF CHAPTER 284 OF THE PUBLIC LAWS OF 1917, IN REGARD TO COMMUTATION FOR LABOR ON ROADS.

The General Assembly of North Carolina do enact:

Commutation for road service raised from 75 cents to \$2.

SECTION 1. That section forty-three of chapter two hundred and eighty-four and the third proviso thereof be amended as follows: That the words "seventy-five cents" be stricken out and in lieu thereof insert the words "two dollars."

Limited to Watauga County.

SEC. 2. This act shall apply to Watauga County only.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 343

AN ACT TO AMEND CHAPTER 41 OF THE PUBLIC-LOCAL LAWS OF 1913, AUTHORIZING TAX LEVIES FOR MAINTENANCE OF PUBLIC HIGHWAYS IN STOKES COUNTY.

The General Assembly of North Carolina do enact:

Commissioners may levy special tax for road improvement.

SECTION 1. That the board of commissioners of Stokes County be, and it is hereby, authorized and empowered at the time of levying the general state and county taxes for said county for the year one thousand nine hundred and nineteen, and at such time in each succeeding year thereafter, to levy an additional special tax in Peters Creek Township, said county, and in each and every other township in said county which has not heretofore voted bonds of the township for road improvement under chapter forty-one of the Public-Local Laws of one thousand nine hundred and thirteen, but which may hereafter do so under said chapter, not exceeding fifteen cents on each one hundred dollars valuation of all taxable property therein, and not exceeding forty-five cents on each taxable poll therein, for the purpose of a maintenance fund for the improvement and maintenance of the public highways therein, always maintaining the constitutional equation between property and polls in making such levies, the amount of the levies in each year to be determined by the respective permanent roads commissions of said townships, certified to the board of county commissioners of Stokes County by said permanent roads commissions, respectively, under their hands in each and every year, in time for the respective levies to be made.

Rate not over fifteen cents.

Purpose.

Levies to be determined by road commissioners.

SEC. 2. That said special taxes shall be collected by the sheriff of Stokes County in like manner as the general taxes of the county are collected, and shall be paid over by the sheriff to the respective treasurers of the permanent road commissions of said townships, the same as other road funds are paid over under chapter forty-one of the Public-Local Laws of one thousand nine hundred and thirteen, and the official bonds of the sheriff, and the treasurers of said townships shall be liable therefor in like manner as for other taxes.

Sheriff to collect special taxes.

Funds to treasurers of townships.

Treasurers liable.

SEC. 3. That the respective treasurers of the permanent roads commissions of such townships as shall have tax levies under this act, shall receipt the sheriff for said special taxes, as for other taxes turned over to them under chapter forty-one of the Public-Local Laws of one thousand nine hundred and thirteen, and they shall pay out the same upon the order of the permanent roads commissions of said townships, respectively, for the improvement and maintenance of the public highways therein, and for the necessary expenses incident to the collection and disbursement thereof, and for no other purpose: *Provided*, this act shall not apply to Yadkin Township.

Treasurers to receipt to sheriff for funds.

Payment of fund on order of road commissioners.

Act not applicable to Yadkin Township.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 344

AN ACT TO AMEND CHAPTER 630 OF THE PUBLIC LAWS OF 1907, AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY TO INCREASE A SPECIAL LEVY OF TAXES FOR ERECTING, REPAIRING AND KEEPING IN GOOD CONDITION THE BRIDGES ON PUBLIC ROADS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and thirty of the Public Laws of one thousand nine hundred and seven be, and the same is hereby, amended by striking out the word "fifteen" in line six of section one and inserting in lieu thereof the word "thirty" and by striking out the word "five" in the same line and inserting in lieu thereof the word "ten."

Chapter 630, Public Laws 1917, amended.

Maximum tax rate raised.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 345

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY TO ISSUE BONDS FOR ROAD PURPOSES IN COOL SPRINGS TOWNSHIP, RUTHERFORD TOWNSHIP, GREEN HILL TOWNSHIP, AND CHIMNEY ROCK TOWNSHIP, IN SAID COUNTY.

Preamble.

WHEREAS, on the eighteenth of January, one thousand nine hundred and eighteen, Cool Springs Township in Rutherford County by vote of one hundred and fifty-four to eighty-three, Rutherfordton Township in Rutherford County by vote of one hundred and fifty to fifty-nine, Green Hill Township in Rutherford County by vote of forty-seven to nine, and Chimney Rock Township in Rutherford County by vote of eighty-two to nothing, voted in favor of the issue of bonds of said several respective townships for the completion of the state highway extending from the western boundary of Colfax Township in the said county through the said townships of Cool Springs, Rutherfordton, Green Hill, and Chimney Rock to the Henderson County line, said state highway being known as the Charlotte-Asheville Highway; and,

Preamble.

WHEREAS, after said election the board of commissioners of Rutherford County were unable to issue and sell said bonds because of some irregularity in the said notice calling said election; and,

Preamble.

WHEREAS, it has been determined by the board of commissioners of Rutherford County that the completion of said state highway is necessary in order to save and retain so much of said highway as has already been built and the issuance of bonds hereinafter authorized are necessary in order that the said board of commissioners of Rutherford County may obtain a like amount of funds from the United States Government under the terms of the Federal Aid Road Act, passed and ratified by the United States Congress on July eleventh, one thousand nine hundred and sixteen;

Now, therefore,

The General Assembly of North Carolina do enact:

Commissioners to
issue bonds.
\$8,755 for Cool
Springs Town-
ship.

\$6,685 for
Rutherfordton
Township.

\$1,835 for Green
Hill Township.

\$1,240 for Chim-
ney Rock
Township.

SECTION 1. That the board of commissioners of Rutherford County are hereby authorized and directed to issue eight thousand seven hundred and fifty-five dollars (\$8,755) of the bonds of Cool Springs Township, Rutherford County, for road purposes; six thousand six hundred and eighty-five dollars (\$6,685) of the bonds of Rutherfordton Township in Rutherford County for road purposes; one thousand eight hundred and thirty-five dollars (\$1,835) of the bonds of Green Hill Township in Rutherford County for road purposes; and one thousand two hundred and

forty dollars (\$1,240) of the bonds of Chimney Rock Township in Rutherford County for road purposes. The said bonds shall not bear a greater rate of interest than six per centum per annum, payable at a period not greater than thirty years from the date thereof. The said bonds are not to be sold at less than par and are to be of such denomination as may be determined by the board of commissioners of Rutherford County. The interest upon said bonds is 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 the said bonds. Said bonds and coupons are to be due and payable at such place as the board of commissioners may designate. 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 of deeds attached thereto.

Interest rate not over 6 per cent.

Term not over thirty years.
Bonds not sold for less than par.

Form of bonds.

Authentication.

SEC. 2. The said bonds and coupons shall express on their face that they are payable out of the taxable property and polls of the township for which they are issued, and it shall be lawful and the duty of the board of commissioners of Rutherford county to levy annually on the taxable property and polls of said several townships 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 the principal when it shall become due.

Designation by townships.

Tax for interest and principal.

SEC. 3. That the proceeds of the sale of said bonds shall be paid into the office of the treasurer of Rutherford County and held as a separate fund for the said townships and the said proceeds, together with the fund apportioned from the Federal Aid Road Act fund, shall be expended in the construction of that part of the Charlotte-Asheville highway which lies within the said several townships under the supervision and direction of the said Highway Commission of North Carolina or its successor in office. And the vouchers of the said Highway Commission of North Carolina, or the duly appointed disbursing officer of the said commission, shall be a valid warrant upon the treasurer of Rutherford County for the expenditure of the said fund as the work upon said highway progresses.

Proceeds to treasurer as separate fund.

Federal aid.

Purpose.

Warrants.

SEC. 4. That in case the proceeds from the sale of bonds authorized by this act, together with the funds allotted to Rutherford County out of the Federal aid road funds, are insufficient to complete the said Charlotte-Asheville highway in said Rutherford County, then the board of commissioners of Rutherford County are hereby authorized and directed to levy annually, as long as may be necessary, at the time prescribed for the levy of taxes in said county, upon the property and polls in the townships of Colfax, Cool Springs, Rutherfordton, Green Hill, and Chimney Rock

If funds provided are insufficient, additional tax to be levied.

Townships
named created
special road tax
district.

a tax sufficient to provide funds to make up such deficiency in the completion of the said highway, and for the purpose of levying and collecting such taxes as may be hereafter levied upon the property and polls of said townships, the said townships of Colfax, Cool Springs, Rutherfordton, Green Hill, and Chimney Rock in said Rutherford County are hereby created a special road tax district to continue until such deficiency as is herein provided for may be paid off in full. When such deficiency, if any occur, shall have been paid in full then the authority conferred by this section shall cease and the special road tax district herein created shall be automatically dissolved.

SEC. 5. That all laws now pertaining to the public roads of the said several townships except such as are modified or repealed by this act shall remain in full force and effect.

SEC. 6. That all laws or clauses of laws inconsistent with this act shall be repealed when this act shall become operative, but all laws and clauses of laws which are not modified or repealed by this act shall be in full force and effect.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 346

AN ACT TO AUTHORIZE THE ROAD COMMISSIONERS OF WAYNESVILLE TOWNSHIP TO BORROW MONEY FOR ROAD IMPROVEMENT AND PROVIDE FOR BETTER ROADS IN SAID TOWNSHIP, AND TO AMEND CHAPTER 375 OF THE PUBLIC LAWS OF 1903, AND CHAPTER 716 OF THE PUBLIC LAWS OF 1905.

The General Assembly of North Carolina do enact:

Road commission-
ers authorized to
borrow money.

SECTION 1. That the Road Commissioners of Waynesville Township, Haywood County, are hereby authorized to borrow money from time to time as they may deem expedient to purchase tools, machinery, and other equipment to grade, surface with gravel and otherwise build, improve, and maintain the roads of Waynesville Township, and to that end the said road commissioners of Waynesville Township are hereby authorized, empowered, and directed to pledge the faith and credit of the property and polls of said township: *Provided*, that the aggregate indebtedness of said road commissioners of Waynesville Township at no time shall exceed the sum of ten thousand dollars exclusive of the bonded indebtedness outstanding, as provided in chapter three hundred and seventy-five of the Public Laws of one thousand nine hundred and three.

May pledge faith
and credit of
township property.

Indebtedness not
to exceed \$10,000.

SEC. 2. That the board of county commissioners of Haywood County shall annually levy on the taxable property of Waynesville Township not less than thirty cents nor more than sixty cents on the one hundred dollars valuation of property, which shall be paid to the road commissioners of Waynesville Township to be expended on the roads of said township and to be paid on the indebtedness contracted under section one hereof, and in addition thereto the said board of county commissioners of Haywood County shall levy a tax for a sinking fund, as provided in section one of chapter three hundred and seventy-five of the Public Laws of one thousand nine hundred and three.

Tax levy provided for road expenditures.
Rate.
Proceeds to road commissioners.
Tax levy provided for sinking fund.

SEC. 3. That said road commissioners of Waynesville Township, their road overseer, engineer or other agent in charge of work may enter upon any lands in said township for the purpose of procuring stone, gravel or other needed material, whether the same be along or near the road to be surfaced or not, and any claim for damages for such material shall be paid for as provided in section sixteen of chapter three hundred and seventy-five of the Public Laws of one thousand nine hundred and three.

Road authorities may take material.
Payment for damages.

SEC. 4. That section one of chapter seven hundred and sixteen of the Public Laws of one thousand nine hundred and five be and the same is hereby repealed, and the following substituted in lieu thereof, to wit: "The said road commissioners and their successors in office are hereby directed and required to make and furnish on the first Monday of June and January hereafter a sworn report to the board of county commissioners of Haywood County showing in detail what amounts of money said road commissioners have received by virtue of their office and from what sources, and also what sums of money they have expended by virtue of their office. The statement of said expenditures shall be in detail and itemized; and when said reports shall have been examined and approved by the board of county commissioners, the same shall be placed on file in the office of the board of county commissioners, and also a copy of the same kept on file in the office of the said board of road commissioners for inspection on demand. A failure on the part of said road commissioners to comply with the above requirements, they and each of them shall be guilty of a misdemeanor, and upon conviction shall be punished in the discretion of the court. All able-bodied male persons between the ages of eighteen and forty-five years, except residents of incorporated cities and towns, residing in Waynesville Township, shall work each year, beginning June first, one thousand nine hundred and nineteen, on the public roads of said township six days of nine hours each anywhere in said township which the said board of road commissioners, and at such time and place as said board of road commissioners may designate. The said board of road commissioners shall on their first meeting of each

Chapter 716, Public Laws 1905, amended.
Road commissioners to furnish statements.
Statement to be in detail and itemized.
Statement to be filed.
Copy for public inspection.
Failure to comply with requirement misdemeanor.
Persons liable for road duty.
Assignment of road hands.

road year allot and assign the road hands of said township who are liable to road duty to a certain road or roads, and shall thereafter during said road year have the right to assign said road hands to other and different roads if within their judgment the same shall become necessary, and shall keep on file in their office a record of such assignment to road duty, which shall be notice to all men liable to road duty of their said assignment: *Provided*, two days notice shall be given to said road hands, which notice shall be in writing and specify the time and place where such work is to be performed, and also designating in said notice the implement or tool with which such person shall be required to work, and which said notice shall be signed by the secretary to the board of road commissioners, and shall be delivered to the person liable to road duty by the road overseer, or any other person designated by said secretary or road overseer, and in lieu of personal service the said road overseer, or other person so designated, shall leave said notice at the home of said person liable to road duty, which shall be deemed a compliance with this provision. Any person who is liable to road duty as above set out, and after having been notified to work said public roads refuses or fails to work as above provided, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than fifty dollars: *Provided further*, that no person shall be required to work said roads for more than three days in succession, unless in cases of washouts and special damage sustained to said roads: *Provided further*, that any person may, in lieu of working six days on said public roads, pay, on or before the first day of June of each year, to said board of road commissioners the sum of four dollars, and upon such payment said board of road commissioners shall issue a receipt to the person paying the same, stating the amount and year for which the same is paid, and if the same is not paid as above provided, the said person liable to road duty shall work the said roads, as above provided, or shall in lieu thereof pay to the said board of road commissioners or said road overseer the sum of one dollar per day for each day that such person fails to work, and which shall be due and payable on the day such person is warned to work, and in the event of the failure to work, or in lieu thereof, the payment of said amount as above provided, said person shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than fifty dollars. It shall be the duty of the road overseer to swear out warrants in all cases where a party liable to road duty refuses to work said road or pay the amount in lieu thereof as herein provided. Said board of road commissioners shall account for all moneys so paid in their semiannual reports."

Record of assignments.

Proviso: two days notice to road hands.

Failure or refusal to work misdemeanor.

Penalty.

Proviso: not more than three days road service in succession. Exception. Proviso: commutation in lieu of service.

Penalty for failure to pay as prescribed.

Road overseers to swear out warrants.

Road commissioners to account for funds.

SEC. 5. That section fourteen of chapter three hundred and seventy-five of the Public Laws of one thousand nine hundred and three be and the same is hereby repealed, and the following inserted in lieu thereof: "That said road commissioners shall receive as compensation for their services three dollars per diem each, for the time they have actually spent in performing their said duties. The same to be paid out of any funds in their hands." Compensation of road commissioners.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 347

AN ACT TO FIX THE PAY OF THE COUNTY SURVEYOR OF THE COUNTY OF RANDOLPH.

The General Assembly of North Carolina do enact:

SECTION 1. That the compensation of the county surveyor of the county of Randolph shall be four dollars (\$4) per day for each day or part thereof he is employed in the public duties of his office. Compensation of county surveyor.

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

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 348

AN ACT TO AMEND CHAPTER 236 OF THE PUBLIC-LOCAL LAWS OF 1915, INCORPORATING MATTHEWS TOWNSHIP, CHATHAM COUNTY, INTO A SPECIAL ROAD DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred and thirty-six of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby repealed and the following is enacted in lieu thereof: Chapter 236, Public Local Laws 1915, amended.

"SECTION 1. That R. D. Smith, R. W. Dark, and J. C. Gregson be and they are hereby constituted a board of trustees for the public roads of Matthews Township in Chatham County. The first named shall hold the said position of trustee for two years; the second named shall hold the said position for four years, and the last named shall hold the said position for six years. At the Board of trustees named. Terms of office. Successors.

Vacancies.

Proviso: position of trustee not office.

expiration of the terms of any of the aforesaid trustees their successors shall be elected for six years by the county commissioners of Chatham County. All vacancies caused by death, resignation or removal from the said township shall be filled for the unexpired term of the said trustee by the remaining members of the said board of trustees: *Provided*, that the position of trustee under this act shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina."

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

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 349

AN ACT TO PROVIDE GOOD ROADS IN MEADOW TOWNSHIP, JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Board of trustees for public roads appointed.

Compensation \$4 per diem.

Terms of office.

Vacancies.

Position of trustee not to constitute office.

Board of trustees body corporate.

SECTION 1. That John W. Wood, J. M. Johnson, and T. Jasper Lee are hereby appointed a board of trustees for the public roads of Meadow Township in Johnston County, to hold office from their installment until the first Monday in December, one thousand nine hundred and twenty, and shall receive as compensation for their services four dollars per day for the time actually engaged. Each member of the board of said township shall be elected at each general election for a term of two years to take the place of the members whose term of office expires the first Monday in December next succeeding their election and until their successors are duly elected and qualified, and all vacancies caused by death, resignation, removal from township or otherwise shall be filled by the remaining members of said board until next general election, when his successors 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.

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 Meadow 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.

SEC. 3. That it shall be the duty of said board of trustees to take the control and management of the public roads of said township, and said trustees are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the road supervisor of said township, or any other authority having to do with the building and maintaining of the public roads of Meadow Township.

Duties of board.

SEC. 4. That the 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 the board: *Provided, however,* that the said board of trustees may arrange with some bank or banks to act as financial agent for said board of trustees. The said board of trustees shall also elect the secretary and such other officers as may be deemed necessary for the proper discharge of the duties imposed upon said board.

Organization.

Bank may act as financial agent.

SEC. 5. That the said board of trustees shall annually elect a superintendent of roads for Meadow Township, who shall be paid such compensation out of the road fund of said township as may be fixed by the said board, and who shall hold office for one year, or until his successor shall be elected and qualified: *Provided,*

Trustees to elect superintendent.
Compensation.

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 Meadow Township, and he shall submit to said board of trustees a monthly report concerning the work in progress and the money expended therefor, and such other reports as may be required by 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 contract 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.

Proviso: superintendent may be removed.

Duties of superintendent.

Reports.

Proviso: member of board may be superintendent.

Superintendent not to make contracts.

Authentication of vouchers.

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, however,* that no person shall be subject to road duty.

Trustees may purchase equipment.

Proviso: no person subject to road duty.

Superintendent may take material.

SEC. 7. That the superintendent of roads of Meadow 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 occupant of said land, or any other person, and any such person obstructing such drain or ditch shall be guilty of a misdemeanor and fined not exceeding fifty dollars, or imprisoned not exceeding thirty days. If the owner of any lands from which timber, stone, clay, gravel or sand shall be taken as aforesaid, shall present an account for the same through said superintendent to said board of trustees within thirty days after taking thereof, it shall be the duty of the said board to pay for the same at a fair price; and in case of any disagreement as to value, the board of trustees shall appoint one freeholder and the person claiming the damages a second, and these two a third, which said freeholders shall assess said damages and report the same in writing to the board of trustees who shall pay the same from the road fund of said township.

May make drains and ditches.

Drains and ditches not to be obstructed.

Violation of clause misdemeanor. Penalty.

Payment for material.

Jury of award.

May locate or change road.

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 thereof, 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 the said road order a jury of three disinterested freeholders of Meadow Township to be selected and summoned by the sheriff of Johnston County as provided by law, who shall give said landowner forty-eight hours notice of the time and place when and where the said jury will meet to assess his damages; and said jury in considering the question of damages shall also take into consideration the benefits to the owner of the land, and if such benefits be considered equal to, or greater than the damages sustained, the jury shall so declare, and it shall report its findings in writing to said trustees for revision and confirmation: *Provided*, that such owner may appeal to the Superior Court of Johnston County from the decision of said trustees.

Damages for right-of-way.

Jury of award.

Notice of meeting.

Manner of assessment of damages.

Proviso: owner may appeal.

Trustees to issue bonds.

SEC. 9. That the said board of trustees shall be and are hereby authorized and empowered to issue bonds of said Meadow Town-

ship to be styled "Meadow Township Road Bonds," to an amount Not more than \$30,000.
 not to exceed thirty thousand dollars of such denomination and of such proportion as said board may deem advisable, bearing interest Interest rate not over 6 per cent.
 from the date of issue thereof at a rate not exceeding six per centum per annum with interest coupons attached payable annually or semiannually, as may be deemed best, at such time or times and at such place or places as may be deemed advisable by said board; said bonds to be signed by the chairman and secretary of said board and to be of such form and tenor and transferable in such ways and the principal thereof payable and redeemable at such time or times, not exceeding forty years from the date thereof, and at such place or places as said board of trustees may determine; that none of said bonds shall be disposed of for less than their par value, and the said bonds may be issued at such time or times and in such amount or amounts as may be deemed best to meet the expenditures provided for in this act. The liability for the payment of said bonds, together with all interest that may be due thereon, shall be attached to and imposed upon the political division of Johnston County known as Meadow Township, as constituted at the time of the ratification of this act. Authentication. Form and term. No bonds to be sold for less than par. Liability for payment.

SEC. 10. That for the purpose of providing for the payment of said bonds and the interest thereon, and to provide a sinking fund for the retirement thereof, at maturity, the board of county commissioners of Johnston County shall annually and at the time of levying the county taxes, levy and lay a special tax on all persons and property subject to taxation within the limits of Meadow Township of thirty cents on the one hundred dollars assessed valuation of property, and ninety cents on each taxable poll. That the taxes so levied shall be collected as other taxes are collected and paid to the treasurer or financial agent of said board of road trustees. Commissioners to levy special tax.

SEC. 11. That all funds derived from the sale of any bonds by the said board of trustees shall be paid over to the treasurer or financial agent of said board, and shall be used for the purpose of constructing and improving the public roads of said township, the purchase of such material, machinery, and implements, and the employment of such officers and labor as may be found necessary in carrying out this act. Proceeds of sale to be paid to treasurer or financial agent. Use of fund restricted to road purposes.

SEC. 12. That all funds in the hands of the county treasurer of Johnston County or that may hereafter come into his hands for the road fund of Meadow Township, shall be immediately turned over to the treasurer or financial agent of the board of road trustees provided for in this act. Road funds to be transferred to treasurer of road trustees.

SEC. 13. That in working and construction of roads either convict labor or hired labor, or both, may be used as may be ordered by said board of trustees, and in the working of convicts upon public roads, all rights and privileges existing in regard Convict and hired labor may be used. Rights and privileges extended to Meadow Township.

thereto, or that may hereafter exist for the use of convicts in Johnston County, or any township therein, shall exist and apply to the use of convicts on the public roads of Meadow Township.

Trustees may let contracts.

SEC. 14. That said board of road trustees may in their discretion let under contract to the lowest bidder any or all of the public roads of Meadow Township, on such terms and conditions as may be determined and fixed by said trustees, in which event the said roads shall be built and constructed according to the specifications and details agreed upon by said board of trustees, and the road building contractors to whom such contracts may be let: *Provided, however,* that such contractors shall give such bond for the faithful performance of their contract as may be fixed and determined by said board of trustees: *Provided further,* that in the event the roads of said township are built by contracts as provided for in this section, then the requirements for the election of a superintendent of roads shall be dispensed with.

Roads to be built to specification.

Contractor to give bond.

Election of superintendent dispensed with if contract work.

SEC. 15. That no money 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 town which form a continuation or part of any public highway leading directly through said town: *Provided,* that the purchaser of the bonds provided for by this act shall not be required to look to the application of the money paid by them for any of the bonds issued under this act.

No money expended in incorporated towns, except as continuation of public highway.

No additional road taxes permitted, except for supplemental fund.

SEC. 16. That after the levy of the special tax provided for by this act, it shall not be lawful for the county commissioners of Johnston County to levy any other road taxes against the taxable property and polls of Meadow Township, except as provided for in this act in support of the bond issue aforesaid, unless an additional tax shall be found and ascertained to be necessary to create a supplemental fund for the payment of interest and to retire the road bonds at maturity, in which event, the board of county commissioners may levy an additional tax not exceeding five cents on the one hundred dollars valuation of property and fifteen cents on the poll to be used exclusively as a supplemental interest and sinking fund for said bond issue provided for in this act.

Limit of supplemental rate.

SEC. 17. That all 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.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 350

AN ACT TO PROVIDE GOOD ROADS IN BANNER TOWNSHIP,
JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Yancey Moore, Ezra Parker, and Alonzo Surles are hereby appointed a board of trustees for the public roads of Banner Township in Johnston County, to hold office, from their installment until the first Monday in December, one thousand nine hundred and twenty, and shall receive as compensation for their services four dollars per day for the time actually engaged. Each member of the board of said township shall be elected at each general election for a term of two years, whose term of office shall expire the first Monday in December next succeeding their election and until their successors are duly elected and qualified, and all vacancies caused by death, resignation, removal from township or otherwise shall be filled by the remaining members of said board until next general election, when his successor shall be elected: *Provided*, that the position of trustee shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina.

Board of trustees
appointed for
Banner Town-
ship.

Per diem \$4.

Election of mem-
bers.
Terms of office.

Position of trustee
not an 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 Banner Township," and by that name may sue and be used, 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.

Board constituted
body corporate.

SEC. 3. That it shall be the duty of said board of trustees to take the control and management of the public roads of said township, and said trustees are hereby vested with all the rights and powers for such control and management as are now vested in and exercised by the board of trustees holding office by virtue of chapter five hundred and thirty-one, Public Laws of nineteen hundred and nine, relating to the public roads of said township, and also by the road supervisor of said township, or any other authority having to do with the building and maintaining of the public roads of Banner Township.

To take control of
public roads.

Rights and
powers.

SEC. 4. That the 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 the board: *Provided, however*, that the said board of trustees may arrange with some banks or banks to act as financial agent for said board of trustees. The said board of trustees shall also

Organization.

May arrange with
bank to act as
financial agent.

elect the secretary and other such officers as may be deemed necessary for the proper discharge of the duties imposed upon said board.

Superintendent to be elected.

SEC. 5. That the 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 the said board, and who shall hold office for one year, or until its 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 money 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 contract 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.

Term of office. Superintendent may be removed for cause.

Duties of superintendent.

Report of superintendent.

Proviso: member of board may be Superintendent. Contracts require approval of board.

Funds paid on signatures of secretary and chairman.

May purchase equipment.

To employ engineer.

Proviso: no person subject to road duty.

Superintendent may take material.

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, however*, that no person shall be subject to road duty.

May provide drains.

Drains not to be obstructed. Obstruction of drains misdemeanor. Penalty. Pay for material.

SEC. 7. That the superintendent of roads of Banner Township is hereby authorized to enter upon any uncultivated land near to or adjoining any public road of said township, to cut and carry away timber, except trees or groves or improved land planted or left for shade or ornament, to dig or cause to be dug and carried away any gravel, sand, clay or stone which may be necessary to construct, improve or repair such road, and enter upon any land adjoining or lying near such road in order to make such drains or ditches through the same as he may deem necessary for the betterment of the roads, and the drains and ditches so made shall not be obstructed by the occupants of said land, or any other person, and any such person obstructing such drain or ditch shall be guilty of a misdemeanor and fined not exceeding fifty dollars, or imprisoned not exceeding thirty days. If the owner of any lands

from which timber, stone, clay gravel, or sand shall be taken as aforesaid, shall present an account for the same through said superintendent to said board of trustees within thirty days after 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 damages a second, and these two a third, which said freeholders shall assess said damages and report the same in writing to the board of trustees, who shall pay the same from the road fund of said township.

SEC. 8. That the said superintendent of roads, with the approval of the trustees, is hereby given discretionary power to locate, relocate or change any part of any public road in said township when in his judgment the same will prove advantageous to the public travel. That when any person on whose lands the new road or part of the new road is to be located claims damages thereof, 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 the said road order a jury of three disinterested freeholders of Banner Township to be selected and summoned by the sheriff of Johnston County as provided by law, who shall give said landowner forty-eight hours notice of the time and place when and where the said jury will meet to assess his damages; and said jury in considering the question of damages shall also take into consideration the benefits to the owner of the land, and if such benefits be considered equal to, or greater than the damages sustained, the jury shall so declare, and it shall report its findings in writing to said trustees for revision and confirmation: *Provided*, that such owner may appeal to the Superior Court of Johnston County from the decision of said trustees.

SEC. 9. That the said board of trustees shall be and are hereby authorized and empowered to issue bonds of said Banner Township to be styled "Banner Township Road Bonds," to an amount not to exceed seventy-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 centum per annum with interest coupons attached payable annually or semiannually, as may be deemed best, at such time or times and at such place or places as may be deemed advisable by said board; said bonds to be signed by the chairman and secretary of said board and to be of such form and tenor and transferable in such ways and the principal thereof payable and redeemable at such time or times, not exceeding forty years from the date thereof, and at such places or places as said board of trustees may determine; that none of said bonds shall be disposed of for less price than their par value, and the said bonds may be

Jury of award provided for.

Roads may be located or changed.

Damages for right of way.

Jury of award.

Manner of assessment.

Proviso: owner may appeal.

To issue bonds.

Not over \$75,000

Interest not over 6 per cent.

Authentication.

To run not longer than 40 years.

Bonds may not be sold for less than par.

- issued at such time or times and in such amount or amounts as may be deemed best to meet the expenditures provided for in this act. The liability for the payment of said bonds, together with all interest that may be due thereon, shall be attached to and imposed upon the political division of Johnston County known as Banner Township, as constituted at the time of the ratification of this act.
- Liability for payment restricted to Banner township.** SEC. 10. That for the purpose of providing for the payment of said bonds and the interest thereon, and to provide a sinking fund for the retirement thereof, at maturity, the board of county commissioners of Johnston County shall annually and at the time of levying county taxes, levy and lay a special tax on all persons and property subject to taxation within the limits of Banner Township of twenty-five cents on the one hundred dollars assessed valuation of property, and seventy-five cents on each taxable poll. That the taxes so levied shall be collected as other taxes are collected and paid to the treasurer or financial agent of said board of trustees.
- Special tax for interest and principal.** SEC. 11. That all funds derived from the sale of any bonds by the said board of trustees shall be paid over to the treasurer or financial agent of said board, and shall be used for the purpose of constructing and improving the public roads of said township, the purchase of such material, machinery, and implements and the employment of such officers and labor as may be found necessary in the carrying out of this act.
- Limit of rate.** SEC. 12. That all of the funds in the hands of the county treasurer of Johnston County or that may hereafter come into his hands for the road fund of Banner Township, and all funds in the hands of the present board of trustees, or its treasurer, or which shall come into its or their hands, shall be immediately turned over to the treasurer or financial agent of the board of road trustees provided for in this act.
- Manner of collection.** SEC. 13. That in working and construction of roads either convict labor or hired labor, or both, may be used as may be ordered by said board of trustees, and in the working of convicts upon public roads, all rights and privileges existing in regard thereto or that may hereafter exist for the use of convicts in Johnston County or any township therein, shall exist and apply to the use of convicts on the public roads of Banner Township.
- Proceeds to be paid to treasurer of board.** SEC. 14. That the said board of road trustees may in their discretion let under contract to the lowest bidder any or all of the public roads of Banner Township on such terms and conditions as may be determined and fixed by said trustees, in which event the said roads shall be built and constructed according to the specifications and details agreed upon by said board of trustees, and the road building contractors to whom such contract may be let: *Provided, however,* that such contractors shall give such bonds for
- Use of fund restricted.**
- Funds for Banner township to be paid to treasurer.**
- Both hired and convict labor may be used.**
- Work may be let to contract.**
- Roads built to specification.**
- Contractors to give bond.**

the faithful performance of their contract as may be fixed and determined by said board of trustees: *Provided further*, that in the event the roads of said township are built by contract as provided for in this section, then the requirements for the election of a superintendent of roads shall be dispensed with.

Superintendent not required for contract work.

SEC. 15. That no money shall be expended under this act upon any street in any incorporated town, except that the board of trustees may in their discretion work their part of the streets of said town which form a continuation or part of any public highways leading directly through said town: *Provided*, that the purchaser of the bonds provided for by this act shall not be required to look to the application of the money paid by them for any of the bonds issued under this act.

No funds expended in incorporated towns, except as continuation of public roads.

SEC. 16. That after the levy of the special tax provided for by this act, the tax heretofore levied and collected for road building in said township shall be discontinued, and it shall not be lawful for the county commissioners of Johnston County to levy any other road taxes against the taxable property and polls of Banner Township except as provided for in this act in support of the bond issue aforesaid, unless an additional tax shall be found and ascertained to be necessary to create a supplemental fund for the payment of interest and to retire the road bonds at maturity, in which event the board of county commissioners may levy an additional tax not exceeding five cents on the one hundred dollars valuation of property and fifteen cents on the poll to be used exclusively as a supplemental interest and sinking fund for said bond issue provided for in this act.

Tax authorized by this act supercedes previous tax. Unlawful to levy other road taxes.

Exception.

Supplemental taxes.

SEC. 17. That so much of chapter five hundred and thirty-one, Public Laws of one thousand nine hundred and nine relating to the public roads of Banner Township and any other laws or clauses of laws in so far as they are inconsistent or are in conflict with the provisions of this act, be and the same are hereby repealed.

Certain laws repealed.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 351

AN ACT TO CONSTRUCT AND MAINTAIN CERTAIN BRIDGES ACROSS LUMBER RIVER.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Scotland County, North Carolina, are hereby authorized and empowered to pay, either in whole or in part, out of the general fund of the

Commissioners to pay part of cost of bridges.

county, to the road commissioners of Spring Hill Township of Scotland County, such sums as may hereafter be necessary and proper for repairing, rebuilding or maintaining the bridges over Lumber River, viz.: Blue's bridge, Turnpike bridge, Gilchrist bridge, the New bridge and McGirt's bridge: *Provided*, that the townships of the adjoining counties or the adjoining counties shall pay their pro rata part of such expenses.

Proviso: adjoining counties to pay pro rata part.

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

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 352

AN ACT TO AUTHORIZE THE COMMISSIONERS OF MADISON COUNTY TO ISSUE BONDS TO BE USED IN THE CONSTRUCTION AND MAINTENANCE OF ROADS IN NUMBER TWELVE TOWNSHIP.

The General Assembly of North Carolina do enact:

Commissioners to issue bonds.

SECTION 1. That the board of county commissioners of Madison County be and they are hereby authorized and empowered to issue bonds not exceeding six thousand dollars (\$6,000) to be denominated "Number Twelve Township Road Bonds." That said bonds shall be issued in denominations of not less than one hundred nor more than five hundred dollars, to bear interest at a rate not to exceed six per cent and be evidenced by coupons attached to said bonds.

Denominations.

Bonds not to be sold for less than par.
Manner of sale.

SEC. 2. That no bonds issued under the provisions of this act shall be sold or otherwise disposed of for less than par or accrued interest. Said board of county commissioners are authorized and empowered to sell or dispose of said bonds either at public or private sale or by sealed bids, as to them may seem best, and in case they sell at public sale they shall give notice thereof in one or more newspapers published in the State of North Carolina for at least thirty days. And said board of commissioners may also advertise the sale of said bonds in one or more newspapers, which may make a business of advertising such sales published within or without the state.

Proceeds separate fund.

Use of proceeds.

SEC. 3. That the money arising from the sale of said bonds issued under the provisions of this act shall constitute a separate and distinct fund to be applied and appropriated mainly for the purpose of grading around the two first fords after leaving the French Broad River, the two fords between W. E. Randall's mill and J. B. Anderson's and the two fords above Lower Big Pine

school house; and for the purpose of constructing, maintaining, and repairing the roads and bridges of Number Twelve Township in said county.

SEC. 4. The said bonds shall be issued as needed for the purpose herein expressed and the said county commissioners shall cause the treasurer or disbursing officer acting in place of the treasurer of said county to keep a separate account of said funds so that the condition of same may at all times be shown and they shall keep a book in which the number of bonds sold shall be entered and with them the date due, amount paid for same and when the interest shall fall due.

To be issued as needed.

Separate account.

Record of sales.

SEC. 5. The bonds are to be used in serial numbers and are to be retired at the rate of five hundred dollars (\$500) each year for twelve years from date of issue.

Retirement to be \$500 per year.

SEC. 6. That, for the purpose of paying the interest on said bonds as it may accrue and create a sinking fund for the payment of the said bonds at maturity the board of commissioners of Madison County shall annually levy a special road tax in such amount as in their discretion may be deemed necessary to meet the interest accruing upon said bonds and create a sinking fund to pay for the bonds as they mature. That the said tax shall be levied and collected as other county taxes and shall be imposed upon such property and other subjects of taxation of Number Twelve Township only as are now and may hereafter be subject to taxation under the laws of the state and shall be collected by the officer or officers charged with the collection of other county taxes, and he shall, in all respects thereof be liable officially as well as personally to all requirements of the law now prescribed or which may hereafter be prescribed for the faithful collection and payment of other taxes.

Special tax to be levied.

Manner of levy and collection.

SEC. 7. That for the purpose of carrying out the provisions of this act the highway commission of Number Twelve Township in Madison County be and the same is hereby created composed of Jacob Buckner, Claude Wilder, and W. B. Randall, who shall hold office for two years and until their successors are elected and qualified, at the next general election for memebres of the General Assembly. Their successors in office shall be elected by the qualified voters of Number Twelve Township in the same manner as other township officers. As soon as practicable after the passage of this act the township commissioners herein named shall meet and after taking the usual oath of office shall organize by electing one of their members chairman and one of their members secretary. It shall be the duty of the said highway commission to take charge of and supervise the working of the roads and building and repair of the bridges in the said township.

Highway commission created.

Commissioners named.

Succession.

Meeting of Commissioners.

Duties.

SEC. 8. That after the sale of the bonds herein provided for the funds shall be used by the said highway commission for the purpose of

Use of proceeds from sale of bonds.

poses herein expressed and shall be paid out by the county treasurer or other disbursing officer upon the proper order of the said highway commission.

Purchaser not liable for application of funds.

SEC. 9. That the purchaser or purchasers of any part of said bonds shall not be required to see to the application of the proceeds of said funds by the commissioners of Madison County or by the highway commission of Number Twelve Township.

Provisions of act submitted to voters.

SEC. 10. *Provided*, that on petition of twenty-five freeholders at any time within two years from the passage of this act the commissioners of Madison County are authorized and directed to call an election and take the sense of the voters of Number Twelve Township in Madison County upon the adoption of the provisions of this act; the said election to be called within thirty days after the presentation of such petition. If, at the said election, a majority of the votes cast by the qualified voters of the said township shall be "For Road Bond" then the provisions of this act shall be in full force and effect; if a majority of the votes cast by the qualified voters of Number Twelve Township shall be "Against Road Bonds," then this act shall be null and void.

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

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 353

AN ACT TO REGULATE THE SALARY OF THE REGISTER OF DEEDS OF PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

Salary of register of deeds \$2,400 per annum.

SECTION 1. That the salary of the register of deeds of Pasquotank County shall be two thousand four hundred dollars (\$2,400) per annum, provided the register of deeds of Pasquotank County shall hold no other office of profit during his term of office as register of deeds and clerk ex officio to the board of commissioners of Pasquotank County.

Not effective if office of justice of peace is held.

SEC. 2. That if the register of deeds of Pasquotank County elects to hold the office or position of justice of the peace while occupying the office of register of deeds of Pasquotank County his salary shall be as heretofore provided in chapter sixty-one, Public-Local Laws of one thousand nine hundred and fifteen, as amended by chapter two hundred and fifty-six, Public Local Laws of one thousand nine hundred and seventeen.

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

SEC. 4. That this act shall be in effect from and after March first, one thousand nine hundred and nineteen.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 354

AN ACT TO PROTECT GAME IN PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to hunt, in Pamlico County, on or over the land belonging to any other person unless he shall have the written permission of the owner so to hunt. Permission of owner to hunt on land required.

SEC. 2. Any nonresident of the State State of North Carolina who desires to hunt or shoot game, birds, or animals in any part of Pamlico County shall make application to the clerk of the Superior Court of said county for a license so to hunt, and thereupon the said clerk shall issue such license upon the payment of a privilege or license tax of ten dollars (\$10) and a clerk's fee of fifty cents. Said license shall expire on the termination of the next subsequent hunting or open season, as fixed for said county. Nonresident license required. Clerk to issue license. Expiration of license. It shall be unlawful for any monresident of this state to so hunt without such license and such license shall entitle the holder to hunt only in Pamlico County subject to the restrictions herein imposed. Limitation of license.

SEC. 3. That the clerk of the Superior Court of Pamlico County shall prescribe a form of license for nonresident hunters, shall secure the necessary supply of licenses in book form with stubs, shall secure other blank forms required under the game laws, and shall keep in a bound book a record of the licenses issued, of addresses of persons to whom issued, of fines and other moneys received in enforcement of the law herein enacted. Form of license prescribed by court clerk. Licenses and forms.

SEC. 4. The funds received by the clerk of the Superior Court or other person from the sale of hunters' licenses or from fines imposed under this act shall be turned over, except as may be herein provided, to the treasurer or bank selected by the county commissioners for handling the other funds of said county and the same shall be set apart as a fund for the enforcement of the game laws of the said county and shall be used for no other purpose. Application of funds from licenses and fines.

SEC. 5. That the constables elected at the regular elections in said county shall, by this act, be constituted the game wardens of Pamlico County with concurrent authority for the enforcement of this act; that it shall be the duty of each and every constable to enforce diligently the game laws of Pamlico County, especially Constables constituted game wardens. Duties.

Proviso: Clerk to appoint game warden where no constable. those herein provided and set forth: *Provided*, that if at any regular election no constable shall be elected in any township of said county or if any constable shall be removed by death or otherwise, then it shall be the duty of the clerk of the Superior Court to appoint a game warden for such township who shall have all proper authority to enforce the game law as if elected.

Oath of game warden.

SEC. 6. That every such constable or game warden so elected or appointed shall, before entering upon the duties of his office, take and subscribe before the clerk of the Superior Court of Pamlico County an oath to perform the duties of said office, such oath to be in addition to any other oath that he may be required by law to make, and he shall execute a bond in the sum of fifty dollars (\$50) for the faithful discharge of his duties as game warden, and the said oath and bond shall be recorded by the clerk in his office. The clerk shall charge a fee of not to exceed fifty cents for taking and recording said oath.

Bond of warden.

Fee of clerk.

SEC. 7. That each game warden shall receive the sum of five dollars (\$5) for each nonresident license procured by him for a nonresident hunter, and said amount may be retained by him when remitting license fees to the clerk of the court: *Provided*, that if the nonresident hunter secures his license directly from the clerk of the court all of said license fee shall go to the game law enforcement fund of the county.

Game warden to receive fee for nonresident license.

Proviso: Payments direct to clerk go to game law enforcement fund.

Fee of warden for arrest and conviction.

SEC. 8. That each game warden who shall cause the arrest and conviction of any person violating any of the game laws of Pamlico County shall receive therefor the sum of five dollars (\$5) in addition to any fees now allowed to him by law, and the said sum shall be taxed as a part of the cost versus the person convicted. Any other person, who is not a witness at the trial, who shall furnish the game warden with information leading to the conviction of any person violating any of the game laws of Pamlico County, shall upon his affidavit setting forth the facts, approved by the said game warden and clerk of the Superior Court, receive two dollars and fifty cents (\$2.50) from the game law enforcement fund of the county. The moneys paid out to the game wardens or informants as hereinbefore specified shall be paid from the fund for the enforcement of the game laws by the treasurer or bank selected to handle the county funds upon the warrant of the register of deeds, approved by the clerk of the Superior Court of Pamlico County.

Fee to persons informing game warden.

Payment of fees.

Powers and duties of game wardens.

SEC. 9. That the said game wardens shall have all the powers given in sections one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy of the Revisal of the one thousand nine hundred and five and shall be subject to the duties imposed therein; and said sections shall be a part of this act except that the funds derived from sales under section one thousand eight hundred and seventy shall be paid to the clerk of the

Sections 1869 and 1870 incorporated in act.

Superior Court and by him turned into the county treasurer or bank selected for handling the county funds and be placed to the account of the game law enforcement fund.

SEC. 10. That it shall be unlawful to buy, sell, or ship in Pamlico County, or to ship out of Pamlico County any deer, squirrel, partridge, or wild turkey killed in Pamlico County; or to sell in Pamlico County any deer, squirrel, partridge, or wild turkey killed out of said county. Unlawful to sell or ship game.

SEC. 11. That it shall be unlawful to hunt or kill in Pamlico County any of the game hereinafter mentioned at any time except in that season now declared to be "open season" and under the restrictions herein imposed. The "open season" for the several kinds of game shall be: Unlawful to kill game out of season.

Deer, from September first to February fifteenth.

Open season on deer.

Squirrel, from November first to February first, and not more than ten squirrels may be killed by any one person in one day. Open season on squirrel.

Opossum, from November first to February first.

Open season on opossum.

Quail and partridge, from December first to February fourteenth, and not more than ten such birds may be killed by any person in one day. Open season and bag limit on quail.

Wild turkey, November twentieth to January twentieth, and not more than two wild turkeys may be killed by any one person in one season and these shall not be baited or shot from blinds. Open season and bag limit on wild turkey.

Fur-bearing animals, from November first to March first, except bear, wild cats, foxes, and rabbits for which there shall be no closed season: *Provided*, other fur-bearing animals actually doing depredation to farms and poultry may be killed where such depredation occurs. Fur-bearing animals.

SEC. 12. 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 twenty-five dollars (\$25) or imprisoned not more than thirty days or both at the discretion of the court. Violation misdemeanor. Penalty.

SEC. 13. That as soon as the fund for the enforcement of the game law shall reach the sum of one hundred fifty dollars (\$150) the clerk of the Superior Court shall have posted generally throughout the county the following rewards for the destruction of the enemies of game, song, and insectivorous birds hereinafter mentioned: Bounties when fund reaches \$150.

For the scalps of hawks, owls, and crows, twenty-five cents each. For the scalps of jay-birds, ten cents each. Upon the bringing in of any such scalps, a scalp including the upper beak and skin to the back of the head, the clerk of the Superior Court shall endorse a voucher upon the game law enforcement fund to such person bringing in the scalps, for such amount as he may be entitled in accordance with the provisions of this section. It shall be the duty of the clerk of the Superior Court to keep a Scalps upon which bounties are paid. Clerk of court to keep record.

Scalps destroyed
in presence of
witnesses.
Affidavit of
witness.

Bounties cease
when fund is
reduced to \$25.

Limited to
Pamlico County.

record of the scalps brought in and the rewards paid and it shall be his further duty to destroy said scalps in the presence of one or more responsible parties who shall make written affidavit of the facts of such destruction and of the number and kind of scalps destroyed and such affidavit shall be kept by the clerk as part of his records. When the game law enforcement fund of the county is reduced to twenty-five dollars (\$25) the clerk of the Superior Court shall give to the public general notice that no further rewards will be given for scalps and said notice shall be effective until the game law enforcement fund shall again reach the amount of one hundred and fifty dollars (\$150).

SEC. 14. That this act shall apply to Pamlico County only.

SEC. 15. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 355

AN ACT FOR THE WORKING, IMPROVING AND REPAIRING THE PUBLIC ROADS IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Commissioners to
levy tax for road
purposes.

Rate of tax.

Taxes to be special
fund.

Roads to be divid-
ed into districts.

Appointment of
trustees.

Inspectors to
make reports.

SECTION 1. That the board of commissioners of Haywood County shall, in order to properly repair and improve the public roads of Haywood County, at their regular annual meeting in June, one thousand nine hundred and nineteen, and at each regular annual meeting thereafter, and it is hereby made their duty to levy a special tax on all property subject to taxation under the state law in said county of not less than forty cents nor greater than sixty cents on the one hundred dollars worth of property; said taxes to be collected as all other taxes are, to be kept separate in the tax books of the county, and to be set aside as a special road fund to be used in the properly repairing and improving said public roads, culverts, and bridges of the county of Haywood, and the purchase of such implements, teams, wagons, and camp outfit if found necessary in the proper carrying on of this work.

SEC. 2. That the board of county commissioners shall, at their regular meeting in April, one thousand nine hundred and nineteen, and annually thereafter, divide all the roads of Haywood County into road districts or zones, and appoint two competent persons known to be in favor of good roads in each district or zone, whose duty it shall be to immediately after they have been notified of their appointment, proceed to make an accurate inventory of all road mileage and the condition of said roads,

bridges, etc., in their district or zone; also the names of all able-bodied male persons in said district or zone between the ages of eighteen and forty-five years now liable for road work, and the inventory quarterly thereafter to be sworn to and returned to the clerk of the board of commissioners of said county, and said clerk shall make and safely keep a duplicate record of all inventories filed by the road trustees of the various districts or zones, and the same kept on file in the office of the county commissioners. And further, said trustees shall receive no other compensation for their services than being relieved of all road work, if within the age making them liable for same, and five cents a name for all persons reported by them to be liable for road work in said district or zone, and two dollars for one day in making their quarterly report to the board of commissioners.

SEC. 3. That all able-bodied male persons of the county between the ages of eighteen and forty-five, except residents of incorporated cities and towns, shall work upon the public roads of said county, in their respective districts or zones, for six days of nine hours each, after having been legally notified by the contractor or superintendent of such district or zone, or in lieu of the six days work said person so liable may pay to the said road contractor or superintendent, or to any other person legally authorized by the county commissioners to receive the same, the sum of one dollar per day for each day he is warned to work said road and shall be receipted for same by the contractor or superintendent, or may pay the sum of four dollars and receive a receipt for road duty for the entire year: *Provided*, any person or persons who may be liable for road duty as above set forth and who shall wilfully refuse to pay the sum of four dollars or integral parts thereof, or shall refuse to perform the work, shall be deemed guilty of a misdemeanor, and upon conviction in any court having jurisdiction shall be fined not less than five dollars nor more than twenty-five dollars for each and every offense.

SEC. 4. That the county commissioners at their regular meeting in April, one thousand nine hundred and nineteen, and annually thereafter as necessary, shall classify all the roads in Haywood County into four classes as follows, to wit: (1) state highway; (2) county highways; (3) community roads; (4) cartways. For the purposes of this act the words designated as state highways are to be the words now designated or as may hereafter become accepted by the State Highway Commission as part or parts of a state highway system or roads. The roads designated as county highways are the roads of next greatest importance in the county on account of location and extent of traffic, and may be established regardless of boundaries and shall be kept in good state of repair by contract. They shall be of uniform grade and not less than sixteen feet in width in rock and twenty feet in dirt,

Inventory.

Inventory to be kept on file.

Compensation of trustees.

Liability for road service.

Six days service required.

Commutation of service.

Proviso: Refusal to work or pay misdemeanor.

Penalty.

Commissioners to classify roads.

Classification.

Classification defined.

Grade and width of classes of roads.

and as far as possible shall be surfaced roads. Community roads are for the purposes of this act considered of lesser importance and may be from ten to twenty feet in width, owing to local conditions and extent of travel, and may be repaired by either contract, free labor or both, in the discretion of the board of commissioners. Cartways as defined in this act must be kept in repair by the parties using same, and shall be laid off whenever practicable fourteen feet in width: *Provided*, that they may be changed, discontinued or extended within the discretion of the county commissioners where due cause for such change has been shown by the parties interested. Any person desiring a cartway opened up over the lands of another person shall file his petition for the same before the board of county commissioners, praying for a cartway to be kept open across such other person's lands leading to some public road, and upon his making it appear to the board that the adverse party has had ten days notice of his intention, the board shall hear the allegations, of the petitioner and the objections of the adverse party or parties, and if sufficient reason be shown, shall order the sheriff or other lawful officer to summon a jury of five freeholders, to view the premises and lay off a cartway not less than twelve feet wide, and assess the damages to the owner of such land that may be sustained thereby, which, with the expenses of making the way, shall be paid, by the petitioner, and the way shall be kept open for the free passage of all persons, on foot or horseback, carts and wagons.

Proviso: Roads may be changed.

Petition for opening of cartway.

Commissioners to hear petitioners.

Jury.

Damages to be assessed.

Commissioners to advertise for bids.

SEC. 5. That it shall be the duty of the board of commissioners of said county, and as soon as the necessary arrangements can be made and the necessary funds be obtained, to advertise in one or more newspapers in said county for lowest bids to repair and improve all or any part of the public roads of Haywood County; the said board first reserving the right to reject any and all bids offered: *Provided*, that before any contractor commences to repair or improve any road or roads in said county, he must first enter into a written contract with the board of commissioners to repair or improve, as the case may be, all such roads bid off in the way and manner as may be designated by a competent engineer furnished by said board of commissioners.

Bids may be rejected.
Proviso: Contractor to make bond before contract.

Roads designated by engineer.

Commissioners may borrow money.

SEC. 6. That the board of commissioners of Haywood County, in order to expedite the repairing and improving the roads of said county, may have the right, if within their judgment it may become necessary or advisable, to borrow such fund or funds for road purposes not to exceed two-thirds of the levy as set forth in this act in any one year, and the rate of interest on such loans shall not exceed six per centum per annum.

Limit.

Rate of interest.

Commissioners may set aside road fund.

SEC. 7. That for the purposes of keeping in a good state of repair the roads of Haywood County, the board of commissioners

may set aside annually, if within their judgment they deem it necessary, twenty per cent of the total roads funds of said county, together, with all moneys derived in lieu of free labor for the purposes of keeping in good repair the roads as may be designated by the board of commissioners, and as classified in section four.

SEC. 8. That for the purpose of carrying out the provisions of this act any contractor or superintendent of any road or roads of said county is hereby authorized to enter upon any lands near to or adjoining such road or roads, to cut and carry 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, or stone which may be necessary to construct, improve or repair said road, and to enter on any lands adjoining or lying near the road in order to make such drain or ditches through the same as he or they may deem necessary for the betterment of said road, doing as little injury to said lands as the nature of the case and the public good will permit; and all persons claiming damages for the same shall not commence action for the same until three months after said road or roads have been repaired and improved. And any and all damages sustained by reason of carrying off timber, gravel, etc., shall be paid out of the general fund.

Material for construction.

Damages for material taken.

Damages paid out of general fund.

SEC. 9. That it shall be unlawful for any person or persons to fill up or obstruct any ditch or drain that has been constructed for the benefit of said roads.

Unlawful to obstruct ditch.

SEC. 10. That the county treasurer shall keep a separate account of the road fund of the county and of his disbursements of the same, and he shall make a written report thereof to the board of county commissioners at their regular meetings on the first Monday in each month; and on the first Monday in July and January of each and every year he shall present to the said board of commissioners a written report, giving a statement of the disbursements from the general road fund, during the preceding six months, which reports, or the substance thereof, shall be published by said commissioners in at least one newspaper published at the county seat at least one insertion.

Treasurer to keep separate account.

Report to Commissioners.

Report to be published.

SEC. 11. That the provisions of this act shall not apply to Waynesville Township.

Act not to apply to Waynesville Township.

SEC. 12. That the commissioners of said county may have the right to lay out or make such changes in any of the public roads of said county where and whenever deemed necessary.

Commissioners, make necessary changes.

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

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

Ratified this 5th day of March, A. D. 1919.

CHAPTER 356

AN ACT TO AMEND CHAPTER 41 OF THE PUBLIC-LOCAL LAWS OF 1913, BEING "AN ACT TO PROMOTE HIGHWAYS IN THE SEVERAL TOWNSHIPS OF STOKES COUNTY AND TO AUTHORIZE BIG CREEK TOWNSHIP TO ISSUE BONDS."

The General Assembly of North Carolina do enact:

Chapter 41,
Public-Local Laws
1913 amended.

SECTION 1. That chapter forty-one of the Public-Local Laws of one thousand nine hundred and thirteen be amended by inserting after the words "fifteen thousand dollars" in line thirteen, section one, thereof, the words "Big Creek Township, thirty-five thousand dollars."

Bond issue
increased.

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 5th day of March, A. D. 1919.

CHAPTER 357

AN ACT TO PROVIDE ADDITIONAL REGULATION FOR THE WORKING OF PUBLIC ROADS IN BEULAH TOWNSHIP, JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Road commission-
ers named.

SECTION 1. That L. B. Boyette, R. L. Pitman, J. C. Grady, P. H. Etheredge and Hardy Ballance be and they are hereby constituted and appointed as the board of road commissioners of Beulah Township. The duty of said board is to have charge, control, and supervision of the public roads of Beulah Township, and to have the same worked with either convict labor, free labor, or they may let out all or part of said road to contract, for the maintenance or construction of all or any part of said road, as they may see fit.

Duties.

Meetings.

The said board shall meet regularly once a month upon a day set at the mayor's office in the town of Kenly for the purpose of hearing complaints and of receiving and passing upon the requests and suggestions from any citizen of Beulah Township with regard to the improvement of the roads thereof, to consider and pass upon all work performed during the preceeding month, to pass upon and approve or disapprove any contracts made and to audit and approve or disapprove wholly or in part any accounts, orders or vouchers given by the chairman or the superintendent or roads.

Contracts to be
passed upon.

Approval of
accounts.

as hereinafter provided. The said board shall have complete control of the working of said public roads and may hire a superintendent, guards, and necessary help at wages to be fixed by the board. To have control and employ help.

SEC. 2. That the superintendent of roads shall keep at all times a book showing the names and numbers of hands being worked and the road on which they are worked, and he shall file a monthly report with the board showing the amount of expenses each day and how incurred, and an itemized statement of receipts showing their source. This statement shall be presented, properly typed, and the same shall be posted at some public place in the town of Kenly. Superintendent to keep book.
Monthly report to be filed.
Statement to be posted.

SEC. 3. That the commissioners herein appointed, nor their successors who shall hereafter be appointed, shall receive any compensation for their services, but the board shall have power, and they are hereby authorized to reimburse any member of the board for any actual expense incurred by such member in making inspections of the road work or in doing any other road duty assigned to him by the commission. Commissioners not to receive compensation.
Reimbursements for expenses.

SEC. 4. That the money arising from the special tax levied for road purposes in Beulah Township shall be paid by the sheriff of Johnston County to the treasurer of the Beulah Township road fund, whose appointment shall be hereinafter provided for. The sheriff shall make a settlement of said taxes with the board of road commissioners, and after settling the amount of tax due, shall pay the same over to the said treasurer, taking his receipt for the same; and the sheriff's settlement with the board of road commissioners and his receipt for the amount found to be due, signed by the chairman of the board of road commissioners and by the treasurer of the Beulah Township road fund, shall be full and complete discharge of the sheriff and his bond from any and all liability for the collection of said taxes; *Provided*, that the sheriff shall make a settlement of all taxes, provided for by this act, on the first day of January and the first day of July of each and every year. Road tax to be paid to treasurer.
Sheriff to make settlement.

SEC. 5. That the said board of road commissioners, at its first meeting, shall appoint some banking institution having its principal place of business in Beulah Township, as treasurer of said Beulah Township road fund; and it shall be the duty of said treasurer to file a monthly statement with the board of road commissioners of Beulah Township showing in detail a full and complete account of all receipts and disbursements during the preceding month, and the balance, if any, in the hands of said treasurer belonging to the Beulah Township road fund. No salary or compensation shall be paid to such treasurer except any actual expense authorized by the board of road commissioners of Beulah Township. Sheriff to settle January 1 and July 1.
To appoint bank treasurer.
Treasurer to file monthly report.
Treasurer not to receive compensation.

Commissioners to meet and qualify.

SEC. 6. The commissioners appointed in section one hereof shall, within ten days after the ratification of this act, hold a meeting in the town of Kenly and qualify as such commissioners by taking the oath of office prescribed by the laws and constitution of this state, and in addition thereto shall take and subscribe the following oath: "I,, do solemnly swear that I will well and truly perform all the duties imposed upon me as a member of the board of road commissioners of Beulah Township, and that I will well and faithfully discharge all of such duties to the best of my ability, that I will not, during my term of office, have or carry on any business or dealings which will conflict with the performance of my said duties, and I will not be concerned, directly or indirectly, in any trades, dealings or contracts with regard to the said roads whereby I may have or secure a personal benefit to myself: so help me God," Both the oath of office and the oath as a member of the board shall be subscribed and recorded in the book containing the minutes of the board of road commissioners.

Oath.

Oaths to be recorded.

Terms of office.

SEC. 7. That the members of the board of road commissioners shall hold office from their qualification, as provided for in the preceding section, until twelve o'clock noon on the first Monday in December, one thousand nine hundred and twenty, and until their successors are appointed and qualified by taking the oaths prescribed herein.

Succession.

County commissioners to appoint road commissioners.

SEC. 8. That at their regular meeting on the first Monday in December, one thousand nine hundred and twenty, the board of county commissioners of Johnston County shall appoint five men who shall be residents of Beulah Township, to act as members of the board of road commissioners of Beulah Township for the succeeding term of two years, and said board of county commissioners shall biennially thereafter on the first Monday in December appoint successors to the retiring members of the board of road commissioners of Beulah Township. It shall be the duty of the board of county commissioners of Johnston county in making these appointments to have due regard to the interest of all political parties and all sections of the township affected.

To employ superintendent.

SEC. 9. It shall be the duty of the board of road commissioners of Beulah Township, and they are hereby directed to employ a competent man as superintendent of the roads of Beulah Township, and to require of such superintendent a good and proper bond in such amount as the said commissioners may deem necessary to require the faithful performance of his duty, the honest expenditure of funds coming into his hands as such superintendent, regular and full reports of all work done, and accounting for all funds and property in his possession belonging to the board of road commissioners of Beulah Township.

Bond of superintendent.

SEC. 10. Upon the ratification of this act the board of road commissioners of Beulah Township, as herein appointed, are hereby authorized, instructed, directed, and empowered to take over all funds and property, together with all books and records, belonging to any board of road commissioners heretofore existing in Beulah Township, and all such boards are hereby ordered and directed to make immediate transfer of all money, and property, real or personal, tangible or intangible, which is now in their control or possession, to the board of road commissioners of Beulah Township herein appointed, and a receipt signed by the board of road commissioners herein appointed shall be and the same is hereby made a complete release of any and all boards heretofore existing; and any and all boards of road commissioners heretofore existing in Beulah Township are hereby directed and required to immediately report in an itemized and detailed statement all of their activities, showing money received and how disbursed, work accomplished and recommendations to the new board. This report, together with the transfer of all money and property now in the hands of any board of road commissioners heretofore existing in Beulah Township, must be filed within sixty days after the ratification of this act, and upon the approval of this report by the board of road commissioners of Beulah Township herein appointed the commissioners filing such report shall be discharged from any and all liability.

Road commissioners to take over property.

Release of property by former authorities.

To file report in 60 days.

SEC. 11. The board of road commissioners of Beulah Township are hereby authorized and directed to work and maintain all roads leading through incorporated towns in said township: *Provided however*, that the consent and coöperation of the governing authorities of such town shall be procured and the work on such roads shall be done under the joint supervision of the board of commissioners of such incorporated town and the board of road commissioners of Beulah Township.

Duty to work all roads.

Proviso: consent and coöperation of authorities of incorporated towns required.

SEC. 12. The board of road commissioners of Beulah Township are hereby authorized and empowered to pledge the credit of Beulah Township for the purpose of borrowing a sufficient sum of money to meet reasonable current expenses for the maintenance and upkeep of said roads.

To borrow money.

SEC. 13. All moneys now due or that may hereafter become due to the road authorities of Beulah Township shall be paid to the board of road commissioners of Beulah Township herein named and their successors in office, and the board of road commissioners of Beulah Township and their successors are hereby authorized and empowered to receive any appropriations and to coöperate with the county, state and national government in the construction and maintenance of roads in Beulah Township.

All funds to be paid to road commissioners.

To cooperate with county, state and federal authorities.

SEC. 14. All expense vouchers shall be drawn by the superintendent of roads and countersigned by the chairman of the board

Vouchers.

of road commissioners for Beulah Township, and when so drawn and countersigned, the treasurer herein provided for shall honor and pay same.

Public meetings.
provided for.

SEC. 15. That the said board of road commissioners of Beulah Township shall hold their meetings at a regular time and place, and public notice of said meetings shall be given so that any citizen of the said township may attend and hear the proceedings.

To keep accounts.

The said board shall keep a full and true account of all its proceedings and activities showing the receipts and disbursements of all money and the amount of work accomplished by the force under their supervision, the number of persons employed, the salaries and wages paid such persons, and all other matters in any way connected with or relating to the said roads, the improvements and expenditures thereon and the condition thereof.

Accounts to be in
custody of
treasurer.

The said book shall be left with the treasurer hereinbefore provided for, and shall at all times be subject to the inspection of any tax payer of Beulah Township.

May take
material for roads.

SEC. 16. For the purpose of repairing, improving or constructing the various public highways of Beulah Township the board of road commissioners of Beulah Township and the superintendent or engineer thereof provided for in this act shall have authority, and they are hereby vested with the power, to enter upon any lands in the township for the purpose of cutting and removing any trees, except ornamental and shade trees, or for the purpose of digging and carting away any stones, gravel, clay earth or sand which may be necessary or needful to repair, improve or construct any such road, and to make or cut such drains, ditches or canals over or through said land as may be necessary or needful for the benefit of any such road, always having in mind the interest of such landowner as well as that of the public road, and doing as little injury to said land as possible.

May cut ditches
and drains.

Any person considering himself damaged by the cutting of timber, or removal of stone, clay, gravel, earth, or sand from his land, as above provided, or any person on whose land any new road may be located may prefer his claim before the board of road commissioners of Beulah Township and when allowed by said board such claim or any part thereof which may be allowed shall be paid out of any moneys belonging to said township highway road fund: *Provided*, such claim for damages shall be made within three months after the completion of any new road laid out or the removal of such road material as is herein provided for; and any such claimant may petition said board of road commissioners of Beulah Township for a jury to assess the damages, who shall order a jury of three disinterested freeholders to be summoned by the sheriff or other lawful officer of the county, who shall give the claimant or landowner notice of the time and place, when and where, said

Claims for
damages.

Payment of
claims.

Proviso: claim to
be made in three
months.

Jury.

jury will meet to assess the damages, if any, over and above the benefits accruing to said landowner: *Provided*, any party dissatisfied with the finding of said jury may appeal to the Superior Court as is provided by law for appeals from courts inferior to the Superior Court. Pending such appeal, however, the work of construction and building the said road shall not be interrupted, but may continue notwithstanding such appeal. The board of road commissioners of Beulah Township shall have authority and they are hereby authorized and empowered to order the removal of any obstructions along the highways of Beulah Township that make travel on such highways dangerous.

Proviso: right of appeal from award.

Appeal not to interrupt work.

Commissioners may remove obstruction.

SEC. 17. The board of road commissioners of Beulah Township as named in section one of this act shall meet within ten days after the ratification of this act and elect one of their members as a chairman, another as secretary, another as commissioner of finance, another as commissioner of audits, and another as commissioner of complaints and suggestions. These officers shall serve for two years or until their successors are duly elected and qualified.

Meeting of board.

Organization.

SEC. 18. The board of road commissioners of Beulah Township, at the request and with the approval of the superintendent of roads of Beulah Township, are hereby given discretionary power to locate, relocate or change any part of any public road in said township when in their judgment the same will prove advantageous to the public travel: *Provided*, that any person affected shall have the right to seek damages, if any, by the methods hereinafter provided.

May change roads.

Proviso: persons affected may seek damages.

SEC. 19. L. B. Boyette, Hardy Balance, and P. H. Etheredge, having been heretofore elected members of the old Beulah Township road commission, and said commission being hereby abolished, the said L. B. Boyette, Hardy Balance, and P. H. Etheredge are hereby appointed as commissioners of the board of road commissioners of Beulah Township, as provided in section one of this act wherein the new board is created with five active members.

Commissioners named.

SEC. 20. The position of road commissioner as herein created shall not constitute an office within the meaning of article seven, section fourteen, of the Constitution of North Carolina.

Road commissioner not an officer.

SEC. 21. That the said board of road commissioners of Beulah Township shall be and are hereby constituted a body corporate by the name and style of the "Board of Road Commissioners of Beulah 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.

Body corporate.

Name.

Act not to affect
bond issue or tax
levy.

SEC. 22. This act shall not in any way affect or invalidate any bond issue or tax levies heretofore authorized and made but such bond issues and tax levies are hereby confirmed.

SEC. 23. That this act shall be in force from and after its ratification.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 358

AN ACT TO AMEND CHAPTER 135 PUBLIC LAWS OF 1907, RELATIVE TO THE COTTON WEIGHER OF DENSON, JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Fees regulated.

SECTION 1. That chapter one hundred and thirty-five of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by striking out the word "ten" in section two, line six, and inserting in lieu thereof the word "fourteen"; and by striking out the word "five" in section two, line seven, and inserting in lieu thereof the word "seven"; and by striking out the word "five" in section two, line eight, and inserting in lieu thereof the word "seven."

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

Ratified this 5th day of March, A. D. 1919.

CHAPTER 359

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

The General Assembly of North Carolina do enact:

Special tax
authorized.

Rate.

Purpose.

SECTION 1. That the board of commissioners of Anson County be, and they are hereby authorized and empowered to levy a special tax, not to exceed ten cents (10c) on one hundred dollars (\$100) valuation of property, on all taxable property in said county, at the same time and in the same manner with the levies of other county taxes. Said taxes shall be applied to the payment of existing debts and the interest thereon incurred in the construction and maintenance of bridges upon the public roads of said county, and all such existing debts are declared to be legal obligations of said county.

SEC. 2. That the board of commissioners of said county be, and they are hereby authorized and empowered to levy a special tax, not to exceed ten cents (10c) on one hundred dollars (\$100)

Additional
special tax
authorized.
Rate.

valuation of property, on all taxable property in said county, at the same time in the same manner with the levies of other county taxes.

Said taxes shall be applied to the payment of existing debts and interest thereon incurred in the construction and maintenance of public roads of said county, and all such existing debts are declared to be legal obligations of said county: *Provided*, ^{Purpose.} *however*, that Morven Township shall be exempted from the levy made under this section. ^{Proviso: Morven Township exempted.}

SEC. 3. That 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 nineteen and one thousand nine hundred and twenty, at the same time and in the same manner with the levies of other county taxes for said years, on all taxable property and polls in said county. The special tax for each of the said years is not to exceed *twenty* cents on one hundred dollars (\$100) valuation of property and *sixty* 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. ^{Additional special tax.} ^{Rate.} ^{Purpose.}

SEC. 4. All taxes herein authorized to be levied shall be collected and accounted for by the sheriff and other tax collectors of said county, in the same manner and under the same penalties, and within the same time, as other taxes levied in said county. ^{Manner of collection.}

SEC. 5. That the board of commissioners of said county may, if they deem proper and necessary, use any part of the taxes collected under section three of this act in building and repairing the public roads and bridges of said county in such manner and to such extent as they may deem advisable. ^{Division of tax money authorized.}

SEC. 6. All laws in conflict with this act are hereby repealed to the extent of such conflict.

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

Ratified this 5th day of March, A. D. 1919.

CHAPTER 360

AN ACT TO AMEND CHAPTER 386, PUBLIC-LOCAL LAWS OF 1917, RELATING TO STOCK LAW TERRITORY IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter three hundred and eighty-six, Public-Local Laws of one thousand nine hundred and seven-^{Chapter 386, Public Local Laws of 1917, amended.} teen, be and the same is hereby amended by striking out all of

Boundaries of territory.

said section after the colon in line seven and inserting in lieu thereof the following: "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 five miles to the mouth of Fire's Creek; thence up said Fire's Creek about three miles to the east boundary line of the Ledford tract; thence with said east boundary line north about three miles to the Cherokee and Clay County line; thence with said county line a distance of about five miles more or less to the beginning."

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

Ratified this 5th day of March, A. D. 1919.

CHAPTER 361

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF PAMLICO COUNTY TO ISSUE BONDS FOR THE PURPOSE OF LAYING OUT, ESTABLISHING, BUILDING CONSTRUCTING, REPAIRING, AND RELOCATING NECESSARY PUBLIC ROADS AND BRIDGES IN SAID COUNTY AND PROVIDE FOR A SPECIAL TAX TO PAY THE INTEREST AND ESTABLISH A SINKING FUND FOR SAID BONDS.

The General Assembly of North Carolina do enact:

Purpose of bond issue.

SECTION 1. That for the purpose of laying out, establishing, building, constructing, repairing, and relocating the necessary public roads and bridges of Pamlico County, the board of commissioners of said county be and they are hereby authorized and empowered to issue bonds in an amount not to exceed one hundred thousand dollars, (\$100,000) to be denominated "Pamlico County Road Bonds." That said bonds shall be issued in denominations of one hundred, five hundred, and one thousand dollars and in such amounts and at such times as may be deemed best by the said county commissioners. The said bonds are to bear interest at a rate not to exceed six per cent per annum payable on January first and July first of each year, evidenced by coupons attached thereto. The said bonds shall be issued for a term of thirty years and shall be sold at not less than par and accrued interest, and in such manner as to the said county commissioners may seem best.

Amount.

Denominations.

Rate of interest.

Term of bonds.

Authentication.

SEC. 2. The said bonds shall be signed by the chairman and the secretary of the board of county commissioners and may be engraved or lithographed and shall be sealed with the seal of the county. The bonds so issued shall not be used for any other purpose than provided for in this act; and the purchaser or purchasers of any of the said bonds shall not be required to see

Use of proceeds restricted.

to the application of the funds arising from the sale of the same by the county commissioners or other officers of Pamlico County.

SEC. 3. That the said bonds shall be numbered consecutively and a record kept by the county commissioners of the names of the purchasers of any of the said bonds, amount purchased, when same shall be due and the amount paid for same. That said bonds shall state upon their face the date same are due.

Number and record.

SEC. 4. The proceeds arising from the sale of said bonds shall be turned over to the county treasurer or bank selected by the said commissioners for handling funds of Pamlico County and the same bank, if so selected, shall be required to give a sufficient bond to properly safeguard the same. The said funds shall be paid out and accounted for by the county commissioners as other road funds of the county.

Proceeds to county treasurer.

Treasurer or bank to give bond.

SEC. 5. That the necessary expenses incident to the preparation, advertisement, and sale of the said bonds shall be paid by the county commissioners out of the proceeds of the said sale.

Expenses paid from proceeds.

SEC. 6. That the commissioners of Pamlico County shall annually levy a special tax in addition to any other road taxes not to exceed thirty-five cents on the one hundred dollars property valuation and one dollar and five cents (\$1.05) on each poll to be levied and collected at the same time and in the same manner as other taxes of the county; the proceeds arising from the collection of said tax shall be kept in a fund separate and apart from the other funds of the county and shall be applied first to the payment of the interest on the bonds herein provided for and second for the creation of a sinking fund to retire the said bonds at their maturity, and the balance to be spent on the public roads and bridges of the county as provided for in section seven of this act.

Commissioners to levy special tax.

Rate.

Manner of collection. Tax funds in separate account.

Manner of collection. Tax funds in separate account.

Application of tax.

Application of tax.

SEC. 7. That the said commissioners of Pamlico County shall use the funds arising from the sale of the bonds provided for in this act in laying out, establishing, building, repairing, and relocating public roads and public bridges in said county under the supervision of a competent, experienced, and practical road superintendent elected as provided for in an act entitled "An act to increase the number of commissioners in Pamlico County, to provide for a superintendent of roads, and a special tax to meet outstanding indebtedness," the same being a part of the Public-Local Laws in Session one thousand nine hundred and nineteen.

Purposes of bond issue.

That the said road superintendent with the approval of the county commissioners shall advertise and let by written contract, with all necessary specifications, the roads and bridges to be built in sections of not less than three miles and the said contracts to be let to the lowest bidder for each section. And upon the opening of the bids before the said county commissioners they shall have authority to reject any and all bids if they deem the same

Road superintendent to advertise and let contracts.

Bids may be rejected.

Second advertisement.

Bond from successful bidder.

Payments for parts of work.

Repairs may be made by hired labor.

Commissioners may purchase equipment.

Superintendent to take material.

Proviso: nothing to be taken from cleared or fenced lands.

too high and await such period as they deem wise before again advertising. After such second advertisement, if the bids proposed are not satisfactory to the county commissioners, they may provide for the building of the said public roads in such manner as to them may seem best. When any bids are received at prices which will secure roads acceptably built for the cost per mile then a sufficient bond shall be required of the bidder or bidders as shall safeguard the loss or breakage or damage sustained (except actual wear) to any material, implement, road, machine, engine, wagon, animal or anything that may be furnished said bidder or bidders by the county under the supervision of the road superintendent. Payments made on work before any section of road contracted for is completed and accepted shall in no case be for more than nine-tenths of the value of work actually done as estimated and approved by the county road superintendent. The said county road superintendent shall personally see to it that all stumps and roots are removed from any road contracted for before it is crowned or top soiled. Different sections of road being worked at the same time shall not be so far apart that the superintendent cannot conveniently observe such construction and all completed sections of road must be approved by the county superintendent of roads and the county commissioners before final settlements are made: *Provided*, that for repairing roads already built said superintendent of roads, with the approval of the county commissioners, may hire such labor and teams as may be necessary for dragging, filling ruts, and other repairs necessary to keep the roads in good condition. The county commissioners shall use such amount of said funds provided for in this act as may be needed to purchase necessary, most beneficial, and effective material, implements, and machinery, teams or motive power as said superintendent of roads would recommend as most economical for the use on said roads.

SEC. 8. That for the purpose of carrying out the provisions of this act the said superintendent of roads after first consulting the owner or agent of the land from which said material for repairing roads may be gotten, are hereby authorized to enter upon any lands near to or adjoining any public roads, to cut and carry away timber, except trees or groves on improved land planted or left for ornament or shade; to dig or cause to be dug and carried away any gravel (*Provided, however*, no gravel shall be taken from any cleared or fenced lands), sand, clay, or stone which may be necessary to construct, improve, or repair said roads; to enter on any land adjoining or lying near the road in order to make such drains or ditches through the same as he may deem necessary for the betterment of the road, doing as little injury to said lands or timber or improvements thereon as the nature of the case and the public good will permit; and the

drains and ditches so made shall be conducted to the nearest ditch, drain, water-course, or waste ground, and shall be kept open by said superintendent of roads and shall not be obstructed by the owner or occupant of such lands or by any other person or persons, under the penalty of forfeiting a sum of not less than five dollars nor exceeding fifty dollars, or imprisoned or worked on the public roads of the county for not less than ten nor exceeding thirty days for each and every offense which said penalty shall be enforced and collected by said board of county commissioners in the manner prescribed by law for the enforcement and collection of other penalties for violation of law, and said penalties when collected shall be paid over to the county treasury and credited to said road fund.

Drains not to be obstructed.

Penalty.

Penalties to road fund.

SEC. 9. That if any owner of any lands or the agent or agents of such owner having in charge lands from which timber, stone, gravel sand, or clay was taken as aforesaid shall present an account of the same to the superintendent of roads or to the said board of commissioners, it shall be the duty of said board to pay a just and reasonable price for the same; and any owner, agent or agents of such owner, shall have the right to appeal from the action of said board to the Superior Court.

Payment for material taken.

SEC. 10. The superintendent of roads shall have the authority and power to locate, relocate, widen, or otherwise change any public road, or parts of the same, or lay out and establish any new public road when in his judgment such location, relocation, widening, or other change, or the opening of a new public road is deemed necessary and advantageous to public travel; and he shall have the further right to abandon and discontinue any public road if the same is unnecessary and not advantageous to public travel; but the said superintendent of roads, before locating, relocating or changing any public road or establishing a new public road, shall file a petition signed by himself or some person interested therein, before the board of commissioners of said county, stating the changes, location, relocation of any public road or the plat of the establishment and opening of a new public road, with a survey of same by the county surveyor or other competent engineer, with the estimated cost of building and opening said road and the number of culverts and bridges thereon; and he shall further state that said changes, location, relocation, or opening of a new public road are necessary and advantageous to public travel. The said superintendent shall also give to the landowner or landowners on and over whose lands any changes, location, or relocation of any public road or the establishment of any new public road are to be made, or the discontinuing or abandoning of any public road, at least twenty days notice of the time and place of hearing of said petition by the said board of commissioners.

May change roads.

Petition for change.

Notice to landowners.

Order of
commissioners.

SEC. 11. The board of commissioners, upon hearing the petition so filed, stating the changes, location or relocation of any public road, or the establishment or opening of any new public road, or that any public road should be discontinued and abandoned, shall make an order granting or refusing the relief therein asked, as they shall deem best. If the order is made granting the change, location or relocation of any public road, or opening and establishing a new road, such order shall be a condemnation of the land or lands mentioned and described in the petition and survey filed therein, or such part thereof as shall be fully set out in the order; and the superintendent of roads is hereby authorized to open the public road so granted as provided by law. If the order is for discontinuing and abandoning the public road, the said road described in the order shall be discontinued and abandoned; any person owning land on or over which said changes are made, or said public road is discontinued or abandoned, shall have the right of appeal to the Superior Court of Pamlico County for a trial de novo of the matters set out in said petition, but he shall give a good and sufficient bond for the costs as in like cases of appeal; but the taking of said appeal shall not delay the changing, locating or relocating of any public road, or the discontinuing or abandoning of any public road according to the terms of the order made therein by said board of commissioners, unless the same is reversed by the trial in the Superior Court.

Order for charge
constitutes
condemnation

Appeals from
orders of com-
mission.

Appeal not to
delay project.

Obstruction of
officer mis-
demeanor.

Penalty.

Solicitor to prose-
cute offenders.

Damages.

Jury.

SEC. 12. Any person who shall obstruct the county superintendent, county surveyor, or civil engineer in making a survey for the changing of a road, or the opening of a new road, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the court; and any person or persons who shall obstruct any one authorized by this section for opening said change in road or new road shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the court; and it is hereby made the duty of the solicitor to prosecute all offenses against the provisions of this section; and if, after the changing, locating or relocating of any public road, or opening and establishing any new public road, any person be aggrieved, and if he and the superintendent of roads, with the approval of the board of commissioners of said county cannot agree and fix the amount of said changes, if any, for the changing, locating or relocating of any public road, or opening and establishing any new public road, he may then, within sixty days after the completion of said change, location or relocation of the public road, or the opening and establishing of a new public road, apply to the clerk of the Superior Court, who shall appoint a jury to consist of three freeholders to assess the

damages, and the said jury in determining said damages shall take into consideration the benefits made to the property and the damages sustained by the property, subtract one from the other, and the result shall be their verdict; and the said damages, if allowed, shall be paid out of the general road fund of the county; and if the jury award no more damages than the amount offered by the said board of county commissioners, then the party aggrieved shall pay all the costs for making said assessments of damages.

SEC. 13. That all disbursements of said road fund shall be made by order upon the county treasury, issued by said board of commissioners, the superintendent of roads and no order issued by said superintendent of roads shall be paid unless approved by said board of commissioners; and the said board of commissioners, in the disbursement of said road fund, shall deal in an equitable manner with all of the townships of the county; and if the superintendent of roads shall, under any pretense whatever, approve of any order for material not received or services rendered he shall be guilty of a misdemeanor, and shall be fined and imprisoned at the discretion of the court. The board of commissioners shall have the right to make such inducement for the use of wide-tire wagons upon the public roads of said townships by offering a payment of so much per wheel as it may seem just for the use of same by anyone, or by allowing a certain discount in the road tax, to be fixed by the said board of commissioners. The public roads shall be of such width as the road authorities may deem practicable for the convenience of the traveling public, and in no case shall they be less than twenty feet in width.

SEC. 14. That the commissioners of Pamlico County shall have the records and books of all officials handling the funds and taxes that the said county levies, receipts and disbursements of same, audited at least once every two years by such expert auditor as the State Tax Commission shall recommend, and cause the county's part of said cost of audit to be paid out of the general funds of said county. The findings and report of the said auditor shall be posted in the courthouse and shall be published in some newspaper published in the county and also recorded in the minutes of the said county commissioners.

SEC. 15. Any person violating any provisions of any section of this act and any person failing to perform any duty imposed by a section of this act where the said section does not now provide a penalty shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned or both at the discretion of the court.

SEC. 16. Should it be decided that this act or any part thereof is unconstitutional or invalid the county of Pamlico shall not be

Disbursements
by order.

Approval of false
statement
misdemeanor.
Penalty.

Inducements for
wide tires.

Width of roads,

Books to be
audited.

Findings of
auditor to be
posted.

Violation of act
misdemeanor.

Penalty.

Constitutionality
of act.

thereby relieved from the obligation to pay or refund any amount received from the sale of bonds or otherwise as provided hereunder, which said amount shall have been used for the necessary expenses for building or maintaining the roads of said county.

Chapter 446,
Public-Local Laws
1915, repealed.

SEC. 17. That chapter four hundred and forty-six of the Public-Local Laws of one thousand nine hundred and fifteen and all other laws and clauses of laws in conflict with the provisions of this act which may have been enacted prior to one thousand nine hundred and fifteen, be and the same are hereby repealed.

SEC. 18. That this act shall be in force from and after the first day of April, one thousand nine hundred and nineteen.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 362

AN ACT TO ENABLE THE COMMISSIONERS OF GRANVILLE COUNTY TO INAUGURATE A BETTER SYSTEM OF WORKING THE ROADS OF GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Purposes of
bond issue.

SECTION 1. That for the purpose of purchasing improved road machinery, maintaining a force of convicts and otherwise working the public roads of Granville County and for the purpose of settling certain indebtednesses of the county contracted in the building of bridges and maintaining the public roads of the county, the board of county commissioners of said county is hereby authorized and empowered to issue coupon bonds of said county to an amount not exceeding eighty thousand dollars (\$80,000), of denominations not to exceed one thousand dollars (\$1,000), bearing interest from the date thereof at a rate not to exceed five per cent per annum, payable semiannually; 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 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 said bonds be authorized by this act shall be disposed of either by sale, exchange, hypothecation or otherwise for a less price than face value.

Amount \$80,000.

Denominations.

Interest rate.

Term.

Proviso: not to be
sold for less
than par.

Authentication.

SEC. 2. That bonds shall be numbered and shall be signed by the chairman of said board of county commissioners and countersigned and attested by the treasurer of said county, with the corporate seal of said county of Granville, and the coupons shall bear the engraved or lithographed seal of the chairman of said board of county commissioners.

Record of sales.

SEC. 3. The board of county commissioners shall keep a record of all bonds so issued, on the minutes of said board, showing

to whom sold, the amount and date of sale and the number and date of maturity of each bond.

SEC. 4. In order to pay interest upon said bonds, said board of county commissioners, or other authority vested with the power of levying taxes in Granville County, shall compute and levy annually at the time of levying other taxes, a special tax upon all polls and real and personal property, and all other subjects of taxation in said county, always preserving the equation between taxes upon the poll and upon property. And said tax, when collected, shall be kept separate and apart from all other taxes and shall be used only for the purpose for which it was collected.

Special tax
for interest.

Separate fund.

SEC. 5. That after the expiration of ten years the board of county commissioners, or other authorities vested with the power of levying taxes in Granville County, in order to take up said bonds at maturity, shall levy a special tax of not exceeding ten cents on the one hundred dollars worth of all real and personal property, and thirty cents on each poll in addition to the special tax to pay the interest on said bonds.

Special tax
for principal.

Rate.

SEC. 6. That it shall be the duty of said board of county commissioners to annually invest any and all moneys arising from the special tax for said sinking fund in the purchase of any of said bonds at a price deemed advantageous to said county commissioners. But in the event said county bonds cannot be purchased, the commissioners shall invest said sinking fund in North Carolina four per cent state bonds or may loan the same upon notes or bonds secured by the deposit of such North Carolina state bonds as collateral security for said loan. That said commissioners shall charge the legal rate of interest upon any money belonging to the sinking fund so loaned by them, and shall collect the interest annually and reinvest the same.

Commissioners to
invest tax money.

Rate of interest
on money loaned.

SEC. 7. That the money arising from the sale of said bonds shall be used to liquidate, settle, and pay off certain outstanding indebtedness of the county of Granville, borrowed and used for the road fund of Granville County in constructing bridges and roads heretofore and the remainder shall be used to purchase improved road working machinery, maintaining and guarding such convict force as may be from time to time assigned to work on the roads of said county, and in purchasing material for the construction of said roads, and in working the roads under the provisions of this act.

Use of
proceeds.

SEC. 8. That the board of county commissioners may, in order to provide an additional fund for the proper construction, improvement, and maintenance of the public roads of the county, at their regular meeting in June, nineteen hundred and nineteen, and in June of each and every year, levy a special tax on all property subject to taxation under the state law in said county

Commissioners
may levy
special tax.

Rate.	of not less than ten cents nor more than twenty cents on the one hundred dollars worth of property and not less than fifteen cents nor greater than sixty cents on the poll, the constitutional equation to be observed at all times; said taxes to be collected as all other taxes are, to be kept separate in the tax books of the county, to be set aside as a special road fund to be used in the construction, improvement and maintenance of the public roads of the county, the purchase of material, implements, teams, wagons, camp outfit, quarters or stockades for the use of and safekeeping of the convict force as may be found necessary in the proper carrying out of this work, and for the employment of such additional labor as may be deemed necessary.
Manner of collection. Separate fund.	
Appointment of engineer.	SEC. 9. The board of county commissioners of the county of Granville may appoint a competent civil engineer experienced in the construction and maintenance of improved roads for such terms and at such compensation as the said board may determine, who shall be known and designated as the county road engineer, whose duties shall be to lay out, locate, relocate, change, grade, or otherwise alter any of the public roads of said county; to prepare plans and estimates of the cost of constructing permanent improved roads, to supervise all constructive work that shall be done by contract, to have general superintendence, under the supervision of the board of commissioners, of the convict force of the county; and to supervise and direct the working of the roads in the several townships by the road overseers of the county. And the said engineer shall perform such other duties and make such reports as the board of commissioners may require.
Compensation.	
Duties.	
Additional duties.	
May let out work by contract.	SEC. 10. The said board of county commissioners is hereby authorized, when in its judgment the best interests of the county will be promoted, to let by contract the building and maintaining of any section or portion of any public road in the county.
Appointment of employees.	SEC. 11. The board of county commissioners may appoint, with power at any time to remove or discontinue such foreman, guards or other employes as may be needed to properly take care of and work the convict force, or to carry on any other work which the commissioner may desire to have done on the public roads or bridges of Granville County.
Road walkers and inspectors.	SEC. 12. The board of county commissioners may appoint road walkers or inspectors whose duties it shall be to travel the section of roads assigned to each at designated times, with such tools as may be necessary to remove leaves, stones or other obstructions from the roadbeds or ditches which are likely to cause mudholes, or to do other damage, and shall fill the holes with sand or rocks or causeway them so as to cover them. Each road walker shall receive such pay as the board of commissioners may stipulate.
Duties.	
Compensation.	

SEC. 13. Any person injuring a sign board or milepost shall be guilty of a misdemeanor, and upon conviction shall be fined ten dollars (\$10). Injury of signpost
misdemeanor.

SEC. 14. That all prisoners confined in the county jail under a final sentence of the court for crime, or imprisoned for nonpayment of costs or fine, or under final judgment in cases of bastardy, or under the vagrant act, or all insolvents who shall be imprisoned by any court in said county for nonpayment of costs, and all persons who would otherwise be sentenced in said county to the state's prison for a term of less than ten years, shall be worked on the public roads of Granville County; *Provided*, that in the case the number of persons at any time be less than ten the commissioners may arrange with the commissioners of any neighboring county or counties for such exchange of prisoners during alternate months or years as will enable each cooperating county to thereby increase the number of prisoners at work on the public roads at any given time; and upon application of the chairman of the board of county commissioners of said county, the judges of the superior and criminal courts, the justices of peace, and the principal officers of any municipal or other inferior courts residing in any other county or counties, which do not otherwise provide for the working of their own convicts upon their own public roads, shall sentence such able-bodied male prisoners to work on the public roads of Granville County; and the costs of transporting, guarding, and maintaining such prisoners as may be sent to Granville County shall be paid by said county out of the road fund; *Provided*, that in case of a serious physical disability, certified by the county physician, such prisoners may be sentenced to the state's prison, or the county jail; *Provided, further*, that the commutations now allowed by law for good behavior of prisoners in the state's prison shall apply to prisoners worked on the roads of said county. Convict labor.

Convicts from
other counties,

Meeting of officers,

Costs.

Commutation of
sentence allowed,

SEC. 15. That on the first Monday of March in the year one thousand nine hundred and nineteen, and on the first Monday in January of each and every year thereafter the board of county commissioners shall appoint three discreet persons for each township in the county who shall constitute and be known as the board of supervisors of their respective townships. Immediate notice of their appointment shall issue to each person so appointed and the persons so appointed shall meet within their respective townships at such time and place as the board of county commissioners shall designate, and shall organize by electing a chairman and secretary. Said supervisors shall then proceed to divide the public roads of their townships into convenient sections, and appoint overseers over each section, and assign the able-bodied male persons living on said section to the sections of roads on or nearest where they reside. And said Boards of
supervisors
appointed.

Notice of
appointment,

Meeting of
supervisors.

Organization.

Division of roads
and appointment
of supervisors.

Reports.

supervisors shall make a written report of their actions to the board of county commissioners.

Persons liable
for road duty.

SEC. 16. That all able-bodied male persons in the county of Granville between the ages of eighteen and forty-five years, except residents of incorporated towns, and such persons as are now, or may hereafter be exempted by the General Assembly, or the board of county commissioners, shall work on the public roads of said county for four days of nine hours each, in each and every year at such times and places, and in such manner as may be designated by the township supervisor: *Provided*, that each person who is subject to road duty shall be given at least two days notice by the overseer by personal warning, or by leaving a written notice at the home or residence of such person, specifying in such notice the time and place, when and where such work is to be performed, and also designating in such notice the tool or implement with which such person shall be required to work. The overseer may exchange personal labor for use of horse or tools, making due report thereof to the supervisors: *Provided further*, that in case of a washout or other unexpected obstruction to travel, the two days notice shall not be necessary and any person liable to road duty on the section in which such obstruction to travel may occur shall, upon being properly notified by overseer, respond to such notice with reasonable promptness for the purpose of doing whatever work may be necessary to repair the road: *Provided further*, that any person may, in lieu of working for four days on the public roads, pay to the secretary of the board of supervisors on or before the first day of April of each year, six dollars, or he may pay three dollars on or before the first day of April in lieu of working two days, and three dollars on or before the first day of October in lieu of working two days. It shall be the duty of the secretary of the board of supervisors to issue a receipt to the person so paying, stating the amount and purpose of same, and shall report to the supervisor and faithfully account for same. All money paid under this provision shall be faithfully expended on the section of road to which the person so paying has been assigned, and shall be used for no other purpose whatever. And any secretary or supervisor failing to make report of moneys received, and any secretary or other person receiving money under this provision who shall fail or refuse to account for same shall be guilty of a misdemeanor: *Provided, further*, that any person coming of age, or becoming resident of any township or road district after the first of April shall be required to work out the remaining proportionate part of the road labor required by this section for that year, or to pay the proportionate part of the money required in lieu of such work.

Notice.

Exchange
of labor.

Proviso: notice
waived in
emergency.

Proviso:
commutation
for labor.

Receipts for
commutation fee.

Failure to account
misdemeanor.

Proviso:
proportionate
service
required.

SEC. 17. That any person who shall, after being duly notified as provided in section sixteen of this act, fail to appear and work as required to do after having failed to pay the money in lieu thereof, or any person who shall appear as notified and fail or refuse to perform good and reasonable labor as required by the overseers, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than three nor more than ten dollars, or sentenced to work on the public roads of the county for not less than ten nor more than thirty days; and it shall be the duty of the overseer to make complaint to some justice of the peace of any violation of this section, and apply for a warrant for the offender.

Failure to respond to notice
misdemeanor.

Penalty.

Overseer to make complaint.

SEC. 18. That any person appointed overseer who shall refuse to serve, unless by leave of the board of county commissioners, shall be guilty of a misdemeanor, and every overseer who shall fail to perform any of the duties imposed by this act, shall be guilty of a misdemeanor, and it shall be the duty of the board of county commissioners to report the names of all overseers who fail to discharge their duties as prescribed in this act, to the solicitor.

Failure to serve as overseer
misdemeanor.

Failure to perform duties
misdemeanor.

SEC. 19. That no person shall be compelled to accept the position as overseer who is not liable to road duty, and every person appointed as overseer shall be required to serve as such for at least one year. Overseers may resign after the expiration of one year, provided their road shall be in good condition and the road engineer shall so find; and any overseer so resigning and whose resignation has been accepted by the supervisors, shall not without his consent be again appointed overseer until after the expiration of one year from the date of his resignation.

Persons exempt from road duty may decline to be overseer.

Resignation of overseers.

SEC. 20. That every section of roads designated by the supervisors under the provisions of this act shall be worked not less than four days in each year at such times as may be appointed by the supervisors, and every overseer shall on the last Saturday in November of each year make a written report to the supervisors of the number of days worked on each section during the year, the number and names of the hands who attended and worked each day, the number and names of the hands who failed to attend and work, whether or not they were legally notified, and whether or not they have paid the money in lieu of working as provided in this act.

All roads to be worked.

Report of overseer.

SEC. 21. The board of supervisors of each township shall make a written report to the board of county commissioners and transmit the report of the overseers on the first Monday in December of each year.

Report of supervisor.

SEC. 22. Every overseer of the public roads, when the county commissioners direct, shall cause to be made and kept in repair

Footways.

- for the convenience of travelers on foot good and sufficient footways over all swamps and streams that may cross the section of the public roads allotted to him, and when so directed he shall also erect and keep in repair handrails on each side of all hollow bridges situated on his section of the public roads.
- Handrails.
- Pay of overseers. SEC. 23. That every overseer shall be paid out of the road fund six dollars per year for his services under this act, and each member of the board of supervisors shall be paid out of said funds the sum of one dollar and a half for each day actually in session, not exceeding three in any year, and mileage at the rate of five cents per mile traveling to and from the place of meeting and in reporting to the county commissioners.
- Pay of supervisors.
- Mileage.
- Public roads defined. SEC. 24. That all roads laid out or opened by virtue of any act of the General Assembly, or pursuant to any order of the court, or by resolution of the board of county commissioners of Granville County are hereby declared to be public roads, and the board of county commissioners shall have full power and authority to order the laying out and opening of public roads where necessary, to appoint where bridges shall be built, to discontinue such roads as shall be found useless, and to alter roads so as to make them more useful and convenient to the traveling public. All public roads of the county shall be at least thirty feet wide with authority to the commissioners to widen any road in the county not exceeding sixty feet in width.
- Commissioners to lay out and open roads..
- Width of roads.
- May take road material. SEC. 25. That for the purpose of carrying out the provisions of this act the county road engineer and the overseers are authorized to enter upon any lands near to or adjoining any public roads, to cut and carry away timber (except trees or groves on improved lands planted or left for ornament or shade), to dig or cause to be dug any gravel, sand, soil, clay or stone which may be necessary to construct, improve, or repair said roads, and to enter upon any lands adjoining or lying near the road in order to make such drains or ditches through the same as they may deem necessary for the betterment of the roads, and to cut such trees outside of the right of way as may shade the roadbed, except fruit trees or ornamental shade trees, doing as *little* injury to the said land or the timber, or the improvements thereon 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 ditch, drain, or water course or waste ground, and shall be kept open by the said road engineer, or overseer, and it shall be unlawful for any person to obstruct any ditch or drain on the public roads in said county or to plow furrows across the ditches. Any person so offending shall be guilty of a misdemeanor, and shall be fined not exceeding fifty dollars, or imprisoned not exceeding thirty days, and it shall be the duty of the county
- Drains.
- Unlawful to obstruct ditches.

road engineer to have warrant issued by some justice of the peace in said county against any person guilty of said offense.

SEC. 26. If the owner of any lands or the agent or agents of such owner having in charge lands from which timber, gravel, sand, soil, clay, or stone has been taken shall present an account for the same through the county road engineer, at any regular meeting of the board of county commissioners within ninety days after the taking and carrying away of such timber, gravel, sand soil, clay or stone, it shall be the duty of the said commissioners to pay for same at a fair price; and before deciding upon this they may cause to be appointed an impartial jury of three freeholders, one to be selected by the county commissioners, 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 commissioners their award of damages, which award shall be binding upon the party claiming damages and upon the county. ^{Account for damages.} ^{Jury.}

SEC. 27. That when any person or persons on whose land any new road or part of the road is located claims damage therefor, and within sixty days after the change in the road is ordered, petitions the board of commissioners for a jury to assess the damages, the said board of commissioners, within not less than fifteen nor more than sixty days after the completion of said road, shall order a jury of disinterested freeholders to be summoned by the sheriff or other officers as provided by law, who shall give said landowners or their local representatives forty-eight hours notice of the time and place when and where the said jury will meet to assess the damages; and said jury being first duly sworn, in considering the question of damages, shall take into consideration the benefits to the owner of the land, and if said benefits be considered equal to or greater than the damages sustained the jury shall so declare and said jury shall report in writing its findings to the board of commissioners for confirmation or revision: *Provided*, that if said landowner be a nonresident of the county and have no local representative in said county, it shall be deemed sufficient service of said notice for said sheriff or officer to forward by United States mail a written notice of the purpose, time and place of such meeting of said jury to the last known postoffice address of such landowner seven days in advance of such meeting and also to post a notice of the same for seven days at the courthouse door of said county: *Provided further*, that damages, if any, shall be paid out of the road fund of the county. ^{Petition for assessment of damages.} ^{Jury.} ^{Proviso: nonresident owner notified by mail.} ^{Damages to be paid out of road fund.}

SEC. 28. That in case the landowner or his local representatives shall be dissatisfied with the finding of the jury provided for in the preceding section, and with the decision of the county commissioners, he may appeal from the finding of the jury, and ^{Appeal from jury finding.}

the decision of the county commissioners to the Superior Court of the county, and all such appeals shall be governed by the laws regulating appeals from courts of justices of the peace, and the same shall be heard de novo, but the judge may, in his discretion, require the landowner to give bond when the case is taken by appeal to the Superior Court.

Term "roads" includes bridges. Ditches across roads.

SEC. 29. That the words "roads" and "public roads" used in this act shall include any and all bridges in the county.

SEC. 30. Any person cutting a ditch across any public road for private advantage shall keep the same covered in a substantial manner, subject to the approval of the supervisors. Any person failing to keep said ditch so covered shall be guilty of a misdemeanor, and upon conviction shall be fined for each offense not more than fifty dollars or imprisoned not more than thirty days.

Corporations to erect bridges and crossings.

SEC. 31. Railway and other corporations shall erect and maintain in a substantial manner all bridges and plantation crossings which the county commissioners may find necessary in crossing their tracks, and they shall not obstruct the drainage of any portion of the road or empty into the road water from their ditches. Any railway company or other corporation violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined in the discretion of the court.

Violation of act misdemeanor.

SEC. 32. The board of commissioners of said county of Granville may employ a superintendent and may adopt such rules and regulations for the construction, maintenance, and protection of the public roads for said county as may be deemed necessary or advisable, including the regulation of the width of tires on vehicles used for hauling logs, lumber, either in the rough or dressed, and other heavy substances; and any person who shall violate such rules and regulations shall be guilty of a misdemeanor, and be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Commissioners may employ superintendent.

Width of tires.

Violation of rules misdemeanor.

SEC. 33. The board of county commissioners of Granville County may hold meetings at such times as may be necessary to attend to the duties imposed by this act, and the members shall be paid the same per diem and mileage as they received as county commissioners.

Meetings.

Per diem of members.

SEC. 34. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 35. This act shall be in force and effect from and after its ratification.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 363

AN ACT TO PROMOTE THE CONSTRUCTION AND MAINTENANCE OF PUBLIC HIGHWAYS IN QUAKER GAP TOWNSHIP, STOKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Stokes County be and it is hereby authorized, empowered, and directed to submit as early as possible after the ratification of this act to the qualified voters of Quaker Gap Township in said county the question as to whether or not said township shall issue bonds in an amount not to exceed forty thousand dollars (\$40,000), with interest coupons attached, the proceeds of which shall be used for the purpose of repairing, grading, making, improving or building the public highways of said township; that the board of commissioners shall, for at least thirty days preceding the election, give public notice of said election, together with the purpose thereof, by the publication in one or more newspapers published in said county and by having posted a similar notice at the courthouse door of said county and at least three public places in said township.

Election for
bonds
authorized.

Amount of issue.

Purpose.

Notice.

SEC. 2. That said election shall be held and conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for members of the General Assembly. That at said election the ballots tendered and cast by the qualified voters shall have written or printed upon them "For Good Roads" or "Against Good Roads," and all qualified electors who favor the issuing of said bonds shall vote "For Good Roads" and all qualified electors opposing the issuing of said bonds shall vote "Against Good Roads." The vote cast at said election shall be counted at the close of the polls and returned to the said board of county commissioners on the Thursday next following the 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 said board of county commissioners and no other recording and declaration of the result of said election shall be necessary.

Manner of
conducting
election.

Form of ballots.

Return of vote.

Record.

SEC. 3. That if a majority of the votes cast in said election shall be "For Good Roads" the said board of commissioners of Stokes County shall be and it is hereby authorized, empowered, and directed to issue bonds not exceeding forty thousand dollars (\$40,000), to be denominated "Quaker Gap Township Road Bonds"; that said bonds shall be issued in denomination of not less than one hundred dollars (\$100), nor more than one thousand dollars (\$1,000), said bonds to bear interest at a rate not

Bonds issued if
election carries.

Amount and
designation.

Denominations.

Interest rate
6 per cent.

exceeding six per cent, to be evidenced by coupons attached to said bonds.

Bonds not to be sold under par.

Disposition of bonds.

Advertisement.

SEC. 4. That no bonds issued under the provisions of this act shall be disposed of or sold for less than par and accrued interest, Said board of county commissioners is hereby authorized and empowered to sell and dispose of said bonds either by public or private sale or by sealed bids, as they may see fit; and said board of county commissioners may also advertise the sale of said bonds in one or more newspapers published within or without the state.

Purposes of proceeds.

Separate account required.

Record of bonds sold.

SEC. 5. That the purchase money arising from the sale of said bonds issued under the provisions of this act shall constitute a separate and distinct fund to be applied and appropriated to the laying out, construction, and maintenance of the public roads of Quaker Gap Township. And said board of county commissioners shall cause the treasurer or disbursing officer acting in the place of the treasurer of said county to keep separate accounts of said fund so that the condition of the same may at all times be shown; they shall also keep a book in which the number of bonds sold shall be entered and with them the date due, the amount paid for the same, and when the interest shall fall due.

Road commissioners appointed.

Succession.

May contract for road work.

SEC. 6. That the following named citizens and taxpayers of Quaker Gap Township, Stokes County, are hereby appointed road commissioners for Quaker Gap Township, to-wit: C. A. Mickey, R. T. Pell, and E. R. Nelson, whose successors shall be elected at the next general election in Stokes County, and the said road commissioners in said township shall have the power and authority to contract for the construction and maintenance of the roads required in said township and said road commissioners shall also be authorized and empowered to locate roads in said township, and they are directed, in locating and constructing said improved public roads, to first construct and improve the public road leading from Yadkin Township line at Gap P. O. to Big Creek Township line, via Covington Store, and also the road from Yadkin Township line to the Danbury Township line and mouth of Big Creek and the road leading from Surry County line near Pilot Mountain intersecting the central road; these above mentioned roads shall first be constructed out of the funds arising from the sale of the bonds herein provided for, twenty-three thousand dollars (\$23,000) to be used in locating and constructing the road from Yadkin Township line, Quaker Gap, to the Big Creek Township line via Covington Store; eight thousand five hundred dollars (\$8,500) to be used in locating and constructing the road leading from the Surry County line near Pilot Mountain intersecting the central road; and eight thousand five hundred dollars (\$8,500) to be used in locating and con-

Order in which work is to be done.

Division of fund by projects.

structing the road from Yadkin Township line at Quaker Gap to the Danbury Township line and mouth of Big Creek. In locating the last mentioned road the township commissioners shall have the right, in their discretion, to purchase the Quaker Gap toll road at a price to be agreed upon by them and the stockholders of the said road. That after these main roads are constructed, then the said road commissioners in Quaker Gap Township are authorized and empowered to spend the rest of said money upon such roads in Quaker Gap Township as in their opinion may be necessary for the use and benefit of all the citizens in said township; that no contract for the construction of said road shall be closed until the survey and estimate are approved by the State Highway Commission.

May purchase toll road.

Approval of project by State Highway Commission.

SEC. 7. That in order to pay interest on said bonds as it may accrue and create a sinking fund for the payment of said bonds at maturity, or as they may mature, the board of county commissioners of Stokes County and their successors shall annually levy a special tax not exceeding sixty cents on the one hundred dollars valuation of property in Quaker Gap Township and one dollar and eighty cents on the poll, observing the proper constitutional equation, to meet the interest accruing upon the said bonds and create a sinking fund to pay off the bonds as they may mature and for the construction and maintenance of said boards in said township. That the said tax shall be levied and collected as other county taxes are levied and collected and shall be imposed upon the property and other subjects of taxation as are now or may hereafter be subject to taxation, and it shall be collected by the officer or officers charged with the collection of other county taxes, and he shall, in respect thereto, be liable officially as well as personally to all requirements of the law now prescribed or which may hereafter be prescribed for the faithful collection and payment of other taxes.

Commissioners to levy special tax.

Rate.

Purpose.

Manner of levy and collection.

SEC. 8. That the bridges to be constructed and material to be used in the construction of bridges and surfacing and soiling of the roads to be constructed under this act shall be paid for by the county board of commissioners of Stokes County in the same manner as the county has heretofore paid for the construction of bridges and the material used for the surfacing and soiling of roads in other townships in the county of Stokes in which road bonds have been issued as provided in section twenty-seven, chapter forty-one, Public-Local Laws of one thousand nine hundred and thirteen.

Materials used to be paid for by commissioners.

SEC. 9. That the bonds issued by the board of county commissioners under the authority of this act shall be as follows: Two thousand dollars due and payable in four years, two thousand dollars due and payable in six years, two thousand dollars due and payable in eight years, two thousand dollars due and

Maturity of bonds.

payable in ten years, two thousand dollars due and payable in twelve years, two thousand dollars due and payable in fourteen years, two thousand dollars due and payable in sixteen years, two thousand dollars due and payable in eighteen years, two thousand dollars due and payable in twenty years, two thousand dollars due and payable in twenty-two years, two thousand dollars due and payable in twenty-four years, two thousand dollars due and payable in twenty-six years, two thousand dollars due and payable in twenty-eight years, two thousand dollars due and payable in thirty years, two thousand dollars due and payable in thirty-two years, two thousand dollars due and payable in thirty-four years, two thousand dollars due and payable in thirty-six years, two thousand dollars due and payable in thirty-eight years, two thousand dollars due and payable in forty years, and two thousand dollars due and payable in forty-two years.

Funds to be turned over to chairman.

SEC. 10. That immediately upon the sale of the bonds herein provided for, the board of county commissioners of Stokes County shall turn over to the chairman of the road commission of Quaker Gap Township herein appointed or his successor the said funds, to be used by them in the manner as provided under this act, the said chairman to give bond with sufficient security in such sum as the county commissioners of Stokes County may require.

Meetings of commission.

SEC. 11. That the said road commission herein appointed shall hold monthly meetings in Quaker Gap Township at a place to be decided by the chairman, who is to be elected by the road commission of Quaker Gap Township, and they shall be allowed out of the road fund five dollars per day each for their services as road commissioners. That special meetings may be called by the chairman and for attendance upon said special meetings each member shall receive five dollars per day: *Provided*, the costs of all special meetings in any one year shall not exceed one hundred dollars; that the said road commission shall elect of its members a secretary and treasurer of said road commission, who shall keep a book provided by the road commission for the minutes of all proceedings, acts, and doings of said commissioners.

Per diem of commissioners.

Special meetings.

Proviso: special meetings limited.

Organization.

Minutes.

Roads under control of road commissioners.

SEC. 12. That said roads constructed under this act as to width shall be under the supervision and control of the road commissioners.

Authority to take road material.

SEC. 13. That for the purpose of carrying out the provisions of this act, the road commissioners of Quaker Gap are hereby authorized and empowered through or by their agent, to enter upon any cultivated or uncultivated land near or adjacent to such roads as may be laid out under this act, or may already be used as public roads, to cut and carry away timber, except fruit trees or trees or groves on improved land planted for fruit or left for shade or ornament; to dig or cause to be dug and carried away gravel stone, clay, or top-soil which may be necessary to con-

struct, repair or improve said roads, or enter upon any land adjoining the land near the road in order to make such drain or ditches through the same as said road commissioners may deem necessary for the betterment of the road, doing as little injury to said land or the timber or improvement thereon as the nature of the case and public good will permit; and the drains and ditches so made shall be conducted to the nearest ditch, water course or waste ground, and shall be kept open by the said road commissioners and shall not be obstructed by the owner of such land or any other person or persons under the penalty of forfeiting the sum of not less than five dollars or not exceeding ten dollars or imprisonment or work on the county roads for not less than ten or exceeding twenty days for each and every offense, said penalty to be collected by said road commission, and if in money, to be paid over to the treasurer of the road commission of Quaker Gap Township. If the owner of any lands or the agent or agents of such owner having any lands from which timber, stone, gravel, clay or top-soil are taken as aforesaid shall present an account of the same duly verified to the chairman of the board of county commissioners within thirty days after the taking and carrying away of such timber, stone, gravel, clay or top-soil, it shall be the duty of said board of county commissioners to pay for the same at a fair price out of the general county funds of the county, and before deciding upon this they may cause to be appointed an impartial jury of three freeholders, one to be selected by the road commissioners, one by the party claiming the damages, and the third to be selected by these two, which jury shall report in writing their decision for revision and confirmation; *Provided*, that the said landowner or his agent shall have the right of appeal to the Superior Court from the decision of said board of county commissioners.

Unlawful to obstruct drains.

Penalty.

Payment for material.

Jury.

Right of appeal.

SEC. 14. That the said Quaker Gap Township road commissioners are authorized and empowered as herein stated to contract for the building of roads, and in doing so they shall require of the contractor or contractors a bond or bonds in a reasonable amount, to be fixed by said Quaker Gap Township commissioners, requiring the full and faithful performance of their contract.

Contracts authorized.

Bond of contractor.

SEC. 15. That whenever the said Quaker Gap Township commissioners shall enter upon the lands for taking of material in the construction of public roads as herein provided for, they shall require of the contractor or contractors to plow or break up the barren land from which the top-soil has been taken for road purposes: *Provided*, that no yard in the front of a residence or used as a garden or orchard shall be entered upon by

Contractor to break land.

Proviso: no yard, garden, or orchard to be entered.

the commissioners or their contractors, for the purpose of obtaining sand, stone, gravel or any road material.

SEC. 16. That the purchaser or purchasers of said bonds or any part of said bonds shall not be required to see to the application or the appropriation of said funds by the board of county commissioners of Stokes County or by the road commissioners of Quaker Gap Township.

SEC. 17. That this act shall be in force from and after its ratification.

Ratified this 5th day of March, A. D. 1919.

CHAPTER 364

AN ACT TO PROVIDE A NEW HIGHWAY COMMISSION FOR WAYNE COUNTY AND TO PROVIDE FUNDS FOR ROAD BUILDING.

The General Assembly of North Carolina do enact:

- | | |
|---------------------------------|--|
| Highway commission established. | SECTION 1. That there shall be established in and for the county of Wayne a highway commission to be known as the Wayne Highway Commission, said highway commission to be composed of five citizens and tax payers of Wayne County, to be chosen from the different parts of the county, two of whom shall hold office for the term of three years, two for the term of two years, and one for the term of one year, a majority of whom shall at all times constitute a quorum, 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. |
| Terms of office. | |
| Body corporate. | |
| To control public highways. | SEC. 2. That all public roads and bridges along or across the public roads of Wayne County shall be under the exclusive supervision and control of the Wayne highway commission; that all petitions for establishing, locating, changing, and discontinuing any public road or building or repairing bridges on said public roads or across the streams of said county, and all other matters in reference to the public roads and bridges of said county are by this act placed under the exclusive supervision and control of the Wayne highway commission. |
| Supervision. | |
| Operative April 1. | SEC. 3. That the terms of office of the members of the Wayne highway commission shall begin on the first Monday in April, one thousand nine hundred and nineteen. The first two hereinafter named in this act shall hold office for the term of three years from the first day of April, one thousand nine hundred and nineteen, the next two named shall hold office for two years therefrom, and the remaining one shall hold office for one |
| Terms of office. | |

year from said date, and their successors shall hereafter be appointed by the board of county commissioners of Wayne County sitting and acting conjointly with said new Wayne highway commission, at their monthly session on the first Monday in March of each year, and their respective terms of office shall last for the term of three years, and begin on the first Monday in April following their appointment. "That C. M. Johnson is hereby appointed a member of said Wayne highway commission to serve for the term of one year, that D. N. Newsome and F. B. Aycock to serve as members thereof for the term of two years, and that W. P. Rose and L. A. Bird are hereby appointed to serve as members thereof for the term of three years, and until their successors are duly chosen and qualified."

SEC. 4. That upon failure of any of the members of the Wayne highway commission now or hereafter appointed to qualify, or in case of the death or resignation of any member of said highway commission, said vacancy shall be filled by appointment by the board of county commissioners of Wayne County, together with said Wayne highway commission as aforesaid.

SEC. 5. That the auditor of Wayne County shall act as secretary to the board of highway commissioners, for which services the said auditor shall receive no additional compensation. It shall be the duty of the auditor 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 auditor to keep the books and records of the county convict system and audit all bills for the same and perform all and singular and clerical duties incident to the proper road management, and purchase by bid, as herein provided, provisions, food for teams, and all other supplies for the road force. That the said highway commission shall select and appoint such bank or banks or trust companies doing business in the county of Wayne to act as financial agent or treasurer for the said highway commission, such bank or banks or trust companies to be appointed as financial agent of the county by the said highway commission. Such bank or banks or trust companies so selected shall keep an accurate account of all moneys deposited with them, and if so required by the highway commission, shall keep a separate account for the different funds that may be designated by the said highway commission. All funds shall be paid out by the said bank or banks or trust companies upon the proper warrant signed by the chairman of the said highway commission and countersigned by the secretary thereof: *Provided further*, that such bank or trust company so selected shall act as treasurer of such funds without commission or compensation of

Succession.

Commissioners
named.

Vacancies.

Auditor of county
secretary.

Records.

Auditor
purchasing
agent.Financial agent
or treasurer.Treasurer to
keep records.Separate
accounts.Payments to be
made on
warrant.Proviso:
treasurer to
receive no
compensation.

Proviso: banks may be required to give bond.

any character: *Provided*, said highway commission may require such banks or trust companies to execute bonds to secure any and all such funds so deposited.

Equipment to be turned over.

SEC. 6. That after the qualifications of the new highway commission hereby created, and after its organization, the present highway commission shall turn over to the new highway commission all road machinery, stock, and implements and other property now in use by the county of Wayne; and the board of county commissioners is hereby directed to require to be turned over to the treasurer of the new highway commission all taxes levied and collected for road purposes which may come into the hands of the sheriff or tax collector for road purposes.

Moneys to be turned over.

Purchases.

SEC. 7. The highway commission shall purchase stock, material, implements, wagons, road scrapers, rollers, camp outfits, provisions, and clothing for the convicts, quarters or stockade or other things needful for the use of the county in working the roads and for the safekeeping of the convict force as may be found necessary in the proper carrying out of the work, and for the employment of such additional labor as may be deemed necessary. The highway commission shall have full and complete charge and control of all prisoners sentenced by any court of Wayne County to work upon the public highways and roads of Wayne County, and shall have a right to prescribe such rules as are necessary for the proper maintaining of order among said convicts, to employ such guards and foremen for such convicts as in their discretion may seem necessary, and to do any and all other things necessary relative to the maintenance of said convicts and working them upon the public roads and bridges of Wayne County; and upon the organization of said highway commission as hereinafter set out, the authorities of Wayne County now in supervision and control of said convicts, shall deliver the same to the said highway commission, together with possession of all convict camps, stockades, etc., now maintained in Wayne County or established between now and the date of said highway commission, together with the possession of any and all road machinery and other things used by the authorities of Wayne County in working the roads of Wayne County or maintaining said convicts.

Employment of labor.

Commission to have charge of convicts.

Rules.

Guards and foremen.

Entire equipment delivered to new commission.

Contracts.

SEC. 8. The highway commission shall have power to contract all or any part of the road construction to repair to the best responsible bidder and upon the best obtainable terms, taking sufficient bonds from the contractor to indemnify the county against breach of contract and other damages and to fix forfeiture or liquidated damage.

Bonds.

To create and fill positions.

SEC. 9. The new highway commission is authorized in its discretion, to create and fill any position which it may deem

expedient for the proper road construction, repair and maintenance, such as superintendent of road construction and repair, superintendent of convict force engaged in road work, to employ a competent and experienced engineer at so much per year or by the job, and 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 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 it deems needful in the examination of road work in other counties or to secure proper instruction in road work, or for such other necessary purposes incidental to road work.

Compensation.

Bonds.

Powers and duties of appointees.

Discharge of employees.

Expense.

SEC. 10. The permanent roads to be built or improved by the highway commission shall from time to time be determined upon and designated by the highway commission, taking into the consideration the needs of the whole county and every part thereof, opening and improving those roads which in its opinion will be of benefit to the greatest possible number of people of the county, and treating every section of the county with equal justice.

Determination of roads to be built.

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 enter upon any land adjoining or lying near the roads; to make such drains or ditches through the same as may be necessary for the benefit of the roads, doing as little injury to the land as possible; and any person wilfully obstructing such drains or ditches shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than five dollars for each day the obstruction remains. Any landlord considering himself damaged by reason of acts authorized in this section, may within sixty days from the commission of the acts complained of, present his claim to the highway commission, who shall pass thereon within twenty days thereafter, and the owner may, within ten days from the 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, shall be taxed with all costs of the appeal.

Road material may be taken.

Drains.

Obstruction of drains misdemeanor.

Penalty.

Damages.

Claims.

Right of appeal.

Drains onto public roads prohibited.

Notice of drains on roads to be discontinued.

Failure to comply with act misdemeanor.

Penalty.

If owner fails, superintendent may repair bridges.

Cost of repairs to be lien on property.

Proviso: not to relieve owner from prosecution. Bridges and pipes to conform to plans.

Rules governing use of roads.

Violation of rules misdemeanor. Obstructions to be removed.

Right of eminent domain.

SEC. 12. No person shall allow or cause to drain water from his lands into the public roads where there is no ditch, and it shall be the duty of the secretary of the said highway commission to give notice in writing to the owner or owners of such lands the ditches of which now or may hereafter drain into the public roads, to discontinue the draining of such lands into the public roads, and the owners of such lands shall be required to discontinue the draining of said lands into the public roads within two months after such notice is given, and any person failing or refusing to comply with the provisions of this act within two months after such notice shall be guilty of misdemeanor, and fined or imprisoned, in the discretion of the court; and if any person draining across the public roads of Wayne County, and who is required by law to keep up the bridges when notified to do so by the superintendent of highways or other person in authority of said public roads, within ten days from such notice the highway commission or superintendent of highways shall have power to put the bridge in good order at the expense of the owner, and the cost of such repairing or rebuilding shall be a tax or lien upon said property so drained, and shall be collected by the sheriff when so ordered by the highway commission as other taxes are collected: *Provided*, that this shall not relieve the owner from criminal prosecution according to the law: *Provided further*, that all bridges or pipes so constructed across the public roads shall be constructed according to plans approved in writing by the road superintendent.

SEC. 13. The highway commission shall have full power to prescribe rules and regulations governing the use of any public roads within Wayne County, and any violation of such rules and regulations shall be a misdemeanor. The highway commission shall and is hereby required to cause to be removed from the public roads of said county all telephones and telegraph poles or other obstructions of whatever character: *Provided*, such telegraph or telephone poles or other obstruction may be removed across the ditch or drainway of any of the public roads of said county; and to the end that this section may be enforced and complied with, the said highway commission shall have the power and authority to exercise the right of eminent domain and may condemn, in the same manner as is provided herein for the condemnation of public roads, any lands on the field side of any ditch or drainway paralleling any of the public roads in said county, for the purpose of placing such telegraph and telephone poles; and the said highway commission shall have power to remove or cause to be removed all trees which shade any of the public roads of the county, whenever it may be necessary for the better maintenance of said roads, and they

shall have a right and power to cause to be removed all of such trees to a width of seventy-five feet of each side of any public road.

SEC. 14. The highway commission shall have power, on petition or on its own motion, to locate, construct, widen, or otherwise change public roads or parts thereof, and to lay out and construct new roads or parts thereof, and to lay out and construct new roads, when in its judgment the same will be advantageous to public travel, and for such purpose is authorized, through its agents, to enter upon any lands to make the necessary surveys. Before doing any work of construction, apart from the surveys, the board shall give the owner of the land over which the proposed new road or change of road may run at least five days notice in writing of a time and place when and where the highway commission will consider the question of condemning the land. If the landowner be a minor or insane, such notice shall be given to him and his guardian, or if there be no guardian, the person with whom he is living. If the landowner be a nonresident or cannot be found within the county, such notice shall be mailed to his last known address and published in a newspaper of Wayne County at least twenty days before the hearing. If the highway commission shall find the proposed improvement advantageous to public travel and shall decide to condemn the land necessary for the road, it shall so declare and enter the order of condemnation, in its minutes. Upon the question of condemnation, the findings and order of the board shall not be subject to review. Upon making the order of the board, the highway commission shall have authority, through its agent, to immediately take possession of the land described in the order and construct the road. If the landowner, after the road has been relocated or otherwise changed, or after the new road has been opened, shall consider himself damaged, and shall be unable to agree with the highway commission as to the amount of damages, he shall, within sixty days after opening, relocating, or otherwise changing the road, apply to the clerk of the Superior Court for an assessment of damages. Five days notice of such application shall be given to the highway commission. The clerk shall appoint and cause to be summoned by the sheriff a jury of three disinterested freeholders to assess damages, and shall at the time of appointing the jury fix the time and place of their meeting. If for any cause the jurors shall fail to so meet, they shall meet at such time and place as may be fixed by them, after giving forty-eight hours notice thereof to the highway commission and to the landowner or his attorney. The jurors, being duly sworn by some officer qualified to administer an oath, shall in considering the question of damages take into consideration the benefits to the landowner,

Powers of
commission.

Notice to owner.

Notice to
incompetent
owners and
nonresidents.

Condemnation
of land.

Damages.

Jury.

Meeting.

Notice of
meeting.

and shall render a verdict for such amount, if any, as the damages may exceed the benefits, and shall report their findings and verdict to the clerk, and the clerk shall render judgment accordingly, and shall tax the landowner with the cost of the assessment if the damages assessed shall not exceed the amount offered by the highway commission. Either the highway commission or the landowner may appeal to the Superior Court within ten days from the filing of the report. If the landowner appeals, the clerk shall require him to give bond or make a deposit in a sum not exceeding one hundred dollars to secure such costs as may be recovered against him on appeal, and if the amount of damages recovered by him in the Superior Court shall not exceed the assessment appealed from, he shall be taxed with all the costs of the appeal. If the landowner make affidavit of inability, by reason of poverty, to give the required bond or to make a deposit, he shall be allowed to appeal without bond upon making affidavit as required in pauper appeals. The bond or deposit may be increased by the judge of the Superior Court. The appellate courts shall in no wise adjudicate the necessity of relocating, widening, or otherwise changing, or of the opening of the road, but shall try under the rules of procedure of the Superior Court only the question of damages and benefits: *Provided*, that if the highway commission shall desire to have the damages assessed before proceeding to the work of construction, and shall fail to agree with the landowner as to the damages, it shall, within sixty days after the order of condemnation, make application to the clerk according; first, however, serving upon the landowner, in the manner as hereinafter provided for condemnation, notice of application. Upon hearing the application, the clerk shall appoint and cause to be summoned a jury of three disinterested freeholders, who shall proceed to make a report as hereinafter directed, except that they shall separately state therein the damage, if any, caused by the survey or surveys and taking of land condemned, and the rights of appeal and proceedings on appeal shall be as hereinbefore set forth: *Provided*, that within ten days after the filing of the report or before final judgment in the Superior Court, if any appeal shall have been taken, the highway commission shall have the election to abandon the proposed road improvement or construction, and in such cases the clerk or 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

Appeal.

Appeal in forma pauperis.

Order of Commission not subject to review.

Procedure to ascertain damages in advance.

Jury.

Damage stated.

Commission may abandon project.

acquiring suitable road-building material, and all such lands shall be condemned in the manner hereinbefore set forth.

SEC. 15. Any person who shall obstruct a highway commissioner, the engineer, road superintendent, or other agent, subordinate, or employee in making survey or who is engaged in any road work under authority of the highway commission, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

Obstruction of officer misdemeanor.

Penalty.

SEC. 16. The highway commission shall have authority to discontinue any public road at discretion which it may deem unnecessary, first, however, giving the landowners so affected not less than twenty days notice when and where they may be heard upon the question of discontinuing such road; or the highway commission may convert unnecessary public roads into cartways. It shall also have authority to establish or discontinue cartways, in the manner as provided in sections two thousand six hundred and eighty-six and two thousand six hundred and ninety-four of the Revisal of one thousand nine hundred and five, except that the words "highway commission" shall be substituted for the words "board of supervisors of the township," and the provisions for appeal to the board of commissioners shall not apply, but an appeal may be taken from the highway commission to the Superior Court.

May discontinue public roads.

Notice.

Cartways.

Appeal

SEC. 17. The highway commission shall keep or cause to be kept a separate account of the road funds of the county, and of its disbursements of the same; keeping, however, the disbursements on permanent roads separate and distinct from the disbursements on the repair work done on the roads in the several townships, and it shall make a written report thereof to the board of county commissioners on the first Mondays in January, March, July, and October of each year, giving a statement of the disbursements from the road funds since the last report to the board, which report shall be filed with the clerk of the board.

Separate accounts required.

Reports.

SEC. 18. That said Wayne highway commission shall appropriate and apply for the purposes of maintenance and upkeep of the public roads of said Wayne County an adequate and sufficient proportion of the road funds coming into their hands each and every year. That nothing in this act shall be construed so as to prevent said Wayne County highway commission from taking advantage of any federal or state aid in road construction for and in said county.

Appropriations.

Federal or State aid.

SEC. 19. The secretary of the highway commission shall annually, within ten days next before the first Monday of December of each year, make out and certify and cause to be published in a newspaper printed in the county a statement of the preceding year showing the amount of taxes collected in the county

Statement to be published.

for road purposes and turned over to the highway commission for the building of bridges and repairs thereof; the amount paid out for opening new roads; the amount paid out for road machinery purchased during the year, and the amount of stock purchased and the cost of each, and the amount of road machinery and stock on hand; the amount permanent road work done.

What statement to contain.

Use of equipment.

Purchase of additional equipment.

Convict labor.

Assignment of prisoners to roadwork.

Expense of delivering convicts.
Current expense of convicts.

Disability of convicts.

Convicts from additional counties.

SEC. 20. The stock and road implements and machinery belonging to the county and turned over to the highway commission may be used upon both the permanent and repair work upon the roads of the county, and the highway commission is empowered to purchase additional road machinery, stock, and other machinery and tools used in road building from time to time as the same may be needed for keeping the roads of the county in good condition, and also for doing permanent road work.

SEC. 21. That upon application of the highway commission, all male prisoners confined in the county jail of Wayne County under final sentence of the court for crime, or imprisonment for nonpayment of costs or fines, or under the vagrant acts, all male insolvents who shall be imprisoned by any court in said county for nonpayment of costs, and all male persons sentenced in said county to the state's prison for a term of five years or less, shall be assigned to work on the public roads of the county. Judges of the Superior Court or judges of the criminal courts, the justices of the peace, and the recorder, police justice, or judge of any municipal court in the county may assign such persons convicted in his court to work on the public roads of said county, upon application of said highway commission. All such convicts after sentence by the respective courts shall be committed to the common jail in said county or delivered immediately to the sheriff of Wayne County, who shall deliver said convict or convicts to such officers of the highway commission as said highway commission may direct, and shall be paid by the county out of the general county funds, not exceeding one dollar for each convict so delivered. All such convicts, after delivery to the highway commission to be fed, clothed, and otherwise cared for at the expense of the highway commission: *Provided*, that in case of serious physical disability certified to by any licensed physician, or other satisfactory reason appearing to the presiding judge, said person so convicted may be sentenced to the penitentiary or to the county jail: *Provided*, that any convict sentenced to the road becoming disabled may be placed in jail, upon satisfactory evidence of his disability to work; the expense of keeping said convict or convicts to be borne by the county.

SEC. 22. Upon application of the highway commission to the judge of the Superior Court presiding in adjoining counties or any other counties in the same or adjoining districts which do

not otherwise provide for the working of their own convicts on the public roads, said judge may sentence such able-bodied male persons as are described in the preceding section, from such adjoining counties in the same and adjoining judicial districts, to work the public roads of Wayne County; and the cost of transporting, guarding and maintaining such prisoners, and such other costs as may be agreed upon in order to secure such convicts, shall be paid out of the road fund of Wayne County: *Provided*, that any and all such prisoners from such other counties may at any time be returned to the keeper of the common jail of such counties at the expense of the Wayne County road fund. Convicts may be returned.

SEC. 23. It shall be the duty of the highway commission to purchase supplies and provisions at wholesale, or at the best price obtainable, as may be needed from time to time, and it shall advertise the bids for supplies for the support of the convicts and all other necessaries during each year and the same shall be awarded to the best bidder, said bids to be sealed and filed with the highway commission. Purchase of supplies.

SEC. 24. The said highway commission shall, upon its motion, or upon petition of another, have the power to fully investigate any and all crossings of the public roads of the county, whether said crossings be those of railroad companies, street car companies, or other corporations or private individuals, and when ever said crossings may be so constructed or maintained as in the opinion of the highway commission the use of the public roads at such crossings has become dangerous, unsafe, or inconvenient, by reason of the construction or maintenance of the crossing of the public roads, the highway commission shall give ten days notice to such corporations or persons maintaining the alleged obstructions to appear before the highway commission and show cause why the obstructions shall not be removed or so changed as to render travel over and along the public road safe, less dangerous, and more convenient. Commissioners to investigate crossings.

SEC. 25. That the said highway commission shall, after notice, investigate the conditions at the crossing, hear such evidence as may be offered, and may make personal investigation as to the alleged obstruction, and determine as to whether the obstruction complained of renders the travel over the public roads dangerous, unsafe, and inconvenient, and if so, the highway commission shall order and direct its removal or change within a reasonable time; and unless said obstruction is removed or changed as directed by the highway commission within the time prescribed, said railroad company, street car company, other corporations or persons maintaining the alleged obstruction shall be guilty of a misdemeanor, and shall be fined five dollars for each day said obstruction is allowed to remain after Correction of dangerous crossings.

Maintenance of obstruction misdemeanor.

- Appeal. notice. That upon the findings of the highway commission as to the removal of such obstruction, the railroad company, street car company, other corporation or person maintaining the obstruction may appeal to the Superior Court, where the matter in controversy may be tried de novo. In case an appeal is taken to the Superior Court, the appellant shall give bond in the sum of two hundred dollars, unless the appellant shall make and file an affidavit as is required in pauper appeals.
- Bond. notice. That upon the findings of the highway commission as to the removal of such obstruction, the railroad company, street car company, other corporation or person maintaining the obstruction may appeal 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.
- Commission to borrow money. SEC. 26. That said highway commission is hereby authorized and empowered, when it shall deem it necessary, to borrow not exceeding fifty thousand dollars in any one year to be used in road building, construction, and improvement to be repaid out of the road funds thereafter coming into its custody by virtue of this act.
- Special tax to be levied. SEC. 27. That for the purpose of giving more revenue for the construction and maintenance of roads, at the request of the highway commission herein created, the board of county commissioners of Wayne County are authorized, empowered and directed to levy a special tax of not more than twenty-five cents on the one hundred dollars assessed value of property and not more than seventy-five cents on all taxable polls in said county.
- Rate. SEC. 27. That for the purpose of giving more revenue for the construction and maintenance of roads, at the request of the highway commission herein created, the board of county commissioners of Wayne County are authorized, empowered and directed to levy a special tax of not more than twenty-five cents on the one hundred dollars assessed value of property and not more than seventy-five cents on all taxable polls in said county.
- Collection of taxes. SEC. 28. That said taxes shall be collected as is provided in the case of all other taxes in Wayne County.
- Meeting. SEC. 29. The members of the Wayne highway commission are hereby required to meet on the first Monday in April, one thousand nine hundred and nineteen, at which time they shall organize and begin their active duties as herein prescribed.
- Meetings. SEC. 30. That the said highway commission shall hold such meetings as in their discretion shall be necessary, said meetings to be held at the courthouse of Wayne County as above described.
- Place of meeting. SEC. 31. That said highway commission shall hold its meetings in the courthouse, or in the room of the county commissioners when said room shall not be in use by the board of county commissioners. That all expense necessary to be incurred by the highway commission in putting into effect this act shall be paid for by the highway commission out of the road fund coming into its custody by virtue of this act; and said commissioner shall have authority to employ legal counsel when deemed necessary.
- Payment of expense. SEC. 31. That said highway commission shall hold its meetings in the courthouse, or in the room of the county commissioners when said room shall not be in use by the board of county commissioners. That all expense necessary to be incurred by the highway commission in putting into effect this act shall be paid for by the highway commission out of the road fund coming into its custody by virtue of this act; and said commissioner shall have authority to employ legal counsel when deemed necessary.
- May employ counsel. SEC. 31. That said highway commission shall hold its meetings in the courthouse, or in the room of the county commissioners when said room shall not be in use by the board of county commissioners. That all expense necessary to be incurred by the highway commission in putting into effect this act shall be paid for by the highway commission out of the road fund coming into its custody by virtue of this act; and said commissioner shall have authority to employ legal counsel when deemed necessary.
- County commissioners to issue bonds. SEC. 32. That the board of county commissioners of Wayne County shall on the written request of the Wayne highway commission issue bonds of Wayne County to be styled Wayne County bridge bonds, which bonds shall be signed by the chairman of the board of county commissioners and by the clerk of the board of county commissioners, the bonds not to exceed in amount one hundred and fifty thousand dollars, of such denominations and such proportions as such board may deem advisable, bearing in-
- Authentication. SEC. 32. That the board of county commissioners of Wayne County shall on the written request of the Wayne highway commission issue bonds of Wayne County to be styled Wayne County bridge bonds, which bonds shall be signed by the chairman of the board of county commissioners and by the clerk of the board of county commissioners, the bonds not to exceed in amount one hundred and fifty thousand dollars, of such denominations and such proportions as such board may deem advisable, bearing in-
- Amount not over \$150,000. SEC. 32. That the board of county commissioners of Wayne County shall on the written request of the Wayne highway commission issue bonds of Wayne County to be styled Wayne County bridge bonds, which bonds shall be signed by the chairman of the board of county commissioners and by the clerk of the board of county commissioners, the bonds not to exceed in amount one hundred and fifty thousand dollars, of such denominations and such proportions as such board may deem advisable, bearing in-
- Rate of interest. SEC. 32. That the board of county commissioners of Wayne County shall on the written request of the Wayne highway commission issue bonds of Wayne County to be styled Wayne County bridge bonds, which bonds shall be signed by the chairman of the board of county commissioners and by the clerk of the board of county commissioners, the bonds not to exceed in amount one hundred and fifty thousand dollars, of such denominations and such proportions as such board may deem advisable, bearing in-

terest from date of issue thereof at the rate of interest not exceeding five per cent with interest coupons attached, payable annually or semiannually as may be deemed best, and the principal thereof payable or redeemable at such time or times as may be determined by the board of county commissioners of Wayne County not exceeding forty years from the date thereof; and the said bonds may be issued at such time or times and in such amount or amounts as may be deemed best and requested by the Wayne highway commission to meet the expenditures for building permanent bridges in Wayne County. The liability for the payment of said bonds shall be attached to and imposed upon Wayne County.

Term not exceeding 40 years.

Liability.

SEC. 33. That for the purpose of providing for the payment of said bonds and the interest thereon, 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 in the county sufficient to pay the principal of the bonds, together with the interest on the bonds within such time as shall be limited for the payment of the same.

Special tax for principal and interest.

SEC. 34. Whereas Nahunta Township, Goldsboro Township, and Mount Olive road district have each issued certain bonds within the respective districts; and whereas, the money used form the sale of any and all bonds within these districts has inured to the benefit of the county: Each and all of the aforesaid special road districts shall be and the same are hereby abolished; the trustees of each road district shall turn over to the highway commission hereby created all equipment, material and funds on hand, the indebtedness represented by the bonds sold by the said road districts shall be assumed and paid by the county as a county indebtedness. The board of county commissioners of said Wayne County are hereby authorized and directed to levy a sufficient tax on all real and personal property in said county to pay the interest on and create a sinking fund for the redemption of the outstanding bonds mentioned in this section in lieu of any and all other special road taxes heretofore levied and collected in said road districts.

Nahunta, Goldsboro and Mt. Olive district obligations assumed by county.

Tax for redemption of outstanding bonds.

SEC. 35. That all laws pertaining to the public roads or bridges of Wayne County shall be and remain in force until the highway commission created by this act shall qualify and organize for the purpose declared in this act.

Present laws effective till qualification of commission.

SEC. 36. That the board of county commissioners of said Wayne County, upon request of the Wayne highway commission, are hereby authorized, empowered and directed to levy annually a license or wheel tax on all motor and horse-drawn vehicles in said Wayne County, said tax not to exceed twenty-five cents per horse power on all automobiles; on motor trucks not to exceed

Wheel tax.

Limit on various vehicles.

ten dollars per tonnage; on motorcycles not to exceed two dollars each; and on all horse drawn vehicles (other than lumber wagons and farm carts) not to exceed fifty cents per wheel, and on lumber wagons and log carts not to exceed five dollars per wheel. The schedules and rates to be fixed by said Wayne highway commission within the limitations herein mentioned. Said taxes shall be collected as other taxes and paid to said Wayne highway commission for the use of the public roads in said county. That said Wayne highway commission shall have the power and authority to regulate and prescribe the use and also the width of the tires used on all automobiles, motor trucks and lumber wagons used on and upon the roads in said Wayne County.

SEC. 37. That said Wayne highway commission is hereby authorized and empowered to appoint a sinking fund commissioner, whose bond shall be fixed by said commission, to receive such funds and pay the interest on and safely loan out each year, a sufficient sum to provide for the redemption of the outstanding bonds mentioned in sections thirty-two and thirty-four of this act.

SEC. 38. That the members of said highway commission shall receive the sum of four dollars per diem and mileage for attendance at meetings.

SEC. 39. That section six hundred and seventy-nine of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby repealed.

SEC. 39-a. That all former taxes heretofore levied and collected for road or bridge purposes in any portion of said county, and all laws and parts of laws in conflict herewith are hereby abolished and repealed.

SEC. 40. That this act shall be in full force and effect from and after April first, one thousand nine hundred and nineteen.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 365

AN ACT RELATING TO THE BETTER ENFORCEMENT OF THE LAW AGAINST THE MANUFACTURE AND SALE OF INTOXICATING LIQUORS IN IREDELL COUNTY AND FIXING THE FEES FOR SERVICE OF CIVIL AND CRIMINAL PROCESS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any officer of Iredell County who shall hereafter arrest and procure evidence sufficient to convict any person manufacturing intoxicating liquors in Iredell County shall upon the conviction of said person so arrested be entitled to receive a fee of fifty dollars, to be taxed against the defendant.

Fee for person
apprehending
violators of
whiskey laws.

SEC. 2. That any officer of said county who shall hereafter arrest and procure evidence sufficient to convict any person of the offense of selling intoxicating liquors contrary to law, shall upon conviction of said person of said offense be entitled to receive a fee of twenty-five dollars, to be taxed against the defendant. Fee for evidence to convict.

SEC. 3. That when any officer of Iredell County shall hereafter seize or capture any vehicle or team transporting intoxicating liquors contrary to law and said vehicle or team is forfeited and sold under the provisions of law said officer shall be entitled to receive a fee of fifty dollars to be added in the cost of said seizure and sale which shall be deducted from the money received from said sale, and the remainder of the funds received from said sale shall be paid over to the proper authorities, as is now required by law. Fee for capture of vehicle.

SEC. 4. That in all cases where any person is convicted of the manufacture or sale of intoxicating liquors and the cost is not paid by the defendant but is taxed against the county, the officer making the arrest and securing the conviction of said defendant shall be allowed a fee of five dollars to be taxed against the bill of cost against the county of Iredell. County to pay fee, when.

SEC. 5. That in all cases where a distillery or other apparatus used for the manufacture of spirituous liquor shall be seized at the place of manufacture, it shall be carried to the county courthouse in Iredell County and there destroyed by the sheriff, and said officer so seizing and delivering said distillery or apparatus shall be entitled after the same has been destroyed to dispose of the scrap material and the funds derived from said sales shall be retained by him in remuneration of said seizure in the capture and destruction of said distillery. And if the sum received from said sale does not amount to as much as five dollars the county shall pay to said officer an amount necessary to make the sum so received by him for said service five dollars. Destruction of distillery. Salvage to officer seizing.

SEC. 6. That all officers authorized and required by law to serve civil and criminal process shall for their services receive the following fees: For the service of summons or other writ or notice in a civil case, eighty cents; for the arrest of any person in any civil or criminal action, including the taking of bond, two dollars; for execution of a subpoena, fifty cents; for serving all other process, either civil or criminal, fees to remain as now fixed by law. Fees for service.

SEC. 7. That in all cases where the sheriff performs the acts and things hereinabove stated all sums received by him shall be paid into the general funds of the county. Sheriff's fees to county.

SEC. 8. That any officer designated by the sheriff or judge to serve as an officer of the court during any term of Superior Court Pay of special officers of court.

of Iredell County and who does serve as such officer, shall receive two dollars per day and mileage as now allowed to jurors by law.

SEC. 9. This act shall apply only to Iredell County.

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

SEC. 11. That this act shall be in force from and after the first day of March, one thousand nine hundred and nineteen.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 366

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF CHEROKEE COUNTY TO LEVY A SPECIAL TAX FOR JURORS, COUNTY HOME AND JAIL.

The General Assembly of North Carolina do enact:

Commissioners to
levy special tax.

SECTION 1. That the board of commissioners of Cherokee County is hereby authorized to levy a special tax for the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty, not to exceed five cents on each one hundred dollars worth of property and fifteen cents on each taxable poll subject to taxation in said county to be levied and collected as other taxes.

For jurors and
witnesses.

SEC. 2. That the above tax when collected shall be paid to the treasurer of the county and be kept by him separate and apart from other county funds, and shall be expended in paying off the jurors and the state's witnesses for their attendance and services rendered from and after this date, and shall not be used for any other purpose.

Commissioners to
levy special tax.

SEC. 3. That the said board of commissioners of Cherokee County is hereby authorized to levy a special tax for the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty, not to exceed five cents on each one hundred dollars worth of property and not exceeding fifteen cents on each taxable poll, subject to taxation in said county, to be levied and collected as other taxes.

For county home.

SEC. 4. That the tax just above provided for when collected shall be paid to the treasurer of the county and shall be kept by him separate and apart from other county funds, and shall be expended in maintaining and operating the county home for the aged and infirm, and the expenses thereof, shall not be used for any other purpose.

Special tax.

SEC. 5. That the board of commissioners of Cherokee County is hereby authorized to levy a special tax for the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty, not to exceed five cents on each one hundred dollars worth of property and fifteen cents on each taxable poll

subject to taxation in said county, to be levied and collected as other taxes.

SEC. 6. That the above tax when collected shall be paid to ^{For jail expenses.} the treasurer of the county and shall be kept by him separate and apart from other county funds, and shall be expended for the purpose of feeding prisoners confined in the jail and furnishing fuel for jail and shall not be used for any other purpose.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 367

AN ACT TO CREATE A GAME COMMISSION IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That H. M. Pemberton, R. B. Evans, and H. J. ^{Game}McBue are hereby created game commissioners for the county of ^{commission}Cumberland, and they are hereby authorized and empowered to ^{created.}Game wardens, appoint for said county, on the first Monday in September, one thousand nine hundred and nineteen, and biennially thereafter, three game wardens. That each game warden so appointed shall, ^{Oath.}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 ex- ^{Bond.}ecute 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 ^{Powers.}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 ^{Compensation.}amount to be mutually agreed upon between himself and the game commissioners.

SEC. 3. That said game commissioners may fix the amount of ^{Non-resident}nonresident's license. ^{license.}

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

Ratified this 5th day of March, A. D. 1919.

CHAPTER 368

AN ACT TO EMPOWER BURKE COUNTY TO ISSUE BRIDGE AND ROAD BONDS.

Preamble. WHEREAS, the state highway is being constructed through Burke County, and the board of commissioners of said county prior to December first, one thousand nine hundred and eighteen, contracted to build a number of concrete bridges along said highway, which contracts will amount to fifteen thousand dollars (\$15,000) or more, and

Preamble. WHEREAS, the roads in certain of the remote townships of Burke County have, by reason of the unusual floods, become impassible and other bridges are necessary in said townships to afford crossings of the streams, and said townships have had very little aid from the general county funds, and

Preamble. WHEREAS, the present home for the aged and infirm in Burke County is not properly located and is badly constructed and is unsanitary and out of repair, so that the inmates suffer from cold and from the lack of sanitary conveniences, and it is necessary to purchase a new site and erect a new home for the aged and infirm, and

Preamble. WHEREAS, the building of said bridges and home for the aged and infirm and the completion of the state highway through Burke County, and the repair of the roads in said remote townships which have no railroad facilities and by reason of their location are unable to obtain any part of the railroad tax or other corporate taxes for local purposes and the purchase of a new site for the county home constitute a necessary public expense and a pressing necessity, and no funds are available therefor,

The General Assembly of North Carolina do enact:

Commissioners to issue bonds. SECTION 1. That the board of commissioners of Burke County be and it is hereby authorized empowered and directed to issue coupon bonds of said Burke County to an amount not exceeding eighty thousand dollars (\$80,000). Said bonds shall bear interest payable semiannually at a rate not exceeding six (6) per cent, and the principal thereof shall be due and payable in not exceeding thirty (30) years, and said bonds shall be of such form and tenor and shall be payable in such installments and at such time and place as said board of commissioners may determine.

Amount. Use of proceeds. SEC. 2. That the proceeds of said bonds when sold shall be applied by said commissioners exclusively to the completion of the state highway through Burke County, including the bridges on the state highway, and to the purchase of a site and the erection of a new home for the aged and infirm in said county.

Interest rate.

Term.

State highway. Bridges. Home for aged and infirm.

and for the building of bridges and construction of new roads or the repair of existing roads in such townships of Burke County, as have no railroad facilities, and where the roads have been damaged by floods and drains and which townships have heretofore had very little aid from the general county funds, and a part of said funds may be used in constructing, altering or repairing roads to connect said remote townships with the county seat at Morganton. ^{Road improvement.}

SEC. 3. The board of commissioners of Burke County shall withhold any aid from the fund created by the sale of bonds aforesaid from any such remote townships of the county unless and until a majority of the qualified voters of said township shall vote or have heretofore voted in favor of the issuance of bonds in a reasonable amount for improving the highways of such township in the manner provided by chapter one hundred and twenty-two, Public Laws of one thousand nine hundred and thirteen and the acts amendatory thereof or otherwise according to law: *Provided*, that the amount of aid extended by the commissioners of Burke County out of the fund hereinbefore provided shall not exceed one-half of the amount of the bond issue voted by said remote township, and that in making appropriation out of said funds due consideration shall be given to the needs of the section to be benefited and to the amount of money from the general county fund previously expended in such township for roads or bridges. ^{Application of proceeds restricted.} ^{Proviso: amount of aid to remote townships.}

SEC. 4. The board of commissioners of Burke County shall levy a special tax on all of the real and personal property in Burke County sufficient to pay the interest on the bonds issued by authority of this act, and to create a sinking fund sufficient to discharge the principal of said bonds at maturity, and said board of commissioners of Burke County may levy a special tax not exceeding twenty (20) cents on the one hundred dollars (\$100) of property upon all the property in said county to provide a fund for the proper maintenance of the roads of said county. The taxes levied for maintaining the public roads of Burke County under this section shall be additional to all general or special taxes now authorized by law, and shall be kept separate from all other taxes, and shall be apportioned to the several townships of Burke County in such manner as the board of commissioners may determine, except as hereinbefore provided, and shall be used exclusively for maintaining the public roads of said county. ^{Special tax.} ^{Tax rate.} ^{Road taxes. additional.} ^{Separate fund.} ^{Apportioned by commissioners.}

SEC. 5. The board of commissioners of Burke County may sell and convey the present home for the aged and infirm in Burke County and the lands on which the same is situated, by deed to be signed by the chairman of the board and to be attested by the secretary and to have the county seal attached. ^{Commissioners may sell county home.}

Advertisement of
sale of lands
and bonds.

Before making sale of said lands or of the bonds authorized to be issued by this act, such sale shall be advertised for four successive weeks in some newspaper published in Burke County, and such sale of lands and bonds shall be made by sealed bids filed with the said board of commissioners at a regular meeting, and said board of commissioners shall reserve the right to reject any and all bids; and the bonds authorized by this act shall not be sold for a price less than par and accrued interest.

SEC. 6. This act shall be in effect from and after its ratification. Ratified this the 6th day of March, A. D. 1919.

CHAPTER 369

AN ACT TO AMEND CHAPTER 357, PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE COMPENSATION OF THE CLERK OF THE RECORDER'S COURT OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and fifty-seven, Public-Local Laws of one thousand nine hundred and seventeen, be and the same is hereby amended by striking out section two and inserting the following in lieu thereof:

"SEC. 2. That the clerk of said Recorder's Court shall receive fees equivalent to the fees allowed in similiar actions in the Superior Court."

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 370

AN ACT TO AMEND AN ACT FIXING SALARIES FOR THE PUBLIC OFFICERS OF HALIFAX COUNTY. THE SAME BEING CHAPTER 287, PUBLIC-LOCAL LAWS OF NORTH CAROLINA 1913, AS AMENDED BY CHAPTER 572, PUBLIC-LOCAL AND PRIVATE LAWS OF 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That the words "fifteen hundred" in line one of section four of chapter two hundred and eighty-seven, Public-Local Laws of one thousand nine hundred and thirteen be stricken out and the words "seventeen hundred and fifty" be inserted in lieu thereof.

Chapter 357,
Public-Local
Laws 1917
amended.

Fees of clerk of
recorder's court.

Salary of sheriff.

SEC. 2. That the words "two thousand, two hundred and fifty" in the second line of section six of chapter two hundred and eighty-seven, Public-Local Laws of one thousand nine hundred and thirteen be stricken out and the words "two thousand, five hundred" be inserted in lieu thereof. Salary of clerk of court.

SEC. 3. That the words "two thousand, two hundred and fifty" in the first and second lines of section seven of chapter two hundred and eighty-seven, Public-Local Laws of one thousand nine hundred and thirteen, be stricken out and the words "two thousand, five hundred" be inserted in lieu thereof, and that the words "fifteen" in the third line of said section be stricken out and the word "eighteen" be inserted in lieu thereof. Salary of register of deeds.

SEC. 4. That the word "fifteen" in the second line of section eight of chapter two hundred and eighty-seven, Public-Local Laws of one thousand nine hundred and thirteen, be stricken out and the words "seventeen hundred and fifty" be inserted in lieu thereof. Salary of county treasurer.

SEC. 5. That the word "eighteen" in the fifth line of section two of chapter five hundred and seventy-two, Public-Local and Private Laws, session one thousand nine hundred and seventeen, be stricken out and the words "twenty-five" be inserted in lieu thereof. Allowance for assistants to register of deeds.

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 the first day of April, one thousand nine hundred and nineteen.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 371

AN ACT TO REVISE, AMEND AND CONSOLIDATE THE ROAD LAWS OF CARTERET COUNTY, FOR PERMANENT CONSTRUCTION AND BETTER MAINTENANCE THEREOF, AND PROVIDING OF REVENUES THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the public thoroughfares and avenues of travel in Carteret County be, and they hereby are, divided into, or classified as, "highways" and "roads." That the highways shall comprise the main thoroughfares of said county, particularly the projected central highway, from the Craven County line, via Beaufort, to the town of Atlantic; and the roads shall comprise all public ways not designated highways by the county commissioners; both highways and roads shall be under the supervision and control of the board of county commissioners, and Thoroughfares classified. Terms defined. Highways and roads under county commissioners.

Width of right of way.	said board shall determine, and cause record to be made, thereof, what public ways or part or parts thereof shall be highways. The right of way of all highways and roads shall be forty feet; but such part thereof only shall be used and maintained as may be determined by the county commissioners to be required for the public good.
Commissioners to appoint supervisor. Assistants.	SEC. 2. That the board of commissioners of Carteret County may elect or appoint a general supervisor, or superintendent, of roads for the county (and he, by and with the consent and approval of said commissioners, may appoint assistants), and may appoint or elect township, district, or precinct, supervisors or such other employes as may be deemed necessary, for constructing and maintaining good roads and highways of approved finish in said county. All appointees of said board of commissioners, unless otherwise specified in the appointment, or unless in the discretion of the board of commissioners sooner removed, suspended or discharged, shall hold position for twelve months from date of appointment, or until the substituted appointee qualifies. That the general supervisor of roads, and all other appointees herein provided for, shall be under the direction and control at all times of the board of commissioners. That the general supervisor of roads shall be experienced and trained in the work of road construction and maintenance and building of highways; and in addition to the duties necessarily incident to his office, for proper and efficient discharge thereof, he shall perform such other and further duties as may, from time to time, be assigned to him by the board of commissioners; and his compensation shall be fixed by said board of commissioners at a sum, which in said board's judgment the work justifies, not exceeding the amount of three thousand dollars per annum, or three hundred dollars in any one month. That said supervisor shall, as directed by the board of commissioners, purchase and supply the necessary tools, machinery, and other appliances and materials, for constructing and maintaining the highways and roads under his supervision. He shall give bond, before entering on the discharge of his duties, in amount to be determined by said board of commissioners, conditioned for the faithful performance of his duties, for the faithful accounting and turning over, on demand, to said board or any one under its direction, of all property and effects coming into his hands by virtue of his office; and said bond shall be payable to the State of North Carolina, and be registered in the office of the register of deeds, the original being thereafter filed in the office of the clerk of the Superior Court of said county. Each assistant supervisor shall likewise execute bond, in like tenor, in such amount as shall be fixed and determined by said board of commissioners. In case of any vacancy occurring in office of general supervisor, or his
Terms of office	
Appointees under direction of commissioners.	
Qualifications of general supervisor. Duties.	
Compensation.	
Supervisors to purchase supplies.	
Bond of supervisor.	
Bond of assistant supervisors.	
Vacancies.	

assistants, same shall be filled by the board of commissioners of Carteret. The salary of all assistant supervisors, and other employees, shall be fixed by said board of commissioners, or approved by it before payment.

SEC. 3. That it shall be the duty of the general supervisor of roads to meet with the board of commissioners, at each regular meeting; and at such time he shall submit his monthly report, showing the condition of the highways, roads, bridges and other works under his direction in progress; suggesting plans for the improvement of same, and giving to the board of commissioners a concise view of existing conditions, with benefit of his recommendations for betterment of same. And in each report (to be monthly made by him), after the first report, said, supervisor, or general superintendent, of roads, shall furnish to the board of commissioners an estimate or budget, for the next immediately accruing outlay, or expense, for highways and roads work, for the next period of operation, upon which estimate the board will condition its appropriations for such works, as same progress.

Supervisor to meet with commissioners. Report.

Estimates.

SEC. 4. The board of county commissioners shall have the right, at its option, to let out either by contract or on per diem basis, the building and maintenance of the highways and roads, or any part or parts thereof, whether by township, by division, district, or other sections; and in such case, if it so elect to proceed any person, company, or corporation, with whom or which it contracts, shall be required, before entering on the performance of such contract, to give bond, to be approved by the board of commissioners, in amount fixed by the board not less than one-fourth of the contract price, or one-fourth of the estimated aggregate of the per diem performance; and said board shall have power to hire the county convicts to such contracting party or parties, in its discretion, as conditions may justify in its judgment.

May let work by contract.

Contractor to give bond.

SEC. 5. That all prisoners confined in the county jail under judgment final of any court having jurisdiction may be worked on the public roads and highways. And the board of commissioners shall have power to hire convict labor from adjoining counties in the same or adjoining judicial districts. The maintenance of the convict force to be expensed to the highway and road fund, in the board's discretion.

Prisoners may be worked on road.

May hire convict labor.

SEC. 6. That said board of commissioners shall have power to alter, change, discontinue, and vary the course of public roads and highways, when, and as, the public good, in its discretion, dictates; and any person owning lands affected by such change claiming damages, shall present his claim to the board within sixty days after entry on his lands as aforesaid, and said board shall within forty days thereafter require the sheriff of said

Alterations to thoroughfares.

Damages to property.

Jury.

county to summon a jury of three disinterested freeholders to assess said damages, and report the same to the then next meeting of the board, in writing. Three days notice of the time and place of meeting of the appraisers herein provided for shall be given by the sheriff to both the landowner or landowners affected, and to the clerk of the board of commissioners; and if any landowner be a nonresident then notice shall be mailed to his last known address seven days prior to such appraisers' meeting, and notice also published, to such land owner directed, at the courthouse door for seven days immediately preceding such meeting of appraisalment. And, upon report filed as aforesaid, either the county, or the landowner (or his local representative or attorney) may, within three days, appeal to the Superior Court in term, where the matter will be heard de novo, upon the landowner's giving bond as is required, or may be required, by the court: *Provided, however,* that road the work shall not be interrupted or discontinued pending any disagreement as to value or proceedings aforesaid.

Notice of meeting
of appraisers.

Appeal from
award.

Proviso: road
work not to stop.

Special tax.

SEC. 7. That the board of commissioners of Carteret, in order to provide for the proper construction, improvement and maintenance of the roads, highways, bridges and crossings at its regular meeting in June, one thousand nine hundred and nineteen, and each annual meeting thereafter, may levy a special tax on all property subject to taxation in said county of not less than fifteen cents nor more than fifty cents on the one hundred dollars worth of property, and not less than forty-five cents nor more than one dollar fifty cents on the poll (the constitutional equation being at all times observed); said taxes to be collected as other taxes, and the funds therefrom to be kept separate from other taxes, and to be designated "highway, road fund," and to be used only for roads and highways.

Rate.

Separate fund.

Designation.

Water not to be
turned on roads.

SEC. 8. That no person shall turn water from any adjoining or abutting lands on the roads or highways of said county; nor shall any person, without first obtaining written permission of the general superintendent or supervisor of roads, drain water into the road or highway ditches; and any person heretofore draining water from his lands into such ditches shall, on ten days notice in writing, from the general superintendent or supervisor of roads, divert said water. That no landowner or tenant shall cut any ditch across the roads or highways of said county, without the written consent of the general supervisor or superintendent of roads, and upon such consent being had and obtained the ditch so cut shall be tiled with pipes of size to be designated by the supervisor or superintendent of roads specified in his written consent to such ditching. And if any person or persons shall interfere with the superintendent or supervisor of roads (or any of his authorized assistants or employees) in the dis-

Division
of drains.

Ditches not to
be cut.

Misdemeanor.
to obstruct
road work.

charge of any duty (opening ditches, drains, or other connected works), or shall obstruct any drain or ditch that may be cut or opened under authority of this act, or shall wilfully refuse or fail to obey any lawful order of the general supervisor or superintendent of roads, in due course of his employment or of his authorized representative in such road work, or shall obstruct any public road in Carteret County, the person or persons so offending shall be guilty of a misdemeanor, and upon conviction shall be imprisoned or fined in the discretion of the court, and it shall be the duty of the general superintendent or supervisor of roads to swear out warrants against any person or persons violating any provisions of this act. ^{Penalty.}

SEC. 9. That it shall be unlawful for any person or persons to wilfully or negligently leave open any stock law gate which may be across any public road in said county; and any violation of this section shall be a misdemeanor, punishable by fine of not more than fifty dollars or imprisonment of not more than thirty days. ^{Unlawful to leave gate open. Penalty.}

SEC. 10. That any firm, person or corporation, maintaining a tramway, railroad, tramroad or way across any public road shall construct and maintain same as directed by the general supervisor or superintendent of roads; and upon ten days default in complying with any such order so given, such person, firm or corporation shall, for each day's default, be subject to a penalty of fifty dollars, to be sued for by the said supervisor or superintendent, to the use of the highway and road fund of said county. ^{Crossings.}

SEC. 11. That it shall be unlawful to drive any horse, or animal-drawn vehicle, any automobile, or other conveyance over the bridges in said county, over twenty feet in length, at a speed greater than eight miles an hour; and any violation of this section shall subject the offender to a penalty of not more than fifty dollars, to the use of the road and highway fund. ^{Speed limit on bridges.}

SEC. 12. That chapter three hundred and thirty-two, Public-Local Laws one thousand nine hundred and thirteen, be and the same is hereby repealed. Any bonds, notes or other evidences of indebtedness, now outstanding, issued by virtue of said act, other than section two thereof, are hereby validated, and such notes, bonds, or other evidences of indebtedness, will be presented to the board of commissioners of Carteret County, for liquidation out of funds originating from levies on, and funds arising from taxables, in respective township on the petition of which such evidences of debt or obligation issued or were authorized; and said board of commissioners of Carteret County, to provide for the liquidation of any bonds outstanding, issued by virtue of the provisions of said act, shall annually, beginning at its regular meeting in June, one thousand nine hundred and nineteen, levy ^{Special tax for bonds.} ^{Chapter 332, Public-Local Laws 1913, repealed. Outstanding indebtedness.}

a tax special on all persons and subjects of taxation, within the affected townships respectively, sufficient to pay the interest and principal of said bonds as same respectively mature, the constitutional equation at all times being observed; and said taxes to be collected as, and when, other county and state taxes are collected. That the highway commission in each township of said county, where created and existing, under and by virtue of the aforesaid act, shall, on or before the first Monday of June, nineteen hundred and nineteen (unless earlier thereto required by order of the board of commissioners of Carteret County), file with the board of commissioners of said county of Carteret a detailed statement, by item of the funds in hand belonging to said township, the bonds, notes or other evidences of indebtedness, outstanding (setting forth amount and date of maturity in each instance), and in said statement shall be incorporated a report of the number of miles of road (and a detailed description of each section, or mile, of said road or roads) in each such township heretofore under the supervision of such commission; and upon the acceptance and approval by said board of commissioners of Carteret County of said statement and report of the respective highway commission aforesaid and the issuance by the respective treasurer (on the order of the chairman of such commission), to the order of the treasurer of Carteret County, of a voucher or draft covering the balance of funds on hand belonging to such township, for road and highway construction and maintenance, the said township highway commission, and commissioners, shall be thereby discharged from further liability on account of any matters incident to that former office.

SEC. 13. That chapter four hundred and sixty-nine of the Public-Local Laws one thousand nine hundred and thirteen, be and same hereby is repealed. That chapter one hundred and fourteen, Public-Local Laws one thousand nine hundred and fifteen, and chapter nine, Public-Local Laws one thousand nine hundred and seventeen, and chapter six hundred ninety-five of the Public-Local Laws of one thousand nine hundred and seventeen; be, and same hereby are repealed.

SEC. 14. That the board of commissioners of Carteret County, may, in its discretion, abolish and discontinue the present system of working the public roads and highways of said county, or any township, townships, section of township or townships, or of any district to be by it specified and defined in the order abolishing and discontinuing, same, and may, in its discretion, substitute in such area so affected, the working of said roads and highways by taxation: *Provided*, that any order so made shall not be effective until the expiration of thirty days from its dating, and such order shall be published in some newspaper published in said

Township
highway
commissions
to file statement.

Details of
statement.

Commissioners
discharged.

Chapter 469,
Laws 1913,
repealed.
Other laws
repealed.

Commissioners
may discontinue
present system.

county (if there be such newspaper published) for four weeks next succeeding its dating.

SEC. 15. That the commissioners of Carteret County, in order to economically and efficiently carry on the highways and roads work of said county, are hereby expressly authorized and empowered, in their discretion, to employ at any time, upon salary or compensation to be by them fixed and determined, a competent road, or highway, engineer, and the expense thereof shall be charged to the highways and roads fund.

Employment of road engineer.

SEC. 16. That for the purpose of building, constructing, improving and maintaining the highways and roads of Carteret County, the board of commissioners of said county is hereby authorized and empowered to issue the bonds of said county to an amount not exceeding five hundred thousand dollars, in denominations not less than one hundred dollars nor more than five thousand dollars, bearing interest from date thereof at not exceeding the rate of six per cent, with interest coupons attached, payable annually or semiannually, at such time and place as may be directed or determined 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 to be payable at such time or times, not exceeding forty-one years from date thereof, and at such place or places, as the said board of county commissioners of Carteret County may determine and order; and the said board of commissioners may divide the said issue into series, issuing the whole or such part or parts of said authorized issue from time to time; within four years after ratification of this act, as in its discretion the public good, in road improvement, may require: *Provided*, that no more than two hundred thousand dollars be issued during the first year, nor more than one hundred and fifty thousand dollars be issued during the second year, in addition to amount prescribed for first year; nor more than one hundred thousand dollars during the third year, in addition to first two years issue; the balance of said authorized issue though not exceeding in amount two hundred thousand dollars, in any event, to be issued during fourth year. None of said bonds hereby authorized shall be sold for a less price than par value. Said bonds may be sold either at public sale, or private sale (upon either open, or sealed bids), by said board of commissioners, as it may determine to the best interests of the county. In the event the board of commissioners shall sell all of said bonds at one time, or in greater amount, at one time, than is necessary for the orderly progress of the road and highway work of said county, then all excess of funds received from the sale of such bonds shall, pending its use for road and highway purposes, be placed on interest, and the interest accruing and collected shall be added to the principal and used in carrying

Bonds.

Amount.

Interest rate.

Form, transfer and payment.

May divide issue.

Proviso: amount of issue per year.

Not to be sold for less than par.

Use of excess funds.

out the provisions of this act to the same purpose and effect as said principal is used.

Authentication.

SEC. 17. That said bonds shall be numbered and shall be signed by the chairman of the board of commissioners of said county and attested and countersigned by the clerk of the board of commissioners of said county; shall bear the corporate seal of said county; and the coupons attached to said bonds shall bear the number of bond as well as the number of the coupon and shall be executed by the lithographed signatures of the chairman of said board of commissioners, and the clerk of the board of commissioners of said county.

Special tax for bonds.

SEC. 18. That in order to pay the interest on said bonds, create a sinking fund for taking up said bonds at maturity, and establish and maintain the public roads and highways of Carteret County, the board of commissioners of said county shall annually compute and levy, at the time of levying other county taxes, a special tax on all polls and property of said county subject to taxation, sufficient to pay said interest on said bonds and to provide a sinking fund for the payment of said bonds at maturity, and maintain said roads and highways in good condition: *Provided*, there shall not be at any time levied in any township in said county of Carteret, for the purpose of road and highway improvement, including all expenses made necessary by this act, or any act or statute now existing, a tax greater than seventy-five cents upon the one hundred dollars of property and two dollars and twenty-five cents on each poll.

Proviso: limit of rate.

Taxes to be separate fund.

SEC. 19. That said taxes when collected shall be kept separate and apart from all other taxes, and shall be used only for the purposes for which they were collected, except as provided and specified in section eighteen of this act.

Commissioners to procure aid.

SEC. 20. That the board of commissioners of said county are hereby authorized and empowered to avail itself, in behalf of said county, or any township, district or road section or unit, in said county, of the benefit of any existing law, or any law which may be at this time, or any subsequent session of the General Assembly enacted, whereby the building of roads and highways may be promoted and encouraged, or whereby the State of North Carolina may offer to loan moneys to the counties of the state to aid in road and highway building, taking therefor the securities of such county, and said board of commissioners are hereby authorized and empowered to take any necessary or proper measures, in its discretion, to avail the county, or any subdivision thereof, as it may determine, of any statute, rule or regulation, whereby federal aid, either direct and through the State of North Carolina, by statute or regulation, may be secured for the improvement, and approved completion of standard highways and roads in said county and its subdivisions.

SEC. 21. That nothing in this act shall be so construed, or so applied, as to interfere with or hinder the board of commissioners of Carteret County, in the establishment, construction, maintenance, and development of a unified system of good roads in said county, tributary to and feeding into the proposed central highway (heretofore projected by the State Highway Commission at the request of the affected units of road work in said county through said board of commissioners, leading (along route to be determined by said board of commissioners, after survey made and approved by the State Highway Commission) from the Craven County line, via Beaufort, the county seat, to Atlantic, North Carolina.

SEC. 22. That the said board of commissioners shall have full power and authority to make such rules and regulations for the proper working and maintenance of the highways and roads of said county, and the several units or subdivisions thereof, not inconsistent with the provisions of this act and the general law of the state, as may be by it deemed necessary and expedient; and such rule and regulation as may be so adopted, may be enforced by said board of commissioners by appropriate penalty, in no case exceeding fifty dollars; and such penalty may be sued for and recovery in a justice's court, or other court of equal jurisdiction in said county. All fines, penalties, and forfeitures, that may be collected under the provisions of this act shall be forthwith thereupon paid to the county treasurer, who shall carry same to the credit of the highway and road fund, and disburse it as hereinbefore provided.

SEC. 23. That all laws and clauses of laws inconsistent with, or in conflict with, the provisions of this act, are repealed; except as may be hereinbefore specially provided.

SEC. 24. That this act shall be in force and effect from and after its ratification.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 372

AN ACT TO REPEAL THE SALARY LAW FOR OFFICERS OF PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and eighty-eight, of the Public-Local Laws of one thousand nine hundred and thirteen session, and chapter seven hundred and sixty-seven of the Public-Local Laws of nineteen hundred and fifteen and chapter five hundred and seventy-one of the Public-Local and Private Laws

of nineteen hundred and seventeen session of the General Assembly, be and the same are hereby repealed.

County officers
to receive fees.

SEC. 2. That from and after the first day of March, one thousand nine hundred and nineteen, the clerk of the Superior Court, register of deeds and treasurer of Pender County shall receive fees and commissions for their services as was provided by law prior to the enactment of said chapter two hundred and eighty-eight, Public-Local Laws of one thousand nine hundred and thirteen.

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 the first day of March, one thousand nine hundred and nineteen.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 373

AN ACT TO AMEND CHAPTER 291, OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE ROAD LAW OF PENDER COUNTY.

The General Assembly of North Carolina do enact:

Payment in
lieu of labor.

SECTION 1. That chapter two hundred and ninety-one of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the word "three" in line eleven and inserting in lieu thereof the words "seven and one-half." and by striking out the words "one dollar" in line nineteen and inserting in lieu thereof the words "one dollar and twenty-five cents."

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

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 374

AN ACT TO INCREASE THE COMPENSATION OF THE COUNTY COMMISSIONERS OF LENOIR COUNTY.

The General Assembly of North Carolina do enact:

Compensation of
commissioners.

SECTION 1. That each member of the board of county commissions of Lenoir County shall be paid the sum of four dollars per day and mileage as now allowed by law for each day the said board shall meet for the transaction of the county's business.

SEC. 2. This act shall in no way affect the additional compensation now allowed or as may hereafter be allowed the chairman of said board of county commissioners for extra services performed by him. Not to affect chairman of board.

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

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 375

AN ACT TO PROTECT GAME AND REGULATE HUNTING IN BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful for any person to hunt with gun or dog, or otherwise kill, any quail or partridge, or wild turkey between the fifteenth day of February and the first day of November, or any squirrel or wild deer, between the first day of January and the first day of October, of any year; and if any person shall have in his possession any quail or partridge, or wild turkey, between the fifteenth day of February and the first day of November, or any squirrel or wild deer between the first day of January and the first day of October, of any year it shall be prima facie evidence that such person was hunting in violation of this act. Close season on game.

SEC. 2. It shall be unlawful for any person to kill more than ten quail or partridge, or more than three wild turkeys, in any one day during the open season herein provided for. Bag limit.

SEC. 3. It shall be unlawful to set any steel or log trap on the lands of another, without the written permission of the owner of said lands, and it shall be unlawful to bait any wild turkey or other game. Traps or bait.

SEC. 4. Any person who shall violate any of the provisions of this act shall be fined or imprisoned in the discretion of the court. Punishment for violation of act.

SEC. 5. It shall be the duty of the several justices of the peace, township constables, and other police officers of Bertie County to make diligent inquiry concerning any and all violations of any of the provisions of this act and to report the same to the sheriff of said county and furnish him with the name of the offender together with the names of any witnesses having knowledge of such violations. Report of violations.

SEC. 6. It shall be the duty of the sheriff of Bertie County to investigate every violation of this act brought to his attention, by Sheriff to investigate violations.

Report to
solicitor.

Details
of report.

information or otherwise, and make diligent effort to ascertain the names of any and all violators of any of the provisions of this act, and he shall on the first day of each term of the Superior Court of said county make a written report to the solicitor of said court, setting forth whether any violation of any of the provision of this act has occurred in said county since his last report, and if so, he shall therein give the name of the offender, together with the names of any and all witnesses having knowledge of such violations.

SEC. 7. This act shall apply to Bertie County only, and all laws and clauses of laws in conflict therewith are hereby repealed.

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 376

AN ACT TO AMEND CHAPTER 449 OF THE PUBLIC-LOCAL LAWS OF 1917 FOR THE PROTECTION OF CERTAIN CHURCHES IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Incorporated
territory bounded.

SECTION 1. That section one of chapter four hundred and forty-nine of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby amended as follows: By adding the following after the word "county" and before the colon (:), in line six thereof, "or within three miles of Oak Grove Missionary Baptist Church or Chapel Hill Baptist Church in Lockwood's Folly Township in Brunswick County; or within three miles of Pleasant Hill Baptist Church in Shallotte Township, in Brunswick County.

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 377

AN ACT TO FIX THE SALARIES OF CERTAIN PUBLIC OFFICERS IN STOKES COUNTY.

The General Assembly of North Carolina do enact:

Sheriff's salary
fixed.

SECTION 1. That section three of chapter five hundred and forty-eight of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby repealed and the

following is enacted in lieu thereof: "That the sheriff shall receive a salary of twenty-two hundred dollars (\$2,200) per annum in lieu of all other compensations whatsoever."

SEC. 2. That section five of the Public-Local Laws, chapter five hundred and forty-eight, be and the same is hereby repealed and the following is enacted in lieu thereof: "That the clerk of the Superior Court shall receive a salary of fifteen hundred dollars (\$1,500) per annum in lieu of all other compensations whatsoever. The register of deeds shall receive a salary of fifteen hundred dollars (\$1,500) per annum in lieu of all other compensations whatsoever."

Clerk's salary fixed.

SEC. 3. That the coroner of the county of Stokes shall receive as compensation for the duties of his office seven dollars and fifty cents (\$7.50) per day for each day so employed.

Compensation of coroner.

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 the first Monday of December, one thousand nine hundred and twenty.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 378

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

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Pitt County are hereby authorized and empowered, if in their judgment conditions justify and require it, to levy a special tax of ten cents on all property in said county under the same conditions and provisions as are provided in the Public-Local acts of one thousand nine hundred and fifteen, chapter one hundred and twenty-eight, and the Public-Local acts of one thousand nine hundred and seventeen, chapter six hundred and thirteen, the proceeds from such levy and collection of taxes to go into the general fund for general county purposes.

Commissioners authorized to levy special tax.

SEC. 2. That said commissioners are authorized to levy said tax for the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty, if in their judgment the same is necessary as above set forth.

Levy for years 1919-1920.

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 379

AN ACT TO AMEND CHAPTER 782 OF THE PUBLIC LAWS OF 1909, RELATIVE TO FIXING THE FEES AND SALARIES OF PUBLIC OFFICERS OF PITT COUNTY.

The General Assembly of North Carolina do enact:

Salary of sheriff.

SECTION 1. That section two of chapter seven hundred and eighty-two of the Public Laws of one thousand nine hundred and nine be amended by striking out in lines two and three of said section two, the following words "three thousand two hundred and fifty dollars" and inserting in lieu and instead thereof the words "six thousand dollars."

Salary of Register of deeds.

SEC. 2. That section three, chapter seven hundred and eighty-two, Public Laws of one thousand nine hundred and nine, be amended by striking out in line two of section three of said act the following words, to wit: "two thousand six hundred dollars" and inserting in lieu and instead thereof the words "four thousand and five hundred dollars and the further sum of five hundred dollars as compensation of making, transcribing, computing, and completing the tax list of Pitt County for each year."

Salary of clerk of court.

SEC. 3. That section four, chapter seven hundred and eighty-two, Public Laws of one thousand nine hundred and nine, be amended by striking out in line two of said section four the words "two thousand dollars" and inserting in lieu and instead thereof the words "four thousand and five hundred dollars."

Salary of county treasurer.

SEC. 4. That section five of chapter seven hundred and eighty-two of the Public Laws of one thousand nine hundred and nine, be amended by striking out in line two of said section five the words "nine hundred dollars" and inserting in lieu thereof the words "eighteen hundred dollars."

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

SEC. 6. That this act shall be in full force and effect from and after the first day of March, one thousand nine hundred and nineteen.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 380

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF DURHAM COUNTY TO LEVY A TAX TO PAY THE PRINCIPAL AND INTEREST OF THE COURTHOUSE BONDS

Preamble.

THAT WHEREAS, on the fifteenth day of December, one thousand nine hundred and fifteen, the board of commissioners of

Durham County, North Carolina, did sell to Bolger, Mosser & Williaman, twenty-nine South LaSalle Street, Chicago, certain bonds in the total sum of two hundred and twenty thousand dollars, and did, on the first day of October, one thousand nine hundred and sixteen, sell to Sidney Spitzer & Company, Toledo, Ohio, certain bonds in the total sum of seventy-five thousand dollars, for the purpose of securing funds with which to purchase a site and erect a courthouse, and did agree to petition the General Assembly of North Carolina to authorize the board of commissioners of Durham 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,

The General Assembly of North Carolina do enact:

SECTION 1. That the sale of bonds in the sum of two hundred and twenty thousand dollars, on the fifteenth day of December, one thousand nine hundred and fifteen, by the commissioners of Durham County to Bolger, Mosser & Williaman, Chicago, and the sale of bonds in the sum of seventy-five thousand dollars on the first day of October, one thousand nine hundred and sixteen, by the commissioners of Durham County, to Sidney Spitzer & Company are hereby ratified and approved.

SEC. 2. That the commissioners of Durham County be and they are hereby authorized and empowered to levy a tax sufficient in amount to pay the interest and the installments of the principal of said bonds as they severally become due 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 6th day of March, A. D. 1919.

CHAPTER 381

AN ACT TO PROHIBIT THE KILLING FOR SALE AND THE SELLING OF SQUIRRELS KILLED IN SWAIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to kill for sale or sell after they have been killed any squirrels in Swain County.

SEC. 2. Any person violating section one of this act shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than five dollars nor more than ten dollars and shall be taxed in the bill of costs five dollars, to be paid to anyone furnishing the evidence to procure said conviction.

Squirrels for home consumption. SEC. 3. That it shall not be unlawful for any person or persons to kill squirrels for home consumption at all seasons of the year in Swain County.

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

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 382

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE PUBLIC ROADS OF HYDE COUNTY AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners be and the same are hereby directed to call an election within thirty days after the ratification of this act to take the sense of the qualified voters of the county on the question whether the board of county commissioners shall issue bonds for the purpose of building or constructing improved roads for the county: *Provided*, that the amount of such bonds shall not exceed the sum of five hundred thousand dollars and: *Provided further*, that the roads so built shall be such principal roads of the county not otherwise fully provided for by the state and national governments.

SEC. 2. That the majority of the votes cast at the election held under the provisions of this act shall be those qualified to vote at the preceding regular November election, and those who may have become of age and qualified since the preceding regular said November election, except those who by committing of crimes or by the removal from the district or county or for other legal causes have disqualified themselves to vote. That the 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 provided: *Provided, however*, that the said board of county commissioners shall appoint the registrars of election, the judges or inspectors, and any other election of officers, and that registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly. The ballots tendered and cast by the voters shall have written or printed upon them "For Road Bond Issue" or "Against Road Bond Issue," and all electors who favor the issuing of said bonds shall vote a ballot written or printed thereon "For Road Bond Issue," and those

Commissioners to call bond election.

Qualification of electors.

Manner of holding election.

Form of ballots.

opposed to the issuing of the bonds shall vote a ballot written or printed thereon "Against Road Bond Issue." The vote shall be counted at the close of the polls and returned to the said board of county commissioners or clerk of the board on the Thursday next following the election, and said board shall tabulate and declare the result of the election not later than its next regular meeting following the return of the vote of said election, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording and declaring of the result of the election shall be necessary. The result of the vote shall be counted, declared, and reported to the board of county commissioners as prescribed by law in the election of the members of the General Assembly. Return of votes.

SEC. 3. That in the event of the election above prescribed be in favor of a bond issue there is hereby created a county road commission consisting of three members, one of whom shall serve for two years after his appointment, one for four years, and one for six years, and thereafter each appointed shall serve for six years and all members shall serve until their successors are appointed. The following men are hereby appointed as members of the above said county road commission: For the term of two years, Mr. W. H. Watson of Scranton, N. C., for the term of four years, Mr. George Makely of Swan Quarter, N. C.; for the term of six years, Mr. David H. Carter of Fairfield, N. C.; and one member to be appointed by the Legislature every two years. The members of the above commission are to receive four dollars per day while actually serving on work of the commission, together with an allowance of five cents per mile for miles traveled in the performance of such duty when this mileage is at the personal expense of the member. County road commission.
Commissioners named.
Compensation.

SEC. 4. That the following sections of the Public Laws of one thousand nine hundred and seventeen, chapter two hundred and eighty-four, shall be and is hereby made a part of this law: Sections fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty-one (21), twenty-two (22), twenty-three (23), twenty-four (24), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty (30), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40), forty-one (41), and forty-two (42). Laws included.
as part of this act.

SEC. 5. This law shall be in force from and after its ratification.

The Secretary of State shall upon the ratification of this act certify a copy of same under the seal of his office to the board of county commissioners of Hyde County at the expense of Hyde County. Secretary of State
to furnish
certified copy.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 383

AN ACT TO AUTHORIZE THE COMMISSIONERS OF RANDOLPH COUNTY TO SUBMIT TO THE VOTERS OF THE COUNTY THE QUESTION OF ISSUING BONDS TO MAKE AND IMPROVE THE PUBLIC ROADS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Commissioners to submit bond issue.

SECTION 1. That the board of commissioners of Randolph County be and it is hereby empowered to submit to the voters of Randolph County at such time or times as in its discretion it may deem best, the question whether said county shall issue bonds in the sum of not exceeding one hundred and fifty thousand dollars, the amount to be voted on to be fixed by said board of commissioners at the time of calling bond election, with interest coupons attached, the proceeds of which are to be used in further surveying, laying out, grading, improving, macadamizing, and otherwise surfacing the public roads and building bridges on said roads of said county. The said board of commissioners shall for at least thirty days before the election give public notice of such election, together with the purpose thereof, by publication in one or more newspapers published in said county: *Provided*, that if a majority of the voters at said election shall not vote to issue bonds at the election so held, said board of commissioners may submit the question to said voters at another time after six months therefrom under the regulations hereinafter set out.

Purpose of bonds.

Notice of election.

Proviso: subsequent election provided for.

Manner of holding election.

SEC. 2. That any election under the provisions of this act shall be conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for members of the General Assembly, except as otherwise provided in this act: *Provided, however*, that the said board of commissioners shall appoint the registrars of election, the judges and any other election officers, and registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for the election of the members of the General Assembly, and said county commissioners may or may not order a new registration for any or all of said elections. The vote shall be counted at the close of the polls and returned to the said board of county commissioners on the Thursday next following the election.

Form of ballots.

SEC. 3. That at said election or elections the ballots tendered and cast by the voters shall have written or printed upon them "For Good Roads Bond Issue" or "Against Good Roads Bond Issue," and all electors who favor the issuing of said bonds shall vote "For Good Roads Bond Issue" and those opposed to the issuing of the bonds shall vote "Against Good Roads Bond Issue."

Tabulation of result.

SEC. 4. That on Thursday next following the election herein provided for, the said board of county commissioners shall meet

in the courthouse of said county, of which meeting no order or notice shall be necessary, and 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 recording and declaration of the result of said election shall be necessary. The said declaration of the result of said election as recorded in the minutes of the board and also such findings as the said board of commissioners shall cause to be enrolled upon its minutes relative to the calling, notice, holding, and returns of said election, which said board is hereby authorized to make after considering the facts after sixty days from such entry, shall not be open to attack, but the records shall be deemed conclusive evidence of the truth thereof, subject only to the determination of any suit which shall be instituted prior to the expiration of said time. The Application of new registration.

The members of the canvassing board shall be entitled to the Compensation of canvassing board.

The registrars and other officers holding said election shall be one-half the fees allowed by the general election law.

SEC. 5. In the event that the majority of the votes cast shall be "For Good Roads Bond Issue" at any election herein provided for, after the result has been declared and recorded as aforesaid, the board of commissioners of the county shall have bonds prepared of such denomination or denominations, as the county commissioners shall determine, not larger than ten thousand dollars and not less than one hundred dollars, as they may deem best, the total amount being that provided for in the first section of this act. The said bonds shall bear a rate of interest, to be determined by the board of commissioners, not exceeding six per cent per annum, with interest coupons attached, payable semiannually during the time said bonds shall run, with the principal payable not exceeding thirty years from the date of their issue. Said bonds and coupons shall be payable in standard currency in the United States at the office of the treasurer of Randolph County, in the town of Asheboro, North Carolina, or at some bank in New York City, New York. Both bonds and coupons shall be signed by the chairman of said board of commissioners and countersigned by the clerk, and each bond shall be authenticated by the seal of the county commissioners, and they shall be styled "Randolph County Highway Improvement Bonds": *Provided*, that the board of county commissioners may, if in its judgment

Preparation of bonds.

Amount of bonds

Rate of interest.

Where payable.

Authentication.

Designation.

it deems proper to do so, have the signatures of the chairman and the clerk of the said board of commissioners engraved or lithographed on the coupons.

Disposition
and sale.

SEC. 6. Immediately upon the preparation and signing of said bonds the said board of commissioners shall turn over to the chairman of the board of road trustees of Randolph County as constituted under the Public-Local Laws of the General Assembly of North Carolina, of one thousand nine hundred and fifteen, chapter five hundred eighty-two, all of said bonds without the county commissioners seal having been affixed to any of them. The said board of road trustees 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 the funds with which to construct and improve the public highways, including bridges, of said county aforesaid; the expense of such advertising and selling or other necessary expenses in regard thereto to be paid out of the funds arising from the sale thereof. Before delivering any of the bonds sold by the provisions of this section and under this act the chairman of the board of road trustees shall apply to the custodian of the seal of Randolph County commissioners, whose duty it shall be to affix said county seal to the bonds so sold and no bonds shall be of any value until such seal is so affixed. Said bonds shall not be sold or disposed of in any way for less than their face value and any interest which may have accrued, nor shall their proceeds be used for any other purposes than those declared by this act: *Provided, however,* that the purchasers of said bonds shall not be required to see to the application of the fund. Said bonds shall be numbered consecutively and the coupons attached and issued with them shall bear the number of the bond to which they are attached. The bonds and coupons shall state on their face when they are due and where payable, and the bonds shall show by what authority they are issued. The board of road trustees of Randolph County shall record all their proceedings in respect to said bonds in the minutes of their meetings and whenever the same are sold, the number of the bonds and their denominations, to whom sold, and the number of the coupon attached. Said minutes shall always be open to the inspection of the board of county commissioners.

Bonds may not be
sold for less than
par.

To be numbered
consecutively.

Record of
proceedings of
trustees.

Minutes.

Proceeds.

SEC. 7. That when any of the bonds provided for in this act are sold, the proceeds of the sale shall be turned over to the treasurer of Randolph County and shall become part of the good roads fund and used exclusively for public roads purposes, including bridges; that said fund shall be administered, expended and disbursed under the present road law now in force in Randolph County, as set forth in chapter five hundred and eighty-two

of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen.

SEC. 8. In case the election shall be in favor of issuing bonds Tax levy. as aforesaid, the board of county commissioners shall levy annually, at the time other taxes are levied, a separate road tax Limit of rate. for the county of not more than fifteen cents on the hundred dollars valuation of property and not exceeding forty-five cents on each taxable poll, always observing the constitutional equation between the tax on property and the tax on the polls, the subjects of taxation to be the same as those of which the board of county commissioners are now or may hereafter be authorized to levy taxes for general county purposes. The taxes so levied shall be collected as other taxes and the same shall be a separate fund to be applied, first, to the interest on said bonds; second, for the sinking fund and for the maintenance of the public roads of Randolph County, constructed under this act or otherwise. The board of county commissioners shall manage and invest any Investment of funds. and all funds at their discretion at the best obtainable rate of interest until paid out for the purpose for which it is authorized under this act. The balance of the fund raised by the annual road tax after paying the annual interest on the bonds and setting aside the sinking fund when the same has been collected as hereafter provided for, shall be paid over to the treasurer of Randolph County and become part of the good roads funds, to be expended for the maintenance of roads in Randolph County under the laws now in force in said county.

SEC. 9. For the purpose of creating a sinking fund with which Sinking fund to be set aside. to pay the principal of said bonds when they shall become due the board of county commissioners shall set apart such amounts of the taxes so collected as will be sufficient at maturity of such bonds when invested, and after deducting the cost of collecting and administering the fund to pay off and discharge one-thirtieth part of each and all of the bonds which shall become due in thirty years, and if necessary shall annually levy and cause to Additional tax. be collected a further tax for said purposes.

SEC. 10. The sheriff of Randolph County shall be paid not ex- Pay for collection of taxes. ceeding two per cent for collecting the taxes provided for in this act, and the treasurer of said county shall receive no commissions for receiving and disbursing the funds derived from the sale of said bonds.

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

SEC. 12. This act shall take effect from and after its ratification.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 384

AN ACT TO REPEAL CHAPTER 384 OF THE PUBLIC-LOCAL LAWS OF 1911, BEING COMMONLY KNOWN AS THE DOG LAW OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Chapter 384,
Public-Local
Laws 1911
repealed.

SECTION 1. That chapter three hundred and eighty-four of the Public-Local Laws of the session of the General Assembly of nineteen hundred and eleven be and is hereby repealed, this having been ratified on March the fourth, nineteen hundred and eleven, being entitled "An act to mitigate the evils of hydrophobia, and protect the sheep industry of Forsyth County."

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 6th day of March, A. D. 1919.

CHAPTER 385

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

Preamble.

WHEREAS, on the second day of October, one thousand nine hundred and sixteen, the commissioners of Bladen County executed a note to Henry G. Ralston in the sum of six thousand dollars, with interest, due and payable the second day of October, one thousand nine hundred and nineteen, for money borrowed to pay the current and necessary expenses of the county; and

Preamble.

WHEREAS, after paying the necessary and current expenses of the county, the commissioners will not have sufficient funds to pay the aforesaid note and interest at its maturity,

Now, therefore,

The General Assembly of North Carolina do enact:

Special tax
authorized.

SECTION 1. That for the purpose of paying the aforesaid note at its maturity, the board of commissioners of Bladen County are hereby authorized and empowered to levy a special tax for the years nineteen hundred and nineteen and nineteen hundred and twenty, not to exceed ten cents on the one hundred dollars worth of taxable property in said county, and thirty cents on each poll, the constitutional equation to be observed in said levies.

Rate.

SEC. 2. That the said tax shall be collected in same manner, at the same time, and under the same penalties that other taxes of said county are levied and collected.

Manner of
collection.

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 386

AN ACT TO AMEND CHAPTER 730 OF THE PUBLIC LAWS OF 1907 RELATIVE TO STOCK LAW BOUNDARY IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the boundary as defined in chapter seven hundred and thirty of the Public Laws of one thousand nine hundred and seven, be and the same are hereby amended by adding all the territory lying on the east side of Pigeon River in Haywood County adjoining said boundary. Stock law boundary set out.

SEC. 2. That this act shall be in force from the first day of April, one thousand nine hundred and twenty.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 387

AN ACT TO BUILD CERTAIN BRIDGES IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Haywood County are hereby authorized and may have the right to erect steel bridges Commissioners to erect steel bridges. at the following places, to wit: One double track bridge across the Pigeon River at the town of Canton where the present bridge now stands, and if practicable the bridge that now crosses the Pigeon River in the town of Canton be removed and erected across the east fork of Pigeon River, at or near the mouth of Dick's Creek; one across Jonathan Creek, at or near the mouth of Hemphill Creek; one across Coe Creek near where it empties into Jonathan Creek; one across Fines Creek near the old W. C. Hill mill place; one across Crabtree Creek near the old Hiram McCracken mill place; and one across the Pigeon River at or near the upper end of what is known as the Narrows. Location of bridges.

SEC. 2. That the commissioners of Haywood County at their regular meeting in June, one thousand nine hundred and twenty, may levy a special bridge tax of five cents and not to exceed ten cents on the one hundred dollars worth of all taxable property in said county for the purpose of carrying out the provisions of this act. Special bridge tax. Rate.

SEC. 3. That this act shall be in force from and after the first day of June, one thousand nine hundred and twenty.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 388

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

The General Assembly of North Carolina do enact:

Commissioners to
levy special tax.

SECTION 1. In order to liquidate the debts incurred by Pasquotank County to install an index system in the register of deeds' office, to rebind and renovate the record books of said county and to make necessary repairs to the county courthouse and county home for said county, the board of commissioners of Pasquotank County are hereby authorized and empowered to levy a special tax for the years one thousand nine hundred and nineteen, one thousand nine hundred and twenty, and one thousand nine hundred and twenty-one, 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. The special tax in each of said years is to be ten cents on the one hundred dollars valuation of property and thirty cents on each taxable poll. Said tax is levied for the purpose of liquidating the general county's fund indebtedness, and shall be collected and accounted for by the sheriff of said county in the same manner and under the same penalties and within the same times as other taxes levied for said county.

Rate.

Manner of
collection.

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 389

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY TO ISSUE BONDS TO BE USED IN THE CONSTRUCTION AND MAINTENANCE OF THE PUBLIC ROADS OF TROY TOWNSHIP.

The General Assembly of North Carolina do enact:

Commissioners to
issue bonds.

SECTION 1. That the board of county commissioners of Montgomery County and they are hereby authorized and empowered to issue bonds not exceeding thirty thousand dollars (\$30,000) to be denominated "Troy Township Road Bonds," for the purpose of constructing and maintaining the public roads of Troy Township, Montgomery County. That said bonds shall be issued in denominations of not less than one hundred dollars (\$100) nor more than five thousand dollars (\$5,000) to bear interest at not exceeding six per cent per annum, to be evidenced by coupons attached to said bonds. The said county commis-

Troy township.

Denomination
and interest.

Form and term.

sioners are authorized to prescribe the form of said bond, the length of time which they shall run, not to exceed thirty years, and the denominations in which they shall be issued. The said bonds shall bear the signatures of the chairman and secretary of the board of county commissioners and the coupons attached to said bonds shall bear the facsimile signature of the chairman of the said board. Authentication.

SEC. 2. That no bonds issued under the provisions of this act shall be sold or otherwise disposed of for less than par and accrued interest. The said commissioners of Montgomery County are authorized and empowered to sell or dispose of said bonds either by public or private sale or by sealed bids as to them may seem best, and in case they sell at public sale they shall give notice thereof in one or more newspapers published in the State of North Carolina for at least thirty days and also advertise in one or more newspapers published within or without the state, which make a business of advertising such sales. May not be sold for less than par.
Manner of sale.

SEC. 3. That the money arising from the sale of said bonds issued under the provisions of this act shall constitute a separate and distinct fund to be applied and appropriated for the laying out, construction and maintenance of the public roads in the township of Troy, Montgomery County; and the treasurer or the disbursing officer acting in place of the treasurer of said county shall keep a separate account of said funds so that the condition of the same may at all times be shown. The county commissioners shall also keep a book in which the number of bonds sold shall be entered, date of sale, amount paid for same and when the interest shall fall due. Separate fund.
Application.
Record of sales.

SEC. 4. That the disposition of the said funds arising from the sale of the aforesaid bonds shall be under the direction of the Troy township road commission hereinafter provided for, and their successors in office. Disposition of funds.

SEC. 5. That in order to provide a fund for the payment of the interest on said bonds as it may accrue and create a sinking fund for their payment at maturity the board of commissioners of Montgomery County shall annually levy a special tax of such amount as in their discretion may be deemed necessary for this purpose. That the said tax shall be levied and collected as other taxes and shall be imposed upon the polls and such property and other subjects of taxation as are now or may hereafter be subject to taxation under the laws of the state; and it shall be collected by the officer or officers charged with the collection of other county taxes and he shall, in respect thereto, be liable officially as well as personally to all requirements of the law now prescribed or which may hereafter be prescribed on the faithful collection and payment of other taxes. Special tax.

Purchasers not responsible for application of proceeds.

Body politic.

Members named.

Succession.

Vacancies.

Authority of commission.

Duties.

Employment of engineer.

Chapter 305, Public Laws 1909, amended.

Fee in lieu of service.

SEC. 6. That the purchaser or purchasers of any part of paid bonds shall not be required to see to the application of the proceeds of said funds by the commissioners of Montgomery County.

SEC. 7. That the Troy Township Road Commission be and the same is hereby created a body corporate with all the rights, powers and privileges pertaining to such body, including the right to sue and be sued, make rules and regulations for the proper conduct of its business, enter into contracts, have a seal and generally to perform the duties of such corporation; the same to consist of three members; to wit: J. G. Tomlinson, whose term of office shall be two years; I. C. Nance, whose term of office shall be four years; and Barna Allen, whose term of office shall be six years; and their successors in office shall be elected at the general election every two years for the election of members of the General Assembly and shall hold office for six years. In case of the death or removal from the township or vacancy from any other cause a successor shall be appointed by the board of county commissioners.

SEC. 8. That said Troy Township road commission shall have charge of the construction, maintenance, repair, and general road work in the township of Troy. They shall direct and supervise the laying out, altering or constructing of all highways within the said township. They shall be authorized and empowered to employ a competent superintendent or engineer to supervise the construction and repair of the roads in the said township and generally to direct the work of the public roads of Troy Township as in their judgment may be deemed best. That nothing in this act shall be construed to repeal any of the road laws now in effect in the county of Montgomery except as is herein specified.

SEC. 9. That section nine, chapter three hundred and five of the Public Laws of one thousand, nine hundred and nine be and the same is amended as to Troy Township by striking out all after the colon (:) in line five down to and including the colon (:) in line eleven, and inserting the following in lieu thereof: "Provided, that if any person within the ages above referred to shall on or before the first day of May of each year pay to the Troy Township road commission the sum of two dollars and fifty cents (\$2.50), he shall be relieved of the four days labor on the public roads as provided for herein."

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 390

AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF JOHNSTON COUNTY TO LEVY A SPECIAL TAX FOR ROAD MAINTENANCE IN BEULAH TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Johnston County shall annually, 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 Beulah Township of fifteen cents on the one hundred dollars assessed valuation of property and fifty cents on each taxable poll. That the taxes so levied shall be collected as other taxes are collected and paid to the treasurer or financial agent of the board of road commissioners of Beulah Township.

SEC. 2. That all of the funds in the hands of the county treasurer of Johnston County or that may hereafter come into his hands from any and all sources for the road fund of Beulah Township, and all funds in the hands of the present board of road commissioners of Beulah Township or its treasurer, or which shall come into their or its hands, shall be immediately turned over to the treasurer or financial agent of the new board of road commissioners of Beulah Township composed of the following members: L. B. Boyette, A. J. Broughton, J. C. Grady, P. H. Etheredge, and Hardy Balance.

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 391

AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY OF LENOIR TO ISSUE BONDS TO CONSTRUCT AND BUILD THE PUBLIC ROADS OF THE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of building and constructing its public roads, highways and thoroughfares of durable material and in permanent manner, the county of Lenoir by and through its board of county commissioners, is hereby authorized, empowered and directed to issue, in the manner hereinafter prescribed, its bonds to an amount not exceeding two million dollars (\$2,000,000), which said bonds shall be of the form and tenor

- Form and authentication. prescribed by the board of commissioners of said county; shall be engraved or lithographed, and executed on behalf of said county, by the signing by the chairman of said board of commissioners and by the register of deeds of said county, who shall attach thereto the seal of the county.
- Denomination and interest rate. SEC. 2. The said bonds shall be issued in such denominations, shall bear interest at such rates not exceeding six per cent per annum, payable in equal semiannual amounts, and shall be made payable, both as to principal and interest, at such place or places as the said board of county commissioners may determine. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest; and the coupons of said bonds shall bear a lithographed or engraved facsimile signature of the county treasurer. The delivery of bonds executed as in this act prescribed, by officers in office at the time of such signing and execution, shall be valid notwithstanding any change in officers occurring after such signing.
- Form of bonds.
- Authentication.
- Special tax. SEC. 3. The board of commissioners of said county is hereby authorized, empowered and directed to levy annually, when other county taxes are levied, a special tax ad valorem upon all taxable property in said county, for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest becomes due, which tax shall be in amount sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by said board; and the said taxes when collected shall be kept separate and apart from all other taxes and shall be used only for the purposes for which they were collected.
- Taxes separate fund.
- Investment of funds. SEC. 4. The board of commissioners of said county are empowered and directed to invest any and all moneys received from the special tax herein authorized to be levied over and above a sum sufficient to pay the interest on the bonds issued and outstanding, in the purchase of any of such bonds when the same can be purchased at a price advantageous to said county. But in the event the bonds cannot be purchased, then the said commissioners are authorized and directed to invest said moneys in the securities in which guardians and other trustees are permitted to invest their trust funds. The said securities shall be kept by the treasurer of the county in some secure place and shall be examined by the chairman of the board of commissioners or some person duly appointed by said board at least once in each six months and a complete statement of them, duly verified by him, filed with the clerk of the said board of commissioners and recorded in the minute book of said commissioners.
- Custody of securities.
- Date. SEC. 5. The said bonds shall bear date of June first, one thousand nine hundred and nineteen, and shall be issued from time to

time as hereinafter prescribed, shall be issued in six series, numbered alphabetically and the bonds shall bear the serial numbers and be numbered consecutively, in series and shall mature, as follows:

Series A, of one hundred and fifty thousand dollars (\$150,000), which shall mature and be payable on June first, nineteen hundred and twenty-four.

Series B, of two hundred thousand dollars (\$200,000), of which forty thousand dollars (\$40,000) shall mature and be payable on June first of each of the years one thousand nine hundred twenty-five to one thousand nine hundred twenty-nine, both inclusive.

Series C, of two hundred and fifty thousand dollars (\$250,000), of which fifty thousand dollars (\$50,000) shall mature and be payable on June first of each of the years one thousand nine hundred thirty to one thousand nine hundred thirty-four, both inclusive.

Series D, of three hundred thousand dollars (\$300,000), of which sixty thousand dollars (\$60,000) shall mature and be payable on June first of each of the years one thousand nine hundred thirty-five to one thousand nine hundred thirty-nine, both inclusive.

Series E, of four hundred thousand dollars (\$400,000), of which eighty thousand dollars (\$80,000) shall mature and be payable on June first of each of the years one thousand nine hundred forty to one thousand nine hundred forty-four, both inclusive.

Series F, which shall embrace the remainder of the bonds issued under the authority of this act, and shall be paid in equal amounts annually on the first day of June of each of the years one thousand nine hundred forty-five to one thousand nine hundred forty-nine, both inclusive.

SEC. 6. For the purpose of ascertaining the will of the voters of Lenoir County upon the question of issuing the bonds authorized in this act and the approval of the provisions thereof, an election shall be held at all the voting precincts in said county on the third Tuesday of April, one thousand nine hundred nineteen, it being the fifteenth day of April. At said election all voters of Lenoir County qualified to vote at said election may vote a written or printed ticket. Those who favor the purposes of this act shall vote a ticket with the words "For Road Improvement Bonds" written or printed thereon, and those who oppose the purposes of this act shall vote a ticket with the words "Against Road Improvement Bonds" written or printed thereon; and if a majority of the votes cast at said election shall be "For Road Improvement Bonds" and the result shall be so declared, then the bonds authorized in this act shall be issued and all the provisions of this act shall be in full force and effect. The said election shall be held in the manner provided by law for the election of members of the General Assembly, except as in this act is otherwise

Election provided for.

Date of election.

Ballots.

Result declared.

Manner of holding election.

Notice of election. provided. It shall be the duty of the chairman of the board of elections to give notice of said election by notices printed in the newspapers of said county in three issues and by printed notices posted in at least three places in each voting precinct in the county, stating the day the registration books shall be open, the day the registration shall close, the day of the election, and the purpose of the election, and shall see that the registrars of the several voting precincts in the county are provided in due time with the registration and poll books of their respective precincts, shall cause to be printed and distributed to the registrars a sufficient number of tickets both for and against road improvement bonds, and shall provide the registrar of each precinct with at least three blank forms for the returns of said election. All the expenses incurred under this act by the chairman of the county board of elections shall be paid by the board of county commissioners upon an itemized statement duly verified by him. The registration books for said election shall open on the fourteenth day of March at eighty-thirty o'clock in the morning and remain open each day (Sundays excepted) from eight-thirty A. M. to six-thirty P. M. until the fifth day of April, one thousand nine hundred and nineteen. On each Saturday between said days each registrar shall attend at his polling place for the registration of voters; and shall also attend with the pollholders, at the polling place on Saturday, the twelfth day of April, one thousand nine hundred and nineteen, for the challenge and hearing of the same, of any persons registered whose right to vote shall be challenged. The registrars and pollholders shall be those now holding such positions, and the chairman of the board of elections is authorized to fill any vacancies occurring and from time to time as they occur. Immediately upon the close of the election the votes cast at each precinct shall be counted and the number cast for and against road improvement bonds shall be ascertained, and three abstracts thereof shall be filled in and signed by the registrar and judges of election, one of which shall be delivered on or before Thursday, April seventeen, one thousand nine hundred and nineteen at eleven o'clock, to the chairman of the board of elections, another to the register of deeds of the county of Lenoir with the registration and poll books, and third posted upon finishing the count at the polling place. The registrars and pollholders shall select one of their number to transmit the returns to the chairman of the board of elections and the register of deeds. The registrars and pollholders shall receive the same compensation as now fixed by law for their services to be paid by the board of county commissioners.

Canvass of returns

SEC. 7. It shall be the duty of the board of electors of the county of Lenoir to meet in the courthouse of said county on Thursday, the seventeenth day of April, one thousand nine hun-

dred and nineteen, at twelve o'clock of the day, and duly canvass the returns made of said election, and judicially declare and determine the result thereof, and shall certify the result to the board of county commissioners as soon as the same is determined, and post a copy of their canvass at the courthouse in said county, and if it shall be declared and determined that the majority of the votes cast at said election have been cast "For Road Improvement Bonds," then it shall be the duty of the board of commissioners to issue the bonds and levy the tax in this act provided, and all the provisions of this act shall be in full force and effect.

SEC. 8. If a majority of the votes cast at the election in this act authorized to be held shall be for road improvement bonds, then in order to expend the proceeds of the sale of the bonds by this act authorized to be issued, the highway commission of Lenoir County is hereby created and declared to be a body corporate with power to have a common seal, to sue and be sued and to exercise the powers and do and perform the things herein authorized. The said highway commission shall be composed of three citizens and taxpayers of said county and shall be elected by the following citizens, or a majority of them, of said county from each township in said county, to wit:

Kinston Township, J. F. Taylor, F. C. Dunn, H. H. McCoy, H. C. Hines, and Clarence Oettinger; Contentnea Neck Township, John C. Hooten and J. E. Cameron; Vance Township, Heber Worthington and J. Hyman Mewborn; Institute Township, Dan W. Taylor and E. L. Hardy; Falling Creek Township, R. G. Hodges and Henry L. Herring; Moseley Hall Township, J. E. Jones and W. P. Hardy; Trent Township, D. A. Whitfield and L. P. Jones; Pink Hill Township, G. S. Willard and L. C. Howard; Woodington Township, E. H. Waller and Clarence Humphrey; Neuse Township, M. E. Gray and W. E. Stroud; South West Township, Joseph Williams and H. W. Russell; Sand Hill Township, George West and J. Lewis Kilpatrick, who shall meet in the courthouse in said county on Saturday, the nineteenth day of April, one thousand nine hundred and nineteen, and organize by electing one of their number chairman and another secretary and then, a majority being present, proceed to elect by ballot, without adjournment, the three men to compose the said highway commission, and certify by their chairman and secretary the names of the men so elected to the register of deeds and to the clerk of the Superior Court of said county. If a majority of the men above named are not present on Saturday, the nineteenth day of April, then those who are present may adjourn the meeting to a day not later than Wednesday at twelve o'clock of the day of the week next following, at which time those who attend such adjourned meeting shall proceed to elect the

Highway
commission
provided for.

Persons to elect
commission.

Meeting and
organization.

Certification, of
officers elected.

Adjournment.

members of the highway commission as aforesaid; and the said election shall in all respects be valid, and the men so elected shall be and compose the highway commission of Lenoir County and have and exercise all the powers herein in this act granted. And the body who shall elect the said members of the highway commission shall fix the salary of the chairman and the other members of said commission.

Salary of
commissioners.

Term of office.

SEC. 9. The said highway commission of Lenoir County shall hold its first meeting on Saturday, the twenty-sixth day of April, one thousand nine hundred and nineteen, and elect one of their number chairman and another secretary, and the other member shall be the vice-chairman, and shall hold meetings at least one in each month, thereafter, and may meet oftener upon the call of the chairman or secretary. In case of vacancy caused by death, resignation, removal from the county or incapacity or other cause, the vacancy shall be filled by the other members of the highway commission, and the person so elected to fill a vacancy shall be certified by the secretary to the register of deeds and to the clerk of the Superior Court of the county. The secretary shall keep a record in a proper book of all business transacted by the commission and shall safely keep all contracts made by the commission and other books and papers belonging to said commission.

Meetings

Vacancies.

Records.

SEC. 10. On or before the first day of May, one thousand nine hundred and nineteen, and each year thereafter until all such of the public roads, highways, thoroughfares, and bridges as the said commission shall decide to be necessary to be constructed under the provisions of this act are constructed and built, the said highway commission shall file with the board of county commissioners an estimate of the number of the series of bonds that will be required by the said highway commission for the current year and until May first of the next succeeding year, and it shall be the duty of the said board of commissioners of said county to issue and sell the number of bonds so required by said commission, by the series in this act authorized, and to levy each year a special tax sufficient to pay the interest thereon as it accrues and to provide for the payment of the principal thereof as it shall become due, and the proceeds of the sale of said bonds shall be paid to the treasurer of said county, and by him separately held and accounted for, and the sheriff of the said county shall collect the special tax so levied as other taxes are collected and the same paid to the treasurer of said county and by him held as a separate fund from other taxes and by him accounted for. The treasurer of the county shall give a special bond in such sum as the highway commission shall fix, conditioned for the safekeeping and accounting for the proceeds received from the sale of said bonds, and other moneys and property and taxes that the said treasurer shall receive or shall be paid to him under the pro-

Requirements
of funds.

Special tax.

Proceeds of sale
to treasurer.

Separate fund.

Bond of
treasurer.

visions of this act, the premium on said bond to be paid by the highway commission, and he shall be liable to the same pains and penalties, indictment, and punishment for misuse, embezzlement or failure to account therefor as for other county funds.

SEC. 11. Before selling any of the series of bonds herein authorized to be issued, the board of commissioners of said county shall advertise the sale and invite sealed bids in such manner as in their judgment may seem to be the most effectual to secure the highest price for said bonds at the lowest rate of interest, provided that the said bonds and none of them shall be sold at less than the face value thereof and accrued interest thereon. The board of commissioners is authorized to reject any and all bids. And if no bid made at the time of the sealed bids so invited is accepted for all of said bonds, then the said board of commissioners is authorized to sell any and all of said bonds so unsold at private sale for the highest price at the lowest rate of interest: *Provided*, no bond is sold at less than the face value thereof and accrued interest thereon. It shall be the duty of the highway commission to pay out of the proceeds received from the sale of said bonds the cost and expense of lithographing or engraving said bonds and the expense of advertising the sale thereof.

SEC. 12. The highway commission herein created shall have the entire, complete and exclusive control over and it shall be its duty to build and construct the public roads, highways, thoroughfares, and bridges of said county out of some hard-surfaced, durable material and in a permanent manner, using therefor the proceeds of the bonds issued under this act and herein authorized, and any other moneys that may come into its hands from the State of North Carolina or the Government of the United States. It shall be the duty of the highway commission to employ a chief engineer of skill, experience and competency in building permanent roads and one or more assistants and such clerical force as shall be needed and fix their compensation. By and with the advice of the said chief engineer the said highway commission shall determine the material to be used and the manner of construction and width of the highway, public roads, thoroughfares, and bridges to be built and constructed; and the said highway commission shall determine what public road or roads, highway or highways, or thoroughfare or thoroughfares shall be first built and the order of their construction, and are authorized, if it shall be deemed advisable, to change the grade and location of said public roads, highways and thoroughfares so constructed. If it shall become necessary to widen any said roads, highways or thoroughfares or to partly change the location thereof, then the said highway commission is authorized to acquire such additional or other land as may be necessary in its judgment by purchase or gift or, in the event of failure to agree upon the price therefor,

Advertisement.

Not to be sold for less than par.

Manner of sale.

Expenses paid out of proceeds.

Commission to have control over roads.

To employ chief engineer.

Assistants.

Material, width and bridges.

Determination of order of construction or repairs.

Alterations.

Aquisition of land.

Condemnation
proceedings.

Damages.

Duty.

Legal advice.

Additional funds
from state or
federal law.

Powers.

Convict labor.

Contracts.

Bond of
contractor.

Warrants
on treasurer.

Authentication
of warrants.

then the highway commission is hereby authorized and empowered to condemn the same in the same manner and by the same proceedings as railroad companies are authorized to condemn land for rights of way, and in assessing the damages for the land so taken, the value of the said road improvement shall be assessed against the value of the land so condemned and acquired, and the difference paid to the owner or owners of the land. It shall, also, be the duty of the highway commission to construct and build as rapidly as possible in not exceeding five years from November first, one thousand nine hundred and nineteen, all the said roads, highways, thoroughfares and bridges of said county as can be so constructed and built with the moneys aforesaid. The said highway commission is authorized to obtain legal advice wherever it shall need the same.

SEC. 13. The said highway commission is authorized and empowered to secure from the State of North Carolina or from the Government of the United States or any department thereof or from any other source or sources any and all moneys that it can in its judgment properly and advantageously obtain, for the purpose of building or aiding in building and constructing any one or more or all of said roads, highways, thoroughfares or bridges of said county; but this shall not be construed to confer upon the commission to borrow money.

SEC. 14. The said highway commission is authorized and empowered to build the whole or any part of any road, highway, or thoroughfare, or all of them herein authorized, by hired labor under its own supervision and the supervision of its chief engineer and the assistant engineers, using by permission of the board of county commissioners any or all the convict force of the county of the cost thereof, in which event it is authorized to buy or rent all machinery, tools, implements, and materials that may be necessary; or the said highway commission is authorized and empowered to let to contract for construction the whole or any part of any road, highway, thoroughfare or bridge, in which event the said highway commission shall take good and sufficient bond from the contractor in a sum deemed by it adequate for the faithful performance of the said contract and the payment of all labor and material used in the construction of said roads in accordance with the specifications, prescribed by the highway commission with the approval of the chief engineer.

SEC. 15. For the payment of the compensation of the highway commission, the salaries of its chief engineer, assistant engineers, clerks, fees for legal advice, and any and all other expenses incurred by said commission and for the cost of the construction and building of the public roads, highways, thoroughfares, and bridges of said county, the highway commission shall draw its warrants upon the treasurer of the county, which warrants shall

be signed by its chairman and the secretary, and it shall be the duty of the treasurer to pay the same. The form of the warrant shall be prescribed by the highway commission, and shall, on its face, state its purpose. The secretary shall number each warrant in numerical order, and shall keep and file a duplicate thereof, and shall each six months post at the courthouse door of said county and publish, if ordered by the commission, in one or more newspapers published in the county, a verified itemized statement of all warrants issued, which statement shall show separately the amount of the warrants issued for salaries, the amount for other expenses, the amount for road construction and the number of miles of road constructed, and the number of miles in the process of construction. The secretary shall issue no warrant on the treasurer unless there is sufficient money in the road fund account to pay the same.

Form of warrant.

Secretary to
post report.Separation
of expenses.

SEC. 16. It shall be unlawful for the highway commission to contract with any member of said commission, or with any firm, partnership or corporation of which said member is a partner or in which he is a stockholder or has any interest, for the construction of any road, highway, thoroughfare, or bridge or any part therefor, or for any material to be used therein, and the said member so contracted with and each of the other members so contracting with him, shall be guilty of a misdemeanor and shall also be removed from said highway commission, and the board of commissioners of the county shall, as soon as the meeting can be held, elect the members of said commission to fill such places.

May not contract
with members.

SEC. 17. It shall be unlawful for the chief engineer or any assistant engineer to have an interest in any firm, corporation, or copartnership, with which the said highway commission shall make any contract for the construction of any road, highway, thoroughfare or bridge or any part thereof, and upon conviction thereof, he shall be guilty of a misdemeanor.

Unlawful for
engineer to own
interest in
contracting
company.

SEC. 18. The said highway commission shall exist until the proceeds of the sale of bonds issued under this act are expended, together with all other moneys that may come into its hands for the purposes of the act and all roads, highways, thoroughfares, and bridges are constructed which the said commission shall decide to be necessary to construct, and at such time the said highway commission shall cease and the powers herein conferred upon it shall determine, and it shall be the duty of the secretary to file with the register of deeds of the county all the books, papers, records, and contracts belonging to it, with a full and complete statement of all warrants issued since the last report, and it shall be the duty of the chairman to deliver to the board of county commissioners a certificate that the work of the commission has been finished and to further deliver to said board all machinery,

Existence.

Report to
register of deeds.

Certificate.

Delivering of
property.

tools, implements, and material on hand and unused and unsold by it.

Conflicting laws repealed.

SEC. 19. That chapter forty-six of the Public-Local Laws of one thousand nine hundred and thirteen, being "An act to revise and amend the road laws of Lenoir County for the better maintenance and more permanent construction of the public roads of said county," ratified the eighth day of February, one thousand nine hundred and thirteen and the acts amended thereby and acts amendatory thereof are repealed only in so far as the same are modified by and inconsistent with this act.

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 392

AN ACT TO REPEAL CHAPTER 411, PUBLIC-LOCAL LAWS 1911, RELATING TO THE IMPROVEMENTS OF PUBLIC ROADS IN LANESBORO TOWNSHIP, PRECINCT NUMBER 2, ANSON COUNTY.

The General Assembly of North Carolina do enact:

Chapter 411 Public Laws 1911 repealed.

SECTION 1. That chapter four hundred and eleven, Public Laws one thousand nine hundred and eleven be, and the same is hereby repealed.

Funds subject to orders.

SEC. 2. That all accumulated taxes, levied under the provisions of said Act, to the credit of Lanesboro Precinct Number Two, in the hands of the treasurer of Anson County, or in the control or custody of the road supervisors of said precinct, shall be subject to the orders of the board of commissioners of Anson County, who shall expend said funds in the construction or improvements of the public roads of said precinct. It shall be in the discretion of the board of commissioners of Anson County to determine the road or roads in said precinct which shall be constructed or improved by the use of said funds.

Application of funds.

SEC. 3. If, in constructing a public highway through said precinct, it shall appear necessary, for the safety of the public, for the commissioners to construct an overhead bridge across the Seaboard Air Line Railway running through said district, the commissioners are authorized to use such part of said funds, as they may deem advisable, in the construction of said overhead bridge, whether the same be within or without the incorporate limits of the town of Peachland.

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

Ratified this the 6th day of March, A. D. 1919:

Overhead bridge.

CHAPTER 393

AN ACT AUTHORIZING UNION COUNTY TO LEVY A SPECIAL TAX FOR ROAD AND BRIDGE PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Union County is hereby authorized and directed to levy annually a special tax of not less than thirty cents nor greater than fifty cents on the one hundred dollars valuation of property and not less than ninety cents nor greater than one dollar and fifty cents on the poll, for the special purpose of constructing, improving and maintaining public roads and bridges of said county, and paying all expenses incident to such work, such property tax to be levied on all taxable property in the county, and such poll tax to be levied on all taxable polls in the county.

Commissioners
to levy tax.

Rate.

Purpose of tax.

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

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 394

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CHATHAM COUNTY TO LEVY A SPECIAL TAX FOR WORKING THE PUBLIC ROADS IN THE VARIOUS TOWNSHIPS OF THE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on petition of one-fourth of the freeholders of any township in the county of Chatham, the county commissioners of said county are authorized and empowered to levy a tax of not exceeding forty cents on the one hundred dollars property valuation and one dollar and twenty cents on the poll, always observing the constitutional equation, for the purpose of constructing, establishing, maintaining and repairing the public highways of such township. The said petition shall state the amount of tax desired to be levied.

Tax levy
on petition.

Rate.

Purpose and
amount.

SEC. 2. The said tax shall be levied and collected at the same time and in the same manner as other taxes of the county. In any township where the tax provided for in section one hereof is levied, the county commissioners shall appoint three citizens of the said township, who shall constitute the board of road commissioners for the said township and whose duty it shall be to supervise and direct the construction, establishment, maintaining and repairing of the public roads of the said township and who

Manner of levy
and collection.

Commissioners to
appoint road
commissioners.

Duties.

Reports.

shall have charge of the disbursement of the funds arising from the tax herein provided for, and the board of road commissioners shall pay out the same upon proper order signed by the township commissioners. The said road commissioners shall, on the first of each month, or oftener if required by the county commissioners, file a report of their expenses and disbursements and the same shall be approved by the said road commissioners as far as they may find the same to be correct.

SEC. 3. That nothing herein contained shall be construed to repeal any road laws now in effect in Chatham County except as herein specified.

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 395

AN ACT TO AMEND CHAPTER 431 OF THE PUBLIC LAWS OF 1909 PROVIDING FOR CLERKS AND ASSISTANTS FOR THE OFFICERS OF ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

Chapter 430,
Public Laws 1909,
amended.

SECTION 1. That section three of chapter four hundred and thirty-one of the Public Laws of one thousand nine hundred and nine is hereby repealed and the following is substituted in lieu thereof to be known as section three of said act, as follows: That the said sheriff shall receive a salary of three thousand four hundred dollars per annum and he shall be allowed the sum of eight hundred dollars per annum to pay a deputy, and this compensation shall be in lieu of all other compensation whatsoever to said sheriff.

Sheriff's salary.
Pay for deputy.

SEC. 2. That section five of said act be amended as follows: By striking out after the word "of" in line two the words "two thousand and three hundred dollars" and substituting in lieu thereof "two thousand seven hundred and fifty dollars"; and by striking out after the word "of" in line four of said section the words "two thousand dollars" and substituting in lieu thereof the words "two thousand eight hundred dollars."

Clerk's salary.

Register of
Deed's salary.

SEC. 3. That all laws and clauses of laws, including an amendatory to chapter four hundred and thirty-one of the Public Laws of one thousand nine hundred and nine passed by the General Assembly of one thousand nine hundred and thirteen, in conflict with this act are hereby repealed.

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

Ratified this the 6th day of March, A. D. 1919.

Conflicting laws
repealed.

CHAPTER 396

AN ACT TO AMEND CHAPTER 664, PUBLIC-LOCAL LAWS OF 1911, AND FOR THE BETTER PROTECTION OF GAME IN CABARRUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter six hundred and sixty-four, Public-Local laws of nineteen hundred and eleven, be amended by striking out all after the word "and" in line three down to the word "each" in said line, and by inserting in lieu thereof the following: "Thanksgiving day of." Chapter 664, Public-Local Laws 1911 amended.

SEC. 2. That it shall be unlawful for any person to hunt, trap or kill any opossum in Cabarrus County between the first day of February and the first day of October of each year. Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days. Close season on opossum. Penalty for violation 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 6th day of March, A. D. 1919.

CHAPTER 397

AN ACT TO AMEND CHAPTER 140 OF THE PUBLIC-LOCAL LAWS OF 1917, BEING ENTITLED "AN ACT TO PROVIDE GOOD ROADS IN DUNNS TOWNSHIP, FRANKLIN COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section ten of chapter one hundred and forty of the Public-Local Laws of one thousand nine hundred and seven, entitled "An act to provide good roads in Dunns township, Franklin County," be amended by striking out the word "fifteen" in line seven thereof, and inserting in lieu thereof the word "twenty-five"; and by striking out the word "twenty-five" in line eight thereof and inserting in lieu thereof the word "seventy-five"; and by striking out the word "forty-five" in line nine thereof and inserting in lieu thereof the word "seventy-five"; and by striking out the word "seventy-five" in line ten thereof and inserting in lieu thereof the words "two dollars and twenty-five." Tax rate increased.

SEC. 2. All laws and clauses of laws in conflict with the provisions of this act, so far as they relate to Dunns Township, 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. 1919.

CHAPTER 398

AN ACT TO INCREASE THE FEES OF THE REGISTER OF DEEDS FOR WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

Fees of register
of deeds.

SECTION 1. That the fees mentioned herein shall be the lawful fees of the register of deeds for the county of Watauga.

Clerk to the Board of Commissioners,	\$3.00 per day
Recording orders of Commissioners,	.15
Issuing claims,	.15
Making tax books, each name,	.07½
Making proof sheets,	40.00
Issuing marriage license,	1.50
Recording chattel mortgages,	.30
All fuel and office supplies.	

SEC. 2. That all fees not mentioned in this act shall remain as they now are.

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

SEC. 4. That this act shall take effect and be in force from and after its ratification, and shall apply to the county of Watauga only.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 399

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ALEXANDER COUNTY TO LEVY A SPECIAL TAX FOR THE CONSTRUCTION OF A PUBLIC HIGHWAY.

The General Assembly of North Carolina do enact:

Commissioners to
levy special tax.

Rate.

Purpose.

Proviso:
application
of fund.

SECTION 1. That the Board of Commissioners of Alexander County be and they are hereby authorized, empowered and directed to levy a special tax of not to exceed thirty-five cents on the one hundred dollars property valuation, and one dollar and five cents (\$1.05) on the polls for the purpose of constructing a highway between the town of Taylorsville and Kilby's Gap, known as the state highway in said county, and for the general road purposes of Alexander County: *Provided*, that the first

moneys arising from the collection of the said tax shall be used for the construction of the said highway between the town of Taylorsville and Kilby's Gap, and thereafter the said moneys arising from the said tax shall be used for the general road purposes of the county.

SEC. 2. That the tax herein provided for shall be levied at the same time and collected in the same manner as other taxes of Alexander County and shall be turned in to the treasurer of the said county to be paid out by him upon proper order of the Good Roads Commission of Alexander County as other road funds of the county.

SEC. 3. That the members of the good roads commission of Alexander County be and they are allowed as compensation the sum of two (\$2.50) dollars per day or fraction thereof for each day they are engaged in public work together with mileage at the rate of five cents per mile for each mile traveled.

SEC. 4. That the members of the good roads commission of Alexander County be and they are hereby authorized and empowered to borrow such sums of money at a rate of interest not to exceed six per cent as in their discretion are necessary for the early completion of the road mentioned in section one of this act, not to exceed twenty-five thousand dollars (\$25,000) and issue therefor short time notes of the county of Alexander, the same to be paid out of the funds arising from the tax levy herein provided for.

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

SEC. 6. This act shall be in force from and after its ratification. Ratified this the 7th day of March, A. D. 1919.

CHAPTER 400

AN ACT TO AMEND CHAPTER 606, PUBLIC-LOCAL LAWS OF 1917, KNOWN AS AUSTRALIAN BALLOTS LAW, SECTION FORTY-THREE-A (43A) BY ADDING THE COUNTY OF GRAHAM THERETO.

The General Assembly of North Carolina do enact:

SECTION 1. That section forty-three-a (43-a) of chapter six hundred and six, Public-Local Laws of one thousand nine hundred and seventeen, be and it is hereby amended by striking out the word "and" in line two before the word "Madison" and adding after the word "Madison" and before the colon in line two thereof the following: "and Graham County."

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

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 401

AN ACT TO PROVIDE FOR THE MAINTENANCE AND IMPROVEMENT OF THE ROADS AND BRIDGES OF MADISON COUNTY AND FOR THE APPOINTMENT AND ELECTION OF HIGHWAY OR ROAD COMMISSIONERS.

The General Assembly of North Carolina do enact:

Highway
commissioners
named.

SECTION 1. That the following persons shall be and the same are hereby appointed highway or road commissioners for Madison County: R. S. Ramsey, ex-sheriff, for a term of four years; Joe Brown of Waverly, Bob Ramsey of Walnut, and Burder Reeves of Lee, for a term of two years each or until their successors are elected and qualified.

Terms of office.

Road authority.

SEC. 2. That all authority over the roads and bridges in Madison County shall vest fully and completely in the said commissioners, and they shall be charged with the responsibility of maintaining or looking after the roads and bridges and laying out new roads and parts of roads or cartways, and all other duties incident to maintaining the roads, bridges and constructing new roads and bridges for said county.

Duties.

Transfer of
property.

SEC. 3. That the present highway commissioners shall turn over to the said commissioners all property in their hands or under their control and make in writing a complete inventory of such property for the said road commissioners. The said persons herein appointed shall meet as soon as practicable not later than the first Monday in April at the courthouse and organize by electing one of their number as chairman and one as clerk, whose duty it shall be to keep a full record of all transactions. The said commissioners shall meet on the first Monday of each month or at other times as may become necessary.

Report.

Meeting.

Organization.

Records.

Time of meeting.

Compensation.

SEC. 4. That the compensation for the services of the road commissioners shall be the same as that of the county commissioners, provided that they may make a reasonable allowance to clerk for extra work.

Powers.

SEC. 5. That the said road commissioners shall have all the power or control of the roads as vested in the previous highway commission, also the bridges shall be under their control.

Employees.

SEC. 6. That the said road commissioners shall employ overseers, patrolmen or contract work in the different townships as

they may think best, taking into consideration the amount of work to be done and the amount of money to be spent.

SEC. 7. That each overseer or patrolman so appointed shall make a report in writing each month to the road commissioners or to someone appointed to receive said report, a full report showing the number of days work done by him or the number of days work done by free labor or number of days work done by hard labor together with receipts for cash paid out for work or cash received in lieu of work.

Report of employees.

Account of work done.

SEC. 8. That said overseer or patrolman shall have the right to receive cash from persons paying in lieu of work and spend the same for work on the roads where such labor should have been performed, keeping a complete record of all such proceedings.

To receive commutation in lieu of service.

SEC. 9. That each overseer or patrolman shall be qualified or sworn to his report.

Reports sworn to

SEC. 10. That the said commissioners may appoint two persons as township supervisors in each township or ward that are interested in good roads whom they or the county supervisor may confer with in regard to the conditions and needs of their roads, also the efficiency of overseers or patrolmen in regard to working hands on the upkeep of roads.

Appointment of overseers.

SEC. 11. That any overseer or patrolman allowing hands or persons under their supervision to idle their time away knowingly shall be discharged or forfeit his right to any pay for his service for that day. Said overseer or patrolman shall have the right and it shall be his duty to discharge any person who fails or refuses to perform reasonable service as required of him.

Overseer to forfeit office, when.

Discharge of idlers.

SEC. 12. That all able-bodied male persons except students while in school or ministers of the gospel between the age of eighteen and forty-five years of age shall be required to work five days each year on the public roads or pay one dollar and fifty cents per day in lieu thereof. The said payment to be made to the overseer on or before the day set for the work to be done.

Persons liable for service.

SEC. 13. That the provisions for notifying free labor shall apply as laid down in existing laws governing same.

Notice.

SEC. 14. That nine hours shall be considered a days work for free labor.

Days' work.

SEC. 15. That no overseer shall be allowed to work a greater number than ten hands at one time in going over and repairing roads. That the principal part of the free labor shall be done between the first of February and the fifteenth of April and between the first of August and the first of November or as nearly as possible.

Not over 10 hands.

Time of service.

SEC. 16. That the said road commissioners for said county shall build or erect or cause to be erected eight (8) bridges in said county at the following places herein mentioned, one across

Bridges required.

Locations specified.

Brush Creek between Walnut and Barnard in Number One Township; one across Big Pine near its mouth to intersect with the Anderson Branch road in Number Seven Township and three others in Number Twelve Township, one at the ford above Brigman's mill, one at the crossing below lower Big Pine school house and one at the proper crossing below lower Big Pine Baptist Church.

Locations specified.

SEC. 17. That the said commissioners shall build three bridges in Number Eight or Spring Creek Township, one at the Coward Ford, one at the Waddel Ford and one at Meadows Store or Spring Creek Postoffice, also one in Number Two Township near the Widow English.

Conditions of building.

SEC. 18. That the conditions of the building of said bridges are as follows: The said road commissioners may purchase the iron and steel for said bridges, also the cement for building the pillars and have the bridges built or erected and pay for same together with freight to station out of the special tax levy for same: *Provided*, that all the hauling, expenses of bridge material together with the cost of flooring and the approaches shall be at the expense of the township in which said bridges are erected, using the free labor and money due said township for same.

Charge.

SEC. 19. That the hauling and flooring expenses for the bridge built at the mouth of Big Pine shall be charged to Number Seven Township.

Road to be surveyed.

SEC. 20. That the said commissioners shall as soon as practicable may have the road surveyed from the grade above Barnard to intersect the state highway at a point between McClure's Store at Walnut and the first branch on the road that leads to Marshall and have the grading done and build a bridge across Brush Creek, this may be the first job for Number One Township.

Grading and bridge.

Construction.

SEC. 21. The bridges mentioned in this act are to be iron or steel, with concrete pillars, wood floor one span and not less than ten ton capacity.

Contracts.

SEC. 22. That the commissioners may contract the building of bridges or employ some competent person to have the work done observing the legality of same.

Special tax.

SEC. 23. That for the purpose of maintaining, improving or surfacing the public roads of Madison County, the county commissioners shall on the first Monday in June, 1919, and each year thereafter levy a special tax of not less than thirty cents nor over fifty cents on each one hundred dollars worth of real estate or other personal taxable property in said county.

Rate.

Special tax.

SEC. 25. That for the purpose of building bridges, the county commissioners for Madison County, shall on the first Monday in May, one thousand nine hundred and nineteen, and each year thereafter levy a special tax of ten cents on each one hundred dollars worth of real estate, personal or other taxable property

Rate.

in said county: *Provided*, that when it appears to the road commissioners that the levy is sufficient to build the eight bridges as mentioned together with bridges that they may have located to build, then it shall be the duty of the said road commissioners to notify the said county commissioners to cease levying the special bridge tax.

SEC. 26. That provided if on the completion of said bridges there still remains funds collected for this purpose it may be placed to the road fund or used in any way that is necessary for road or bridge purposes. Use of excess funds.

SEC. 27. That the sheriff or tax collector for said county shall collect a special road or bridge tax at the same time and in the same manner as other taxes and pay over same to the auditor or banks in the same manner as other taxes. Collection of tax.

SEC. 28. That the auditor or bank shall keep a separate account of each special tax so levied and collected. It shall not be used for any other purpose other than roads or bridges. Separate account. Use restricted.

SEC. 29. That the said road commissioners shall set aside out of the entire special tax levy for roads a sufficient amount to pay the regular running expenses and one and one-half per cent of the entire levy to be spent on any road that they may deem necessary. The remainder of said levy for road purposes shall be spent in each township in the same proportion as paid by said township. Expenditure of special tax fund.

SEC. 30. That any cash collected in lieu of work or for tax on lumber, bark or acid wood, the same shall be spent on the road where collected for. Commutation and other funds.

SEC. 31. That the said road commissioners shall have the proper blanks printed for overseers' monthly reports and the proper receipt books for cash received or paid out and furnish them with same. Blanks.

SEC. 32. That each overseer shall be held responsible for the safe keep of tools in their possession. Overseer responsible for tools.

SEC. 33. That the road commissioners shall pay overseers or patrolmen a reasonable sum for their duties or labor out of the road funds. Pay of overseer.

SEC. 34. That the overseer, road supervisor or patrolman shall have the right to order out the free labor and work them on the roads at the proper time and place. The method of notifying such persons shall be under the general provisions of existing laws. Free labor.

SEC. 35. That the said road commissioners in addition to the provisions of this act shall be vested with all the authority heretofore given and vested in the Madison County highway commission, not inconsistent with the provisions of this act. Authority.

SEC. 36. That provided, further, that the said highway or road commissioners shall have the right to appoint or elect a competent May employ engineer.

person to take charge of all the road duties in said county, who shall have the same authority vested in him as is vested in the said road commissioners as regards to the general upkeep, grading, surfacing, laying out roads and the upkeep of the bridges, appointing and discharging of overseers, patrolman or contracting the working, surfacing or grading roads. The said supervisor appointed to hold his office or appointment at the pleasure of said commissioners, said supervisor to devote his entire time to road duty or so much thereof as may be necessary and agreed upon by said commissioners.

- Pay of supervisor. SEC. 37. That the said commissioners shall make an order to pay said road supervisors out of the road funds of said county in monthly installments for his services. Such sum as may seem reasonable and just. The said supervisor shall bear his own expenses as to travel and board.
- Supervisors account. SEC. 38. That the said supervisor shall keep a strict account of all moneys collected or paid out by him and shall report in writing each month to the road commissioners a full account of his work and expenditure and post a copy of his report at the courthouse door.
- Report. SEC. 39. That the road commissioners shall issue vouchers for the payment of debts or contracts made by said supervisor for any work or expenses for road or bridge expenses, all such payments shall only be made by an order properly signed by said supervisor.
- Vouchers. SEC. 40. It shall be the duty of the road commissioners to see that there is a sufficient amount of cash collected for road purposes kept on hand together with free labor available to properly maintain or keep the roads up where they have been graded.
- Cash collections. SEC. 41. That there shall be a reasonable amount of money spent on the road from Runion to the Walnut Gap and from the Walnut to Laurel as may be reasonable and just to help put such roads in reasonable condition for traveling to be paid out of the levy collected for Number Nine or Hot Springs Township for road purposes.
- Roads to be improved. SEC. 42. That the highway or road commission shall hereafter be elected by a vote of the people at the same time and in the same manner as a representative.
- Election of commission. SEC. 43. That at the general election in one thousand nine hundred and twenty and at each such election held thereafter there shall be three road commissioners elected, the one receiving the highest vote shall hold his office as road commissioner for a term of four years, the other two for a term of two years or until their successor is elected and qualified.
- Minority party representation. SEC. 44. That there shall be at least one of the minority party on said board of road commissioners. The said persons so elected shall assume their duties on the first Monday in December following their election.

SEC. 45. That the road year for one thousand nine hundred ^{End of year.} and nineteen and each year thereafter shall end on the first Monday in December.

SEC. 46. That *Provided*, after the special levy is made by the ^{Contracts.} said county commissioners the said road commissioners shall have the right to contract for bridges and bridge-work subject to payment when the special tax is collected, not to exceed ninety per cent of the special levy for bridge purposes or fifty per cent for special work for road purposes.

SEC. 47. That *Provided*, any township shall vote bonds then ^{Special tax.} the forty cents or special levy for roads shall not apply to said township, only a special levy shall be made to take care of the bonds voted for said township.

SEC. 48. That *Provided*, that any section or part of section of this act shall conflict with the constitution only such part that is effected shall be of none effect.

SEC. 49. That all laws and parts of laws in conflict with this act are hereby repealed.

SEC. 50. That this act shall be in full force and effect after the twelfth day of March, one thousand nine hundred and nineteen.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 402

AN ACT TO REPEAL CHAPTER 542 OF PUBLIC-LOCAL LAWS OF 1917, RELATING TO ELECTION OF DEMOCRATIC EXECUTIVE COMMITTEE FOR THE PRECINCTS OF PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and forty-two of Public-^{Chapter 542,} Local Laws of one thousand nine hundred and seventeen, be ^{Public-Local} and the same is hereby repealed ^{Laws of 1917,} ^{repealed.}

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 403

AN ACT TO PROHIBIT THE LIBERATING OF FOXES IN CERTAIN PARTS OF RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to liberate ^{Unlawful to} a fox or foxes in the townships of Trinity and New Market in ^{liberate foxes.}

Violation of act misdemeanor. the county of Randolph. Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned or both at the discretion of the report.

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

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 7th day of March, A. D. 1919.

CHAPTER 404

AN ACT TO PROTECT GAME IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

Furbearing animals protected.

SECTION 1. That it shall be unlawful to hunt, trap or kill the following named fur-bearing animals from the first of January to the fifteenth day of October in each year, viz: raccoon, opossum, fox, skunk, mink, and muskrat: *Provided*, that if the above named animals shall be committing depredations among poultry or on other personal property, the animal or animals committing such depredations may be taken or killed at any time by the owner of such personal property.

Unlawful to hunt deer with dogs.

SEC. 2. That it shall be unlawful for any person to hunt deer with a dog or dogs at any time: *Provided*, that evidence to the effect that any person is in the hills or mountains with a dog or dogs, and such dog or dogs were chasing a deer, or running a deer's track, shall be prima facie evidence that said person was hunting deer with dogs.

Prima facie evidence.

Unlawful to kill does or fawns.

SEC. 3. That it shall be unlawful for any person to kill at any time, any fawn deer or doe deer: *Provided*, that if any person be found with any dead fawn deer or any dead doe deer in his possession, such possession shall be prima facie evidence of the guilt of such person in whose possession such dead fawn, deer or dead doe deer is found.

Prima facie evidence.

Close season on deer.

SEC. 4. That it shall be unlawful for any person or persons to hunt, trap, kill, or in any way destroy any deer from the fifteenth day of December in each year until the first day of November in each year; that is to say the open season for deer shall be from November first to December fifteenth in each year:

Proviso: private preserves.

Provided, that deer raised in private preserves may be killed by the owner, or by another at the owner's direction, at any time.

Bag limit on deer.

SEC. 5. That it shall be unlawful for any person to bag or kill more than two deer in a season.

Close season on game.

SEC. 6. That it shall be unlawful for any person or persons to hunt, trap, shoot, kill, or in any way destroy any quail,

pheasant, or wild turkey, or the nests or eggs of same, from January fifteenth to November fifteenth in each year

SEC. 7. That it shall be unlawful for any person or persons to hunt upon the lands or premises of another, or lands or premises controlled by another, without first having obtained the written consent of the owner of the property upon which such person or persons desire to hunt. Unlawful to hunt on lands of another.

SEC. 8. That it shall be unlawful for any person or persons to kill or bag more than two pheasants and more than two wild turkeys in one day; and no person shall kill or bag in a season more than eight pheasants nor more than eight wild turkeys. And no person shall bag or kill more than fifteen partridges in one day. Bag limit on pheasants and wild turkeys. Bag limit on quail.

SEC. 9. That it shall be unlawful for any person or persons, firm or corporation, to sell or offer for sale any quail, pheasant, or wild turkey within the county of Henderson, or ship, or transport same out of said county, when such game birds have been killed in said county. Unlawful to sell game.

SEC. 10. That a license tax of ten dollars shall be paid by all nonresidents of Henderson county who shall desire to hunt in said county; said license tax to be paid to the tax collector of said county, together with a fee of fifty cents for the issuance of said license. The said tax collector shall pay over all moneys so collected by him to the county treasurer, which official shall place same to the account of the general county fund to be paid out upon order of the county commissioners in the same manner as other county funds are disbursed. The said license so issued shall expire at the end of the season for which same is issued: *Provided*, that any nonresident who owns land in said county upon which he desires to hunt, shall not be required to obtain a license to hunt thereon: *Provided further*, that any person or persons who have a bona fide lease on lands in said county for the purpose of hunting thereon shall not be required to obtain a nonresident license in order to hunt thereon. Nonresident license tax. Expiration of license. Provide: nonresident land owners may hunt. Provide: lessors of land not licensed.

SEC. 11. That any person or persons violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction, shall be fined or imprisoned in the discretion of the court. Violation of act misdemeanor.

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

SEC. 13. That this act shall apply only to Henderson Count.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 405

AN ACT TO SUPPLY OFFICE OF THE CLERK OF SUPERIOR COURT OF HYDE COUNTY WITH REPRINTS OF THE SUPREME COURT REPORTS FOR THE PURPOSE OF REPLACING AND MAKING COMPLETE THE SET OF SAID REPORTS IN SAID OFFICE.

Preamble.

WHEREAS, the Supreme Court Reports in the office of the clerk of the Superior Court in Hyde County have been depleted by reason of removal of numbers of said reports by Federal soldiers in a raid through said county during the period of the Civil War, and

Preamble.

WHEREAS, it has been heretofore impossible to have the missing numbers of said reports supplied from office of Secretary of State because stock in said office was not sufficient to furnish said missing numbers, and

Preamble.

WHEREAS, many of said missing numbers have been reprinted and there is possibly a sufficient supply available to complete the set of said reports of said county,

Now, therefore,

The General Assembly of North Carolina do enact:

Clerk to
furnish list.

SECTION 1. That the clerk of the Superior Court in Hyde County shall furnish to the Secretary of State or other State official charged with the distribution of Supreme Court Reports and reprints thereof, with a list of the missing reports that have been removed from his office in the manner above recited.

Secretary of State
to furnish reports.

SEC. 2. Upon receipt of said lists, the said Secretary of State or other official as above mentioned shall supply to said county reprints of the missing reports out of the supply available in his office.

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 7th day of March, A. D. 1919.

CHAPTER 406

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

The General Assembly of North Carolina do enact:

Compensation of
clerk of court.

SECTION 1. That the commissioners of Hyde County be and they are hereby empowered and directed to pay the clerk of the Superior Court of Hyde County the sum of one hundred and twenty-five dollars for each term of court held in said county.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 407

AN ACT TO PROTECT THE FISH IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to fish in the waters of Clay County in any other manner than with hook and line. Manner of fishing restricted.

SEC. 2. That it shall be unlawful to fish with seines, trot lines, traps or baskets or to take or kill fish by gigging, striking or shooting with gun or rifle; that it shall be unlawful to throw dynamite or any other explosive into the waters of Clay County for the purpose of killing fish, and the throwing or putting of dynamite or other explosives into said waters shall be prima facie evidence of the guilt of said person or persons. Methods prohibited.

SEC. 3. That any person or persons violating any provisions of this act shall be guilty of a misdemeanor and fined not less than twenty-five (\$25) dollars nor more than fifty (\$50) dollars, or imprisonment not less than thirty (30) days, ten (\$10) dollars of said fine to go to the person informing and the balance, one-half to the public school fund of said county and one-half to the game warden. That any legally constituted game warden shall have the power to arrest without warrant any person found violating any provisions of this act. Violation of act misdemeanor. Penalty. Arrest without warrant.

SEC. 4. That all laws and clauses of laws that 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. 1919.

CHAPTER 408

AN ACT TO PUNISH PERSONS WHO KNOWINGLY ASSIST A TENANT OR CROPPER AFTER HE HAS LOCATED ON LAND OF ANOTHER AND HAS RECEIVED ADVANCES, TO BREAK HIS CONTRACT.

The General Assembly of North Carolina do enact:

SECTION 1. Any landlord, or agent of a landlord who knows, or has good reason to believe, that a tenant or cropper has been Unlawful to assist tenant or cropper to break contract.

located upon the land of another, under a contract of lease or cropping during the current crop year, and has received advances from said other for said year, and assists such tenant or cropper to break his contract by renting or cropping to him land for the same year, shall be guilty of a misdemeanor, and punished by a fine of not exceeding fifty dollars, or imprisoned not exceeding thirty days: *Provided, however,* the first lessor had complied with all the terms of his contract with said tenant or cropper, and was able and willing to continue to comply with all the terms.

Punishment.

Proviso: if first lessor has complied with contract.

Act not to affect right to recover damages.

Limitations.

SEC. 2. This act shall not impair any right the first lessor has to recover damages against said landlord, or his agent, in a civil action brought for that purpose.

SEC. 3. This act shall apply only to the county of Greene.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 409

AN ACT TO CREATE A TREASURER OR FINANCIAL AGENT FOR WAYNE COUNTY DRAINAGE DISTRICT NUMBER TWO.

The General Assembly of North Carolina do enact:

Preamble.

SECTION 1. WHEREAS, all moneys coming into the hands of the treasurer for Wayne County Drainage District Number Two are paid by resident property holders in the northern part of Wayne County; and WHEREAS, these resident property holders desire that the moneys paid by them be deposited in that section of the county in which they live: The drainage commissioners of Wayne County Drainage District Number Two are directed to appoint one or more solvent banks or trust companies, located in Nahunta or Pikeville Township as a depository or financial agent for such drainage district for a term of two years.

Drainage commission to appoint depository.

Duties of depository.

SEC. 2. That the said bank or trust company so appointed shall perform the duties required by law of treasurers of drainage districts: *Provided,* that such bank or trust company shall not charge nor receive any compensation for its services as financial agent for this drainage district, other than such advantages or benefits as may accrue to it from the deposit of drainage funds in the regular course of banking.

Bond.

SEC. 3. That any bank or trust company acting as financial agent for said Wayne County Drainage District Number Two, may be required to execute a sufficient bond for the safekeeping and proper disbursing and accounting of such drainage funds as may come into its possession and for the faithful discharge of

such duties as are required by law of treasurers for drainage districts.

SEC. 4. That the sheriff of Wayne County is hereby authorized ^{Deposits.} and directed to deposit all funds received for or held for Wayne County Drainage District Number Two, in the banks or trust companies designated as a depository or financial agent of this drainage district.

SEC. 5. That the Bank of Freemont is hereby appointed ^{Financial agent named.} financial agent or depository for Wayne County Drainage District Number Two; that the said Bank of Freemont shall hold office until January 1st, 1921, when its successor shall be appointed as is provided by section one of this act.

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

SEC. 7. That this act shall be in force and effect on and after April 1st, 1919.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 410

AN ACT TO AMEND CHAPTER 691, PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE SALARIES OF OFFICERS OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter six hundred and ninety-one, ^{Chapter 691, Public-Local Laws 1915 amended.} Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by adding at the end thereof the following: *Provided further*, that the said sheriff of Franklin ^{Fee for destruction of distilleries.} County, or his deputy, shall be entitled to receive and retain for his own use, in addition to his salary, such fees and rewards as are now or may hereafter be allowed for the capture and destruction of illicit distilleries of intoxicating liquors."

SEC. 2. That section ten, chapter six hundred and ninety-one, ^{Salary of register of deeds.} Public-Local Laws of one thousand nine hundred and fifteen, is hereby repealed and the following inserted in lieu thereof: "The register of deeds of Franklin County shall receive a salary of twenty-six hundred dollars (\$2,600) per year, payable monthly in lieu of all other compensations, the said salary to be paid in the same manner as the sheriff's salary is paid; and the said register of deeds shall employ such deputy or deputies and clerks as may be necessary, and shall pay the same out of the aforementioned salary: *Provided*, that nothing contained herein shall be construed to repeal, amend or change in any way section fourteen of chapter six hundred and ninety-one of the Public-Local Laws of one thousand nine hundred and fifteen."

Salary of clerk
of court.

SEC. 3. That section twelve, chapter six hundred and ninetyone, Public-Local Laws of one thousand nine hundred and fifteen, be, and the same is hereby repealed and the following inserted in lieu thereof: "That the clerk of the Superior Court of Franklin County shall receive a salary of twenty-six hundred dollars (\$2,600) per year payable monthly in the same manner as the sheriff's salary is paid, in lieu of all other compensations; and the said clerk of the Superior Court shall employ such deputy, deputies or clerks as shall be necessary and shall pay said deputy, deputies or clerks out of the aforementioned salary."

SEC. 4. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 411

AN ACT TO APPOINT WILLIAM T. GRIGGS AND J. J. FEREBEE MEMBERS OF THE HIGHWAY COMMISSION OF CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

Highway
commissioners
appointed.

SECTION 1. That William T. Griggs be and he is hereby appointed to succeed himself as a member of the highway commission of Currituck County for a term of six years, from the first Monday in March, one thousand nine hundred and nineteen.

SEC. 2. That J. J. Ferebee be and he is hereby appointed a member of said commission for a term of two years, from the first Monday in March, one thousand nine hundred and nineteen.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 412

AN ACT TO PRESERVE THE FISH AND GAME OF YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Fish and game
preserves.

SECTION 1. That it shall be unlawful for any person to fish or hunt upon any of the game or fish preserves now or hereafter to be established within the county of Yancey without a written permit from the owner or owners. Any person violating the pro-

Violation of act
misdemeanor.

visions of this act shall be guilty of a misdemeanor and upon con-^{Penalty.}
 viction shall be fined not less than twenty-five dollars nor more
 than fifty dollars or imprisoned not more than thirty days at the
 discretion of the court. *Provided*, that it shall be the duty of the
 owner or owners of such fish or game preserves to keep posted <sup>Proviso: notice
 required.</sup>
 upon the same a special notice to the public that the same comes
 under the provisions of this law: *Provided*, that if any person in <sup>Proviso: pursuit
 of bear permitted.</sup>
 pursuit of a bear or other destructive animal shall cross the bound-
 aries and enter the game or fish preserves he shall not be
 guilty of a violation of this act.

SEC. 2. If any person shall be found within the boundaries of <sup>Trespass prima
 facie evidence.</sup>
 any fish or game preserve within said county with a gun, dog or
 fishing equipment, it shall be prima facie evidence of a violation
 of the provisions of section one of this act.

SEC. 3. That all laws and parts of laws in conflict with the pro-
 visions of this act are hereby repealed.

SEC. 4. This act shall be in force from and after its ratifica-
 tion.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 413

AN ACT TO PROTECT PARTRIDGES IN MONTGOMERY COUNTY AND TO APPOINT GAME WARDENS.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons <sup>Game birds
 protected.</sup>
 to hunt, shoot, trap or in any manner whatsoever kill, take or
 destroy partridges, quail or other game birds or their eggs in the
 county of Montgomery between the fifteenth day of February and ^{Close season.}
 the twenty-fifth day of November of each and every year: *Pro-* <sup>Proviso: different
 close season.</sup>
vided, that in the territory embraced on the south side of Mor-
 ganton Road and east side of Naked Creek in Rocky Springs
 Township, it shall be unlawful to hunt quail or partridges between
 the first day of March and first day of November of each and
 every year.

SEC. 2. That any person or persons, violating any of the pro-<sup>Violation of act
 misdemeanor.</sup>
 visions of this act shall be guilty of a misdemeanor and upon
 conviction shall be fined not exceeding fifty dollars or imprisoned ^{Penalty.}
 not exceeding thirty days.

SEC. 3. That there shall be appointed as hereinafter provided <sup>Appointment of
 game warden.</sup>
 in each township in said county of Montgomery a game warden
 whose duty shall be to see that this act and other game laws of
 said county are enforced.

SEC. 4. That upon each and every conviction of any violation ^{Fees of wardens.}
 of the game laws of said county of Montgomery it shall be the

duty of the court before whom said conviction is had to cause to be taxed in the bill of costs the sum of five dollars which shall be paid to the game warden of the township where the offense was committed.

Terms of office.

SEC. 5. That the term of office of the game wardens herein provided for shall be at the pleasure of the game warden board provided for in section six of this act.

Game warden board.

SEC. 6. That the chairman of the board of county commissioners, the chairman of the board of education and the county farm demonstrator shall constitute the game warden board for Montgomery County, whose duty shall be to appoint game wardens for each township who shall serve at the pleasure of said board.

To serve without compensation.

SEC. 7. That the said game warden board shall serve without compensation.

SEC. 8. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 9. That this act shall apply to Montgomery County only.

SEC. 10. That this act shall be in force and effect from and after its ratification.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 414

AN ACT TO AMEND CHAPTER 526, OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE COMPENSATION OF THE MEMBERS OF THE BOARD OF EDUCATION OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Compensation of Board of Education.

SECTION 1. That section one of chapter five hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and thirteen be stricken out and the following be inserted in lieu thereof: "The members of the board of education of Robeson County shall receive as compensation for their services the sum of one hundred dollars each per annum, in lieu of all other compensation and mileage: *Provided*, that the chairman of the said board shall receive the sum of one hundred and twenty-five dollars per annum in lieu of all other compensation and mileage."

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 the 7th day of March, A. D. 1919.

CHAPTER 415

AN ACT TO PROVIDE FOR THE ISSUING OF BONDS IN
BEULAH TOWNSHIP ROAD DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Johnston County, in the name of the township of Beulah, and at the request and with the endorsement of the board of road commissioners of Beulah Township, be and they are hereby authorized and empowered to issue and sell bonds to an amount not exceeding ten thousand dollars for said Beulah Township for the purpose of grading, building, repairing and improving the public roads in said township. Said bonds shall be in denominations of one hundred dollars each, or multiples thereof, shall bear interest from the date thereof at a rate not exceeding six per centum per annum, payable semiannually on such dates as said board of county commissioners shall determine, with interest coupons attached, the principal and interest of said bonds to be payable at such place or places as may be designated by the board of county commissioners of Johnston County, and to be of such form and tenor as the said commissioners may determine, and shall be due and payable twenty years after date: *Provided*, that none of said bonds herein authorized by this act shall be disposed of either by sale, exchange, hypothecation, or otherwise until the purchase price offered for same shall be approved by both the board of county commissioners of Johnston County and the board of road commissioners of Beulah Township: *Provided further*, that in the discretion of the board of county commissioners said board may arrange for the retirement and redemption at the end of ten years from date thereof, such discretion to be exercised prior to the time of the issuance of the bonds, and if exercised, to be stated on the face of the bonds; said bonds shall be numbered consecutively from one upwards; shall be issued in the name of the township by the board of county commissioners as its corporate agent; shall be designated "Johnston County Beulah Township Road Bonds"; shall be signed by the chairman of the board of county commissioners and attested by the chairman of the board of road commissioners of Beulah Township of said county; shall bear the corporate seal of the county and the coupons attached to each of said bonds shall bear the number of the bond as well as the coupon number and shall bear the facsimile printed or lithographed signature of the chairman of the board of county commissioners and the chairman of the board of road commissioners of Beulah Township. In order to pay the interest on said bonds and to create a sinking

Commissioners to issue bonds.

Denominations.

Interest rate.

Form, tenor and time of payment.

Commissioners to approve price.

Proviso: redemption at discretion.

Designation.

Authentication.

Special tax authorized.

fund for taking up said bonds at maturity, the board of commissioners of Johnston County shall annually compute and levy in Beulah Township at the time of levying other county taxes a sufficient special tax on all polls, all real estate and personal property, and all other subjects of taxation which said commissioners now or hereafter may be allowed to levy taxes upon for any purpose whatever, always observing the constitutional equation between the taxes on property and the taxes on polls: *Provided*, that there shall not at any time be levied in said township for the purpose of road building or road improvement a greater rate than sixty-six and two-thirds cents upon the one hundred dollars worth of property and one dollar and fifty cents on the poll.

Proviso: rate of tax limited.

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

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 416

AN ACT TO PROTECT SQUIRRELS IN SEVENTY-FIRST TOWNSHIP, CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to hunt, kill or destroy any squirrel within the confines of Seventy-first Township, Cumberland County, from the first day of March, nineteen hundred and nineteen, to the first day of November, nineteen hundred and twenty-two.

Close season on squirrel.

SEC. 2. That any one violating the above section shall be guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five dollars.

Violation misdemeanor. Penalty.

SEC. 3. That this law shall apply only to Seventy-first Township, Cumberland County.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 417

AN ACT TO AMEND CHAPTER 552 OF THE PUBLIC-LOCAL LAWS OF 1913, INCREASING THE ALLOWANCES FOR ASSISTANCE IN THE OFFICES OF THE CLERK OF THE SUPERIOR COURT, SHERIFF, AND REGISTER OF DEEDS OF MECKLENBURG COUNTY, PROVIDING FOR AN ADDITIONAL STENOGRAPHER, AND INCREASING THE PAY OF THE MEMBERS OF THE COUNTY BOARD OF COMMISSIONERS AND OF THE COUNTY BOARD OF EDUCATION OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and fifty-two of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows:

(a) By striking out the words "two thousand two hundred and twenty dollars per annum" in lines five and six of section four of said act and substituting in lieu thereof the following words: "thirty-six hundred dollars per annum"; also by striking out the words "two thousand two hundred and twenty dollars (\$2,200)" in line eighteen of said section and substituting in lieu thereof the words "thirty-six hundred dollars per annum."

(b) By striking out the words "one thousand five hundred dollars (\$1,500) per annum" in line ten of section five, and substituting in lieu thereof the words "eighteen hundred dollars per annum"; by striking out the words "one hundred and twenty-five dollars per month" in lines eleven and twelve of said section and substituting in lieu thereof the words "one hundred and fifty dollars per month"; by striking out the words "fifteen hundred dollars (\$1,500) per annum" in lines seventeen and eighteen of said section and substituting in lieu thereof the words "twenty-four hundred dollars per annum," and by striking out the words "nine hundred dollars (\$900) per annum" in lines twenty-three and twenty-four of said section and substituting in lieu thereof the words "not exceeding fifteen hundred dollars per annum"; by striking out the words "seventy-five dollars per month" in line twenty-five of said section and substituting in lieu thereof the words "not exceeding one hundred and twenty-five dollars per month"; and by striking out the words "one thousand three hundred and twenty dollars per annum" in lines twenty-nine and thirty of said section and substituting in lieu thereof the words "seventeen hundred dollars per annum."

SEC. 2. That the county board of commissioners of said county shall have the right, in its discretion, to employ a competent stenographer to assist the county farm demonstrator, the sheriff,

Sheriff's allowances for jailers and Charlotte Township deputies increased.

Salary deputy clerk of court and clerk's allowance increased.

Salary deputy register of deeds and register's allowance increased.

Employment of stenographer.

and the chairman of the said board of commissioners in the discharge of the duties of their respective offices, at a salary to be fixed by said board not to exceed the sum of one thousand dollars per annum.

Per diem of
commissioners
and board of
education.

SEC. 3. That the members of the board of county commissioners, other than the chairman, and the members of the county board of education of said Mecklenburg County shall receive for their services and expenses in attending the meetings of their respective boards not exceeding five dollars per day, as a majority of the respective boards may fix upon, and they may be allowed mileage to and from their respective places of meeting, not to exceed five cents per mile.

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

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 418

AN ACT TO AMEND CHAPTER 700 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE AUDITOR AND CLERK OF THE RECORDER'S COURT OF CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter seven hundred of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby repealed and the following is enacted in lieu thereof:

Auditor's office
abolished.

"SECTION 1. That the office of auditor of Cumberland County be and the same is hereby abolished.

Clerk of recorder's
court provided for.

"SEC. 2. That in case the result of the election provided for by act of the General Assembly of one thousand nine hundred and nineteen, relating to the recorder's court of Cumberland County shall be against the retention of the said court, then the office of clerk of the recorder's court be and the same is hereby abolished, but in case the result of said election shall be in favor of retaining the said recorder's court, then the county commissioners of the county of Cumberland be and they are hereby authorized, empowered and directed to appoint some competent person to act as clerk of said recorder's court at a salary to be fixed by the county commissioners: *Provided*, that such clerk of the recorder's court shall hold office until the next general election for the election of members of the General Assembly, at which time his successor shall be elected for a term of two years."

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

SEC. 4. That this act shall be in force from and after June first, one thousand nine hundred and nineteen.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 419

AN ACT TO PRESCRIBE THE DUTIES AND FIX THE COMPENSATION OF STANDARD KEEPER FOR MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Every person using weights, measures and steel-yards, embracing balances, or other instruments of whatsoever nature, used in weighing or measuring any article of merchandise, or other commodity, offered for sale in Mecklenburg County, shall allow and permit the standard keeper of said county to examine, test and adjust, by the county standard weights and measures, as often as said standard keeper may deem necessary, all said weights, measures, steelyards, balances, and other instruments used by such person in weighing or measuring such articles of merchandise, or commodities, kept for sale or barter in said county, in order that such weights, measures, etc., shall at all times accurately and correctly weigh and measure all such articles of merchandise, or other commodities, offered for sale by such person in said county.

SEC. 2. It shall be the duty of the standard keeper in said county, at least once in each year, to examine, test and accurately adjust by the county standard weights and measures, all weights, measures, steelyards, embracing balances, or other instrument of whatsoever nature, used by any person in said county in weighing or measuring any article of merchandise, or other commodity, offered for sale in said county, so that such weights, measures, etc., shall at all times accurately and correctly weigh and measure all such articles of merchandise, or other commodity, so offered for sale by any person in said county, and such standard keeper shall, when examining, testing and adjusting such weights, measures, etc., mark by stamp, brand or other device, such weights, measures, etc., as shall have been so adjusted to conform to the county standard weights and measures, which stamp or brand shall at all times be attached to such weights, measures, etc., in such way and place that the same may be readily observable by the public. Such weights, measures, etc., as cannot be so adjusted, or corrected, as to conform to the county standard weights and measures, shall be condemned by said standard keeper, and so

Weights and measures to be standardized.

Examination once in year.

Stamp of standard keeper.

Condemnation of weights and measures.

Unlawful to use condemned articles.

marked or stamped by him in such way as to be readily observable by the public, after which it shall be unlawful for the owner thereof, his servants or employees, to use said weights, measures, etc., for the purpose of weighing or measuring any article of merchandise or commodity offered for sale in said county.

Readjustment of weights and measures.

SEC. 3. That in case the county standard keeper shall at any time have reason to believe that any weight, measure, etc., used by any person in said county for weighing or measuring any article of merchandise, or other commodity, offered for sale therein, will not accurately and correctly weigh or measure, such article of merchandise, or other commodity, then it shall be the duty of such standard keeper to forthwith, and as often as may be necessary, reëxamine, retest and readjust such weights, measures, etc., so as to make the same conform to the county standard weights and measures, if the same may be done, but if not, so that the said county standard keeper may condemn such weights, measures, etc., and accordingly mark and stamp the same, as hereinbefore provided.

Unlawful to tamper with standards.

SEC. 4. That any person who shall tamper with, or readjust any weight, measure, etc., which shall have been examined, tested, and adjusted by the county standard keeper, and by him marked and stamped as being accurate, or conforming to the county standard weights or measures, so as to prevent said weights, measures, etc., from accurately and correctly measuring or weighing articles of merchandise, or other commodities, or who shall remove or change any stamp or brand attached to any such weight, measure, etc., by the county standard keeper, either showing that said weight, measure, etc., does or does not, accurately weigh or measure articles of merchandise, or other commodity, or who shall in any other respect violate any of the provisions of this act, shall be guilty of a misdemeanor, for the conviction of which such person shall be fined not exceeding fifty dollars, or imprisoned not exceeding thirty days, in the discretion of the court.

Unlawful to remove stamp.

Violation of act misdemeanor.

Penalty.

SEC. 5. That the county standard keeper shall be entitled to receive from the person whose weights, measures, etc., he shall examine, test, and adjust; the following fees: for each annual examination and adjustment of the same; for examining and adjusting a pair of steelyards, twenty-five cents; for examining and adjusting every half pound weight and upwards, five cents; for examining and adjusting every act of weights below a half pound, including one piece of each denomination, ten cents; for examining or measuring every yardstick, or other measure of cloth, five cents; for examining and adjusting every bushel, one-half bushel, peck or other measure, ten cents; for examining and adjusting every vessel for measuring liquids of any nature and description, except gasoline, or some other commodity sold at service stations, five cents; and for extra work on bushels and

Fees of standard keeper.

half bushels measures, or other vessels for measuring either solid or liquid commodities, a sum to cover the actual cost of re-adjusting said measures not exceeding, in any one case, twenty-five cents; for examining, testing and adjusting instruments used by dealers in measuring gasoline, or other similiar commodities at service stations or elsewhere, a sum not exceeding one dollar, and the actual cost of readjusting said instruments so as to make the same measure accurately: *Provided*, that whenever, upon a re-examination, or retesting of any such weights, measures, etc., after the annual examination, testing and adjustment of the same, such county standard keeper shall find that any such weights, measures, etc., fail to conform to the county standard weights, measures, etc., then the owner of such weight, measure, etc., so failing to weigh or measure accurately shall pay said standard keeper the fees herein prescribed to be paid for the annual examination, testing and adjustment of such weights, measures, etc., but not otherwise.

Proviso:
re-examination.

SEC. 6. That the county standard keeper, in addition to the fees hereinbefore prescribed, shall receive a salary from the county of Mecklenburg not exceeding five hundred dollars per annum, to be paid in equal monthly installments.

SEC. 7. That the word "person," wherever appearing in this act, shall be deemed to include natural persons, firms, corporations, or other associations of individuals.

Definition of
term "person."

SEC. 8. That this act is supplemental to, but not in substitution of, the general laws of the state governing weights and measures, and shall be deemed to repeal such general laws only in so far as they are in conflict with the provisions of this act.

Supplemental to
State Law.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 420

AN ACT TO AMEND CHAPTER 548 OF THE PUBLIC-LOCAL LAWS OF 1917, PROVIDING CERTAIN ASSISTANTS FOR COUNTY OFFICERS OF STOKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and forty-eight of the Public-Local Laws of one thousand nine hundred and seventeen be and the same are hereby amended as follows: By adding at the end of section three the following: "*Provided*, that the sheriff be allowed one deputy during such term of court who shall receive a compensation not to exceed three dollars (\$3) per day, to be paid out of the county funds of Stokes County."

Sheriff allowed
one deputy
during court.

Clerk of court
allowed a deputy.

SEC. 2. That section five of chapter five hundred and forty-eight of the Public-Local Laws of one thousand nine hundred and seventeen, be amended as follows: After the word "whatsoever" in line three of said section insert the following: "*Provided*, that during all sessions of the Superior Court of Stokes County, the clerk of said court shall be allowed one deputy clerk to aid and assist him during term time, said deputy clerk to be paid not to exceed five dollars (\$5) per day during each week of term time out of the county funds of Stokes County.

Register of deeds
to employ
assistant on tax
lists.

SEC. 3. That said section five of said Public-Local Laws of one thousand nine hundred and seventeen be further amended by adding to the end thereof the following: "*Provided*, the register of deeds of Stokes County shall be allowed one deputy register of deeds to aid and assist him in computing and making out the taxes for Stokes County for thirty-five days in each and every year, said deputy register of deeds to be not to exceed five dollars (\$5) per day for the above-named time, out of the county funds of Stokes County."

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 7th day of March, A. D. 1919.

CHAPTER 421

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

The General Assembly of North Carolina do enact:

Salary of
deputy clerk.

SECTION 1. That the clerk of the Superior Court of Transylvania County shall be entitled to receive, in addition to compensation now provided by law, an allowance of two hundred dollars (\$200), annually for the hire of deputy clerk. The county commissioners of said county are hereby authorized and directed to pay out of the public funds of the said county to the clerk of the said Superior Court the said sum of two hundred dollars (\$200) annually.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 422

AN ACT TO REPEAL CHAPTER 99, PUBLIC-LOCAL AND PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND FIFTEEN, RELATING TO STOCK LAW IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter ninety-nine of the Public-Local and Private Laws of one thousand nine hundred and seventeen of North Carolina be and is hereby repealed. ^{Stock law repealed.}

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

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 423

AN ACT RELATIVE TO HUNTING GAME IN ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter five hundred and sixty-three, of the Public-Local Laws of nineteen hundred and fifteen be, and the same is hereby amended by striking out in line three and four the words "for a period of two years from the ratification of this act" after the word "Alamance" and before the word "that." ^{Unlawful to sell quail in Alamance County.}

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

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 424

AN ACT TO APPOINT A GAME WARDEN FOR ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Jacob Coble be and he is hereby appointed game warden for Alexander County for the term of two years, ^{Game warden appointed.}

and upon death or resignation the clerk of the Superior Court shall fill the vacancy.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 425

AN ACT RELATING TO THE SALARIES OF CERTAIN OF THE COUNTY OFFICERS OF LENOIR COUNTY.

The General Assembly of North Carolina do enact:

Salary of sheriff. SECTION 1. That the sheriff of Lenoir County shall receive a salary of forty-five hundred and fifty dollars per annum in lieu of all other compensation and payable as his present salary is payable.

Salary of jailer. SEC. 2. That there shall be allowed the sum of fifty dollars per month to be paid the jailer of Lenoir County in the same manner and under the same terms and conditions as is provided for the payment of the jailer at present, and this allowance shall be in addition to the compensation of the sheriff as mentioned in section one of this act.

Salary of clerk of court. SEC. 3. That the clerk of the Superior Court of Lenoir County shall receive a salary of thirty-seven hundred and fifty dollars per annum in lieu of all other compensation and payable as his present salary is payable: *Provided*, that if the said clerk of the Superior Court of Lenoir County shall hereafter be required to perform the duties of clerk of any court inferior to the Superior Court of Lenoir County, then his salary shall be forty-five hundred dollars per annum in lieu of thirty-seven hundred and fifty dollars and payable as aforesaid.

Proviso:
additional
compensation.

SEC. 4. That the register of deeds of Lenoir County shall receive a salary of thirty-two hundred dollars per annum in lieu of all other compensation and payable as his present salary is payable.

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 the first day of March, nineteen hundred and nineteen.

Ratified this the 7th day of March, A. D. 1919.

Salary of
register
of deeds.

CHAPTER 426

AN ACT TO CREATE AND ESTABLISH THE OFFICE OF
METER ADJUSTER FOR THE COUNTY OF NEW HAN-
OVER.

The General Assembly of North Carolina do enact:

SECTION 1. In order to perform the duties hereinafter desig-Office of meter
nated and defined, there is hereby created and established the adjuster
office of "meter adjuster" for the county of New Hanover. established.

SEC. 2. At the election to be held in New Hanover County in Election.
one thousand nine hundred and twenty-two, and each four years
thereafter, there shall be elected a "meter adjuster" who shall be
inducted into office on the first Monday in December, one thou-
sand nine hundred and twenty-two, and who shall hold office
until his successor is elected and qualified; and that R. M. Ker-Meter adjuster
mon be and he is hereby appointed "meter adjuster" for New named.
Hanover County, who shall serve until the first Monday in
December, one thousand nine hundred and twenty-two, and until
his successor is elected or appointed and qualified.

SEC. 3. Every person, firm, corporation or municipality fur-Meters to be
nishing for pay electricity, gas or water by meter measure in tested.
any city or town in New Hanover County, or elsewhere within
said county, shall provide and keep a suitable and proper ap-
paratus for testing and proving the accuracy of the meters to be
so furnished for use, by which apparatus all such meters shall
be tested at their rated capacity

SEC. 4. No person, firm, corporation or municipality furnish-Meters to
ing for pay electricity, gas or water by meter measure within be tested.
New Hanover County shall hereafter furnish, install and put in
use any such meter, until such meter shall first have been in-
spected and found correct by such adjuster, and it shall be the
duty of such adjuster to test the same upon the written request
of such proposed furnisher No meter now in service shall be
required to be taken out for test, except where there is doubt as
to its accuracy and upon the written request of the consumer, as
herein provided.

SEC. 5. When any consumer, by meer, of electricity, gas or Provision for
water in New Hanover County doubts the accuracy of such meter testing meters.
and desires to have the same tested, such consumer may file with
said inspector of meters a written complaint of said meter and
request that the same be tested, and shall at the same time Fee.
deposit with the auditor of New Hanover County the sum of two
dollars to cover the expenses of making such test, and thereupon
it shall be the duty of such adjuster as soon as practicable to
accurately test said meter in the presence of and jointly with
the authorized representative of the furnisher, and also in the

- Report of test. presence of the complainant if he so desires, and shall give both the complainant and to the furnisher a written report of such test and the result thereof.
- Variation. SEC. 6. If upon such test the said meter is found to be incorrect in that it registers more than one per cent too fast, that is more than one per cent more electricity, gas or water than it should, then and in that event the auditor of New Hanover County shall return the two dollars to the said complainant and the said furnisher is thereupon required to deposit with the said auditor the sum of two dollars to cover the cost of making such inspection, but if upon such test said meter shall not register more than one per cent too fast—that is, more than one per cent more than it ought to—the said two dollars deposited by the complainant shall be retained by the said county auditor, to be finally disposed of in the manner herein provided.
- Fees. SEC. 7. If upon such test the said meter shall register more than one per cent too fast, as above defined, the furnisher shall reimburse the complainant at the rate at which the meter registers too fast for a period of one month back; but if upon such test said meter shall be found to be incorrect, in that it registers more than one per cent too slow—that is, more than one per cent less electricity, gas or water than it should, then and in that event the complainant shall in addition to the amount already charged him, pay at once to said furnisher at the rate at which the meter is too slow for a period of one month back, and the furnisher shall have the same rights for collecting such additional sum as is provided for the collecting of the past due and unpaid bills for electricity, gas or water, as the case may be.
- Reimbursement on account of inaccurate meter. SEC. 8. It shall be mandatory upon every person, firm, corporation or municipality who shall furnish for pay water, gas or electricity, to permit said adjuster to examine all books, charts, maps, dials, and any other device used by such person, firm, corporation or municipality in arriving at or determining the amount of electricity, gas or water charged for for sixty days immediately preceding application by complainant to said adjuster for such inspection or test.
- Additional charge. SEC. 9. Said meter adjuster appointed herein shall receive as his compensation the sum of two dollars for each test made, said two dollars to be paid by the county auditor out of the funds herein provided.
- Adjustment of charges. SEC. 10. Whenever any meter for water, gas or electricity is proposed to be installed, the proposed furnisher shall deposit with the county auditor the sum of two dollars, and said two dollars shall be retained by the said county auditor to be paid to said adjuster whenever the inspection or test has been completed.
- Adjuster to examine books, and devices.
- Compensation.
- New meters to be tested.

SEC. 11. Every person, firm, corporation or municipality who shall furnish water, gas or electricity for pay in New Hanover, and who is required herein to deposit two dollars with the county auditor as herein provided, and who shall fail, refuse or neglect to make such deposit when demanded by said county auditor shall be subject to a penalty of five dollars for each and every day payment is withheld and until payment is made, for each and every two dollars required to be deposited; and it shall be the duty of said county auditor to enforce the payment of such deposit and penalty by suit or otherwise; and when recovered one-half of the penalty shall be retained by New Hanover County, one-half of the penalty and the deposit shall be paid to the meter adjuster

Payment of
fee required.

Penalty for
failure to pay.

Division of
penalty.

SEC. 12. It shall be the duty of every person firm, corporation or municipality who shall furnish water, gas or electricity for pay in New Hanover County to furnish to the consumer a facsimile copy reading of any meter each time the meter is read on the same day the said meter is read.

Copy of
meter reading.

SEC. 13. Every person, firm, corporation or municipality who shall furnish water, gas or electricity for pay in New Hanover County, and who shall fail or neglect to comply with the provisions of section twelve of this act shall be subject to a penalty of five dollars for each and every violation, to be recovered by the said consumer.

Penalty for
violation of act.

SEC. 14. All laws or clauses of laws in conflict with this act are hereby repealed.

This act shall be in force from and after its ratification.
Ratified this the 7th day of March, A. D. 1919.

CHAPTER 427

AN ACT TO AUTHORIZE UNION COUNTY TO ISSUE ROAD AND BRIDGE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Union County is hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding five hundred thousand dollars for any one or more of the following purposes, viz: laying out, opening, altering, constructing, and improving county highways in said county, and constructing, reconstructing and altering county bridges in said county. Said board is hereby further authorized to levy annually a special tax ad valorem upon all taxable property in said county for the special purpose of paying the principal and interest of all bonds issued under

Commissioners to
issue bonds.

Amount.

Purpose.

Special tax.

this act, as such principal and interest becomes due, which tax shall be in an amount sufficient for said purpose and in addition to all other taxes authorized to be levied by said board.

Bonds issued on request of road authorities.

SEC. 2. If a board or body other than the said board of county commissioners shall have charge and control of the county highways of Union County, and such other board shall at any time or times make any request to said board of county commissioners in regard to the issuance of any bonds authorized by this act, it shall be the duty of the board of county commissioners to comply with such request, it being intended by this act to vest the power to issue said bonds in the board of county commissioners, but subject to the direction and control of the separate board or body, if any, having charge and control of the county highways of said county.

Notice of bond issue.

SEC. 3. Immediately after the ratification of this act and before any bonds are issued hereunder, the clerk of the board of county commissioners of Union County shall cause to be published once a week for four successive weeks in one or more newspapers published in Union County, a notice substantially in the following form, with the blanks properly filled in, and with the name of such clerk appended to the notice, viz:

Form of notice.

"Notice is hereby given to the voters of Union County that after the expiration of thirty days after the first publication of this notice, the board of county commissioners of Union County will issue bonds of said county under the provisions of a special act ratified by the General Assembly on the.....day of....., one thousand nine hundred and nineteen (here insert the date of ratification of this act), authorizing the issuance of not exceeding five hundred thousand dollars (\$500,000) of bonds for county highways and bridges. Notice is also given that the question of issuing such bonds will not be submitted to the voters at an election, unless within said period of thirty days there shall be filed with the clerk of the board of county commissioners a petition for an election on such question, signed by at least twenty-five per cent of the registered voters of Union County, as provided in said act This notice was first published on theday of....., one thousand nine hundred and nineteen.

.....
Clerk of the Board of County Commissioners."

Bond issue contingent on election.

SEC. 4. If a sufficient petition shall be filed with the board of county commissioners as provided in this section, no bonds shall be issued under this act, nor any special tax levied to pay said bonds, unless and until the question of issuing such bonds shall be submitted to the voters of Union County at an election, and a majority of the voters voting on said question shall be

in favor of issuing such bonds. A petition demanding that the question of issuing bonds under this act be submitted to the voters at an election may be filed with the clerk of the board of county commissioners within thirty days after the first publication of the notice aforesaid. The petition shall be in writing and signed by at least twenty-five per cent of the registered voters in the county as shown by the registration books for the last preceding general election therein. The residence address of each signer shall be written after his signature. Each signature to the petition shall be verified by a statement (which may relate to a specified number of signatures) made by some adult resident freeholder of the county under oath before an officer competent to administer oaths, to the effect that the signature was made in his presence and is the genuine signature of the person whose name it purports to be. The petition need not be all on one sheet. If on more than one sheet, it shall be verified as to each sheet. The clerk of the board of county commissioners shall investigate the sufficiency of the petition and present it to the board of county commissioners with a certificate stating the result of his investigation. The board of county commissioners shall thereupon determine the sufficiency of the petition, and the determination of said board shall be conclusive.

SEC. 5. If the board of county commissioners determines a petition filed as aforesaid to be sufficient, the board shall submit the question of issuing bonds under this act to the voters at a special election to be held as soon as may be practicable. The board of county commissioners shall fix the date for holding said election, shall name the registrars and judges of election for the voting precincts of said county, shall cause notice of said election to be given by publication at least once in some newspaper in Union County, the first publication to be at least thirty days before the election, and shall cause to be printed and distributed a sufficient number of ballots for use at the election. At said election voters who favor the issuance of said bonds shall vote a ballot on which shall be written or printed the words "For Road and Bridge Bonds," and the voters who are opposed to the issuance of said bonds shall vote a ballot on which shall be written or printed the words "Against Road and Bridge Bonds." At the close of the election the votes shall be counted and returns thereof made to the board of county commissioners of Union County, for which purpose said board shall cause blank abstracts to be printed and furnished to the registrars and judges of election. On the first Thursday following the election said board of county commissioners shall meet as a canvassing board, shall receive the returns of said election, shall judicially pass upon the returns, and shall judicially determine and declare the result of said election, all

Petition to be filed.

Twenty-five per cent of voters required.

Special election.

Date of election.

Notice.

Ballots.

Count of votes.

Abstracts.

Returns.

of which shall be recorded in the records of said board. The returns shall be executed in duplicate, and one copy shall be delivered to the board of county commissioners as aforesaid, and the other filed with the clerk of the Superior Court of Union County. In all respects other than those herein mentioned said special election shall be held and conducted and the qualifications of voters at said election determined, as nearly as may be practicable, in accordance with the general law relating to the holding and conducting of elections for members of the General Assembly and the determination of the qualifications of voters at such elections. The expense of holding said special election shall be paid out of the general funds of the county. If the board of county commissioners shall cause a notice containing a brief statement of the result of said election as determined by the board to be published at least once in a newspaper published in Union County, no right of action or defense founded upon any invalidity in said election shall be asserted, nor shall the validity of said election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the first publication of said notice: *Provided, however,* that a copy of this sentence shall be incorporated in said notice. The board of county commissioners may, in its discretion, order a new registration for said special election, but such a new registration shall not be necessary unless ordered by the board.

Expense.

Notice of result.

Validity.

Registration.

Bonds.

Maturity.

SEC. 6. The bonds authorized by this act may be issued as one issue or two or more separate issues, and in either case may be issued all at one time or from time to time. Each issue shall so mature that the aggregate principal amount of the issue shall be payable in annual installments beginning not more than three years after the date of the bonds of such issue and ending not more than thirty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously the bonds of such issue outstanding at any one time shall mature as aforesaid.

Form and denomination.

Interest rate.

Authentication.

SEC. 7. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest, and the board of county commissioners of Union County may determine, subject to the limitations and restrictions of this act. The bonds shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Union County, and the county seal shall be affixed

to the bonds and attested by the clerk of said board; and the coupons of such bonds shall bear the printed or lithographed or engraved facsimile signature of the chairman of said board of county commissioners who is in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

SEC. 8. Said bonds shall be sold in the manner provided in the ^{Sale of bonds.} Municipal Finance Act (chapter one hundred and thirty-eight of the Public Laws of one thousand nine hundred and seventeen, as amended) for the sale of bonds of cities and towns. They shall not be sold for less than par and accrued interest.

SEC. 9. The proceeds of the sale of said bonds shall be placed ^{Proceeds} in a separate fund and used only for the purposes for which the ^{separate fund.} bonds were issued. The purchaser of the bonds shall not be bound to see to the application of the proceeds.

SEC. 10. The powers granted by this act are granted in ^{Additional powers.} addition to and not in substitution for existing powers of Union County, and are not subject to any limitation or restriction contained in any other law.

SEC. 11. All laws and parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 428

AN ACT TO AMEND CHAPTER 522 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO PAY OF COMMISSIONERS OF WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the word "three" in line two and figure "(3)" ^{Per diem} in line three of section one of chapter five hundred and twenty- ^{increased.} two, Public-Local Laws of one thousand nine hundred and fifteen be stricken out and the word "four" be substituted in lieu thereof.

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

SEC. 3. That this act shall be in force and effect from and after the first day of April, one thousand nine hundred and nineteen.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 429

AN ACT TO AMEND CHAPTER 112 OF THE PUBLIC-LOCAL LAWS OF 1917, IN ORDER TO FURNISH ADDITIONAL CLERICAL ASSISTANCE FOR THE OFFICE OF REGISTER OF DEEDS OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Allowance
increased.

SECTION 1. That chapter one hundred and twelve of the Public-Local Laws of the session of one thousand nine hundred and seventeen be amended as follows: By striking out the words "five hundred dollars (\$500)" in line five and inserting in lieu thereof the words "one thousand dollars (\$1,000).

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

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 7th day of March, A. D. 1919.

CHAPTER 430

AN ACT TO FIX THE COMPENSATION OF THE BOARD OF COMMISSIONERS FOR DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Per diem of
commissioners.

SECTION 1. That for all regular and special meetings of the board of county commissioners for the county of Duplin, each of the members of said board shall be paid the sum of five dollars per day, for each day that the said board may be in session, together with mileage from and to their respective homes at five cents per mile, the same to be paid by the treasurer of Duplin County in the same manner as the compensation of said board has heretofore been paid.

Mileage.

Extra work.

SEC. 2. That for all extra work in looking after roads and bridges in the county of Duplin, the board of commissioners of Duplin County are hereby authorized to select any member of the board for that purpose, and to fix his compensation, upon sworn statement made by him, but no compensation shall exceed the amount allowed by this act to members of the board while attending regular sessions of the board.

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 7th day of March, A. D. 1919.

CHAPTER 431

AN ACT TO AMEND SECTION 2, CHAPTER 805, OF THE PUBLIC-LOCAL LAWS OF 1915, RELATIVE TO COMPENSATION OF COTTON WEIGHERS OF EDGECOMBE COUNTY, NO. 1 TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter eight hundred and 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 "ten" in line five thereof, and by striking out the word "cents" in line six thereof, and inserting in lieu thereof the following words: "not less than ten cents nor more than fifteen cents, the amount to be fixed from time to time by the county commissioners of Edgecombe County." Chapter 805, Public-Local Laws 1915 amended. Compensation.

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

Ratified this the 7th day of March, A D. 1919.

CHAPTER 432

AN ACT TO ENCOURAGE THE BREEDING OF PURE-BRED CATTLE IN UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons, firm, or corporation to charge a service fee for any bull in Union County that is not pure bred. No fee for bull not pure bred.

SEC. 2. That this act shall be in force from and after the first day of January, one thousand nine hundred and twenty.

Ratified this the 7th day of March, A D. 1919.

CHAPTER 433

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY TO ISSUE BONDS TO BE USED IN THE CONSTRUCTION AND MAINTENANCE OF ROADS IN NO. 8 TOWNSHIP, SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Madison County be and they are hereby authorized and empowered to issue bonds not exceeding twenty thousand dollars (\$20,000) to be denominated "Number Eight Township Road Bonds." That said bonds shall be issued in denominations of not less than one Commissioners to issue bonds. Amount.

- Denominations. hundred dollars (\$100) nor more than five hundred dollars, (\$500)
- Interest rate. to bear interest at a rate not to exceed six per cent and be evidenced by coupons attached to said bonds.
- Not to be sold for SEC. 2. That no bonds issued under the provisions of this act
less than par. shall be sold or otherwise disposed of for less than par and accrued interest. Said board of county commissioners are authorized and empowered to sell or dispose of said bonds either at public or private sale or by sealed bids, as to them may seem best, and in case they sell at public sale they shall give notice thereof in one or more newspapers published in the State of North Carolina for at least thirty (30) days. And said board of commissioners may also advertise the sale of said bonds in one or more newspapers which may make a business of advertising such sales published within or without the state.
- Sale.
- Advertisement.
- Application SEC. 3. That the money arising from the sale of said bonds
of proceeds. issued under the provisions of this act shall constitute a separate and distinct fund to be applied and appropriated for the construction, maintenance and repair of the public roads in Number Eight Township, Madison County.
- How issued. SEC. 4. The said bonds shall be issued as needed for the purposes herein expressed and the said county commissioners shall cause the treasurer or disbursing officer acting in place of the treasurer of said county to keep a separate account of said funds so that the condition of same may at all times be shown and they shall keep a book in which the number of bonds sold shall be entered and with them the date due, amount paid for same and when the interest shall fall due.
- Separate account.
- Records.
- Term. SEC. 5. The said bonds are to be issued in serial numbers and are to be retired at such time as may be prescribed by the board of county commissioners not later than twenty (20) years from date of issue.
- Special tax. SEC. 6. That, for the purpose of paying the interest on said bonds as it may accrue and create a sinking fund for the payment of the said bonds at maturity the board of commissioners of Madison County shall annually levy a special road tax in such amount as in their discretion may be deemed necessary to meet the interest accruing upon said bonds and create a sinking fund to pay for the bonds as they mature. That the said tax shall be levied and collected as other county taxes and shall be imposed upon such property and other subjects of taxation lying within Number Eight Township only, as are now and may hereafter be subject to taxation under the laws of the state and shall be collected by the officers charged with the collection of other county taxes, and he shall, in all respects thereof, be liable officially as well as personally to all requirements of the law now prescribed or which may hereafter be prescribed for the faithful collection and payment of other taxes.
- Manner of levy and collection.

SEC. 7. That for the purpose of carrying out the provisions of this act there shall be elected, at the same time that the bond issue is authorized as provided in section ten of this act, three competent freeholders of Number Eight Township who shall constitute the highway commission of Number Eight Township, Madison County. The highway commissioners so elected shall hold office until the first Monday in December, one thousand nine hundred and twenty-four and until their successors are elected and qualify. At the general election held in one thousand nine hundred and twenty-four, and every four years thereafter, there shall be elected three highway commissioners who shall take office on the first Monday in December following their election and shall hold office for a term of four years. The said highway commissioners shall be elected by the qualified voters of Number Eight Township in the same manner as other township officers are elected. As soon as practicable after their election the highway commissioners herein mentioned shall meet and after taking the usual oath of office shall organize by electing one of their members chairman and one of their members secretary. It shall be the duty of the said highway commission to take charge of and supervise the work of the roads and the building and repair of the bridges in said township.

Highway
commission.

Terms of office.

Elections.

Manner of
election.

Organization.

Duties.

SEC. 8. That after the sale of the bonds herein provided for the funds shall be used by the said highway commission for the purposes herein expressed and shall be paid out by the county treasurer or other disbursing officer upon proper order of the said highway commission.

Application of
proceeds.

SEC. 9. That the purchaser or purchasers of any part of said bonds shall not be required to see to the application of the proceeds of said funds by the commissioners of Madison County or by the highway commission of Number Eight Township.

SEC. 10. *Provided*, that on petition of twenty-five freeholders at any time within two years from the passage of this act the commissioners of Madison County are authorized and directed to call an election and take the sense of the voters of Number Eight Township in Madison County upon the adoption of the provisions of this Act; the said election to be called within thirty days after the presentation of such petition. If, at the said election, a majority of the votes cast by the qualified voters of the said township shall be "For Road Bond," then the provisions of this act shall be in full force and effect; if a majority of the votes cast by the qualified voters of Number Eight Township shall be "Against Road Bonds," then this act shall be null and void.

Petition.

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

Ratified this the 7th day of March, A D. 1919.

CHAPTER 434

AN ACT TO PROVIDE A SYSTEM OF WORKING THE PUBLIC
ROADS OF NOTLA TOWNSHIP, CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Petition for
election.

SECTION 1. That on petition of one-fifth of the qualified voters of Notla Township, Cherokee County, at any time within six months after the passage of this act, the board of county commissioners of Cherokee County are authorized and directed to call an election in said township and take the sense of the voters upon the adoption of the provisions of this act; the said election shall be called within thirty days after the presentation of this petition. If the majority of the votes cast at said election by the qualified voters of said township shall be "For new road system" then the provisions of this act shall be in full force and effect; if the majority of the votes cast by the qualified voters of said township at said election shall be "Against new road system," then the following provisions of this act shall be null and void.

Election in
30 days.

Result of election.

Road
supervisors.

SEC. 2. That the county commissioners of Cherokee County shall, at their regular meeting on the first Monday in April, one thousand nine hundred and nineteen and annually thereafter, elect three discreet persons, who are of road duty, as road supervisors in the Township of Notlan, Cherokee County, who shall be incorporated, constituted and styled "The Board of Township Supervisors of Public Roads" of said township.

Name.

Meeting.

SEC. 3. That said board of supervisors shall meet at some convenient place in their respective townships on the first Monday in June, one thousand nine hundred and nineteen, and on the first Monday in September, one thousand nine hundred and nineteen, and annually thereafter on said dates above mentioned, and hold such other meetings as they may deem necessary. They shall on first meeting elect from their body a chairman and clerk, and the chairman shall preside at each meeting, unless otherwise ordered by said board, and the clerk shall keep a record of all the proceedings and papers of the board and issue all orders.

Organization.

Records.

Division of roads.

SEC. 4. They shall at said first meeting, and as often thereafter as may be necessary, divide the public roads of their township into sections and appoint an overseer for each section and assign hands to work said section, under the direction of the road overseers. Said board of supervisors shall classify the public roads of said township as first, second, and third class roads. First class roads shall be sixteen feet wide; second class, twelve feet wide, and third class, ten feet wide, except in case of solid road, then each class may be two feet narrower.

Width of roads.

SEC. 5. All roads that have been laid out by the county commissioners or hereafter laid out by them are hereby declared public roads of said townships. Public roads.

SEC. 6. That each overseer shall keep his section of road in good repair, clear of all obstructions and well drained, and he shall keep the bridges on his section in good repair, except those kept up by the county commissioners, and he shall also provide for footways across streams in his section; and any overseer who shall fail or refuse to serve, after being appointed and receiving notice of same, or work the said section as required by this act, shall be guilty of a misdemeanor, and on conviction shall be fined not less than five nor more than ten dollars or imprisoned not more than ten days. Duty of overseer. Footways. Failure to work road misdemeanor. Penalty.

SEC. 7. All able-bodied males of the ages of eighteen and under forty-five years of age residing in said township and not having paid or worked out his time on other roads shall be subject and required to work on the public roads, except those released by the county commissioners on account of infirmity: *Provided*, that if any hand shall furnish an able-bodied substitute or shall pay to the overseer one dollar per day for each day he is warned to work, on or before twelve o'clock of the last day required to work by the overseer, then in either case as above stated he shall be excused. Road age. Substitute or commutation.

SEC. 8. No person shall be required to work on the public roads in the township mentioned in this act more than eight days in one year nor less than six days, except by washouts or other providential causes, nor more than three days in succession, at least fifteen days shall intervene between each working, unless damaged by storm or otherwise. Not over 8 days work required. Time of working.

SEC. 9. The overseer shall warn each hand at least two days before each working day by personal or written notice stating the time, place, kind of tool, and number of days required to work. Written notice left at the place of residence shall constitute legal notice. Eight hours shall constitute a day's work. Any person, after being duly warned and fails to appear in person or furnish an able-bodied substitute or pay the one dollar for each day as aforesaid, shall be guilty of a misdemeanor, and on conviction shall pay two dollars and all costs for each day he failed to work, or shall be imprisoned not more than ten nor less than five days. It shall be the duty of the overseer to prosecute all persons who fail to work or comply with the requirements stated in this act at once after said road working. Warnings by overseer. 8 hours day's work. Failure to respond misdemeanor. Penalty.

SEC. 10. All moneys collected by overseers in lieu of work shall be expended by them for the improvement of their section of road by employing laborers at once after receiving same, and if not expended during his time as such overseer he shall turn over all such moneys to his successor, to be expended on said Money collected.

section. The penalty for failing so to do shall be five dollars for each offense, the same being a misdemeanor.

Signboards.

SEC. 11. Overseers shall cause their road to be measured and signboards to be placed at the forks and crossings of all roads, showing the distance in miles to the most important places to which they lead.

Overseer to make report.

SEC. 12. Each overseer shall make a written report to the road supervisors at each regular meeting of said board, stating the number of days he has worked his road since the last meeting of said board and the number of days worked by each hand, giving names of delinquents and amount of money received and expended, and the names prosecuted and the number of days worked by each hand. It shall be the duty of the board to prosecute all overseers and hands by having a warrant issued and put such person or persons on trial. Said reports shall be signed and sworn to before some person qualified to administer oaths.

Warrants.

Term of office.

SEC. 13. Any overseer may resign at the end of one year from his appointment: *Provided*, his road is in good repair and the board of supervisors shall so find; and if such resignation shall be accepted such overseer shall not be required to serve again within two years.

Commissioners.

Appointment of supervisor.

SEC. 14. All orders of the board of supervisors shall be served by the township constable or other lawful officers within ten days from the receipt of same. The clerk of said board shall deliver said notices of the appointment of the overseer to said officer within three days from said meetings of the supervisors. Said orders shall be served by delivering a copy to the person or by leaving it at his place of abode: *Provided, however*, that if any member of the board shall deliver a notice to any person the same shall constitute a legal notice. Said board shall have the right to depute someone to serve all their notices. The county shall pay all costs of serving such orders and notices, and the fee for serving same shall not be more than thirty cents for each order or notice.

Service of notice.

Deputy.

Supervisors to inspect roads.

SEC. 15. The board of supervisors shall inspect the roads of their township before the term of each Superior Court held in the county of Cherokee, and shall report the condition of each section, with the name of overseer, to the solicitor of said court, whose duty it shall be to prosecute. Any supervisor or overseer failing to perform his duty shall be guilty of a misdemeanor, and under this section be fined or imprisoned at the discretion of the court.

Failure to perform duty misdemeanor.

May take road material.

SEC. 16. Overseers for the repairing of roads are authorized to enter upon any uncultivated land near or adjoining such road, to cut, such brush and timber as may be necessary to repair his road, also earth and stone, except trees left in groves and improved lands for the benefit and ornamental purposes, and to make such ditches as may be necessary to drain his road, doing

Ditches.

as little injury to said lands as possible: *Provided*, the owner of the land may change any ditch if it does not injure the road.

SEC. 17. All powers vested in the board of county commissioners by virtue of chapter fifty of the Code and chapter one hundred and seventy-six, laws of one thousand nine hundred and three, shall be retained by them and make a part of this act. The board of supervisors shall have authority to lay out cartways, church and mill roads and discontinue same in the manner provided in sections two thousand and twenty-three, two thousand and fifty-six, two thousand and sixty-three, and two thousand and sixty-four of the Code, as contained in chapter one hundred and seventy-six (road law of Cherokee County), and the same are made a part of this act.

SEC. 18. The board of county commissioners of Cherokee County is hereby authorized to levy a special tax annually of not less than five cents nor more than twenty-five cents on each one hundred dollars (\$100) worth of property in Notla Township and not less than fifteen cents nor more than seventy-five cents on each taxable poll in said township for the purpose of raising funds for the maintenance, construction and repair of public roads and bridges, to be applied on said roads and bridges in the said township as the board of county commissioners may deem best. The amount received under the levy authorized by this section shall be kept separate and apart from the general county funds, shall be credited to Notla Township, and said township shall receive back all the money that it pays hereunder. *Provided*, that the special tax authorized herein may be levied only in case a petition requesting the same signed by a majority of the qualified voters of the said township shall be presented to the board of county commissioners.

SEC. 19. The county commissioners may let the contract to lowest and best bidder any road or part of road under this act, taking bond, with good security, for the faithful performance of same. All contracts must be faithfully carried out, according to plans and specifications of the commissioners, before paying for same, under a penalty of not more than fifty dollars for each offense, as the same is hereby made a misdemeanor.

SEC. 20. The county treasurer shall keep the money collected by this act separate and apart from all moneys in his hands, to be paid out only on orders of the commissioners. This money must be kept to the credit of Notla Township.

SEC. 21. The county commissioners are authorized to pay the supervisors one dollars per day for the time necessarily engaged in the discharge of their duties: *Provided*, this act does not exempt any road supervisors from working on the roads. They may also pay the road overseer one dollar per day for each report required to be made to the supervisors.

Act restricted to
Notla Township.

SEC. 22. That this act shall apply only to Notla Township, Cherokee County.

Repeal of
other laws.

SEC. 23. That, in case the provisions of this act are adopted at the election provided for in section one of this act, this act shall repeal all laws and clauses of laws in conflict with it, particularly that part of chapter two hundred and four, Public-Local Laws of one thousand nine hundred and thirteen which relates to Notla Township.

SEC. 24. That this bill shall be in force from and after its ratification.

Ratified this the 7th day of March, A D. 1919.

CHAPTER 435

AN ACT TO PROVIDE GOOD ROADS IN BANNER TOWNSHIP, JOHNSON COUNTY.

The General Assembly of North Carolina do enact:

Board of
trustees
appointed.

Term of office.

Compensation.

Election of
members.

Proviso: Trustee
not an officer.

Body corporate.

Name.

Seal.

Board to take
control of schools.

SECTION 1. That Yancy Moore, Ezra Parker, and Alonzo Surles are hereby appointed a board of trustees for the public roads of Banner Township in Johnston County, to hold office from their installment until the first Monday in December, one thousand nine hundred and twenty, and shall receive as compensation for their services four dollars per day for the time actually engaged. Each member of the board of said township shall be elected at each general election for a term of two years, whose term of office shall expire the first Monday in December next succeeding their election and until their successors are duly elected and qualified, and all vacancies caused by death, resignation, removal from township or otherwise shall be filled by the remaining members of said board until next general election, when his successor shall be elected: *Provided*, that the position of trustees shall not constitute an office within the meaning of article seven, section fourteen of the Constitution of North Carolina.

SEC. 2. That the said board of trustees and their successors shall be and are hereby constituted a body corporate by the name and style of the "Board of Road Trustees of 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.

SEC. 3. That it shall be the duty of said board of trustees to take the control and management of the public roads of said township, and said trustees are hereby vested with all the rights and powers for such control and management as are now vested

in and exercised by the board of trustees holding office by virtue of chapter five hundred and thirty-one, Public Laws of nineteen hundred and nine, relating to the public roads of said township, and also by the road supervisor of said township, or any other authority having to do with the buliding and maintaining of the public roads of Banner Township.

SEC. 4. That the 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 the board: *Provided, however,* that the said board of trustees may arrange with some bank or banks to act as financial agent for said board of trustees. The said board of trustees shall also elect the secretary and other such officers, as may be deemed necessary for the proper discharge of the duties imposed upon said board.

Organization.

Proviso: financial agent.

SEC. 5. That the said board of trustees shall annually elect a superintendent of roads for Banner Township, who shall be paid such compensation out of the road funds of said township, as may be fixed by the said board, and who shall hold office for one year, or until his sucesor shall be elected and qualified:

Election of superintendent.

Compensation.

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 money expended therefor, and such other reports as may be required by 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 contract 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.

Removal of superintendent.

Duty of superintendent.

Maintenance and construction.

Monthly report.

Proviso: member of board may act as superintendent.

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, however,* that no peson shall be subject to road duty.

May purchase machinery.

Engineer.

Proviso: nobody subject to road duty.

May take road material.

SEC. 7. That the superintendent of roads of Banner Township is hereby authorized to enter upon any uncultivated land near to or adjoining any public road of said township, to cut and carry away timber, except trees or groves on improved land planted or left for shade or ornament, to dig, or cause to be dug and carried away any gravel, sand clay or stone which may be necessary to construct, improve or repair such road, and enter upon any land adjoining or lying near such road in order to make such drains or ditches through the same as he may deem necessary for the betterment of the roads, and the drains and ditches so made shall not be obstructed by the occupants of said land, or any other person, and any such person obstructing such drain or ditch shall be guilty of a misdemeanor and fined not exceeding fifty dollars, or imprisoned not exceeding thirty days. If the owner of any lands from which timber, stone, clay, gravel or sand shall be taken as aforesaid, shall present an account for the same through said superintendent to said board of trustees within thirty days after 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 damages a second, and these two a third, which said freeholders shall assess said damages and report the same in writing to the board of trustees, who shall pay the same from the road fund of said township.

Drains not to be obstructed.

Punishment for violation.

Account for materials used.

Jury of award.

Location of roads.

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 thereof, 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 the said road order a jury of three disinterested freeholders of Banner Township to be selected and summoned by the sheriff of Johnston County, as provided by law, who shall give said landowner forty-eight hours notice of the time and place when and where the said jury will meet to assess his damages; and said jury in considering the question of damages shall also take into consideration the benefits to the owner of the land, and if such benefits, be considered equal to, or greater than the damages sustained, the jury shall so declare, and it shall report its findings in writing to said trustees for revision and confirmation: *Provided*, that such owner may appeal to the Superior Court of Johnston County from the decision of said trustees.

Damages for right of way.

Jury of award.

Notice of meeting of jury.

Trustees to issue bonds.

SEC. 9. That the said board of trustees shall be and are hereby authorized and empowered to issue bonds of said Banner Town-

ship to be styled "Banner Township Road Bonds," to an amount Amount.
 not to exceed seventy-five thousand dollars of such denomination Denomination.
 and of such proportion as said board may deem advisable, bear- Interest rate.
 ing interest from the date of issue thereof at a rate not exceeding
 six per centum per annum with interest coupons attached payable
 annually or semiannually, as may be deemed best, at such time,
 or times, and at such place or places as may be deemed advisable
 by said board; said bonds to be signed by the chairman and secre- Authentication.
 tary of said board and to be of such form and tenor and transfer-
 able in such ways and the principal thereof payable and redeemable
 at such time or times, not exceeding forty years from the date Term.
 thereof, and at such place or places as said board of trustees may
 determine; that 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 this act.
 The liability for the payment of said bonds, together with all Liability for
 interest that may be due thereon, shall be attached to and imposed payment.
 upon the political division of Johnston County known as Banner
 Township, as constituted at the time of the ratification of this act.

SEC. 10. That for the purpose of providing for the payment of Special tax.
 said bonds and the interest thereon, and to provide a sinking
 fund for the retirement thereof, at maturity, the board of county
 commissioners of Johnston County shall annually and at the
 time of levying the county taxes levy and lay a special tax on all
 persons and property subject to taxation within the limits of Ban-
 ner Township of twenty-five cents on the one hundred dollars as- Amount.
 sessed valuation of property, and seventy-five cents on each tax-
 able poll. That the taxes so levied shall be collected as other
 taxes are collected and paid to the treasurer or financial agent
 of said board of road trustees.

SEC. 11. That all funds derived from the sale of any bonds Proceeds to be
 by the said board of trustees shall be paid over to the treasurer paid to treasurer.
 or financial agent of said board, and shall be used for the purpose Purpose.
 of constructing and improving, the public roads of said township,
 the purchase of such material, machinery and implements and
 the employment of such officers and labor as may be found neces-
 sary in the carrying out of this act.

SEC. 12. That all of the funds in the hands of the county treas- Funds to be
 urer of Johnston County or that may hereafter come into his transferred.
 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.

SEC. 13. That in 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 convicts upon public roads, all rights and privileges existing in regard thereto or that may hereafter exist for the use of convicts in Johnston County or any township therein, shall exist and apply to the use of convicts on the public roads of Banner Township.

Work may be let by contract.

SEC. 14. That the said board of road trustees may in their discretion let under contract to the lowest bidder any or all of the public roads of Banner Township on such terms and conditions as may be determined and fixed by said trustees, in which event the said roads shall be built and constructed according to the specifications and details agreed upon by said board of trustees, and the road building contractors to whom such contracts may be let: *Provided, however,* that such contractors shall give such bonds for the faithful performance of their contract as may be fixed and determined by said board of trustees: *Provided further,* that in the event the roads of said township are built by contracts as provided for in this section, then the requirements for the election of a superintendent of roads shall be dispensed with.

Bonds by contractors.

Proviso: superintendent of roads not required for contract work.

Funds not to be expended on streets.
Exception.

SEC. 15. That no money shall be expended upon this act upon any street in any incorporated town, except that the board of trustees may in their discretion work their part of the streets of said town which form a continuation or part of any public highways leading directly through said town: *Provided,* that the purchaser of the bonds provided for by this act shall not be required to look to the application of the money paid by them for any of the bonds issued under this act.

New tax supercedes former levy.
No other road taxes permitted.

SEC. 16. That after the levy of the special tax provided for by this act, the tax heretofore levied and collected for road building in said township shall be discontinued, and it shall not be lawful for the county commissioners of Johnston County to levy any other road taxes against the taxable property and polls of Banner Township, except as provided for in this act in support of the bond issue aforesaid, unless an additional tax shall be found and ascertained to be necessary to create a supplemental fund for the payment of interest and to retire the road bonds at maturity, in which event the board of county commissioners may levy an additional tax not exceeding five cents on the one hundred dollars valuation of property and fifteen cents on the poll to be used exclusively as a supplemental interest and sinking fund for said bond issue provided for in this act.

Exception.

Limit.

Conflicting laws repealed.

SEC. 17. That so much of chapter five hundred and thirty-one, Public Laws of one thousand nine hundred and nine, relating to the public roads of Banner Township and any other laws or clauses of laws in so far as they are inconsistent or are in con-

fict with the provisions of this act, be and the same are hereby repealed.

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

Ratified this the 7th day of March, A D. 1919.

CHAPTER 436

AN ACT TO AUTHORIZE ADDITIONAL COMPENSATION FOR THE CLERK OF THE COURT OF TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in compensation for the services performed by the clerk of the court during the term of the Superior Court in Tyrrell County the said clerk of the court of Terrill County shall be allowed the sum of twenty-five dollars (\$25) for each week that he may attend the Superior Court in said county, said compensation to be in addition to and in excess of any compensation to which said clerk is now entitled. The board of county commissioners of Tyrrell County is hereby authorized and directed to pay said clerk out of the general funds of the county the sum of twenty-five dollars (\$25) for each week of Superior Court attended by said clerk. ^{Additional 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 7th day of March, A D. 1919.

CHAPTER 437

AN ACT TO PREVENT SUNDAY SELLING IN WILSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful for any person, firm or corporation to sell, barter or otherwise dispose of for gain in Wilson County, on Sunday, any cold or soft drinks, tobacco, groceries, or other thing of value, other than drugs, funeral supplies, meals, lodging, except in cases of urgent necessity. ^{Sunday traffic prohibited.}

SEC. 2. Any person, firm or corporation violating any provision of this act shall be guilty of a misdemeanor and punished in the discretion of the court. ^{Violation of act misdemeanor.}

SEC. 3. This act to force and effect from and after its ratification.

Ratified this the 7th day of March, A D. 1919.

CHAPTER 438

AN ACT TO AUTHORIZE THE AUDITING OF THE BOOKS OF
THE VARIOUS COUNTY OFFICERS OF DAVIE COUNTY.

The General Assembly of North Carolina do enact:

County auditor
to be employed.

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, to audit the books during the month of June, one thousand nine hundred and nineteen and in each year thereafter.

Compensation.

SEC. 2. That the said auditor be chosen by the board of commissioners and compensation be fixed by said board.

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. 1919.

CHAPTER 439

AN ACT TO AMEND CHAPTER 52, PUBLIC-LOCAL LAWS
OF GENERAL SESSION OF 1913, RELATIVE TO SALARY
COUNTY OFFICERS OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Register of deeds'
salary made
\$2,000 with \$700
for deputy.

SECTION 1. That section seven of chapter fifty-two, Public-Local Laws of North Carolina, one thousand nine hundred and thirteen be, and the same is hereby amended by striking out the word "eighteen" in line one and inserting in lieu thereof the word "two thousand," and striking out the word "six" in line three and inserting in lieu thereof the word "seven."

Compensation for
making tax list.

SEC. 2. That for making out the tax list and for acting as clerk to the board of commissioners, the register of deeds of Columbus County shall receive the fees now allowed by law, in addition to the salary provided in section one of this act.

SEC. 3. That amounts heretofore paid the register of deeds of Columbus County for making out the tax list and acting as clerk to the board of commissioners be and the same is hereby allowed and authorized.

Sheriff's salary
increased to
\$3,000 with \$800
for deputy.

SEC. 4. That section four of chapter fifty-two of the Public-Local Laws of North Carolina of general session one thousand nine hundred and thirteen be and the same is hereby amended by striking out the words "two thousand and six hundred" in line one and two of said section, and inserting in lieu thereof

the words "three thousand," and striking out the word "six" in line four and inserting in lieu thereof the word "eight."

SEC. 5. That the treasurer of Columbus County shall receive ^{Treasurer's salary.} a salary of fifteen hundred dollars per annum in lieu of all other compensation.

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 on and after the first day of March, one thousand nine hundred and nineteen.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 440

AN ACT TO INVALIDATE THE BOND ISSUES OF BALDWIN AND WILLIAMS TOWNSHIPS OF CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the elections held for the issue of road ^{Bond elections voided.} bonds in Williams Township, Chatham County, on April seventeenth, nineteen hundred and seventeen, and for Baldwin Township, held on January sixth, nineteen hundred and seventeen, in which road improvement bonds were authorized to be issued for those townships under authority of chapter one hundred and twenty-two of the Public Laws of nineteen hundred and thirteen, but which bonds have not as yet been issued, are hereby declared null and void, and any bonds hereafter attempted to be issued by authority of these elections are hereby declared to be null, void, and invalid.

SEC. 2. That 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 7th day of March, A. D. 1919.

CHAPTER 441

AN ACT EMPOWERING THE BOARD OF COMMISSIONERS OF ROCKINGHAM COUNTY TO CHANGE THE LOCATION OF CERTAIN GRAVEYARDS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Rockingham ^{Bodies to be removed.} County is hereby authorized to secure a suitable plot in one of the cemeteries in Leaksville Township for the purpose of

removing the bodies interred in the small graveyard immediately west of the Y. M. C. A. building in Spray, Rockingham County, and the one near the boulevard in Spray known as the Barnett Graveyard; and to reinter the bodies so removed in the plot secured in one of the cemeteries in said Leaksville Township.

Expense.

SEC. 2. That the expense of securing the plot, the removal and reinterment of the bodies in said graveyard shall be borne by the persons interested in such removal and upon application of the said parties interested.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 442

AN ACT RELATING TO THE SALARY OF THE COUNTY TREASURER OF LENOIR COUNTY.

The General Assembly of North Carolina do enact:

Salary of
treasurer.

SECTION 1. That the treasurer of Lenoir County shall receive a salary of fourteen hundred dollars per annum in lieu of all other compensation whatsoever as now provided by law, and payable as now provided for his present salary.

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 the first day of March, nineteen hundred and nineteen.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 443

AN ACT TO AUTHORIZE THE COMMISSIONERS OF WILKES COUNTY TO ISSUE BONDS FOR THE COMPLETION OF THE GRADING OF THE BOONE TRAIL HIGHWAY TO THE WATAUGA COUNTY LINE.

The General Assembly of North Carolina do enact:

Commissioners to
issue bonds.

Purpose.

SECTION 1. That for the purpose of providing funds necessary for the good roads commission of Wilkes County to complete the grading of the public road leading from North Wilkesboro to a proposed intersection with that section of the Boone Trail highway in Watauga County, at the Watauga County line, and known as the Boone Trail highway, it shall be the duty of the board of commissioners of Wilkes County and they are hereby

directed to issue coupon bonds of said county in the amount of ^{Amount.} not exceeding twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary, in such denominations as they may ^{Denomination} determine, bearing interest at a rate of not exceeding six per ^{and interest rate.} centum per annum, payable semiannually at such time and place as may be determined by said board; said bonds shall ^{Form and time of payment.} 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 said board may determine, not exceeding forty years from the date thereof; *Provided*, that none of said bonds shall ^{Not to be sold for less than par.} be sold for less than par and shall be sold to the highest bidder, after advertising the sale thereof in some newspaper published ^{Advertisement.} in Wilkes County and in such other newspapers or journals as the county commissioners may select, once a week for four weeks before the sale of said bonds: *Provided further*, that said board of commissioners may reject any or all of said bids and may order readvertisement for further bids.

SEC. 2. That said bonds shall be numbered and shall be signed ^{Authentication.} by the chairman of said board of commissioners and attested by the signature of the register of deeds of said county and shall bear the corporate seal of said county. The coupons attached to ^{Numbers.} each bond shall bear the number of said bond as well as the number of the coupons and shall be executed either by the signing of the chairman of said board and the register of deeds or with their lithographed signatures.

SEC. 3. That in order to pay the interest on said bonds, and ^{Special tax to be levied.} to create a sinking fund for the purpose of taking them up at their maturity, the board of commissioners of said county shall annually levy, at the time of levying other taxes, a special tax of not to exceed seven cents on the hundred dollars valuation ^{Tax rate limited.} of all taxable property and on all subjects of taxation which said commissioners may now or hereafter be allowed to levy taxes upon for any purpose whatsoever: *Provided*, that in levying a poll tax they shall observe the constitutional limitations between property and poll tax.

SEC. 4. That said taxes shall be collected in the same manner ^{Collection of taxes.} and by the same officers as the county and state taxes and shall be paid over into the hands of the county treasurer and shall ^{Separate fund.} by him be kept separate and apart from all other funds and shall be applied in payment of the interest on said bonds as the same may fall due and to create a sinking fund for the payment of the principal of said bonds. It shall further be the duty of ^{Investment of sinking fund.} the treasurer to invest said sinking fund upon the most advantageous terms that he can and upon approved security.

SEC. 5. That the money derived from the sale of said bonds ^{Application of proceeds.} shall be turned over by the board of county commissioners to the good roads commission of Wilkes County, and said good

roads commission shall use the same for the purpose of completing the grading of the road leading from North Wilkesboro to a point in the Watauga County line, near Deep Gap, as the same has been surveyed or may hereafter be surveyed and adopted by said good roads commission and known as the Boone Trail highway.

SEC. 6. That the board of county commissioners of Wilkes County shall without unnecessary delay proceed upon the ratification of this act to sell said bonds and dispose of the proceeds thereof as in this act directed.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 444

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A PUBLIC BRIDGE OR BRIDGES AT OR NEAR THE FORK OF LEWIS FORK CREEK IN WILKES COUNTY.

The General Assembly of North Carolina do enact:

Commissioners
to build bridge.

SECTION 1. That the board of commissioners of Wilkes County are hereby authorized, empowered and directed to have constructed an iron or steel bridge across Lewis Fork creek just below the fork of said creek, or if found to be more practicable to construct two small bridges, one over each prong of said creek just above the fork, the exact location of said bridge or bridges to be settled by the said board of commissioners, said bridge or bridges and approaches to cost not exceeding four thousand dollars, said bridge or bridges to be completed within six months from the first day of April, one thousand nine hundred and nineteen; and said board of commissioners are hereby authorized to pledge the credit of the county in payment for the construction of said bridge or bridges and approaches, until the taxes hereinafter authorized for the payment of the same shall be levied and collected.

Location.

Cost.

Time of
completion.

Special tax
to be levied.

SEC. 2. That in order to provide a fund for the construction of said bridge or bridges and approaches, the board of commissioners of Wilkes County are hereby directed to levy a special tax at their regular meeting in June, one thousand nine hundred and nineteen, or at such time as they shall levy the other taxes for said county for the year one thousand nine hundred and nineteen, of not more than five cents on the one hundred dollars valuation of property and fifteen cents on each poll, to be placed on the tax list and collected with the current tax for said year.

Limit of rate.

SEC. 3. That the contract for the construction of said bridge ^{Contract.} or bridges and approaches shall be let by the board of commissioners of Wilkes County, upon such terms as they may deem expedient, at a date not later than four months from the ratification of this act.

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

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 445

AN ACT VALIDATING CERTAIN ROAD AND BRIDGE BONDS HERETOFORE ISSUED BY ROCKINGHAM COUNTY AND PROVIDING A SPECIAL TAX TO PAY THE INTEREST ON SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That the bonds known as the road and bridge ^{Bonds validated.} bonds issued by Rockingham County, dated May first, one thousand nine hundred and eighteen, and maturing serially, in the sum of two hundred and twenty-five thousand dollars (\$225,000) are hereby validated and shall be a legal and binding obligation on the said county of Rockingham.

SEC. 2. That the board of commissioners of Rockingham ^{Special tax.} County are hereby authorized and empowered to levy a special ad valorem tax on all property in said county necessary to pay the interest on said bonds and create a sinking fund to mature and pay off the same. Said levy to be made by said board at the time of the levying of other taxes in Rockingham County.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 446

AN ACT TO PROVIDE A COURT STENOGRAPHER FOR ORANGE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Orange County ^{Commissioners to appoint stenographer.} shall have the authority in the trial of all criminal and civil cases in the Superior Court of said county, to appoint a court stenogra-

Duties.	pher whose duty it shall be to take full stenographic notes of all oral testimony, the admissions made by either side, the objections to the introduction of testimony, the rulings of the court thereon and the objections taken to such rulings, all motions and matters heard and passed upon by the court upon all upon matters controverted by parties, and the charge of the court to the jury, and when required by the court the stenographer shall read the notes of the jury. All stenographers appointed under the provisions of this act shall before entering upon his or her duties take an oath to discharge faithfully and impartially all the duties imposed by this act.
Oath.	
Fees.	SEC. 2. The fees allowed shall be five dollars for every day or part of a day that the stenographer may be engaged in the courthouse; and in the event such stenographer shall not be a resident of the county seat where the court is held, he or she shall be allowed two dollars per day and mileage of three cents per mile to and from the county seat for actual expenses and in all cases where the judge may direct the evidence, charge, exceptions, and other notes to be transcribed, the stenographer shall furnish one original to be filed in the court and one copy for each of the parties, and he or she shall be allowed ten cents per copy sheet of one hundred words for the original, but there shall be no extra charge for the two copies furnished: <i>Provided</i> , that where the said notes are transcribed at the request of the litigant the costs of the same shall be paid by the person so requesting and shall not be a charge against the county.
Expense and mileage.	
Fees for copy.	
Proviso: notes at request of litigant.	
Copy to be preserved.	SEC. 3. The copy so filed in court shall be preserved by the clerk and shall be used in making up the case on appeal, and a charge of five cents per copy sheet of one hundred words shall be made for that part of the case on appeal so furnished by the official stenographer which said amount shall be collected by the clerk.
Charge for copy sheet.	
Pay of stenographer.	SEC. 4. At the meeting of the board of commissioners next ensuing upon each term of said courts, or at any subsequent meeting when a bill for the services of the said stenographer has been presented, duly audited by the clerk of the court, an order shall be made by the said county commissioners directing the county treasurer to pay such stenographer for his services.
Stenographer's copies evidence.	SEC. 5. Whenever it shall become necessary in any court in the state to prove the testimony of a witness at the trial of any former case in Orange County, the certified typewritten copy of the notes of such testimony taken by the official stenographer shall be evidence to prove same.
Costs for stenographer.	SEC. 6. To reimburse the county for the expenditure required by this act there shall be taxed by the clerk of the court and paid to the county treasurer a fee of three dollars as part of the costs in all civil actions wherein a jury is impaneled, and
Fees.	

in all criminal actions wherein a jury is impaneled there shall be taxed as a part of the costs and paid to the county treasurer a fee of two dollars, except that in cases of capital felonies the fee shall be five dollars; and in cases where a jury trial is waived and it is necessary for the judge presiding to have the stenographer to take the evidence or his findings of fact, his honor shall fix the fee and tax the same as part of the costs: *Provided*, that in the trial of civil actions consuming more than one day an additional fee shall be taxed of three dollars per day or fractional part thereof.

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

Ratified this the 7th day of March, A D. 1919.

CHAPTER 447

AN ACT TO AMEND SECTION 3 OF CHAPTER 317 OF THE PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO CREATE A ROAD COMMISSION FOR EDGECOMBE COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter three hundred and seventeen of the Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended so that said section as amended will read as follows: Chapter 317,
Public-Local Laws
1913, amended.

SEC. 3. That the members of said road commission shall meet as soon as practicable after their said election and elect one of their members chairman of said commission, and shall also elect a secretary, which secretary may be elected from the membership of said commission, or may be some suitable citizen of that portion of said county not embraced in any special road district; the said road commission shall hold regular meetings at the courthouse in Tarboro at such times and shall pass such rules and regulations for their government as they shall deem best; and the members of said road commission shall receive such compensation as shall be allowed them by the board of commissioners of Edgecombe County. The secretary of said road commission shall receive such compensation as the said road commission may fix, and if such secretary should himself be a member of said road commission, his compensation as secretary shall be in addition to the compensation allowed him as a member of such road commission." Meeting of road
commissioners.
Organization.
Rules.
Compensation.
Compensation
of secretary.

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

Ratified this the 7th day of March, A D. 1919.

CHAPTER 448

AN ACT TO REGULATE THE PAY OF SHERIFF AND TREASURER OF ALEXANDER COUNTY FOR HANDLING THE ROAD FUNDS DERIVED UNDER SENATE BILL NUMBER 582.

The General Assembly of North Carolina do enact:

Compensation
of sheriff and
treasurer.

SECTION 1. That the compensation of the sheriff and treasurer of Alexander County for handling the road fund derived under Senate bill five hundred and eighty-two, session one thousand and nine hundred and nine, shall be the same as is allowed under the former road bond act for Alexander County.

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

Ratified this the 7th day of March, A D. 1919.

CHAPTER 449

AN ACT TO AMEND THE REVISAL OF 1905, RELATIVE TO PENSION BOARDS OF THE COUNTIES.

The General Assembly of North Carolina do enact:

Compensation of
Pension Board
increased.

SECTION 1. That section two thousand seven hundred and eighty-three (2783) of chapter sixty-six (66) of the Revisal of one thousand nine hundred and five, be and the same is hereby amended by striking out the words "two dollars" in line two of said section and inserting in lieu thereof the words "four dollars."

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 the 7th day of March, A. D. 1919.

CHAPTER 450

AN ACT TO AMEND CHAPTER 305, PUBLIC-LOCAL LAWS OF 1913, RELATING TO BOARD OF ROAD TRUSTEES OF CHARLOTTE TOWNSHIP, MECKLENBURG COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

One-third of road
fund to be spent
on Charlotte
streets.

SECTION 1. That section one of chapter three hundred and five of Public-Local Laws of one thousand nine hundred and thirteen, be, and the same is hereby amended by striking out in

line four of said section the word "two-thirds" and substituting in lieu thereof the word "one-third."

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 451

AN ACT TO AUTHORIZE THE COMMISSIONERS OF WILKES COUNTY TO ISSUE BONDS FOR ROAD PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of further laying out, constructing and maintaining the system of public roads in Wilkes County already commenced and partly constructed, as authorized and provided for by chapter three hundred and forty-five, Public-Local Laws of one thousand nine hundred and fifteen, it shall be the duty of the board of commissioners of said county and they are hereby directed to issue coupon bonds of said county to an amount not exceeding two hundred and fifty thousand dollars (\$250,000), in such denominations as they may determine, bearing interest at not exceeding the rate of six per centum per annum, payable semiannually at such times and place as may be determined by said board; and said bonds shall 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 said board may determine, not exceeding forty years, from the date thereof: *Provided*, that none of said bonds shall be sold for less than par and shall be sold to the highest bidder, after advertising the sale thereof in some newspaper published in Wilkes County and in such other newspapers or journals as the county commissioners may determine, once a week for four weeks before the sale of said bonds: *Provided further*, that said board may reject any or all of said bids and may order a readvertisement for further bids.

SEC. 2. That said bonds shall be numbered and shall be signed by the chairman of said board of commissioners and attested by the signature of the register of deeds of said county and shall bear the corporate seal of said county. The coupons attached to each bond shall bear the number of said bond as well as the number of the coupon and shall be executed either by the signing of the chairman of said board and the register of deeds, or with their lithograph.

SEC. 3. That in order to pay the interest on said bonds and to create a sinking fund for the purpose of taking them up at maturity, the board of commissioners of said county shall annually

Limit of tax rate. levy, at the time of levying other taxes, a special tax of thirty cents on the hundred dollars valuation of all taxable property in said county and ninety cents on each poll therein.

Application of proceeds.

SEC. 4. That said taxes when collected shall be kept separate and a part from all other taxes and shall be used for the purposes expressed in this act: *Provided*, that if the funds derived from said taxes shall be more than sufficient for the payment of the interest on said bonds and providing for a sinking fund, as hereinbefore provided, said surplus shall be used as an additional maintenance fund in connection with and supplementary to the maintenance fund provided for in chapter three hundred and forty-five, Public-Local Laws one thousand nine hundred and fifteen; and it shall be the duty of the county commissioners annually to turn said surplus over to the good roads commission of Wilkes County.

Surplus as maintenance fund.

Investment of sinking fund.

SEC. 5. That it shall be the duty of the board of commissioners of Wilkes County to invest annually 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 the most advantageous terms they can secure for the county and upon approved security, said funds to be invested in Wilkes County if safe and satisfactory investment can be had therein.

Expenditure under direction Good Roads Commission.

SEC. 6. That the moneys derived from the sale of said bonds shall be turned over by the board of county commissioners to the good roads commission of Wilkes County and said good roads commission shall use the amounts herein provided for in surveying, laying out, building, top-soiling or otherwise improving the roads herein provided for and constructing such bridges as may be necessary on said roads.

Special appropriations made for definite projects.

SEC. 7. That for the purpose of securing to each township as nearly as may be its pro rata share of the benefits of the funds arising from the sale of said bonds and at the same time provide for the county as nearly as may be a useful and comprehensive system of good roads, said good roads commission is hereby directed to lay out, build and construct the following roads, employing therefor the respective amounts appropriated herein for each project or so much of said amounts as may be necessary therefor, to wit:

Road, Wilkesboro to Goshen and Marley's Ford to Stoney Fork Creek.

Project 1. The sum of fourteen thousand dollars (\$14,000) is hereby set apart and appropriated for the laying out and constructing of road from Wilkesboro to Goshen, up the Yadkin River; and ten thousand dollars is hereby set apart and appropriated for the laying out and construction of a road leading from Marley's Ford the most practicable route to Stoney Fork Creek and thence up said creek as far as said sum is sufficient to build said road.

Project 2. The sum of sixteen thousand dollars (\$16,000) is hereby set apart and appropriated for the laying out and construction of such roads as will best serve the interest of the citizens of Beaver Creek Township and the Elk Creek section of Elk Township. Beaver Creek and Elk Creek roads.

Project 3. The sum of seven thousand dollars (\$7,000) is hereby set apart and appropriated for the laying out and construction of such roads as will serve the best interests of a majority of the citizens of Lewis Fork Township. Lewis Fork Township.

Project 4. The sum of six thousand dollars (\$6,000) is hereby set apart and appropriated for the laying out and construction of a road beginning at some point on the Boone Trail Highway, west of Purlear, and running up the north prong of Lewis Fork as far as said funds will be sufficient to build it, for the convenience of the citizens of Stanton Township and a part of Jobs Cabin Township. From Boone Trail up north prong Lewis Fork.

Project 5. The sum of ten thousand seven hundred dollars (\$10,700) is hereby set apart and appropriated for the laying out and construction of a road from W. H. McNeill's store, on the Boone Trail Highway, by way of Congo, to the forks of Lewis Fork Creek, a part of which has already been graded. From Boone Trail via Congo to forks of Lewis Fork Creek.

Project 6. The sum of nine thousand dollars (\$9,000) is hereby set apart and appropriated for the laying out and construction of such roads as in the judgment of the good roads commission may be most advantageous to the citizens of Union Township. Union Township.

Project 7. The sum of twelve thousand dollars (\$12,000) is hereby set apart and appropriated for the laying out and construction of a road leading either from the Mulberry road through the Haymeadow section, into Walnut Grove Township, or from the Mountain View road through the Haymeadow section into Walnut Grove Township, the location to be determined by the good roads commission. Walnut Grove Township.

Project 8. The sum of fifteen thousand dollars (\$15,000) is hereby set apart and appropriated for the laying out, construction and completion of such road or roads as the good roads commission shall determine to be the most advantageous to the citizens of Traphill Township. Traphill Township.

Project 9. The sum of seven thousand dollars (\$7,000) is hereby set apart and appropriated for the laying out and construction of such road or roads as will, in the judgment of the good roads commission, best serve the convenience of the citizens of Rock Creek Township. Rock Creek Township.

Project 10. The sum of ten thousand dollars (\$10,000) is hereby set apart and appropriated for the laying out and construction of such roads as will, in the judgment of the good roads commission, be most advantageous to the citizens of Edwards Township. Edwards Township.

Topsoiling
Ronda road.

Project 11. The sum of five thousand dollars (\$5,000) is hereby set apart and appropriated for the purpose of top-soiling the road already graded from Ronda to the Iredell County line.

Road from
Oakwoods to
Alexander
County line.

Project 12. The sum of twelve thousand five hundred dollars (\$12,500) is hereby set apart and appropriated for the laying out and construction of a road leading from Oakwoods, by way of Lithia Springs, through Brushy Mountain Township, to an intersection with the Alexander County sand-clay road, at the county line, on or near Rocky Creek.

Oakwoods to
county-seat.

Project 13. The sum of three thousand dollars (\$3,000) is hereby set apart and appropriated for the laying out and construction of a road leading from Oakwoods to the courthouse in Wilkesboro.

Topsoiling
Hunting
Creek road.

Project 14. The sum of ten thousand dollars (\$10,000) is hereby set apart and appropriated for the purpose of top-soiling the road leading from Dan Anderson's to Templeton's store, known as the Hunting Creek road.

Topsoiling
Roaring
River road.

Project 15. The sum of fourteen thousand dollars (\$14,000) is hereby set apart and appropriated for the purpose of top-soiling the road leading from Dan Anderson's by way of Roaring River and Clingman to the Yadkin County line.

Topsoiling Deep
Gap road.

Project 16. The sum of sixteen thousand dollars (\$16,000) is hereby set apart and appropriated for the purpose of top-soiling the road leading from North Wilkesboro by way of Millers Creek, to Deep Gap, and known as the Deep Gap road.

Topsoiling
Wilkesboro-
Boomer,
Moravian Falls-
Kilby's Gap roads.

Project 17. The sum of seven thousand five hundred dollars (\$7,500) is hereby set apart and appropriated for the purpose of top-soiling the road leading from Wilkesboro by way of Moravian Falls to Boomer, and the sum of three thousand seven hundred and fifty dollars (\$3,750) is hereby set apart and appropriated for the purpose of top-soiling that part of the Taylorsville road between Moravian Falls and Kilby's Gap.

Completion of
Mulberry road.

Project 18. The sum of nine thousand dollars (\$9,000) is hereby set apart and appropriated for the purpose of top-soiling and completing the road from Fairplains by way of old Mulberry postoffice, and known as the Mulberry road.

Traphill road.

Project 19. The sum of twelve thousand dollars (\$12,000) is hereby set apart and appropriated for the purpose of top-soiling the Traphill road from Fairplains by way of Mountain View.

Millers Creek-
Deep Ford road.

Project 20. The sum of four thousand dollars (\$4,000) is hereby set apart and appropriated for the purpose of top-soiling the road from Millers Creek by way of Deep Ford hill, so as to serve Union Township.

Topsoiling roads of
Edwards
Township.

Project 21. The sum of nine thousand dollars (\$9,000) is hereby set apart and appropriated for the purpose of top-soiling such roads in Edwards Township as may be selected by the good roads commission.

Project 22. That if and whenever any funds become available for Moravian Falls Township beyond the funds necessary to carry out and complete the projects for that township, already herein-before authorized, the same up to the sum of six hundred dollars (\$600) is hereby set apart and appropriated for the laying out and construction of a road leading from a point in the Taylorsville road, just beyond Moravian Falls, by way of Brockton, and in the direction of the Alexander County line.

SEC. 8. That the full amounts appropriated in the last preceding section for each project shall be expended in compliance therewith, unless such road or project can be completed with a less amount: *Provided*, that at the end of each month all overhead expenses and expenditures not properly chargeable to any given project shall be prorated among the projects under construction during said month.

SEC. 9. That the remainder of the money derived from the sale of said bonds after the projects hereinbefore provided for shall have been completed shall be used in the building and topsoiling such other roads in said county as may be necessary and as may be determined by the good roads commission of Wilkes County. And any and all funds which may be allotted by the state or the federal government for building roads in Wilkes County shall be expended for said purposes on such roads as the good roads commission may determine.

SEC. 10. That the good roads commission shall keep a full and complete record of all moneys received and disbursed by them or under their supervision and shall keep separate accounts of the moneys disbursed on each project and shall publish a sworn itemized statement of the funds so expended by them on each separate project, to whom paid and for what purpose, and also of the number of miles of roads constructed, and cost per mile thereof, and for all other purposes, every month, in some newspaper published in Wilkes County. Said commission shall keep a separate account of the maintenance fund and the same shall be used in altering, if necessary, or otherwise repairing and maintaining the public roads of Wilkes County. In order to carry out the provisions of this section, said commission is authorized to employ and compensate reasonably necessary clerical assistance.

SEC. 11. No money shall be disbursed by the good roads commission until the claim therefor has been audited and approved by them and signed by their chairman or acting chairman.

SEC. 12. That the building of the roads provided for in this act is necessary to serve the interests of the people of Wilkes County and the traveling public, and the expense of building the same is hereby declared a necessary expense of said county.

SEC. 13. The good roads commission shall hold their regular meetings in the courthouse and the same shall be open to the public.

Additional funds
for Moravian
Falls Township.

Overhead not
directly chargeable
to be prorated.

Remainder to be
used on roads in
discretion of
commission.

State or
Federal aid.

Record of receipts
and disburse-
ments.

Statements of
work and cost
thereof to be
published monthly.

Maintenance
fund account.

Clerical
Assistance.

Audit of claims.

Road building
declared
necessary
expense.

Open meetings.

Protection of roads from shade.

SEC. 14. The good roads commission shall cause to be cut all dead timber near enough to any of the public roads of Yilkes County to fall across them and shall likewise cause to be cut all such green timber, ornamental, fruit and shade trees excepted, as will shade the road for a distance of thirty feet back from the road: *Provided*, in cutting timber trees which shade a road the interests of the owner shall be properly safeguarded.

Contract system to be given full test.

SEC. 15. That in carrying out the provisions of this act the good roads commission shall give the contract system a fair and full test and if they find that they can more cheaply and efficiently construct and top surface the roads of Wilkes County by the contract system than otherwise, it shall be their duty to employ such system in so far as they may deem it to the best interest of the county to do so.

Chapter 345 Public-Local Laws 1915 so far as consistent continued in force.

SEC. 16. That the provisions of chapter three hundred and forty-five, Public-Local Laws of one thousand nine hundred and fifteen, not inconsistent with this act, shall remain in full force and effect, but in so far as the provisions of said act and all other laws and clauses of laws conflict with the provisions of this act, they are hereby repealed.

Good Roads Commission personnel changed.

SEC. 17. That section nine, chapter three hundred and forty-five, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking from lines one and two thereof the names of T. C. Myers, C. R. Triplett, W. A. Hendrix, R. Don Laws, and H. W. Horton, and inserting in lieu thereof the names of J. E. Finley, U. G. Foster, J. E. Caudill, W. S. Wellborn, and N. E. Parlier; and that section ten of said act be amended by striking from line four thereof the names of T. C. Myers, C. R. Triplet, and W. A. Hendrix and inserting in lieu thereof the names of J. E. Finley, U. G. Foster, and W. S. Wellborn; and by striking from lines five and six thereof the names of R. Don Laws and H. W. Horton and inserting in lieu thereof the names of J. E. Caudill and N. E. Parlier; and the said J. E. Finley, U. G. Foster, W. S. Wellborn, J. E. Caudill, and N. E. Parlier shall constitute the good roads commission of Wilkes County, the said J. E. Finley, W. S. Wellborn, and U. G. Foster to hold their offices for four years, and the said J. E. Caudill and N. E. Parlier to hold their offices for two years: *Provided*, that if a vacancy occur by death, resignation, removal or otherwise, the same shall be filled by the said commission, so that not more than three members of one political faith shall hold office on said commission at any time, and such successor or successors shall hold office or offices until his or their successors shall be chosen by the legislature and shall qualify.

Other sections made to conform.

Terms of office.

Vacancies.

Not more than three members from same party.

SEC. 18. That section eleven, chapter three hundred and forty-five, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out the comma,

just after the word "secretary," in line six thereof, and by inserting in lieu thereof a period; and by striking out all of said section after the word "secretary" in line six thereof and adding the following: The treasurer of Wilkes County shall be ex officio County Treasurer treasurer of commission. treasurer of the good roads commission and shall receive for such Compensation. duties, in addition to the salary he now receives, the sum of three hundred dollars per annum, to be paid out of the surplus funds of said commission. He shall execute a bond for the faithful performance of his duties and the faithful accounting for the funds that may come into his hands as treasurer of said commission, with good and sufficient sureties, to be approved by said commission, or in some bonding company to be approved by said commission, the premiums for which shall be paid out of the surplus road funds, in the sum of fifteen thousand dollars Payment of Premiums. (\$15,000). It shall be his duties to receive and deposit all moneys due or belonging to the good roads commission in the three banks now doing business in Wilkes County, distributing the same equally among them, unless for good and sufficient reasons, to be approved by said commission, it may become advisable to withdraw said funds from any one or all of said banks. He shall keep a true and faithful record of all road funds coming into his hands and of the disbursement thereof. He shall keep the accounts of the different projects separate and distinct. He shall pay out the moneys coming into his hands only upon proper vouchers approved by said commission and attested by the signature of its chairman or acting chairman. He shall be required to make an annual settlement with said commission in respect to all road funds that come into his hands, in like manner as he is now required to settle with the county commissioners. Record of treasurer. Disbursement of fund. Settlements.

SEC. 19. That it shall be lawful for the good roads commission, through its superintendent, supervisors, surveyors, or other employees, to enter upon any lands in Wilkes County, for the purpose of locating, surveying, building, altering or repairing any public roads therein or for obtaining material therefor, either before or after an order has been made providing for and establishing said road, and any person or persons obstructing them or any of their employees above mentioned in the performance of these duties shall be guilty of a misdemeanor and punished as provided in section thirteen, chapter three hundred and forty-five, Public-Local Laws of one thousand nine hundred and fifteen. Right of eminent domain conferred on commission. Obstruction of road work a misdemeanor.

SEC. 20. That immediately after the ratification of this act, the board of commissioners of Wilkes County shall proceed without delay to sell the bonds herein provided for and apply the funds as hereinbefore specified. Bonds to be sold without delay.

SEC. 21. That section twenty-four, of chapter three hundred and forty-five, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby repealed. Section twenty-four of 1915 road law repealed.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 452

AN ACT TO REPEAL CHAPTER 723 OF THE PUBLIC-LOCAL LAWS OF 1915 AND TO AMEND CHAPTER 581 OF THE PUBLIC LAWS OF 1899, RELATING TO THE OFFICER OF ROAD SUPERINTENDENT OF ROCKINGHAM COUNTY AND THE WORKING AND BUILDING OF PUBLIC ROADS IN ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter seven hundred and twenty-three of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby repealed: *Provided*, that the repeal of said act shall in no way effect the office of the road superintendent of Rockingham County during the term which he is now serving for which he was elected at the general election in one thousand nine hundred and eighteen.

Proviso: repeal not to affect office road superintendent during present term.

Section two chapter 581 Public Laws 1899 repealed so far as it relates to Rockingham County.

SEC. 2. That section two of chapter five hundred and eighty-one of the Public Laws of one thousand eight hundred and ninety-nine in so far as it relates to Rockingham County be repealed and the following substituted in lieu thereof to be known as section two of said act, to wit:

Election of road superintendent by county commissioners.

“That there shall be elected by the board of county commissioners at their regular meeting in December, one thousand nine hundred and twenty, and at their regular meeting in December of each and every year thereafter, a superintendent of roads, who shall be paid such compensation as may be fixed by the board of county commissioners and to be paid out of the county road fund, and who after said December meeting, one thousand nine hundred and twenty, shall hold office for one year or until his successor has been elected and qualified as provided for in this act: *Provided*, that the said superintendent of roads may at any time be removed by the board of county commissioners 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 action, and for malfeasance or misconduct in office he may be removed by them without further notice than may be necessary in order to give him a hearing. It shall be the duty of the said superintendent of roads, subject to the approval of the board of county commissioners, to supervise, direct, and have charge of the maintenance and building of all public roads in the county, and he shall submit to the

Term of office.

Removal after notice and hearing for cause.

Removal for malfeasance or misconduct.

Duties of superintendent.

Monthly reports.

board of county commissioners a monthly report concerning the work in progress and the moneys expended, and he shall submit, Quarterly reports. quarterly, a report on the condition of the public roads and bridges and plans for their improvement, and he shall include on this quarterly report an inventory of the tools, implements, teams, and other equipment on hand; and he shall submit a report Semi-annual reports. on the condition of the roads and bridges in said county every six months to the Superior Court of Rockingham County for the inspection of the solicitor prosecuting the docket in said court. Said road superintendent before entering upon the duties of his office shall deposit with the board of county commissioners a good and lawful bond, to be approved by the said board of county commissioners, in the sum of three thousand dollars as a guarantee of the faithful and honest discharge of the duties of his office, which bond shall be duly registered in the office of the register of deeds and filed with the clerk of the Superior Court of the county. In case of the death or resignation or removal of said road superintendent, it shall be the duty of the county commissioners to elect at their first meeting thereafter a road superintendent, who shall hold office at the discretion of said board of county commissioners, or until the regular January meeting of said board and until his successor has been elected and qualified." Bond.

SEC. 3. That a new section be added to said chapter five hundred and eighty-one, Public Laws of one thousand eight hundred and ninety-nine, in so far as it applies to Rockingham County, to read as follows: Successor.

"That the board of county commissioners of the Rockingham County and the road superintendent duly elected by them shall make the necessary provision for the general and regular upkeep of all top-soil, macadam or other permanently improved highways in Rockingham County, and in order to carry out the provisions of this section the said board of commissioners is authorized and empowered to lay off said roads in said county in road districts and put a person or persons in charge thereof and require such person or persons to keep well repaired the said public highways, and it shall be the duty of such person in charge of said road districts to file monthly reports with the board of commissioners of Rockingham County on the condition of such highways; and it shall be the duty of the road superintendent to inspect the work of said persons in charge of all said districts and report to said board of commissioners on the manner in which the said roads are kept repaired." New section added to law of 1899.

SEC. 4. That section eight of chapter five hundred and eighty-one of the Public Laws of one thousand eight hundred and ninety-nine in so far as it relates to Rockingham County be amended as follows: Commissioners and superintendent to lay off road districts.

By striking out after the word "years" in line seven of said section all of the words down to the word "provided" in line eight of said section, and substitute therefor the following: "May be worked on the public roads of the county if in the discretion of the board of commissioners they desire to continue the convict camp and the working of the roads by convict labor."

Use of convict labor discretionary.

Further amendment law of 1899.

SEC. 5. That a new section be added to said chapter five hundred and eighty-one of the Public Laws of one thousand eight hundred and ninety-nine, applying only to Rockingham County, to read as follows:

Convicts may be hired out or worked on farm.

"That the board of county commissioners of Rockingham County may in their discretion at any time discontinue the convict force in Rockingham County as a road force and they may in their discretion hire out any prisoners sentenced to the roads in Rockingham County, or may arrange to work any such prisoners on the county home farm of said county."

Condemnation of road materials authorized.

SEC. 6. That, for the purpose of carrying out the provisions of the road law of Rockingham County the superintendent and supervisors of roads are hereby authorized to enter upon any lands 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 or orchards, 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 said road, and to enter on any lands adjoining or lying near the road in order to make such drains or ditches through the same as may be deemed necessary for the betterment of the road, and do as little injury to said lands and the timber or improvements thereon as the nature of the case and the public good will permit: *Provided*, that in case the road superintendent or supervisor shall enter upon any cultivated lands to take top-soil, and crops shall be growing thereon, the owner of such crops shall be fully compensated for the actual matured value of such crops so destroyed.

Construction of ditches.

Proviso: payment for damages to land or crops.

Violation of act a misdemeanor.

SEC. 7. That any person violating the provisions of this act or any of the provisions of chapter five hundred and eighty-one of the Public Laws of one thousand eight hundred and ninety-nine, in so far as it applies to Rockingham County, shall be guilty of a misdemeanor and upon conviction shall be punished in the discretion of the court.

Law of 1899 not affected save as it applies to Rockingham County.

SEC. 8. That nothing herein shall be construed to repeal any part of chapter five hundred and eighty-one, Public Laws of one thousand eight hundred and ninety-nine, as applied to any county other than the county of Rockingham, and it shall not be construed to repeal any part of said as applying to Rockingham County except in so far as said act conflicts with this act.

SEC. 9. That all laws and clauses of laws in conflict with this act, in so far as it applies to Rockingham County, are hereby repealed.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 453

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 Highway Pitt a highway commission, to be known as the Pitt County commission to be Highway Commission, said highway commission to be composed of three citizens and taxpayers of Pitt County, North Carolina, all county commissioners. of said members to be appointed by the board of commissioners of Pitt County, one for the term of two years, one for the term of four years, and one for the term of six years; and that 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. Term of office. Body corporate and politic.

SEC. 2. That all the public roads, cartways and bridges along the public roads of 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 roads or cartways or bridges, and all other matters in reference thereto are by this act placed under the exclusive supervision and control of the Pitt highway commission. Vested with exclusive control of roads.

SEC. 3. That the term of office of the members of the Pitt highway commission shall begin on the first day of January, one thousand nine hundred and twenty. The first one named shall hold office for two years, the second one named for four years, and the third and last named shall hold office for six years, and their successors shall thereafter be elected upon the expiration of their respective terms of two years each by the township highway advisory commission hereinafter provided for, and according to the methods hereinafter set out. Term of office to begin January 1, 1920.

SEC. 4. That upon failure of any member of the Pitt highway commission now or hereafter appointed to qualify or in the case of death or resignation of any member of said highway commission said vacancy shall be filled by appointment made by the board of county commissioners of Pitt County. Vacancies.

SEC. 5. That the Pitt highway commission may appoint one of their members to act as secretary for the said commission or Secretary of commission.

they may appoint the county treasurer, or his assistant, who shall hold office for one year from the date of his appointment or election, and thereafter shall be elected or appointed 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 like manner by said highway commission.

Compensation
of secretary
and duties.

SEC. 6. That the secretary of the said highway commission shall be paid a salary not exceeding twenty dollars per month, and it shall be the duty of the secretary to keep a complete record of all 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 said highway commission shall be signed by the chairman and countersigned by another member of said highway commission.

Contents of record.

County
commissioners to
turn over all road
equipment.

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 commission all the 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 said highway commission.

Treasurer to
keep funds as
separate account.

Road construction
or repairs may be
let to contract.

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 contractors upon such terms as may be agreed upon, unless otherwise provided by 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.

Bond required
of contractor.

Employment of
officers and
assistants for
road work.

SEC. 9. The highway commission is authorized in its discretion to create and fill any position which it may deem expedient, or hire temporarily for proper road construction and maintenance, superintendent of the convict force engaged in road work, a high-

way 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 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.

Compensation, bonds, powers and duties of employees.

Removal for cause.

Instruction may be secured.

Proviso: need for economy to be always considered.

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.

Designation of permanent roads.

Proviso: township taxes and township road work.

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 trees, except trees left for ornament or shade, to dig or cause to be dug and carry 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 wilfully 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 completion of the act complained of present his claim to the highway commission, who shall pass thereon within

Condemnation of road materials.

Construction of ditches.

Obstruction of ditches misdemeanor.

Claims for damages.

twenty days, and the owner may, within ten days from notice of the decision, appeal to the Superior Court.

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 or 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 and his guardian, or if there be no guardian, to 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 in 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 be subject to review by appeal to Superior Court. No strip of land wider than forty feet with such additional width as may be necessary for cuts and fills shall be so 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 proceed to construct the road. That in case of an appeal from the compensation allowed for such lands taken, or damage 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 not more than fifty dollars (\$50), or imprisoned not more than thirty days.

Location or relocation of roads.

Notice to land-owners.

Notice to guardian.

Notice to non-resident.

Condemnation.

Appeal.

Limit of rights-of-way.

Appeal for damages allowed.

Proviso: assessment of costs.

Obstruction of road work a misdemeanor.

SEC. 14. The highway commission with the board of county commissioners 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 convey 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.

Discontinuance
of roads.

Notice.

Cartways.

Appeal.

SEC. 15. 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, 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 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 a county newspaper published in the town of Greenville, and shall also be posted at the courthouse door in the town of Greenville.

Separate account
of road funds.Quarterly reports
to commissioners.Publication
of statement.

SEC. 16. The chairman 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 costs 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.

Annual statement
by highway
commission.Amount of work
done to be shown.

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

Purchase of
additional
machinery
authorized.

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 in the county.

SEC. 18. That chapter seven hundred and fourteen (714), 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 provision of this act.

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 the support of the convicts, and all other necessaries 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.

SEC. 20. There shall be elected at the general election to be held in the year one thousand nine hundred and twenty, 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 successor shall have been elected and qualified.

SEC. 21. That it shall be the duty of the township highway advisory commissioners to attend the regular meeting of the Pitt highway commission in January and September of each year, and such other meeting 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 \$2 per day, and mileage not exceeding five cents per mile both ways.

SEC. 22. That the said townships, 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 high-

Convicts to be worked on roads.

Purchase of supplies and provisions at wholesale or by contract.

Township highway advisory commissioners.

Duties of advisory commissioners.

Compensation.

Advisory commissioners to elect successors to highway commission.

way commission: *Provided*, that for the purpose of electing any member to the Pitt highway commission there shall be present and voting at least eight members of the said township highway advisory commission. That the said township highway advisory commission shall have the right to organize for the dispatch of such business as may become before it, first, electing the chairman and secretary and such other officers as they may deem advisable.

Proviso: quorum for election.

Organization of advisory commission.

SEC. 23. Such work as 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 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: *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.

Repair work not done by convict labor to be done by advisory commission. Statement of work necessary to be made.

Emergency repairs.

Proviso: allowances for emergency work.

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 of the 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 County commission, employ any member of his immediate family as laborer, nor shall any advisory commissioner hire any of his own team in doing the work in his township without permission of the highway commission. The highway commission shall have power to prescribe such rule and regulations relating to the working of the roads by the advisory commission as may not be inconsistent with the provisions of this act.

Compensation.

Accounts.

Sworn monthly statements.

Restrictions.

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.

Vacancies on advisory commission.

Violation of highway commission's regulations a misdemeanor.

Removal of obstructions.

Road signs.

Authorized to borrow.

Limit to loans.

Engineer or expert member of commission may be employed as engineer or superintendent or both.

Limit of compensation.

Secretary eligible as superintendent.

Regular sessions of commission.

Special sessions.

Compensation.

Member of commission on special duty.

SEC. 26. 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 in the jurisdiction of a justice peace. The highway commission may require or cause to be removed from the public roads of said county all telephone or telegraph poles or trees, or other things whatsoever that may be regarded as an obstruction retarding in facilitating the proper work or maintenance of said roads. That said highway commission shall provide and have placed at all highway crossings or intersections a 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. 27. 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 under its control by virtue of this act, provided the amounts borrowed at any time shall not exceed ten thousand dollars.

SEC. 28. 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 as superintendent of roads, as the case may be, or both. But in such case said act must be approved by the county commissioners, 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 elected by the said highway commission shall be eligible to fill either the position of engineer or road superintendent: *Provided*, the secretary shall not also be the chairman of the said highway commission.

SEC. 29. That the highway commission shall hold regular sessions on the last Thursday in January, April, July, October, of each year, and it 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 advisory commission in connection with two members of the Pitt highway commission, other sessions may be called. That for the regular or special session herein provided for, five dollars per day shall be allowed each member of the Pitt highway commission, and five cents per mile shall be allowed for travel both ways. That no session of the Pitt highway commission shall continue longer than two days at any one time.

SEC. 30. That said highway commission may appoint any of its members to superintend and look after the construction and main-

tenance 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.

Limit of compensation.

SEC. 31. 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.

Vacancies on commission.

SEC. 32. 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 under its control by virtue of this act

Place of meeting

Expenses.

SEC. 33. That all 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. 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.

Present road laws continued in force until act becomes operative.

Elected officers to retain office until expiration of terms.

SEC. 34. 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 commissioners of Pitt County.

Proceeds of township bonds to be expended on roads of township issuing them.

Extra representation for township in such expenditure.

SEC. 35. 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

Relation of commission to chaingang.

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.

County commissioners directed to appoint highway commission on or before January 1, 1920.

SEC. 36. That the board of county commissioners of Pitt County shall on or before the first day of January, one thousand nine hundred and twenty, name three citizens and taxpayers of Pitt County as members of the Pitt highway commission: one, 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; one whose term of office shall be four years from the time specified for his qualification in this act, or until his successor is appointed or elected and qualified; one 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 as hereinbefore set out, that any one of the members of said highway commission shall be qualified to act as secretary.

Organization.

Appointment of advisory commission.

SEC. 37. That the board of county commissioners shall on or before the first day of January, one thousand nine hundred and twenty, appoint the members of the township highway advisory commission as hereinbefore provided for, and they shall appoint one citizen and taxpayer from each of the several townships of said county upon said highway advisory commission; who shall each hold office until their successors have been elected at the next general election and qualified.

Act conditioned on carrying of \$500,000 bond election.

SEC. 38. That this act is conditioned and shall be valid and effective only upon the carrying of the five hundred thousand dollars (\$500,000) road bond election in Pitt County, provided for in Senate Bill number eight hundred and sixteen, and if this bond issue should be defeated at said election then this act shall be void and of no effect.

SEC. 39. That all laws and clauses of laws in conflict with this act are hereby repealed.

Act effective January 1, 1920.

SEC. 40. That this act shall be in force and effect from and after January the first, one thousand nine hundred and twenty.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 454

AN ACT TO AMEND CHAPTER 786 OF THE PUBLIC-LOCAL LAWS OF 1913 RELATING TO CERTAIN POLICE POWERS IN ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of the said chapter seven hundred and eighty-six of the Public-Local Laws of one thousand nine hundred and thirteen is hereby repealed and the following is substituted in lieu thereof: "That no person, firm, association or corporation shall keep any mercantile establishment open for the purpose of selling any goods, wares, merchandise or commodities on the Lord's day commonly called Sunday: *Provided*, this shall not prevent any person, firm, association or corporation from keeping open any place of business for the purpose of selling drugs, medicines and undertaker's goods: *Provided* further, that this act shall not be so construed as to prevent any person, firm, association or corporation running a restaurant in connection with any mercantile establishment from selling or furnishing meals or food otherwise prepared for immediate consumption to persons on Sunday or from selling any article usually sold and served in a restaurant or with meals served in such restaurant, such as soft drinks, ice cream, and other things usually served in such places. Any person, firm, association or corporation violating the provisions of this section shall be guilty of a misdemeanor and shall be fined not more than fifty dollars (\$50) or imprisoned not more than thirty days.

Merchandising on Sunday prohibited.

Exceptions: drugs, undertaker's goods.

Proviso: act does not apply to furnishing of meals or sale of articles usually served with meals in restaurants.

Penalty for violation.

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. 1919.

CHAPTER 455

AN ACT PROVIDING FOR THE CONSTRUCTION OF HIGHWAYS IN McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That a highway commission for McDowell County is hereby created, which shall consist of W. P. Arty, who is hereby appointed to serve until December first, one thousand nine hundred and twenty, and R. P. Morris, who is hereby appointed to serve until December first, one thousand nine hun-

Highway commission created and members appointed.

Duties defined.

dred and twenty-two, and H. F. Little, who is hereby appointed to serve until December first, one thousand nine hundred and twenty-four, whose duty it shall be to lay out and construct, upon such locations as they shall deem proper, improve public roads, to be known as highways, to accommodate the traveling public at large, from connecting public roads at the county line of McDowell County through the several townships in said county to the county seat, or to some highway leading to the county seat, which highways shall be constructed at all points to definite written specifications, such as shall be deemed necessary by said commission, with the assistance of the highway engineer hereinafter provided for, and each highway so constructed shall be kept up and maintained by said commission at all times according to such specifications: *Provided*, that the construction and maintenance of such highways in each several townships, in said county which has not heretofore issued bonds for road purposes shall not begin, in such several townships, until it shall have issued its proportion of road bonds, according to the assessed valuation of the property in such township, equal to the average amount of bonds, according to the assessed valuation of property, in the townships in said county, which have heretofore issued road bonds.

Proviso:
construction of
highways in
townships which
have not
voted bonds.

Free labor
released from
highways.

SEC. 2. That whenever highways are constructed, all citizens now required to work on the public roads shall be released from working upon such highways and shall be apportioned to work upon the public roads, other than highways, in the township, as now provided by law.

Townships which
have not issued
bonds authorized
to do so.

SEC. 3. That each and every township in McDowell County which has not heretofore issued bonds for road purposes is hereby authorized, through the board of county commissioners of McDowell County, to issue and sell road bonds, in an amount to be determined by the respective township commissioners and the highway commission, in the proportion provided in section one of this act, such bonds to be in such form to run for such term or terms, and to bear such rate of interest, not exceeding six per centum per annum, as shall be determined by said township commissioners and said highway commission, and that the proceeds from the sale of such bonds shall be paid over to the treasurer of McDowell County, and shall be applied by said highway commission upon the construction of a highway, or highways, in said township, and that the board of commissioners for the county of McDowell shall levy annually a tax of not exceeding forty cents upon the one hundred dollars valuation of all the taxable property, and such as may be lawful by proper equation on each poll in such township to be collected by the sheriff of McDowell County, and disbursed by the treasurer of said county, as far as may be necessary, for the payment of the

Interest.

Application of
proceeds.

Special tax for
sinking fund.

interest upon said bonds, the remainder of such tax to constitute a sinking fund for the payment of said bonds, all of said funds to be kept separate from all other funds. Said bonds authorized by this section shall be sold by the township commissioners and the highway commission.

SEC. 4. That said highway commission is hereby authorized, to such extent as it may deem necessary, to borrow money, or sell its scrip, to enable it to raise funds with which to proceed at once with the construction and maintenance of such highways, and to issue, from time to time, as may be necessary, the coupon bonds of McDowell County, to be known as "Highway Bonds of McDowell County," in such sum as may be deemed necessary by them, and to sell the same in order to raise funds with which to discharge the indebtedness created in the construction and maintenance of said highways, and to raise funds for the further prosecution of the work, said bonds to be signed by the chairman of said highway commission, and attested by the secretary and sealed with the common seal of said commission: *Provided*, that said bonds and other evidence of indebtedness shall not bear a greater rate of interest than six per cent and shall not be sold for less than their par value: and *Provided further*, that the amount of indebtedness so created shall not exceed the sum of one hundred and fifty thousand dollars in any one year, and *Provided further*, that the term for which such bonds may run shall not exceed thirty years, or said bonds may be issued so as to mature in series or annual installments; all the bonds authorized by this act may be sold at either public or private sale as they deem best.

SEC. 5. That said highway commission shall hold its first meeting and organize, by the election of a chairman and a secretary, at the courthouse, in McDowell County, on the third Monday in March, one thousand nine hundred and nineteen, and shall at once proceed with the performance of their duties.

SEC. 6. That the said highway commission is hereby authorized and directed to employ a competent engineer to locate, or to assist them in the location of, highways, to prepare under the direction of, or in consultation with, said commission, the specifications to which the highways are to be constructed, and to otherwise assist said commission in the performance of their duties.

SEC. 7. That all highways as soon as completed shall be let, after thirty days advertisement, at the courthouse door and three public places in the township where the highway is located, to the lowest bidder, in such sections and for such terms, of not less than one year, as said commission shall determine, to be maintained and kept up to the specifications to which the highway is built, except bridges, the maintenance of which shall

All such funds to be separate.

Sale of bonds.

Highway commission authorized to borrow money.

May issue bonds as deemed necessary.

Interest.

Not to be sold for less than par. Limit of bonds.

Maturity.

Sale.

Organization of commission.

Directed to employ engineer.

Highways to be let to contract.

Maintenance of roads and bridges.

- be borne by the said highway commission, and bond shall be furnished, with good solvent surety by the person to whom such contracts shall be let for the maintenance of said road, which at the expiration of the term shall be inspected by a competent engineer, who shall report in writing to the highway commission as to whether the contract has been complied with, before the contractor and his surety shall be released from their contract and bond: *Provided*, that said road commission shall have the power, in their discretion, to reject all bids and to keep and maintain, by such means as they shall deem best, any and all such portions of the highways as a reasonable and satisfactory contract cannot be had for the maintenance of: and, *Provided further*, that said highway commission may, or may not, in their discretion, so let to the lowest bidder the maintenance of such highways, or proportions thereof, as shall be hard-surfaced, with macadam, or other material.
- Inspection of roads.
Report of inspection.
- Proviso: roads may be maintained by other means than contract.
- Maintenance of hard-surfaced highways.
- Compensation of commission.
- SEC. 8. That the members of said highway commission shall receive as compensation for their services, the sum of four dollars per day, and actual necessary expenses, which shall be evidenced by itemized statements of actual time employed, and actual necessary expenses while engaged in the performance of their duty, upon which itemized statements only, payment shall be made to them.
- Highway fund.
- Disbursement.
- Treasurer's commission.
- Commission for collection.
- Successors to commissioners.
- Vacancies.
- Regular meetings.
- SEC. 9. That all funds, except township funds, provided by virtue of this act, shall be known as the highway fund, and shall be kept separate from all other funds, and shall be handled and disbursed upon the written order of said commission, by the treasurer of McDowell County, who shall receive one per cent commission for his services for handling both township and county funds, and all other taxes levied under this act, all of which taxes shall be collected by the tax collector of McDowell County, as other taxes: *Provided*, that such tax collector shall receive a commission for the collection of such taxes, not exceeding two per cent.
- SEC. 10. That at each general election in McDowell County one member of said highway commission shall be elected to serve for two years, or until his successor is elected, and qualified.
- SEC. 11. That the said highway commission shall at all times have power to fill vacancies, by appointment, upon the commission, provided that each person appointed by the commission shall be from the political party with which the person whose vacancy is to fill affiliated.
- SEC. 12. That said highway commission shall hold its regular meetings at the courthouse in McDowell County, on the first Monday in each and every month, and shall meet in special session when deemed necessary.

SEC. 13. That said highway commission shall have the power ^{Employment of} to employ counsel and to do any and all things necessary for ^{counsel.} the successful prosecution of its work.

SEC. 14. That said highway commission shall have and ex- ^{Township}ercise all the powers now conferred by law upon township and ^{commissioners'}road commissioners in McDowell County, for the construction ^{powers} and maintenance of public roads in said county, and all claims ^{transferred}for damages on account of the construction of highways, or the ^{to} use of material in the construction and maintenance thereof, ^{commission.} shall be filed and handled as now provided by law in case of the construction and maintenance of public roads.

SEC. 15. That each member of said highway commission before ^{Oath to be taken.} entering upon the duties of his office shall qualify by taking an oath to be administered by the clerk of the Superior Court to faithfully and impartially perform the duties of his office, as highway commissioner.

SEC. 16. That said highway commission is hereby authorized ^{Co-operation with} to cooperate with, and to delegate such reasonable authority ^{state and} as shall be deemed proper by it to, such agents of the United ^{United States.} States Government, or of the State of North Carolina, or both, as shall be engaged in the construction or maintenance of highways or public roads in McDowell County, to the end that all available government and state assistance, financially or otherwise, may be had in the location, construction and maintenance of such highways.

SEC. 17. That the board of commissioners for McDowell ^{Special tax to be}County, shall annually, when other taxes are levied, levy a ^{levied by county}special tax on all taxable property in said county, not to exceed ^{commissioners}seventy-five cents on each one hundred dollars valuation of prop- ^{for sinking fund}erty, and such may be lawful by proper equation on each poll, ^{and maintenance.} for the special purpose of paying interest upon said bonds or said indebtedness, and also to create a sinking fund to pay principal at maturity, the remainder of such tax to be used in defraying the expenses of the maintenance of said highways and defraying other necessary expenses.

SEC. 18. That said highway commission is hereby authorized ^{Use of convict}and empowered to provide for the use and working of convict ^{labor.}labor on any of said highways, and to defray the expenses out of the funds provided for in this act, and to do any and all things reasonably necessary in connection with the securing and working of such convicts; and the courts of the state are authorized to sentence convicts or prisoners to work upon the highways of McDowell County.

SEC. 19. That said highway commission is hereby authorized ^{May use convict}to take over the convict force now being worked on the public ^{force now on}roads of North Cove Township and work them alone or with ^{North Cove}township road. ^{township road.}

other convicts upon the highway leading up North Fork of the Catawba River, in said township until completed and then upon such other highways as said commission shall deem it most advisable to work them from time to time: *Provided*, that said commission shall not be required to take over and work said convict force if they should deem it unwise, or profitable to do so.

Proviso: use of convicts optional.

North Cove township road commissioner to turn over work on road up North Fork to commission.

SEC. 20. That the road commissioners for North Cove Township are hereby authorized and required to turn over to said highway commission, upon the request or demand of said commission, if it shall request or demand the same, all further work as to location and construction of the road now being built up North Fork of the Catawba River in said township, and to use and disburse the road funds now in the hands, or subject to the orders, of said North Cove Township commissioners in defraying the expenses of the work done by said highway commission after it shall take over said road, if it shall take the same over.

Justices of Peace may be required to serve as emergency township road commissioners.

SEC. 21. That if at any time, there shall not be as many as two road commissioners in any township in said county who will qualify and serve when appointed, the board of commissioners for McDowell County, shall notify the justices of the peace in such townships of such vacancies, and that they are required to act as road commissioners for said township, until notified that such vacancies have been filled, and upon such notice said justices of the peace shall at once assume the duties of, and they shall then constitute, the road commissioners for their respective townships, until their successors are appointed and qualify, and they shall receive the same compensation for their services provided by law for road commissioners.

Neglect of duty a misdemeanor.

SEC. 22. That any member of said highway commission and any township road commissioner in said county, who shall wilfully neglect the performance of his duties shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

Debt limited.

SEC. 23. No bonds or other indebtedness shall be issued under this act in excess of such amount as can be provided for both as to principal and interest, within the maximum tax herein authorized.

SEC. 24. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 25. That this act shall be in force from the date of its ratification.

Ratified this the 7th day of March A. D. 1919.

CHAPTER 456

AN ACT TO CREATE A ROAD COMMISSION AND TO PROVIDE A SYSTEM FOR THE WORKING AND MAINTENANCE OF THE PUBLIC ROADS OF POLK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all roads and ferries in Polk County that have been laid out or established by virtue of any act of Assembly or any order of court and that are now known and recognized as public roads and ferries are hereby declared to be public roads and ferries. The right of way of all public roads in said county shall be forty feet in width, but not more than twenty feet of said right of way shall be used for roadbed purposes unless, in the opinion of the road commissioners, it is necessary for the public good.

Public roads defined.

Width of right-of-way prescribed.

SEC. 2. That Edgar B. Lancaster and J. H. Gibbs, together with a third member to be appointed by the board of county commissioners of Polk County, at their first meeting after the ratification of this act, be and they are hereby appointed and constituted the board of road commissioners of Polk County. That immediately after the county commissioners have appointed a third member of the said board the members shall meet at the county seat of said county and organize by electing one of their members chairman of the board and another secretary, and shall also elect a treasurer, who shall be either a member of their board, or a bank in said county, in the discretion of said board.

Board of road commissioners constituted.

Organization.

The term of office for the two road commissioners appointed by this section shall be two years, from the date of their qualification and organization under this act, and until their successors shall be appointed and qualified. The term of office of the third member and his successor, shall be four years. Each member of the board shall take an oath before the clerk of the court of Polk County for the faithful performance of his duties under the provisions of this act. If a vacancy on the board shall occur by death, resignation or removal, the remaining members of the board shall elect some well qualified citizen of the county to fill such vacancy. In case the remaining members, if there be two, cannot agree on the election of a new member for service on said board, or if there be vacancies by expiration of term of office, the county commissioners shall fill the same by electing citizens qualified to render good service in such capacity, and who shall be of same political party as their predecessors in office.

Terms of office.

Oath to be taken.

Vacancies.

SEC. 3. That the said road commissioners shall meet at the county seat of their county the first Saturday in April and August and at such other times and places as a majority of

Time and place of meeting.

Body corporate. them may deem necessary for the transaction of business pertaining to the public roads under their control. They and their successors in office are hereby constituted a body corporate, under the name and style of the "Board of Road Commissioners of Polk County," and shall have all powers and authority granted to corporations of like nature by the laws of North Carolina, and by that name may sue and be sued, make contracts, acquire property, condemn land for the construction, widening or relocation of any roads of the county, and such other powers as are necessary to carry out any and all provisions of this act.

May condemn land.

Charged with control of roads.

SEC. 4. That it shall be the duty of said board to take charge of the working, repairing, maintaining, altering and constructing any and all roads of Polk County, and it is hereby vested with all powers, rights and authority over public roads and bridges now vested in the board of county commissioners, the boards of township trustees or any other boards or officers now exercising control over the roads and bridges of said county. It shall be the duty of the said board of road commissioners to construct, repair, and maintain any and all bridges of said county. The board is further authorized and empowered to appoint, or employ, in each township or road district, if it shall consider it necessary for the better and more systematic working of the roads, one or more persons to serve for a reasonable compensation, under rules and regulations to be fixed, and to have such powers and authority as may be delegated by said board: *Provided*, that this act may not be construed in any way to interfere with the rebuilding of the national highway through Tryon and Saluda townships, and the macadam road in Tryon Township.

Duties.

Proviso: act not to interfere with rebuilding national highway.

Superintendent.

SEC. 5. The board may employ, or secure by contract, a superintendent to have charge and supervision of all roads of the county for such time as may be fixed and agreed upon, for the lowest salary or contract that will procure good and satisfactory services: *Provided*, the board may be of the opinion that such action would be wise and for the best interest of the county in road building and maintenance. Such supervision may be obtained by employment at a fixed salary or by contract, as the board may consider best, and the said board shall employ or contract as to have the right and authority to dismiss from service and refuse further payment after date of dismissal, in case of any substantial breach of duty or contract on the part of such employee or contractor.

Compensation.

May employ or make contract.

Road districts.

SEC. 6. That the road commissioners, if they deem it expedient, may divide the county into suitable road districts, and at any time make such alterations therein as they consider proper, and cause a brief description thereof to be made, and also furnish a plat to any person having supervision of said roads. Any

supervisor, if so authorized by the road commissioners, and there shall be actual and urgent necessity for the repair and maintenance of the roads, may order out any one who are subject to road duty who owns a team of horses, mules or oxen, wagon, cart, plow, or scraper to furnish and use the same on the roads under the direction of said supervisor.

Road subjects aid
urgent necessity.

SEC. 7. That the said board shall each year distribute the work and improvement, and also construction, if there be any, of the roads as equitably as practicable in all the townships of the county, having due regard to the road tax collected in each township, but shall have the right to create a special fund from those of two or more townships for use in building, altering and repairing main leading roads in the county that would be more beneficial to the residents of said townships than if expended in their immediate locality.

Distribution of
work between
townships.

Main roads.

SEC. 8. All expenses incurred by the board on account of meetings held by reason of their duties imposed by this act, or expenses that are incidental to the performance of its duties, shall be paid on the order of said board out of the special fund which it is hereby authorized to create by equitable apportionments from the road funds of all townships in the county, to be used in defraying expenses incurred for the benefit, as to the public roads, of the people of the county generally.

Expenses of
board.

SEC. 9. The members of the said board shall receive for their services three dollars per day for the time actually and necessarily employed in the discharge of their duties and five cents per mile for necessary travel. They shall be entitled to the expenses of postage and stationery used in connection with their official duties. They may also pay reasonable attorney fees if required to enforce any provisions of this act.

Compensation
of board.

SEC. 10. That for the purpose of providing a fund for the repair, maintenance and construction of the roads and bridges of said county of Polk, it shall be the duty of the said board of road commissioners to meet on the first Monday in June, or such other time each year as may be fixed for levying of taxes, and ascertain the amount of money necessary for said purpose, and recommend to the county commissioners of said county that such amount be levied. It shall be the duty of the said county commissioners to levy tax in accordance with such recommendation not exceeding thirty cents on the one hundred dollars valuation of property and ninety cents on the poll, for roads, and twenty-five cents on the one hundred dollars valuation of property and seventy-five cents on the poll for bridges, but may, in their discretion, levy not exceeding fifty cents on the one hundred dollars valuation of property and one dollar and fifty cents on the poll for roads. All such taxes levied shall be collected by the sheriff or tax collector, according to the law

Creation of
road fund.

Levy of taxes.

Limit of tax-rate.

Collection.

Treasurer of board custodian of fund.	providing for the collection of other taxes, and the taxes so collected shall be delivered to the treasurer of the said board of road commissioners by the sheriff or tax collector as soon as collected. The treasurer of the road commissioners shall report to the board all moneys received by him under this section, which shall be used to build and maintain the roads and bridges as provided in this act, under the supervision and direction of said board. And the board shall have authority to purchase and hold, or contract for the use of such tools, machinery, implements, teams, and material needed for the roads and bridges. No money coming into the treasury of the road commissioners shall be paid out except upon the order of said board.
Expenditure of funds.	
Officers of board elected biennially.	SEC. 11. The board of road commissioners shall biennially from the date of its organization elect a chairman and a secretary and a treasurer, the latter may be a bank as provided herein, who shall hold office for two years and until their successors are elected and qualified. The treasurer shall have charge of all road funds within the county and the said board shall fix a salary commensurate with the time and work involved.
Salary of treasurer.	
Bond.	The treasurer so elected shall enter into bond payable to the State of North Carolina, with sufficient surety in an amount not less than that which shall pass through the treasury, and said bond shall be recorded in the office of the register of deeds, and filed as in the case of other official bonds. The treasurer, in case he be a member of the board, shall keep all funds on hand deposited in a separate account in the solvent bank or banks, within the county, which will pay the highest rate of interest on daily balances. The board may designate any bank in the county to act as treasurer for the general road funds and another bank to act as treasurer for the bridge funds, the bank or banks offering the highest rate of interest on daily balances to have the preference. Should a bank be designated as treasurer requirement as to bond shall be discretionary with the said board.
Funds a separate account.	
Bank may be made treasurer.	
Special duties.	Should it seem advisable for the best interest of the work contemplated the said board may assign special duties to any member of the board and provide reasonable compensation. Upon receipt of road funds from the sheriff or tax collector, the treasurer shall execute to said officer a receipt in duplicate, one of which shall be filed with the county commissioners by said officer when making his settlement for taxes collected under this section.
Receipts in duplicate.	
Reports of treasurer.	SEC. 12. That the treasurer of the board of road commissioners shall report to the board all moneys received from roads and bridges and shall keep such accounts and make such settlements as the said board may require, showing all receipts and disbursements.
Settlements with county commissioners.	SEC. 13. That in addition to the settlement required by the preceding section, the said treasurer shall also make a settle-

ment with the board of county commissioners of the county at their May and November meetings, showing receipts and disbursements in detail for the six months prior thereto, and shall produce and file receipts for all disbursements, which settlement shall be approved by and placed upon the minutes of the board; and if said treasurer shall fail to make such settlement at the times herein provided, the said board, through its clerk, shall cause a notice to issue to the said treasurer to appear before the board at the next monthly meeting and make said settlement, and if said treasurer shall fail to appear and make settlement as directed by said notice, he shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court; and it is hereby made the duty of the chairman of the board of county commissioners to report such delinquency to the solicitor of the judicial district in which said county is situated.

Failure to make settlement.

Penalty.

SEC. 14. Persons convicted in any of the courts of the county and sentenced to the public roads shall be assigned by the board of commissioners into the custody and control of the board of road commissioners, if the said board of road commissioners so desire and make application accordingly, and said convicts while under the control of the road commissioners shall be employed in the road work of the county, and the expense involved shall be paid by the said board out of the funds at its disposal.

Convict labor.

SEC. 15. That any tools or equipment for road working owned now by the individual townships, which is in good condition and which can be used to advantage by the board of road commissioners for the work of the county, may be taken over by the board of road commissioners at a price to be agreed on by the said board and the board of road trustees of the said township, serving at time this act goes into effect, and the price so agreed on shall be paid by the treasurer of the board of road commissioners to a special fund to be held to the credit of the said township for use in that township as provided in section eight of this act.

Road-working equipment.

Payment of townships for equipment.

SEC. 16. That any road funds on hand in any township, or any road or bridge funds either uncollected or in the hands of any tax collector or any other party at the time this act becomes effective, shall be turned over to the treasurer, or treasurers, herein provided for, for use on the roads and bridges of the county. Any funds raised by special assessment or bond issue for use on any specified road, cannot be diverted from the purpose for which they were raised, but shall be used for this purpose under the direction of the said board of road commissioners. Any funds due to any individual township from the sale of tools, etc., as provided in section seven of this act, shall be kept separate.

Township road funds to be turned over.

Special assessments.

Funds due to be kept separate.

rate from the regular fund, and shall be expended for new or additional road work in such township, respectively, from which these sums were received. Any township wishing to construct any new roads within said township, for which no adequate fund exists, by a petition signed by two-thirds of the qualified electors of said township, can authorize the board of road commissioners to request the board of county commissioners to levy a special additional tax on all taxable property in the said township, this levy to be made for not more than two successive years, the proceeds to be used in such new construction as is mentioned in said petition; and it shall be the duty of the county commissioners to make such levy as requested and enforce its collection, as in the case and in the same manner as other taxes, the proceeds to be turned over to the treasurer of the board of road commissioners, to be expended under the direction of the said board for the purpose designated. Any money in the county treasury or due to the county treasury from any uncollected funds or taxes, for road or bridge purposes, or any money due or belonging to any townships for road purposes, at the time of the ratification of this act, shall be turned over to the treasurer herein provided for, and shall be used for the work in that township as designated, by the board of road commissioners.

Construction of new roads in township.

Special tax.

Collection.

Application of proceeds.

Rights-of-way.

SEC. 17. That all roads coming under the provisions of this act shall have a right of way of forty feet, unless such width shall be deemed unnecessary by the board of road commissioners. In opening new roads, no grades shall be used exceeding six per cent, unless by the express order of the board of road commissioners, where they find that it is necessary to use a steeper grade. Said board or its duly authorized agents are hereby instructed and authorized to enter on any unimproved property and remove trees which shade the road and keep it wet, even when said trees are outside the limit of the right of way. This does not apply to shade trees near a dwelling.

Grades.

Removal of shade from rights-of-way.

Apportion of road fund to townships.

SEC. 18. That immediately after the organization of this board and annually thereafter at the last meeting in each year, the board shall apportion approximately the amount of money to be spent, during the following year in each township, both on roads and on bridges, basing their apportionment on taxes paid in such township. However, the apportionment to be spent on any main county highways, which are of importance to the county as a whole, shall not be strictly limited to the amount which would be available under the above method of apportionment, and such main highways in passing through any township may have more funds spent on them, at the discretion of the board, than they would be entitled to under the principle of limiting expenditures in each township to the revenue derived from such township.

Apportion to main highway.

SEC. 19. That in opening new highways, widening, straightening or improving old roads, or building or repairing bridges the said board of road commissioners through its agents is hereby authorized to enter upon any land and locate or build such roads or bridges; to remove any material, such as soil, sand, gravel, stone, or timber from any land adjoining said road, which may be necessary for the proper repair or construction of said road, all material outside the right of way to be paid for at fair prices. Also to open any ditch which may be necessary for the proper drainage of any road; ditches so opened shall not be obstructed by any person, and any one so doing shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days. If the board of road trustees and the owner or owners of such lands, as are entered on cannot agree as to the damage, if any, or price of any material used outside the right of way, then the owner may apply to the clerk of the Superior Court of Folk County, who shall appoint and summon three disinterested freeholders to go upon said land and assess the damage, taking into consideration also the benefits, and they shall make report to him in writing. The cost of this arbitration shall be borne as found and reported by the arbitrators. Before entry, as provided, shall be made the board of road commissioners shall cause notice to be served on the owner of said land, personally, or by leaving a copy at his home or the home of his agent or tenant, advising him of the purpose of said entry; and it is further *Provided*, that no suit shall be instituted by the landowner for damages on account of the location of any road, or the removal of material under this act, until thirty days after the completion of said road, and no suit shall be brought by any landowner, claiming such damage, unless it is commenced within three months from the completion of the road for which damages are sought. If any person engaged in working the roads under this section shall wilfully and maliciously injure any cultivated or improved land by the unnecessary location of drains and ditches, he shall be guilty of a misdemeanor and upon conviction shall be fined, not exceeding fifty dollars, or imprisoned not exceeding thirty days.

Condemnation of materials for road-building.

Obstruction a misdemeanor.

Assessment of damages.

Notice to land owners.

Suit, how it may be entered.

Malicious injury to cultivated land a misdemeanor.

SEC. 20. Any member of the board of road commissioners, or any person employed by them, making or causing to be made, any fraudulent order or report whereby money is to be paid out of said road fund, or any treasurer knowingly paying any fraudulent order, shall be guilty of a felony and upon conviction shall be imprisoned or fined or both, at the discretion of the court.

Making of fraudulent order or report a felony.

SEC. 21. If any act shall be passed at this or any subsequent session of the General Assembly authorizing the state to assist

Authority given to secure federal aid.

the counties in road buliding and improvement, or if any assistance from the federal government can be secured for the purposes, then the road commissioners are hereby authorized to take necessary action to secure such benefits.

Treasurer's books open to all citizens.
Semi-annual statements.

SEC. 22. That the treasurer herein provided for shall keep a complete set of books which shall be open to inspection to any citizen of the county at any time, on request. That he shall furnish semiannually to the board of road commissioners an itemized statement of all moneys received and paid out by him under this act, which the said board may have published in a newspaper of the county or posted at such places as they may direct. The manner and extent of such publication shall be within the discretion of the said board.

Interest on road bonds.

SEC. 23. All interest on township road bonds now outstanding shall be paid by the treasurer of the board of highway commissioners from funds collected in the township which issued the bonds. In order to provide for the payment at maturity of the principal sum of any township road bonds, the board of road commissioners are directed to ascertain what additional tax

Sinking fund.

levy will be necessary in each township to produce a sinking fund which will accumulate sufficiently to pay off such bonds at maturity, and they shall request the county commissioners to make such a special levy, whose duty it shall be to make and enforce the collection of this special tax by the sheriff or tax collector of the county. This special sinking fund tax shall be an additional tax on such township, to that provided for in section ten of this act, and shall not be restricted by the limitations in amount of levy as provided in section ten.

Collection of special levies.

Sinking fund tax not limited.

This sinking fund shall be deposited as a savings account in those banks or bank in Polk County which will pay the highest rate of interest, compounded quarterly, and shall thus accumulate until the maturity of the bonds. The interest on all county road bonds now outstanding or to be issued later shall be paid by the treasurer of the board of road commissioners. A special levy on all property subject to taxation within the county shall be recommended, of amount sufficient to pay the above mentioned interest on bonds, by the board of road commissioners each year, to the board of county commissioners, whose duty it shall be to levy this tax and enforce its collection, as with other taxes.

Deposit of sinking fund.

Special tax for interest on county bonds.

Free road labor.

SEC. 24. All able-bodied male persons between the ages of twenty-one and forty-five years, except those permanently disabled or exempted, of this state, shall be liable annually to do and perform four days labor on the public roads under the direction of the supervisor of the road district in which he shall reside: *Provided*, that if any person being warned, as herein-after provided, shall pay to the supervisor in whose district he may reside, the sum of three dollars for each year's labor re-

Payment in lieu thereof.

quired by this act, the same shall be received in lieu of the four days labor and shall be applied by the supervisor receiving the same to the improvement of the roads and accounted for as hereinafter provided. That for the purpose of this section, the residence of any person who has a family shall be held to be where his family resides, and the residence of any other person shall be held to be where he boards in the road district in his township. Residence defined.

SEC. 25. That in case any person removes from one district to another who has prior to such removal performed the whole or any part of the labor aforesaid, or in any other way has paid the whole or any part of the amount aforesaid in lieu of such labor, every such person who shall produce a certificate from the supervisor of the district from whence he removed shall be completely discharged from the amounts specified in such certificate. Removal to another district.

SEC. 26. That it shall be the duty of every supervisor when authorized by the road commissioners to order out every person liable for road duty, resident as aforesaid, between the first day of April and the first day of October, annually, to do and perform the work aforesaid on the public roads within the district; and if any such resident being personally warned by such supervisor or by leaving a written notice at his usual abode, shall refuse or neglect, having had at least two days notice to attend by himself or an able-bodied substitute acceptable to the supervisor, or having attended, shall refuse to obey the directions of the supervisor, or shall spend his time in idleness or inattention to the duties assigned him, he shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five and not more than fifty dollars, and shall be imprisoned not less than five and not more than thirty days: *Provided*, that no person shall be released from the performance of the labor on the public roads, on account of failure of any supervisor to order out such person on or before the first day of October as herein provided. Warning out of free labor. Failure to report or refusal to perform duties a misdemeanor. Penalty. Proviso: failure to notify does not release subject.

SEC. 27. That upon the organization of the road commissioners hereinbefore provided for, or any time thereafter, a part or all free labor, in the county, or any township or townships, may be abolished, in the discretion of said board. Free labor may be abolished.

SEC. 28. 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 shall take into consideration the needs of the entire county, and every part thereof, opening or improving those highways which in its opinion will be of benefit to the greatest possible number of people in the county: *Provided*, that the said board is authorized to employ Board to designate highways. Proviso: engineer may be employed.

an engineer, if it should become necessary in building or altering roads in said county.

SEC. 29. In relocating and widening roads now in use or in constructing new roads, the road commissioners shall cause a surveyor or civil engineer to make a survey of the proposed change of an old road or the new road to be opened, and if they adopt said survey they shall give notice to the owner or owners of the land that they have adopted said survey or surveys, and that the same is hereby condemned for the use of the township for a public road; and any person or persons who shall obstruct the surveyor or civil engineers in making such survey shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, in the discretion of the court, and any person or persons who shall obstruct road work under the provisions of this act, shall be guilty of a misdemeanor, and on conviction thereof shall be fined or imprisoned, or both, in the discretion of the court: *Provided*, that if any person be aggrieved under the provisions of this section, he may within three months after said change of road or construction of new road (provided he and the road authorities cannot agree upon the damages said party has sustained) apply to the clerk of the Superior Court of Polk County, who shall appoint a jury of three freeholders of said township to assess the damages, none of whom shall be related by blood or marriage to the applicant. The said clerk shall issue a summons to the sheriff of said county commanding him to summon said jury to meet upon the premises at a time specified in said summons, to assess said damages, and the clerk shall also issue a notice to the road commissioner of the time and place of said meeting. The said jury, in determining said damages, shall take into consideration the benefits made to the property and the damages sustained and subtract one from the other and the result shall be their verdict: *Provided*, the jury shall not find benefits in excess of damages. The said jury shall render their findings to the clerk of said court within five days from the date of their meeting, which report shall be placed by him upon the judgment docket of the county and shall have the force and effect of a judgment: *Provided*, if the parties, or either of them, desire to appeal from the findings of said jury, they shall cause the clerk of said court to issue a notice to the opposite party of their intention to do so within ten days of the filing of the report of said jury, and the said clerk shall place the cause upon the civil issue docket of the county and the same shall stand for trial de novo at the next term of said court which convenes more than twenty days from the issuance of said notice of appeal: *Provided*, that the party appealing shall give bond in the sum of one hundred dollars, with sufficient surety to be approved by said clerk of court, to secure the cost

Relocation
of roads.

Notice to
land-owners.

Obstruction of
surveyors a
misdemeanor.

Obstruction
of road work.

Assesment
of damages.

Benefits to be
considered.

Appeal from jury.

Appellant
to give bond.

of said appeal. The jury summoned as above provided, to assess said damages, shall be entitled to one dollar each for their services, and the cost of said proceeding shall be paid by the losing party; and if against the road commissioners, the cost and damages shall be paid out of the township road fund where said road is located: *Provided*, that if the party bringing said proceeding shall not recover damages for a greater sum than the amount offered by the road commissioners prior to the commencement of said proceeding, judgment shall be rendered against him for the costs thereof.

SEC. 30. The road commissioners shall have erected at each end of all bridges under their supervision and control, signboards with the words "go slow" in large, legible letters, and any person who shall wilfully ride any animal, or who shall drive any vehicle faster than a walk over such bridges, shall be guilty of a misdemeanor, and on conviction, shall be fined not less than five dollars nor more than fifty dollars, or imprisoned not more than thirty days.

SEC. 31. That if any person or corporation, for the purpose of draining land or for any other purpose whatever, shall construct any ditch, drain or canal across any public road in said county, it shall be the duty of such person or corporation to build a bridge across said drain, ditch or canal and keep the same, together with the approaches thereto, in good repair, and any person or persons or corporations who shall fail to perform the duties imposed upon him or them by this section, having been warned by the supervisor of the road district by leaving a written notice at his residence or the residence of his agent, or having been notified verbally and failed to perform said duties acceptable to the supervisor within five days after receiving said notice, 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 ten days, nor more than thirty days; and each three days such failure is continued shall be an additional offense against this section.

SEC. 32. That if the road commissioners shall fail to discharge their duties in building and maintaining roads and bridges in their county, unless there shall be good cause for such failure, they shall be guilty of a misdemeanor, and upon conviction, shall be fined or imprisoned in the discretion of the court; and it is hereby made the duty of the solicitor of the judicial district in which said county is situated to prosecute all such offenses.

SEC. 33. That all railroad companies and other corporations shall build and maintain at their own expense all bridges and crossings over public roads that they have made it necessary to be built or made in establishing their respective roads, and on their failure to do so, shall be guilty of a misdemeanor, and

Compensation of jurors assessing damages.

Costs.

Bridge signboards

Driving faster than walk over bridge a misdemeanor.

Penalty.

Provide ditches crossing roads.

Failure to keep them in repair after notice a misdemeanor.

Penalty.

Failure of commissioners to discharge duty a misdemeanor.

Solicitor to prosecute.

Failure of railroads to maintain crossings a misdemeanor.

Forfeit.

fined in the discretion of the court, and shall forfeit and pay twenty-five dollars for each ten days they shall fail to perform the duties imposed by this section.

Destruction or defacing of guide board a misdemeanor.

Penalty.

SEC. 34. That the road commissioners may provide guide-boards to be stationed wherever needed in the county and paid for at the expense of the township. If any person shall wilfully demolish, throw down, alter or deface any such guide-boards, every person so offending shall, upon conviction, before a justice of the peace, be fined not less than ten dollars, nor more than fifty dollars, or imprisoned not less than ten days, nor more than thirty days.

Purchase of tools.

SEC. 35. That the road commissioners are hereby authorized to furnish plows, scrapers and other tools to be used on the roads of their county, to be paid for out of the road funds. If the said tools are to be used in the county generally each township shall pay its proportion of the cost, but if they are to be used in each township exclusively, payment of the purchase price shall be made accordingly.

Failure to drive reasonably to the right a misdemeanor.

Penalty.

SEC. 36. Whenever any person shall meet each other on any bridge or public road, traveling with carriages, wagons or other vehicles, each person shall reasonably drive to the right or middle of the traveled part of such bridge or road, so that vehicles aforesaid may pass each other without interference. Every person offending against the provisions of this section, wilfully and intentionally, 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.

"Snaking logs" on roads a misdemeanor.

SEC. 37. Any person engaged in hauling or transporting saw logs or other timbers on any of the public roads of said county known among timbermen as "snaking logs" shall be guilty of a misdemeanor, and upon conviction, shall be fined not exceeding fifty dollars, or imprisoned more than thirty days.

Certificates of material seized for road work.

Payment of damages on certificates.

SEC. 38. If any person or persons having proper authority so to do shall cut and take away timber, stone, clay, marl, sand or gravel for the purpose of making, improving or repairing any road or building or repairing any bridge or crossway within the county, on demand of the owners of the land, their agent or agents, or the guardian of any ward or the executor or administrator having the land in charge, shall give a certificate showing quantity of the material, with the value thereof so taken, and the time and purpose for which the same was taken. Any person who shall have received a certificate as herein provided, shall present the same to the board of road commissioners, at any regular session within six months after the taking or carrying away of said material, and if the said commissioners are satisfied that the amount specified in said certificate is just and equitable, they shall cause the same to be paid out of the road funds of the

township where such material was taken and used, but if not so satisfied, they shall determine which sum, in their opinion, would be just, and pay or tender same to claimant.

SEC. 39. That at any time during the year when any public roads shall be obstructed by dangerous washouts or in any other manner, it shall be the duty of the supervisor having control of said roads to cause said obstruction to be moved by ordering out persons subject to road duty in the district, or apply to the road commissioners for funds to employ laborers to do said work, and he shall act as directed by said commissioners in the performance of this duty. If the person or persons thus called out shall have performed their days of labor upon the public roads, the supervisor shall give to such person or persons a certificate for the amount of labor performed, and upon presentation of the same to the treasurer of the road funds, the said treasurer shall pay such amount as shall be ordered by the road commissioners.

Supervisor charged with repair of washouts.

Certificates for extra labor.

SEC. 40. That each and every person who shall neglect or refuse to perform the several duties imposed by this act, where the punishment is not otherwise provided for, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the court; and it is hereby made the duty of the solicitor of the judicial district in which said county is situated to prosecute all offenses against the provisions of this act.

Refusal or neglect to perform duties imposed by act a misdemeanor.

SEC. 41. That this act shall only apply to the county of Polk.

SEC. 42. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 43. That this act shall be in force from and after the fourth day of April, one thousand nine hundred and nineteen.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 457

AN ACT TO REGULATE THE COLLECTION AND DISBURSEMENTS OF DRAINAGE TAXES IN THE COUNTY OF BEAUFORT.

The General Assembly of North Carolina do enact:

SECTION 1. That in all drainage districts heretofore or hereafter organized in the county of Beaufort, the sheriff of said county shall deduct from the drainage taxes collected by him a commission of five per cent, which shall be paid by the sheriff to the county treasurer for the benefit of the general fund of said county: *Provided*, the sheriff shall not charge any commission on drainage taxes paid to him prior to the ratification of this act.

Sheriff to deduct commission of five per cent for general fund.

Commission for disbursement.

Treasurer's commission.

Failure to collect a misdemeanor.

SEC. 2. That the county treasurer shall deduct from the drainage taxes paid over to him a commission of two per cent for disbursement and the commission allowed the treasurer for disbursing the revenue obtained from the sale of drainage bonds shall be one per cent of the amount disbursed. All commissions allowed the county treasurer under this act shall be paid over and credited by him to the general fund of said county.

SEC. 3. That the failure of the sheriff and treasurer to charge and collect said commissions shall constitute a misdemeanor.

SEC. 4. That all laws and clauses of law 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 7th day of March, A. D. 1919.

CHAPTER 458

AN ACT TO REGULATE THE HUNTING OF PARTRIDGES IN GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Closed season on quail.

SECTION 1. That it shall be unlawful for any person to hunt with gun and dog any quail or partridge, between the first day of February and the fifteenth day of November in any year, and the period between said dates shall be the close season or time during which no quail or partridge shall be hunted or killed.

SEC. 2. That this act shall apply to Granville County only.

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. 1919.

CHAPTER 459

AN ACT TO REPEAL SECTION 30 OF HOUSE BILL 401, SENATE BILL 477, RATIFIED FEBRUARY THE 28TH, 1919, ENTITLED "AN ACT TO AMEND THE HENDERSON COUNTY ROAD LAW, CHAPTER 3 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1913."

The General Assembly of North Carolina do enact:

Section 30 of bill repealed.

SECTION 1. That section thirty of house bill four hundred and one, senate bill four hundred and seventy seven, ratified February twenty-eight, one thousand nine hundred and nineteen, entitled

"An act to amend the Henderson County Road Law, chapter three, of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen," be and the same is hereby stricken out and repealed.

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

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 460

AN ACT REGULATING THE EXPENDITURE OF REVENUE DERIVED FROM THE DOG TAX IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all surplus funds, arising from the tax imposed on dogs in Wake County, under the provisions of house bill number nine hundred and twenty-nine, senate bill number nine hundred and twenty-seven, entitled "An act to tax dogs in North Carolina and to encourage sheep husbandry," ratified March the third, one thousand nine hundred and nineteen, which have heretofore gone, under existing laws, to the public roads of said county, shall continue to be applied for that purpose in the way and manner heretofore provided.

Surplus of dog tax to go to road fund.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 461

AN ACT TO FIX THE SALARIES OF THE CHAIRMAN AND COMMISSIONERS OF PERQUIMANS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the chairman of the board of commissioners of Perquimans County shall be paid six dollars per day, and each other commissioner shall be paid four dollars per day, for time actually engaged in attending meetings of the board or performing special duties assigned by the board, and in addition thereto said chairman and said commissioners shall be entitled to the mileage now allowed by law.

Chairman's per diem \$6; other members' \$4.

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. 1919.

CHAPTER 462

AN ACT TO AMEND SENATE BILL 141, HOUSE BILL 273, RATIFIED FEBRUARY 11, 1919, BY ADDING GRAHAM COUNTY THERETO.

The General Assembly of North Carolina do enact:

Bill amended.

SECTION 1. That House bill number two hundred and seventy-three, Senate bill number one hundred and forty-one, ratified the eleventh day of February, one thousand, nine hundred and nineteen, be and the same is hereby amended by adding the word "Graham" after the word "Macon" and before the word "county" wherever the word "Macon" shall appear in said act.

Act made to
apply to
Graham County.

SEC. 2. Said act shall apply to the county of Graham as fully as if the same had been originally introduced for Graham County and the highway commissioners or road trustees of any township in Graham County are hereby authorized, directed and empowered to act under the provisions of said bill, and the county commissioners of Graham County are hereby authorized, directed and empowered to act under the provisions of said bill and to levy the special taxes provided for therein, provided the same has been carried at an election submitted to the qualified voters, as set forth in the original act.

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

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 463

AN ACT TO ENABLE CLEVELAND COUNTY TO ESTABLISH AND MAINTAIN A PUBLIC MEMORIAL HOSPITAL, TO LEVY A TAX AND ISSUE BONDS THEREFOR, APPOINT HOSPITAL TRUSTEES, MAINTAIN A TRAINING SCHOOL FOR NURSES, ETC.

The General Assembly of North Carolina do enact:

Commissioners
authorized to call
election on bonds
and special tax.

SECTION 1. That the board of county commissioners of Cleveland County, North Carolina, may by a majority vote of said board, or upon petition of five hundred voters of said county,

shall, after thirty days notice at the courthouse door and publication in one or more newspapers in said county for thirty days, order an election to be held at such time as they may fix, to determine the will of the people of the county whether there shall be issued and sold bonds to an amount not to exceed one hundred thousand dollars (\$100,000), to bear interest at not exceeding six per cent per annum, and to be payable, both principal and interest, when and where they may decide, and to levy a tax of not exceeding ten cents on the one hundred dollars valuation of property and thirty cents on the poll. The proceeds of said bonds to be used in securing lands and erecting or altering buildings and equipping same, to be used as a public hospital, and said tax to be levied to pay the interest on said bonds, and to provide a sinking fund, to pay said bonds at maturity, and for the maintenance of said hospital. If the majority of the qualified voters at said election shall vote in favor of the issuing of said bonds and the levying of said tax then said bonds, or such part thereof as the said board of commissioners may determine, shall be issued and sold by said board, said tax or such part thereof as shall be required, shall be levied. The hospital so erected from the sale of said bonds shall be known as a "County Memorial Hospital" in honor of the soldiers from Cleveland County in the world war just closing, and shall contain a tablet bearing the names of all who lost their lives in the service, as well as a suitable record of all the soldiers from Cleveland County who were enlisted in the service during the war.

SEC. 2. That at said election those voters favoring the issuing and sale of the bonds and levying of the tax aforesaid, shall vote a written or printed ballot "For County Memorial Hospital" and those opposed shall vote a written or printed ballot "Against County Memorial Hospital," and for said election the county commissioners shall order a new registration, such registration to be only for said special election, and said special election to be governed by the laws of the State, and for said election the county commissioners shall appoint registrars and judges of election, and fix date for making returns of election, at which date the county commissioners shall meet and canvass the returns of said election, and declare and record the result of said election. If a majority of the qualified voters shall fail to approve the issue of said bonds and the levy of said tax at the first election held as above provided, then the county commissioners may order another election for the same purpose and in the same manner, provided said second election shall not be held in the same year as the first election.

SEC. 3. If a majority of the qualified voters shall vote "For County Memorial Hospital," at any election held under this act, then the county commissioners shall issue and sell the bonds

Application of
proceeds of bonds.

Purpose of tax.

Hospital will be
a memorial.

Form of ballot.

New registration.

Conduct of
election.

Subsequent
elections.

Issuance and
sale of bonds.

authorized by said election, for not less than par, and shall pay over the proceeds arising therefrom to the treasurer of Cleveland County, who shall pay out the same under the orders of the board of hospital trustees, hereinafter provided for, said board of hospital trustees being authorized to use and expend said fund in the purchase of necessary site, and in the erection and equipment of the necessary building or buildings, for said county memorial hospital, and the taxes, which may be levied and collected under this act, shall also be paid to the treasurer of Cleveland County, and by him kept in two separate accounts, one of said accounts being the hospital interest and sinking fund, and the other account the hospital maintenance fund, and from said taxes, the said treasurer shall set apart to the hospital interest and sinking fund such part thereof as shall be required to pay interest on the bonds and to provide the necessary sinking fund for the payment of said bonds, and the said treasurer is authorized to lend, upon satisfactory security, the accumulations in said sinking fund from time to time for the best interest obtainable by him, and until the said sinking fund is required for the purpose of paying off the said bonds, and said treasurer, out of said hospital interest and sinking fund, shall pay the interest on said bonds and the bonds at maturity, but the said treasurer shall not be required to begin with the creation of a sinking fund for the retirement of said bonds before five years from the date of issuing same. The said treasurer shall pay out the moneys set apart to the hospital maintenance fund aforesaid upon the orders of the board of hospital trustees, and it shall be the duty of the board of commissioners of Cleveland County to annually levy and have collected as other taxes a special tax, not exceeding the limit provided by this act, sufficient to pay the interest on said bonds, and to provide the necessary sinking fund for the payment of same, and also to afford the necessary maintenance fund.

SEC. 4. The bonds issued under the provisions of this act shall mature in not exceeding twenty-five years from date and shall be in such denominations as the county commissioners shall determine, and shall draw interest at a rate not exceeding six per cent annually or semiannually, and said bonds shall be serial bonds, maturing in such amounts as may be determined by the county commissioners, the first installment falling due not later than five years from date of issue of said bonds and the last installment falling due not later than twenty-five years from date of said issue.

SEC. 5. Should a majority of the qualified voters of Cleveland County, under any election held under this act, vote "For County Memorial Hospital," then the county commissioners shall at once appoint not more than fifteen nor less than seven trustees

Purchase of site and erection of hospital.

Treasurer's accounts.

Division of taxes.

Investment of sinking fund.

Creation of sinking fund not mandatory within five years.

Maturity of bonds.

Interest.

Commissioners to appoint hospital trustees.

chosen from the citizens at large with reference to their fitness for such office, three of whom may be women, all residents of the county, not more than four of said trustees to be residents of the city, town or village in which said hospital is to be located, who shall constitute a board of trustees for said county memorial hospital and said trustees shall be divided into three groups, the members of the first group being appointed for two years, the members of the second group being appointed for four years and the members of the third group being appointed for six years, and at the expiration of the term of any trustees so appointed, or thereafter appointed, the county commissioners shall appoint his or her successor for a term of two years, and the county commissioners shall fill any vacancies for unexpired terms. Upon the nomination and endorsement by the county medical society of two practicing physicians for membership on board of hospital trustees, said county commissioners shall appoint as members of said board of hospital trustees the physicians so nominated and endorsed.

SEC. 6. The said trustees shall, within ten days after their appointment or election, qualify by taking the oath of civil officers and organize as a board of hospital trustees by the election of one of their number as chairman, one as secretary, and by the election of such other officers as they may deem necessary, but no bond shall be required of them. The county treasurer of the county in which such hospital is located shall be treasurer of the board of trustees. The treasurer shall receive and pay out all moneys under the control of said board, as directed by it, but shall receive no compensation from such board. No trustee shall receive any compensation for his services performed, but he may receive reimbursement for any cash expenditures actually made for personal expenses incurred as such trustee, and an itemized statement of all such expenses and money paid out shall be made under oath by each of such trustees and filed with the secretary, and allowed only by the affirmative vote of all the trustees present at a meeting of the board. The board of hospital trustees shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the hospital as may be deemed expedient for the economic and equitable conduct thereof, not inconsistent with this act and the ordinances of the city or town wherein such public hospital is located. They shall have the exclusive control of the expenditure of all moneys collected to the credit of the hospital fund, and the purchase of site or sites, the purchase or construction of any hospital building or buildings, and of the supervision, care and custody of the grounds, rooms or buildings purchased, constructed leased, or set apart for that purpose: *Provided*, that all moneys received for such hospital

Three may be women.

Terms of office.

Successors.

Vacancies.
Physician trustees.

Organization of trustees.

Treasurer.

Actual expenses of trustees to be paid.

By-laws and regulations.

Expenditure of hospital fund.

Construction and care of buildings.

Disbursement of funds.

shall be deposited in the treasury of the county to the credit of the hospital fund, and paid out only upon warrants drawn by the proper officers of the hospital board. Said board of hospital trustees shall have power to appoint a suitable superintendent or matron, or both, and necessary assistants and fix their compensations, and shall also have the power to remove such appointees; and shall in general carry out the spirit and intent of this act

Superintendent, matron and assistants. in establishing and maintaining a county public hospital. Such board of hospital trustees shall hold meetings at least once each month, shall keep a complete record of all its proceedings; and five (5) members of such board shall constitute a quorum for the transaction of business. One of said trustees shall visit and examine said hospital at least twice each month, and the board shall during the first week in January of each year, file with the board of county commissioners of said county a report of their proceedings with reference to such hospital, and a statement of all receipts and expenditures during the year; and shall at such time certify the amount necessary to maintain and improve such hospital for the ensuing year. No trustee shall have a personal pecuniary interest, either directly or indirectly, in the purchase of any supplies for said hospital, unless the same are purchased by competitive bidding.

Meetings of board. SEC. 7. The jurisdiction of the city, town or village in or near which public hospital is located, shall extend over all lands used for hospital purposes outside the corporate limits. If so located, and all ordinances of such cities and towns shall be in full force and effect in and over the territory occupied by such public hospital.

Records. SEC. 8. The hospital established under this act shall be for the benefit of the inhabitants of Cleveland County and of any person falling sick or being injured or maimed within its limits; but every inhabitant or person who is not a pauper shall pay to such board of hospital trustees or such officers as it shall designate for such county public hospital, a reasonable compensation for occupancy, nursing, care, medicine, or attendance, according to the rules and regulations prescribed by said board, such hospital always being subject to such reasonable rules and regulations as said board may adopt, in order to render the use of said hospital of the greatest benefit to the greatest number; and said board may exclude from the use of such hospital any and all inhabitants and persons who shall wilfully violate such rules and regulations. And said board may extend the privileges and use of such hospital to persons residing outside of such county, upon such terms and conditions as said board may from time to time by its rules and regulations, prescribe.

Visitation. Reports to county commissioners. Statement. Purchase of supplies. Police protection. Purpose of hospital. Payment for service. Exclusion from hospital. Patients from outside county.

SEC. 9. When such hospital is established, the physicians, ^{Trustees given full control.} nurses, attendants, the persons sick therein, and all persons approaching or coming within the limits of same, and all furniture and other articles used or brought there, shall be subject to such rules and regulations as said board may prescribe.

SEC. 10. Any person or persons, firm, organization, corpo- ^{Donations.} ration or society desiring to make donations of money personal property or real estate for the benefit of such hospital shall have the right to vest title of the money or real estate so donated in said county to be controlled when accepted by the board of hospital trustees according to the terms of the deed; gift, devise or bequest of such property.

SEC. 11. In the management of such public hospital no dis- ^{No discrimination against any legal practitioners.} crimination shall be made against practitioners of any school of medicine recognized by the laws of North Carolina, and all such legal practitioners shall have equal privileges in treating patients in such hospital. The patient shall have the absolute ^{Employment of individual physicians.} right to employ at his or her own expense, his or her own physician, and when acting for any patient in such hospital the physician employed by such patient shall have exclusive charge of the care and treatment of such patient, and nurses therein shall as to such patient be subject to the directions of such physician, subject always to such general rules and regulations as shall be established by the board of trustees under the provisions of this act.

SEC. 12. The board of trustees of such county public hospital ^{Training school for nurses.} may establish and maintain, in connection therewith and as a part of said public hospital, a training school for nurses.

SEC. 13. The said board of trustees shall at all times provide ^{Examination of insanity suspects.} a suitable room for the detention and examination of all persons who are brought before the commissioners of insanity for such county, provided that such public hospital is located at the county seat.

SEC. 14. That board of trustees of said hospital are hereby ^{Treatment of tuberculous patients.} authorized to provide a department of said public hospital, but not necessarily attached thereto, suitable accommodation and means for the care and treatment of persons suffering from tuberculosis, and to formulate such rules and regulations for the government of such persons, and for the protection from infection or other patients and of nurses and attendants in such public hospital as they may deem necessary; and it shall be the duty of all persons in charge of or employed at such hospitals, or residents thereof, to faithfully obey and comply with any and all such rules and regulations. Said board of hospital trustees ^{Experienced head nurse.} shall, if practicable, employ as head nurse to be placed in charge of said public tuberculosis sanatorium, one who has had experience in the management and care of tuberculous persons.

Payments
by patients.

SEC. 15. The board of hospital trustees shall have the power to determine whether or not patients presented at said public hospital for treatment, are subjects for charity, and shall fix the price for compensation for patients other than those unable to assist themselves.

Contracts with
other counties
for tuberculous
patients.

SEC. 16. The board of county commissioners of any county where no suitable provision has been made for the care of indigent tuberculous residents, may contract with the board of hospital trustees of any public hospital for the care of such persons in the sanatorium department of such hospital, upon such reasonable terms as may be agreed upon.

SEC. 17. This act shall be in force from and after its ratification.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 464

AN ACT TO AMEND HOUSE BILL 553, SENATE BILL 370, FILE NUMBER 328 OF THE SESSION OF 1919, RELATIVE TO TOWNSHIP SUBSCRIPTION TO THE CAPITAL STOCK OF ANY PROPOSED RAILROAD IN CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

Bill amended.

SECTION 1. That section three of House Bill five hundred and fifty-three, Senate bill five hundred and seventy, ratified on the twenty-sixth day of February, one thousand nine hundred and nineteen be, and the same is hereby amended by inserting after the word "maturity" and the period in line thirteen and before the words "no bonds" the following: "It shall be the duty of the county commissioners before levying any special taxes to set aside all the county taxes which shall be levied and collected on all property and franchise of any railway company building and operating under this act, in any township or townships of the county of Caldwell and used to pay the interest on said bonds, and if any excess, it shall be set aside as a sinking fund to be used as payment on the principal of said bonds. After the said bonds are paid in full, the taxes on said railroad shall be used for the county fund as if this act had not existed."

Property and
franchise tax of
railroads used to
pay interest
on bonds.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 465

AN ACT TO AMEND CHAPTER 659, PUBLIC-LOCAL LAWS, 1917, RELATIVE TO SALE OF SEED COTTON IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and fifty-nine, Public-Local Laws of one thousand nine hundred and seventeen be amended by adding after the word "purpose" in the last line of section one, the following: "and shall continue for one year." Buyer's license issued for year.

SEC. 2. That section two of said chapter be amended as follows: By striking out all of section two after the word "law" in line three.

SEC. 3. That section three of said chapter be amended as follows: By striking out the words "judge presiding" in line five, and inserting in lieu thereof the word "court." Provision for monthly reports repealed.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 466

AN ACT TO FIX THE SALARIES OF THE RECORDER AND SOLICITOR IN THE RECORDER'S COURT OF NEW HANOVER COUNTY AND TO PROVIDE FOR CERTAIN RECORDS IN SAID COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That the salary of the recorder of New Hanover County shall be two thousand, seven hundred and fifty dollars (\$2,750) per annum and the salary of the solicitor of the county of New Hanover shall be twenty-one hundred dollars (\$2,100) per annum payable in equal monthly installments. Recorder's salary. Solicitor's salary.

SEC. 2. That the clerk of the recorder's court of New Hanover County shall keep a minute book upon which shall be entered a true and complete detailed record of all proceedings each day in said court and which shall be signed by the presiding judge each day at the adjournment of court: *Provided*, that the said minute book shall be furnished at the expense of the county by the commissioners of New Hanover County upon the request of the sillicitor of New Hanover County: *Provided further*, that this act shall not go into effect until the said minute book is provided and kept as herein directed. Daily record of court's proceedings to be kept. Proviso: act effective only when book is provided and kept.

SEC. 3. That each day's session of said recorder's court shall be a separate term and the sheriff of the county of New Hanover Each day's session a separate term.

shall at the end of the session of each day's court adjourn the said recorder's court in the same manner and with the same effect as superior courts are adjourned at the end of each term.

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 7th day of March, A. D. 1919.

CHAPTER 467

AN ACT TO PROVIDE A PUBLIC ROAD LAW FOR ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. In order to affect a more comprehensive road system for Ashe County, and in order to take advantage of any state or national aid to be used and expended on the public roads of Ashe County, and for other purposes hereinafter to be mentioned, S. G. Parsons, who shall serve for two years, A. A. Price, who shall serve for four years, and Ambrose Shepherd, who shall serve for six years, or until their successors are appointed and qualified, and each successor thereafter to serve a term of six years, be and they are hereby created a highway commission to be known as the Good Roads Commission of Ashe County, and by this name may sue and be sued, make contracts, and do any and all of the things necessary to carrying into effect the provisions of this act, and have all of the powers of corporations of like nature under the laws of North Carolina, and may receive the same compensation as the board of commissioners for Ashe County.

SEC. 2. That said commission shall serve for the term of two, four, and six years, as specified in section one of this act, and should there become a vacancy by reason of death, resignation, expiration of term, or otherwise the board of county commissioners for Ashe County shall appoint a successor or successors, but at no time shall more than two of said commission be of the same political party.

SEC. 3. That said commission is hereby empowered and directed to appoint supervisors for each township in Ashe County, said supervisors to have the same powers and authority over the public roads of the respective townships as provided for supervisors in chapter sixty-five of the Revisal of nineteen hundred and five.

SEC. 4. That the said good roads commission and the supervisors of the respective townships shall have the same power and

Good Roads
Commission
appointed.

Vested with
powers to
enforce act.

Compensation.

Terms of office.

Successors.

Township
supervisors.

Roads laid out in
accordance with
Revisal.

authority and shall proceed in the same manner to lay out public roads and cartways, as provided by chapter sixty-five of the Revisal of nineteen hundred and five, with the exception that in case of laying out any new public road, said good roads commission shall appoint some competent engineer as one of the jury of three to lay out new roads; said good roads commission to have the same power and authority with respect to new roads, or any public road, for the purpose of locating, relocating, widening or otherwise changing the same, as is granted to the county commissioners by said chapter sixty-five of the Revisal of nineteen hundred and five.

Exception: commission to appoint engineer as one of jury to lay out new public road.

SEC. 5. That all landowners shall have the right of appeal from the amount of damage only, assessed by said jury, but such appeal shall not interfere with the construction of any new or public road.

Appeal by landowner.

SEC. 6. That no person be required to work on the public roads of Ashe County for more than six days in any one year, including new roads, and in lieu thereof, any person subject to road duty may pay an amount not to exceed one dollar and twenty-five cents (\$1.25) for each day, provided said amount is paid before the day the road is to be worked, to the supervisor or overseer.

Free labor and payment in lieu thereof.

SEC. 7. In the event of any macadam, sand clay, top-soil, or other surfaced road is constructed in Ashe County, the said good roads commission shall be subrogated to the duties of the said supervisors in the respective townships to repair and keep the same in proper condition, and may do so either with free labor, money coming into the hands of said commission, or both.

Construction of surfaced roads.

SEC. 8. That the public roads of Ashe County shall be not less than sixteen feet wide and not more than thirty-two feet wide.

Width of roads.

SEC. 9. That bonds may and shall be issued by the board of road commissioners of Ashe County for the purpose of laying and opening, altering or improving the public roads and bridges of said county under the conditions and provisions hereinafter provided. The board of road commissioners upon the petition of one hundred (100) freeholders of said county petitioning for an election for a bond issue shall make an order providing for holding an election, at any time not less than thirty days from the date of such order, which shall be designated therein, to open the polls and take the sense of the voters of the county on the question of whether the board of road commissioners shall issue bonds for such purpose: *Provided*, that the maximum amount of bonds issued under this act, together with all the bonds previously issued and remaining unpaid by said county, shall not exceed fifteen per cent of the assessed valuation of the county. The qualified voters of said election shall be those qualified to vote in the preceding regular election and those who may have become

Bond election to be called upon petition of 100 freeholders.

Limit of bonds.

Qualifications of voters.

- of age and qualified since the preceding regular election, except those who may for legal causes be disqualified. That the election held under this act shall be conducted in the same manner as prescribed by law for holding elections for the members of the General Assembly: *Provided, however,* that the said board of road commissioners shall appoint the registrars of election, the judges or inspectors and any other election officers necessary to the holding of said election. That at any election or elections under the provisions of this act the ballots tendered and cast by the voters shall have written or printed upon them "For Good Roads" or "Against Good Roads," and all electors who favor the issuing of said bonds shall vote a ballot written or printed thereon "For Good Roads" and those opposed to the issuing of the bonds shall vote a ballot written or printed thereon "Against Good Roads." That the result of the vote shall be counted, declared, and reported to the board of county good roads commission as prescribed by law in the election of members of the General Assembly.
- Conduct of election.
- Form of ballot.
- Canvass of vote.
- Issuance of bonds. SEC. 10. In event that a majority of the votes cast shall be for good roads at such election herein provided for, after the result has been declared and recorded as aforesaid, the board of good roads commissioners, as aforesaid, of the county, at its next regular meeting shall proceed to carry out the wishes of the voters as expressed at such election, as herein provided. The said good roads commission for Ashe County shall then proceed with the least possible delay to issue such bonds in such denominations and of such class and for such term as may be deemed best by said good roads commission, said bonds to be signed by the chairman and secretary of the said good roads commission, but that no bonds shall bear a higher rate of interest than six per cent and shall not be sold for less than their par value.
- Interest.
- Issue of bonds upon petition of freeholders representing majority of taxable property. SEC. 11. That after the holding of an election as provided for in this act for a road bond issue and a majority of the votes cast shall have been "Against Good Roads," then and in that event, upon the written petition of such number of freeholders in said county as will in the aggregate represent a majority of the taxable property of said county as shown by the tax books of the preceding year, said board of good roads commissioners for Ashe County shall be and they are hereby authorized and empowered to issue bonds to be styled "Road Bonds of the County of Ashe," not to exceed the limitation hereinafter stated, of such denominations and of such proportions as the board of road commissioners for said county may deem advisable, bearing interest from the date of the issue thereof at a rate not to exceed six per cent per annum, with interest coupons attached, payable annually, at such time or times, and at such place or places as may be deemed advisable by the said board of road commissioners, said
- Interest.

bonds to be signed by the chairman and secretary of said board of road commissioners and to be of such form and tenor and transferable in such way and the principal thereof payable or redeemable at such time or times, not exceeding thirty years from the date thereof, at such place or places as said board of road commissioners may determine. That none of said bonds shall be sold for less 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 by the said road commission, but said board of road commissioners shall not issue bonds in amount aggregating more than fifteen per cent of the total valuation of the real and personal property of said county. That the liability for the payment of said bonds, together with all interest that may accrue thereon, shall be attached to said county of Ashe as a political division incorporated as aforesaid. That the money so raised from the issue of such bonds shall be used and expended by the said board of road commissioners as far as possible in making permanent improvements in the roads and highways, of said county and as far as possible in coöperation with the state highway commission, and the Federal road authorities, and in connection with any moneys furnished by either for permanent improvement of such roads.

SEC. 12. That for the purpose of providing for the payment of the annual interest on the bonds issued under the provisions of this act, and for providing a sinking fund for the payment of such bonds, the board of county commissioners shall annually and at the time of levying other county and state taxes, levy a special tax of not less than twenty-five cents nor more than one hundred cents on the one hundred dollars assessed valuation of property and not less than seventy-five cents nor more than three dollars on the taxable poll, as may be necessary to observe and maintain the constitutional equation between property and poll, which taxes so levied shall be collected and accounted for as is provided by law for the collection of state and other county taxes. That out of the funds so raised, it shall be the duty of said board of road commissioners to pay the annual coupons on said bonds at the time and place thereon fixed, and not later than five years after the issue of said bonds, to begin, in the discretion of the board of road commissioners, the payment of said bonds or the creation of a sinking fund for the payment of the principal of said bonds at their maturity, and may invest such sinking fund in approved security bearing interest. That it shall be the duty of the board of road commissioners to file in writing with the board of county commissioners annually and before the date of making the annual tax levy a request stating the amount of tax they desire levied for such year for the aforesaid purposes. That it shall be the duty of the board of road

Maturity.

Not to be sold at less than par.

Limit of bonds.

Application of proceeds.

Special tax to be levied for sinking fund.

Limit of tax rate.

Collection.

Investment of sinking fund. Road commissioners to compute tax necessary.

Maintenance tax.

Limit of tax rate. commissioners to request the county commissioners to levy a tax for the purpose of repair and maintenance of such completed highways and roads and it shall be the duty of the county commissioners to levy a tax of not less than ten cents nor more than fifty cents on the one hundred dollars assessed valuation of property and not less than thirty and not more than one dollar and fifty cents on each taxable poll, observing always the constitutional equation, for the purpose of repairing and maintaining such highways and roads, which taxes shall be collected and accounted for as state and other taxes.

Collection. SEC. 13. That for the purpose of carrying out the provisions of this act the said good roads commission through its agents after first consulting the owner, his tenant or agent, of the land from which material is needed for the repairing or building of any road, is hereby authorized to enter upon any lands or take or cause to be taken and carried away any such material as may be necessary to construct or maintain any road as provided by this act, together with free ingress and egress to the same and to remove the same. That the owner may present a claim to said commission for said material, and if found to be reasonable, said commission shall pay the same; and if said commission shall refuse the claim, said owner or owners shall have right of appeal to Superior Court from the order refusing payment.

Commission authorized to condemn road materials. SEC. 14. That immediately upon the sale herein provided for, the said board of road commissioners shall deposit the funds arising therefrom in equal amounts in the following banks, to wit: First National Bank at West Jefferson, Bank of Ashe at at Jefferson, and Bank of Lansing, at Lansing, all in the county of Ashe, the said funds to be handled without compensation to the said banks, and the same shall be paid out by the said banks on written order of at least two members of the said good roads commission, and the said good roads commission shall expend said road funds in such manner and in such localities as to them may seem best to insure a proper system of roads for Ashe County.

Claim by owner. SEC. 15. That all laws and clauses of laws in conflict with this act are hereby repealed.

Appeal. SEC. 16. That this act shall be in full force and effect from and after its ratification. But it shall apply to Ashe County only.

Deposit of fund from sale of bonds. Ratified this the 7th day of March, A. D. 1919.

Disbursement.

CHAPTER 468

AN ACT TO ALLOW ADDITIONAL COMPENSATION TO COUNTY OFFICERS IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and seventy-five of the Public-Local Laws of the General Assembly enacted at the session of one thousand nine hundred and seventeen, putting certain officers of Duplin County on a salary, be and the same is hereby amended as follows: Add to section two of said chapter, after the word "dollars," the last word in said section, the following: "*Provided*, the board of commissioners for the county of Duplin may in their discretion pay to the sheriff of Duplin County for the years one thousand nine hundred and twenty and one thousand nine hundred and twenty-one, an amount not exceeding seven hundred dollars, (\$700), in addition to the salary fixed in said section"; add to section three of said chapter, by inserting after the word "deputies" in line ten of said section, the following: "*Provided*, the board of commissioners of the county of Duplin may in their discretion pay to the clerk of the Superior Court of Duplin County an amount as salary not exceeding five hundred dollars (\$500), for the years one thousand nine hundred and twenty and one thousand nine hundred and twenty-one, in addition to the salary fixed in said section for clerk of the Superior Court." Add to said section three by inserting immediately after the word "deputies" in line fourteen thereof, the following: "*Provided*, the board of commissioners for the county of Duplin, may in their discretion pay to the register of deeds as salary an amount not exceeding five hundred dollars (\$500) for the years one thousand nine hundred and twenty and one thousand nine hundred and twenty-one, in addition to the salary fixed as in said act."

Salary law amended.

Sheriff made additional allowance for 1920 and 1921.

Extra compensation for clerk of court.

Extra compensation for register of deeds.

SEC. 2. Add to section six of said act, after the word "act" in line five thereof, the following: "*Provided, however*, if the fees, commissions and emoluments received from any one of said officers by the treasurer of Duplin County for any one year shall be insufficient to pay the additional salary allowed by the said board of commissioners under this act, then such officer shall not be paid any greater amount as additional salary than he shall have accounted for as provided for in said chapter two hundred and seventy-five, Public-Local Laws of one thousand nine hundred and seventeen."

No amount to be paid in excess of commissions and fees.

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 7th day of March, A. D. 1919.

CHAPTER 469

AN ACT TO ISSUE BONDS FOR THE PERMANENT IMPROVEMENT OF THE PUBLIC ROADS OF CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Commissioners authorized to submit bond issue to voters.

Limit of bonds.

Levy of special tax.

Notice of election.

Subsequent elections.

Hickory and Newton township bonds to be taken up.

Conduct of election.

Form of ballot.

Canvass of vote.

SECTION 1. That the board of commissioners of Catawba County may in its discretion submit to the vote of the qualified electors of Catawba County, on any date after the ratification of this act, and from time to time thereafter as in its discretion it may deem best, the question as to whether or not the county of Catawba shall issue bonds in sums not to exceed five hundred thousand dollars in the aggregate, with interest coupons attached, and levy special taxes to pay the bonds and interest thereon, the proceeds of which said bonds shall be used for the purpose of opening, grading, making, improving, macadamizing, constructing, and repairing public roads in Catawba County. The said board of county commissioners shall, for at least thirty days preceding the election, give public notice of such election, together with the purpose thereof, by publication in one or more newspapers published in said county: *Provided*, that if the majority of the qualified voters of said county shall not vote to issue bonds at the election so held, the said board of county commissioners may submit the question to the qualified voters of said county at any other time or times, under the provisions of this act: *Provided further*, that the said issue of five hundred thousand dollar bonds, or so much of them as may be necessary, shall be used to take up one hundred thousand dollars worth of township road bonds issued by Hickory and Newton townships, and the remaining four hundred thousand dollars for the construction of roads in Catawba County.

SEC. 2. That any 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 members of the General Assembly, except as herein otherwise provided. The board of county commissioners shall appoint the registrars, 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 for the election of members of the General Assembly. And the said county commissioners shall order a new registration for any and all of said elections. That at the said election or elections the ballot tendered and cast by the qualified voters shall have written or printed upon them "For Road Bonds" or "Against Road Bonds," and all qualified electors who favor the issuing of said bonds shall vote "For Road Bonds," and all qualified voters opposed to the issuing of said bonds shall vote "Against Road Bonds." The votes shall

be counted at the close of the polls and returned to the said board of county commissioners on the Tuesday next following the election; and said board of county commissioners shall meet on said day, of which said meeting no order of notice shall be necessary, and 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 recording and declaration of the result of said election shall be necessary. The members of the board shall receive no compensation for attending said meeting. The said declaration of the result of said election as recorded in the minutes of the board, and also such findings as the board of commissioners shall cause to be enrolled upon its minutes relative to the calling, notice, holding, and return of said election, which the said board is hereby authorized and directed to make after considering the facts, after sixty days from such entry shall not be open to attack, but the record shall be deemed conclusive evidence of the truth thereof; subject only to the determination of any suit which shall be instituted prior to the expiration of said time. The said new registration required under this act, and shall in no way affect the present registration for county and state officers and upon conclusion of said election, or elections, the officers of said election shall return the registration and poll books to the board of county commissioners to be filed in the office of the register of deeds of Catawba County. The fees of the registrars for holding said election shall be one-half the fees allowed by the general election laws. The other officers of said election shall serve without compensation.

Election not open to attack after 60 days.

New registration.

Fees of registrars.

SEC. 3. In case a majority of the qualified voters of said election vote "For Road Bonds," the board of commissioners of Catawba County is hereby authorized, empowered and directed to issue the bonds and levy the special taxes specified in this act. Said bonds shall be coupon bonds of said county to an amount not exceeding five hundred thousand dollars, and in denominations of not less than twenty-five dollars, bearing interest from the date of issue at a rate not to exceed six per cent per annum, payable semiannually; said bonds to be of such form and tenor and transferable in such way, and the principal to be payable at such time or times not exceeding thirty years from the date of issue, and at such place or places as the said board of county commissioners may determine: *Provided*, that none of said bonds shall be disposed of for less price than their par value and accrued interest. *Provided further*, that the bonds shall be sold in such amounts from time to time as the county board of commissioners may think best. The said bonds shall be numbered and shall be signed by the chairman of the

Denomination of bonds.

Interest.

Bonds not to sold for less than par.

said board of county commissioners and attested by the clerk of said board with the corporate seal of the county of Catawba affixed thereto; and the coupons shall bear the engraved or lithographed signature of the chairman of the said board of county commissioners.

Commissioners to
appoint highway
commission.

SEC. 4. At the first regular monthly meeting of the board of commissioners of Catawba County held after said election, the said board shall elect one elector from each township of said county, to be known as the highway commission of Catawba County. Two of whose term of office shall be for one year, two of them for two years, two of them for three years, and two of them for four years. In case of vacancy by death, resignation or otherwise, said vacancy shall be filled by the county board of commissioners. That said highway commission shall meet at the courthouse in Newton, on the first Monday after their election, and organize by electing one of their number chairman and another clerk, and all their proceedings shall be by said clerk recorded in a book to be provided for said purpose; the compensation of the members of the said highway commission shall be the same as that of the members of the board of county commissioners for Catawba County and payable out of the funds provided for in this act.

Terms of office.

Successors.

Organization.

Compensation.

Vested with
control of roads.

Superintendent.

Oaths to be taken.

SEC. 5. The general supervision and construction of all the road work done under the provisions of this act shall be in charge of the highway commission, said highway commission shall have authority to employ a superintendent, who shall be a competent road man or a man well qualified to construct public roads, *Provided*, that the members of the highway commission shall take an oath before some person authorized to administer oaths, to perform the duties of their office to the best of their skill and ability.

Time and place
of meeting.

SEC. 6. The said highway commission shall meet on the first Monday in each month at the courthouse in Newton and at such other times and place in the discretion of the said commission as may be necessary to carry out the purposes of this act: *Provided*, that if it should not be necessary to meet each first Monday in the month, the said commission may fix by a majority vote, the time and place of meeting as may be deemed necessary.

Superintendent
to give bond.

SEC. 7. The superintendent of roads elected under and by authority of this act shall take and subscribe an oath for the faithful performance of his duties as said superintendent, and shall execute an official bond in such sum as the highway commission may deem necessary for the faithful performance of his duties and for an accounting for the money and property which may come into his hands as said superintendent the bond to be approved by the highway commission.

SEC. 8. The superintendent of roads, as provided in section five of this act, shall hold his office at the pleasure of the highway commission, and he shall be subject at all times to the authority and orders of the highway commission as to what his duties are.

SEC. 9. In order to pay the interest on the bonds authorized by this act; to create a sinking fund for taking up said bonds at maturity; to support a chain gang and convict force if deemed advisable; and to establish, alter, repair, and maintain the public roads and highways of said county in good condition, the highway commission for the county of Catawba, or other authorities vested with the power of levying taxes for said county shall annually compute and levy, at the time of levying other county taxes, a sufficient special tax on all polls or real estate and personal property, and all other subjects of taxation, which the county commissioners or other authorities now or hereafter may be allowed to levy taxes upon for any purpose whatsoever, always observing the constitutional equation between the taxes on property and the taxes on the poll: *Provided*, there shall not be at any time levied in the county of Catawba 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 sixty cents upon the hundred dollars of property and the constitutional equation on polls.

SEC. 10. That 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.

SEC. 11. That it shall be the duty of the highway commission for the county of Catawba 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 highway commission, and to be agreed upon by them and the owners thereof. But in case said county bonds cannot be purchased at a satisfactory price, then the said highway commission are authorized and directed to invest said sinking fund upon security approved by it, and upon terms advantageous to said county. And any money of said sinking fund so loaned and invested shall bear the best rate of interest attainable per annum, and any interest from the said fund shall be annually invested in the same way. And the notes taken for said loans shall express on their face that the money borrowed belongs to the said sinking fund.

SEC. 12. That the money received from the sale of said bonds and road fund derived from 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 on said bonds, shall be used by said highway commission to purchase improved road making machinery, to survey,

Subject to authority of commission.

Special tax for sinking fund and maintain roads.

Commission to compute.

County commissioners to levy.

Limit of tax rate.

Taxes a separate fund.

Investment of sinking fund.

Notes to show where money came from.

Application of funds by highway commission.

lay out, grade, macadamize, improve and maintain the public roads and bridges of said county and in guarding and maintaining such convict force and employment of labor as may from time to time be assigned to work on said roads, and the keeping of public roads in repair.

Powers of
commission.

SEC. 13. The highway commission shall have the power and authority to locate, relocate, widen or otherwise change any public road or highway, or part of the same, of the county, or lay out and establish any new 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; and the said highway commission shall have the further right to abandon and discontinue any public road or highway if the same is unnecessary and not advantageous to

Survey of roads
by competent
engineer.

public travel; but the said highway commission, before locating, relocating, widening or changing any public road, or establish a new public road, shall cause a survey of the same to be made by some competent engineer, and the said highway commission shall further find that said changes, locations, relocations and the opening of new public roads are necessary and advantageous to public travel, or if said highway commission desire

Abandonment
of roads.

the discontinuance or abandonment of public roads, they shall state that said public road is not necessary and not advantageous to public travel. The said highway commission shall give to the landowner, 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 discontinuance or abandonment of any public road, at least twenty days notice in writing

Notice of new
road or
abandonment of
old to be given.

of the time and place of deciding upon such change; and if the landowners on or over whose land the proposed changes are to be made, and the new road established, or any road to be abandoned or discontinued, are minors, idiots or lunatics, such notice shall be given to them and their duly appointed guardians, or if no guardian has been appointed, then such notice shall be given to any person with whom they are living. If any landowner is a nonresident, the said notice shall be mailed to him at his place of residence or be published for twenty days before the decision of said highway commission. The said highway commission upon the day of the hearing set by them shall either

Notice to minors.

Notice to
nonresident.

make an order granting the change, location or relocation of any public road, or the opening and establishment of any new public road, which order when so made shall be a condemnation of the land or lands mentioned over which said road runs.

Order a
condemnation.

Obstruction of
survey a
misdemeanor.

SEC. 14. Any person who shall obstruct the surveyor or engineer in making a survey under the authority of the highway commission, in changing the road, or the opening of a new road, shall be guilty of a misdemeanor, and upon conviction, shall be

fined or imprisoned or both in the discretion of the court; and any person or persons who shall obstruct anyone authorized by this act to open or change any public road, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned or both, in the discretion of the court; and if after changing, locating, or relocating any public road, or opening, or establishing any new public road, any person who may be damaged thereby, and he and the highway commission cannot agree and fix the amount of damages sustained, he may, within six months of said change, location, or the opening or establishing a new public road, apply to the clerk of the Superior Court, who shall appoint a jury of five freeholders to assess the damages, and the said jury in determining the said damages, shall take into consideration the benefits accruing to said property, and the damage sustained to the property, and the said damages, if any, shall be paid out of the road fund of the county; and if the jury award no more damages than the amount offered by the highway commission, then the party aggrieved shall pay all costs for making said assessment of damages: *Provided*, that the highway commission, or person so aggrieved, shall have the right to appeal to the Superior Court, after giving good and sufficient security for costs.

Obstruction of road work a misdemeanor.

Assessment of damages.

Payment.

Appeal.

SEC. 15. For the purpose of carrying out the provisions of this act, the Highway Commission, through its superintendent of roads, after first consulting the owner, or owners, agent or agents, of the lands from which material for building and repairing roads is gotten, is hereby authorized to enter upon any lands near to or adjoining any public road, 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 road, together with the free ingress and egress from said roads for the transportation of the said material.

Authority given for condemnation of road materials.

SEC. 16. That if any owner of land, or the agent or agents of said owner having in charge lands from which stone, gravel, soil, sand, clay or rock or other material was taken as aforesaid, shall, present an account for same to the highway commission or to the superintendent, it shall be the duty of said highway commission to pay a just and reasonable price for the same; and any owner, agent or agents shall have the right to appeal from said highway commission to the Superior Court to determine the value of such stone, sand, clay, soil, rock, gravel or other material; but said highway commission 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.

Statement and payment for material.

Claim for repairation not to stop work.

Custodian of
funds.

SEC. 17. The public funds raised under the provisions of this act by sale of bonds and taxes shall be held by the county treasurer or other bonded officer whose duty it is to be responsible for the public funds of Catawba County.

SEC. 18. All laws and clauses of law in conflict with this act are hereby repealed.

Certified copy
of act to county.

SEC. 19. Immediately after passage of this act the Secretary of State shall send a certified copy of same to the register of deeds of Catawba County.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 470

AN ACT TO FIX THE PER DIEM OF THE COMMISSIONERS FOR CRAVEN COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Commissioners'
per diem.

SECTION 1. That the commissioners for Craven County shall receive five dollars (\$5) per diem and mileage, in lieu of four dollars (\$4) per diem and mileage, as heretofore allowed.

Chairman's
salary.

SEC. 2. That the chairman of the board of county commissioners of Craven County shall receive a salary of fifty dollars (\$50) per month.

SEC. 3. That all laws and clauses of laws inconsistent with the foregoing sections 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. 1919.

CHAPTER 471

AN ACT FOR THE PURPOSE OF MAINTAINING AND REPAIR- ING THE PUBLIC ROADS OF LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

County
commissioners
and agents
authorized to
condemn
materials for
road building.

SECTION 1. That for the purpose of maintaining, repairing and keeping in good order and condition for public travel, the public roads of Lincoln County, the board of county commissioners of said county through its superintendent, employees and agents, are hereby authorized to enter upon any lands, near to or adjoining any public road, to cut and carry away timber, except shade, ornamental or fruit trees; 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 said road, and to enter on any lands adjoining or lying near the road in order to make such drains or ditches through the same as he or they may deem necessary for the betterment of the road, doing as little injury to said lands and the timber or improvements thereon as the nature of the case and the public good, will permit, and the drains and the ditches so made shall be conducted to the nearest ditch, drain, watercourse or waste ground, and shall be kept open by said superintendent, agents or employees of the board of county commissioners, and shall not be obstructed by the owner or occupant of such lands or any other person or persons under the penalty of forfeiting a sum of not less than five dollars nor exceeding ten dollars or imprisonment not less than ten or more than twenty days for each and every offense, said penalty to be collected by the superintendent, if in money, and paid over to the county treasurer and applied to the road fund of the county. If the owner of any lands, or the agent or agents of such owner, having in charge lands from which timber, stone, gravel, sand or clay were taken as aforesaid, shall present an account of the same, through the superintendent of the roads, at any regular meeting of the county commissioners within thirty days after the taking and carrying away of such timber, stone, gravel, sand and clay, it shall be the duty of the said commissioner to pay for the same a fair and reasonable price; and before deciding upon this they may cause to be appointed an impartial jury of three freeholders, one to be selected by the superintendent of the roads or by the county commissioners, 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 their decision for revision or confirmation; *Provided*, that said owner or his agent, as well as the board of county commissioners shall have the right of appeal as provided for in like cases and as now governed and regulated by law in appeals from courts of justice of the peace, and the same shall be heard *de novo*; but the judge may, in his discretion, require said landowner to give bond when case is taken by appeal to the superior court.

SEC. 2. That, subject to the approval of the board of county commissioners, the county superintendent of roads, is hereby given discretionary power, with the aid of a competent engineer, if he deems its necessary to employ an engineer, to locate, relocate, widen or otherwise change any part of any public road where, in his judgment, such location, relocation, or change will prove advantageous to public travel. That when any person or persons on whose lands the new road or part of the road is located claims damages therefor, and within sixty days after the change in the road is ordered, petition the board of county commissioners for

Also to
make ditches.

Obstruction of
ditches renders
obstructor liable
to penalty.

Collection
of penalty.

Claim for
material.

Payment of.
Assessment
of damages.

Appeal.

Hearing.

Powers of road
superintendent.

Assesment of
damages by
reason of
location of roads.

a jury to assess the damages, the said commissioners, within not less than fifteen nor more than sixty days after the completion of said road, shall order said jury of three disinterested freeholders to be summoned by the sheriff or constable or other officer, as provided by law, (said jury being appointed by board county commissioners), who shall give said landowner or their legal representative forty-eight hours notice of the time and place, when and where said jury will meet to assess damages, and said jury, being duly sworn, in considering the question of damages shall also take into consideration the benefits to the owner of the land, and if said benefits be considered equal to or greater than the damages sustained the jury shall so declare; and it shall report in writing its finding to the board of county commissioners for confirmation or revision; *Provided*, that if said landowner be a nonresident of the county and have no local representative, it shall be deemed sufficient service of such notice for said officer to forward by United States mail a written notice of the purpose, time and place of such meeting of said jury, to the last known post-office address of such landowner, seven days in advance of such meeting; and also to post a notice of the same for seven days at the courthouse door of said county; *Provided further*, that the damages awarded, if any, shall be paid out of the road fund of the county, if any, if not, out of the general funds of the county.

Notice of meeting.

Benefits to be considered.

Notice to nonresident.

Payment of damages.

Appeal from decision of commissioners.

Hearing.

Obstruction or delay of road work a misdemeanor.

SEC. 3. That in case the landowner or his local representative shall be dissatisfied with the finding of the jury provided for in this act, and the decision of the county commissioners, such dissatisfied party may appeal from the decision of the county commissioners to the Superior Court of the county; all such appeals being governed by the law regulating appeals from the courts of justice of the peace; and the same shall be heard de novo; but the judge may, in his discretion, require said landowner to give bond when the case is taken by appeal to the Superior Court.

SEC. 4. That it shall be unlawful for any person or persons, to hinder, obstruct or delay the superintendent, any agent or employee of the county of Lincoln, in the performance of the duties under this act, and upon conviction shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not more than thirty days.

SEC. 5. That all laws and clauses of law in conflict are hereby repealed.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 472

AN ACT FOR THE LEVYING OF A SPECIAL TAX FOR MAINTAINING AND REPAIRING PUBLIC ROADS IN LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Lincoln 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 exceeding twenty cents on the one hundred valuation of all property, real and personal, and other subjects of taxation in Lincoln County and not exceeding sixty cents on each poll, annually hereafter, for the purpose of repairing and maintaining the public roads of said county. Limit of tax 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 and effect from and after its ratification.

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 473

AN ACT TO REPEAL CHAPTER 429, PUBLIC-LOCAL LAWS OF 1917, AND TO APPOINT A BOARD OF EDUCATION FOR GATES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and twenty-nine, Public-Local Laws, one thousand nine hundred and seventeen be and the same is hereby repealed, and in lieu thereof the following is hereby enacted. Chapter 429 Public-Local Laws 1917 repealed.

SEC. 2. That L. E. Cross, T. W. Costen, W. A. Sykes, L. M. Pierce, and T. A. Eure be and they are hereby appointed and constituted the board of education for Gates County. Board of education appointed.

SEC. 3. That L. E. Cross is hereby appointed for a term of six years: T. W. Costen is hereby appointed for a term of two years: W. A. Sykes is hereby appointed for a term of four years: L. M. Pierce is hereby appointed for a term of four years, and T. A. Eure is hereby appointed for a term of two years, from and after the first Monday of April, one thousand nine hundred and nineteen. Terms of office.

SEC. 4. That the provisions of section four thousand one hundred and thirty-five of the qualifications for the county superintendent. County superintendent.

superintendent of public instruction shall not apply to Gates County, provided the person elected shall meet the approval of the Superintendent of Public Instruction of the state.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 474

AN ACT TO AMEND CAPTER 50, PUBLIC-LOCAL LAWS, SESSION 1917, AND CHAPTER 334, PUBLIC LAWS, SESSION 1915, RELATIVE TO WORKING PUBLIC ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That section five, chapter fifty, Public Laws, session one thousand nine hundred seventeen be amended as follows: By striking out in line eight the word "uncultivated" between the word "any" and the word "land" in said line.

SEC. 2. That section twenty-one, chapter three hundred thirty-four, Public-Local Laws, session one thousand nine hundred fifteen, be amended as follows: By striking out the word "uncultivated" in line two, section twenty-one.

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

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 475

AN ACT TO FIX THE SALARIES FOR THE COUNTY OFFICERS OF WAYNE COUNTY AND WITH REFERENCE TO THEIR DUTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff, the clerk of Superior Court and register of deeds of Wayne County and their respective deputies shall collect and receive and account for all of the fees to which they are entitled by virtue of their respective offices and shall pay the same on or before the fifth day of every calendar month to such bank or to such financial agent as may be designated by the board of county commissioners of Wayne County to act and perform the duties of treasury of said county, as provided for in this act; and they shall be responsible for and chargeable

Restriction on right of entry removed.

Chapter 334, Public Laws 1915 amended.

Fees to be paid to financial agent on or before fifth of each month.

with all moneys and fees of every kind which are to be paid, or by law should be paid into their respective offices and shall be held to strict account therefor: *Provided, however,* that this section shall not apply to the sheriff's deputies appointed in townships other than Goldsboro Township, which deputies are to receive the fees made by them in compensation for their services, as hereinafter provided; and the board of county commissioners may at any time require said officers or any of them to exhibit to them all books and accounts showing all moneys received and turned over to the financial agent of the county under the provisions of this act.

Does not apply to sheriff's deputy whose fees are compensation.

SEC. 2. That the said officers shall collect all fees, commissions, profits, and emoluments of all kinds now or hereafter belonging or appertaining to, or which may hereafter, by any law belong or appertain to their respective offices and shall faithfully perform all other duties of their respective offices such salaries and compensation as is hereinafter provided. They shall receive no other compensation or allowance whatsoever for any extra or additional services rendered to the county, state or other governmental agency and they and their several bondsmen shall be liable to all of the pains and penalties that may now or hereafter be provided by law for failure to perform the duties of their respective offices: *Provided, however,* the premiums on the bond or bonds of their respective offices shall be paid by the board of county commissioners from the general county funds.

Officers charged to be faithful to trust.

County to pay bond premiums.

SEC. 3. That each and all of said officers shall open and keep a separate set of account books, consisting of a daily journal and ledger and such other books as may be appropriate and necessary, in which shall be promptly, correctly, truly, and accurately entered itemized accounts of all fees, commissions and moneys collected or received by said officers and their respective deputies, 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 shall be kept safely and securely, so as to prevent loss or destruction by theft, fire or otherwise.

Each officer to keep separate set of accounts.

Books at all times open to public.

SEC. 4. The said sheriff of Wayne County shall receive a salary of three thousand dollars per annum, as sheriff, payable monthly in equal installments. He shall appoint one deputy, whose salary shall be one hundred dollars per month and two field deputies, each of whose salaries shall be one thousand dollars per year, payable in equal monthly installments. The said sheriff may also appoint one or more deputies in each township of said county, other than Goldsboro Township and such deputies shall be allowed the fees made and collected by them

Sheriff's salary.

Deputy allowance.

Other deputies.

Papers to be served promptly.

Service of papers in Goldsboro township.

Jailer's duties and compensation.

Sheriff to pay over state allowances.

Entitled to fees for capture of stills.

Clerk of court's salary.

Deputy.

Register of deeds' salary.

Clerical assistance.

Limit of allowance.

Office of treasurer abolished.

Bank to receive no compensation.

in serving summons, subpoenas, notices, and process of all kinds and all fees made and collected by them from executions: *Provided, however*, that nothing in this act shall relieve the sheriff, his office deputy and field deputies from promptly serving papers and processes and executing writs issued to him in any part of the county: *Provided further*, that the deputies from other townships shall not serve papers in Goldsboro Township, except in case of emergency and that it shall be the duty of the sheriff, his office deputy and field deputies to serve all papers in said township and to keep a correct record of all fees as hereinbefore provided. The sheriff shall also appoint a jailer, who shall receive such salary as shall be fixed by the board of county commissioners and in addition to his duties as jailer, he may serve process and other papers in Goldsboro Township. He shall collect such fees as the law prescribes and pay the same over to the sheriff, who shall keep accurate record of the same along with his other records and pay them over to the financial agent of the county, as hereinbefore provided. The sheriff shall also pay over to the financial agent or bank acting as treasury, all fees, mileage and other allowances paid to him by the State of North Carolina or by state institutions for taking prisoners to State prisons or insane persons to the state hospital, deducting from the amounts paid to him the actual expenses incurred therefor: *Provided, however*, that the sheriff shall be entitled to the fees allowed by law for the capture and destruction of illicit distilleries.

SEC. 5. The clerk of Superior Court of Wayne County shall receive a salary of two thousand seven hundred and fifty dollars per annum as clerk, payable in equal monthly installments. He shall appoint a deputy clerk, who shall receive a salary not to exceed one thousand and five hundred dollars per annum, also payable in equal monthly installments.

SEC. 6. The register of deeds of said Wayne County shall receive a salary of two thousand and five hundred dollars per annum as register of deeds, payable in equal monthly installments, and he shall appoint such clerical assistance as shall be necessary, for which clerical assistance he shall be allowed an additional amount not exceeding one thousand and five hundred dollars and in no instance more than the actual amount paid out for assistants. But the amount paid for clerical assistance shall be paid monthly.

SEC. 7. The office of county treasurer is hereby abolished, and in lieu thereof the board of county commissioners shall, and they are hereby authorized and empowered, to appoint one or more solvent banks in Wayne County as financial agent or agents for said county, which said bank or banks shall perform the duties now performed by the treasurer of said county: *Provided*, that

such bank or banks shall not charge or receive any compensation for its or their services other than such advantages as may accrue from the deposits of county funds in the regular course of banking: *Provided further*, that such bank or banks appointed and acting as financial agent or agents of said county shall be appointed for a term of two years, and shall be required to execute the same bonds for the safekeeping and proper accounting of such funds as may come into their possession and belonging to said county, and for the faithful discharge of its or their duties, as are now required by law of county treasurers.

SEC. 8. The office of auditor of Wayne County is hereby instituted and created, and the auditor of said county shall receive a salary to be fixed by the board of county commissioners of Wayne County, and not to exceed two thousand and four hundred dollars per annum. He shall furnish bond in some bonding company, in the sum of five thousand dollars, payable to the county of Wayne, conditioned that he shall diligently, truthfully and faithfully perform all duties of his office, and shall faithfully account for all penalties or any moneys or other things of value that may come into his hands by virtue of his office, and he shall be liable for any negligence, default, malfeasance or misconduct in office. Premiums on said bond, however, shall be paid by the county.

SEC. 9. It shall be the duty of the auditor of Wayne County to make out one copy of the tax list of each township as a permanent copy, and to deliver the original copy of each to the sheriff of said county, who shall collect and pay over as collected, all county taxes to the financial agent of the county. The auditor shall supervise and direct the performance of all duties now required by law, of the register of deeds relative to the tax list and taxes; shall make out and prepare for publication all annual statements required by law, investigate and inquire for and after all delinquent taxpayers, and to require all delinquent property, including polls, to be placed on the tax list; he shall keep a record of all real estate transfers, with prices paid for same, instruct, direct and supervise the assessment of all property liable to taxation in said county, act as accountant for the county, settling with the county officers, supervise scrutinize and examine at least once in every calendar month all books, accounts, receipts and vouchers and other records of all the officers of Wayne County, which show fees and commissions collected and received by them; it shall be his duty to examine at least twice each year the dockets of all justices of the peace and mayors of said county, and report his findings to said board of county commissioners; and he is hereby authorized to administer oaths or verifications of claims which may be filed against the county, and county board of education of Wayne

Account of fees
of officers.

County, and to open a set of account books in which shall be shown the total monthly receipts of fees and commissions of all the officers of said county in an expert and intelligent manner, assigning distinct and separate accounts for each and every of said officers, which book or books shall be permanently kept as the records of his office and always open to public inspection; he shall likewise, when so directed by the board of county commissioners, visit the county jail and other county institutions and examine the same, also the books and accounts kept by the jailer and others; it shall likewise be his duty to audit all bills and claims presented to the board of county commissioners of said county and the said board of education for payment, and no bill filed with said board of county commissioners or said board of education shall be allowed or paid until it has been audited by said auditor; all warrants drawn upon claims or bills allowed by said board of commissioners or by said board of education shall be countersigned by said auditor before they shall be honored or paid by the treasury or financial agent of said county.

Accounts of
county
institutions.

Bills and claims
against county.

To countersign
warrants.

To assist in
buying supplies.

SEC. 10. It shall be the duty of said auditor to familiarize himself with the market prices, and to assist in buying the supplies of said county, and he shall have full authority to purchase all supplies for said county whenever the board of county commissioners or highway commission of the county shall so order.

Appointment of
of auditor.

SEC. 11. The auditor of Wayne County shall be appointed by the board of county commissioners of Wayne County to hold office until his successor shall be elected, as hereinafter provided, and the said appointment shall be made the first Monday in August, one thousand nine hundred and nineteen, at which time his term of office, as provided under this act, shall begin; *Provided*, if at any time thereafterwards, a vacancy shall occur in said office for any cause, the board of county commissioners shall be and they are hereby authorized to fill the vacancy by appointment for the unexpired term.

Successor to
be elected.

SEC. 12. At the next general election for members of the General Assembly of North Carolina, an auditor for said county shall be voted for and elected, as near as may be under the same rules and regulations governing the election of members of the House of Representatives from said county, for a term of two years, said term of office to begin on the first Monday in December, one thousand nine hundred and twenty, and continue until his successor shall have been elected and qualified. Said auditor shall hold office under the control and direction of said board of commissioners for said county; and he shall open and keep an office to be selected and furnished by said board of commissioners, in which shall be securely kept the records of his office.

Under control
and direction
of commissioners.

SEC. 13. All salaries and allowances provided for in this act and the actual expense of maintaining the jail of Wayne County shall be paid out of the general county funds by the financial agent of the county upon warrants or vouchers duly issued by the auditor, as required by law. Salaries paid out of general fund.

SEC. 14. Any officer, clerk, deputy or assistant herein mentioned and provided for, who shall wilfully fail or refuse to collect full fees, commissions and emoluments of all kinds and description, belonging to and which should come into their respective offices, shall be guilty of a misdemeanor, and it shall be their duty to require all fees in advance, unless otherwise provided by law. Wilful failure to collect fees a misdemeanor.

SEC. 15. That all laws and clauses of law in conflict with this act are hereby repealed and this act shall be in full force and effect from and after the first Monday in August, one thousand nine hundred and nineteen. Act effective first Monday in August, 1919.

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 476

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF DAVIE COUNTY TO ISSUE BONDS TO BE USED IN THE CONSTRUCTION AND MAINTENANCE OF THE PUBLIC ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Davie County be and they are hereby authorized and empowered to issue bonds not exceeding one hundred thousand (100,000) dollars, to be denominated "Davie County Road Bonds." That the said bonds shall be issued in denominations of not less than one hundred dollars and not more than one thousand dollars, to bear interest at not exceeding six per cent, to be evidenced by coupons attached to said bonds. Limit of bonds. Interest.

SEC. 2. That no bonds issued under the provisions of this act shall be sold or otherwise disposed of for less than par and accrued interest. Said board of commissioners are authorized and empowered to dispose of or sell the bonds either by public or private sale, as to them may seem best, and in case they sell at public sale they shall give notice thereof in one or more newspapers published in the State of North Carolina for at least thirty days, and said board of commissioners may also advertise the sale of said bonds in some newspaper published within or without the state which may make a business of advertising such sales. Terms and manner of sale. Notice.

Proceeds a separate fund.

SEC. 3. That the purchase money arising from the sale of said bonds issued under the provisions of this act shall constitute a separate and distinct fund to be applied and appropriated for the laying out, constructing and maintaining of the public roads of Davie County.

May be exempted from local taxation.

SEC. 4. In the sale of the said bonds the commissioners of Davie County may, in their discretion, exclude the same from taxation by the county of Davie or any city or town therein when the same are purchased by any resident or residents of Davie County.

Disbursement of funds.

SEC. 5. That the disbursement of the said funds arising from the sale of bonds shall be under the direction of the board of road commissioners of Davie County and shall be paid out by the treasurer or other disbursing officer upon proper order signed by them.

Levy of special tax for sinking fund.

SEC. 6. That in order to pay the interest on said bonds as it may accrue and create a sinking fund for the payment of the bonds at maturity, and be used to keep up the repairs of the roads, the board of commissioners of Davie County shall annually levy such special tax as to them may seem necessary, not to exceed twenty-six and two-thirds cents on the one hundred dollars valuation of property. That said tax shall be levied and collected as other county taxes and shall be imposed upon said property and other subjects of taxation as are now or may hereafter be subject to taxation under the laws of the state, and it shall be collected by the officer or officers charged with the collection of other county taxes and he shall in respect thereto be liable officially as well as personally to all requirements of the law now prescribed or which may hereafter be prescribed for the faithful collection and payment of other taxes.

Limit of tax rate.

Collection.

SEC. 7. That the purchaser or purchasers of any part of the said bonds shall not be required to see to the application of the proceeds of the same by the commissioners of Davie County or other officer.

Superintendent of roads to be appointed.

SEC. 8. That the board of road commissioners of Davie County shall designate one of their members or employ some other competent person as county superintendent of roads to have general supervision of the construction, repair and maintenance of the public roads of the said county under the direction of the board of road commissioners. The compensation of the said county superintendent of roads shall be fixed by the board of road commissioners at not to exceed five dollars per day for the actual time employed, and the said superintendent of roads shall be held responsible for the proper maintenance and repair of the highways of the county. It shall also be his duty to direct and supervise the township road supervisors in the various townships of the county.

Compensation.

Duties.

SEC. 9. That the bonds herein provided for shall be serial bonds, five thousand dollars (\$5,000) of the same to be retired at the end of five years, and five thousand (5,000) of the same each year thereafter until the entire issue is retired. Maturity of bonds.

SEC. 10. The board of road commissioners of Davie County may at their discretion fix the salary of the various township road supervisors at a rate not to exceed three dollars per day for the actual time employed. Compensation of supervisors.

SEC. 11. That should any section of this act be held by the Supreme Court to be unconstitutional or invalid, such ruling shall not affect the other sections of the act, but they shall be and remain in full force and effect. Constitutionality.

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

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 477

AN ACT TO PROVIDE FOR THE PROPER DRAINAGE OF THE LANDS OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Transylvania County, and their successors in office be and they are hereby appointed and constituted a commission to drain the rivers and creeks and their tributaries in Transylvania County, and to be known as "The Transylvania County Drainage Commission," and in that name they shall have the right to contract and be contracted with, sue and be sued, and generally to do what may be necessary to be done in order to make effectual the drainage of the creeks and their tributaries in Transylvania County, North Carolina. They shall have the power and authority to purchase all necessary machinery, dredging machine, tools and appliances, and any other material that may be found to be necessary to carry out this work, and shall have the right to borrow money, issuing notes therefor, which shall become a lien on the property that is to be drained, said notes to be paid off out of the first money hereinafter provided. County commissioners created a drainage commission. Authorized to borrow money and issue notes as lien on property drained.

SEC. 2. Said commission shall meet and organize after the ratification of this act, and the chairman of the board of county commissioners shall be the chairman of the drainage commission, and the clerk of the board of county commissioners shall be the Organization.

secretary of the drainage commission, and the treasurer of Transylvania County shall be the treasurer of the drainage commission.

Upon petition of landowners shall levy special tax.

SEC. 3. When a petition has been filed by a majority of the landowners of any drainage district of Transylvania County, said petition to set forth the boundary of said district, and the amount of tax to be levied; then the commissioners are hereby authorized, empowered and directed to levy a special tax on all of the lands in said district at their June session, said tax to be collected in the same manner as other taxes in Transylvania County, and to be held by the treasurer of said county, and to be paid out by him only on warrants issued by the said Transylvania County drainage commission.

Engineer to be employed for survey.

SEC. 4. After the petition has been filed with said commission establishing the drainage district, and acted upon by the commission, it shall be their duty to employ a competent engineer to survey the lands that are to be drained in said district, and said surveyor shall immediately make an accurate survey of all the lands in said district that will be benefited by drainage, and shall furnish to the commissioners the name of each landowner, and the number of acres owned by each landowner that is to be benefited, and this list is to constitute that land on which the special taxes are to be levied.

List of lands benefited.

Lands divided into two classes.

SEC. 5. The lands to be improved in any drainage district shall be divided into two classes which shall be known as class A and class B. The lands receiving the most benefit from drainage to be known as class "A" and the lands receiving less benefit to be known as class "B," and the scale of assessment upon the class of land shall be in the ratio of one to two, that is to say, that the land in class "A" shall be assessed twice as much as the land in class "B."

Tax collector's list has force and effect of judgment.

SEC. 6. After the surveyor shall have filed a list of landowners showing the number of acres and the different classes, with the commission, the commission will then deliver the list to the tax collector of Transylvania County with an order to collect a special tax as is shown by said list, and the same shall have the force and effect of a judgment as in the case of state and county taxes, and shall be collected in the same manner with the same power, same responsibility, and settled in the same way as taxes are required to be collected and settled under the general laws.

Duration of levy.

SEC. 7. The commission shall have the right to levy annually on all of the lands in any drainage district until such amount has been collected to meet and pay off any indebtedness that may have been contracted by the commission in the drainage of any district.

SEC. 8. The commission or their agents shall have the power to remove or cause to be removed from the banks of any stream included in any drainage district, all such growth or other hindrances as to tend to retard the rapid flow of the water in said stream, and shall have the right from time to time, its ^{Right of entry.} agents and employess or any contractors, to enter upon any land along said watercourse for the purpose of carrying out the improvement and work contemplated in this act; and shall, after the completion of same, have the right to enter upon said lands at any time for the purpose of performing any work, making repairs or clearing away obstructions.

SEC. 9. Each member of said commission shall receive two ^{Compensation.} (\$2) dollars per day for his services for the time actually required to carry out the provisions of this act.

SEC. 10. The commission is hereby authorized and empowered ^{May borrow if anticipation} to borrow money to anticipate the tax that may be levied under ^{of tax.} this act.

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

Ratified this the 8th day of March, A. D 1919

CHAPTER 478

AN ACT TO PROTECT GAME BIRDS AND FUR BEARING ANIMALS IN ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to hunt ^{Unlawful to hunt game in snow.} with gun or dogs or to trap or kill quail, wild turkeys, or other game birds now protected by law, or rabbits, opossums, foxes, squirrels or other fur bearing animals in the county of Rockingham when the ground is covered with snow.

SEC. 2. That it shall be unlawful to kill with gun or to trap or ^{Closed season for fox.} chase with dogs, or in any manner kill any fox in the county of Rockingham between the fifteenth day of February and the first day of October.

SEC. 3. That any person violating any of the provisions of ^{Penalty for violation.} this act shall be guilty of a misdemeanor and fined not more than fifty dollars or imprisoned not more than thirty days.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 479

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF DURHAM COUNTY TO ISSUE BONDS IN THE AMOUNT OF \$750,000 FOR BUILDING AND IMPROVING THE PUBLIC ROADS OF DURHAM COUNTY.

The General Assembly of North Carolina do enact:

Commissioners authorized to call an election.

SECTION 1. The board of commissioners of Durham County is hereby authorized and empowered to cause an election to be held, at such time as it shall name, to ascertain the wishes of the people of Durham County upon the question of issuing bonds for good roads, and levying a special tax as hereinafter provided for the payment of the principal and interest of said bonds; *Provided, however,* that said election shall not be held until notice shall be given by posting a notice of said election for thirty days at the courthouse door in Durham County, and the publication of a like notice for four successive weeks in some newspaper published and circulated in the county of Durham, prior to the holding of said election.

Notice.

Form of ballot.

SEC. 2. That at said election all qualified voters, who favor the issuance of said bonds shall vote a ballot upon which shall be written or printed the words: "For Good Roads Bonds," and all qualified voters who are opposed to the issuance of said bonds as provided for in this act shall vote a ballot upon which shall be written or printed the words "Against Good Roads Bonds;" that said election shall be held under and pursuant to the general election laws of North Carolina governing the election of members of the General Assembly as near as the same is practicable, and shall be held under the supervision of the county board of elections, which shall have printed and distributed a sufficient number of ballots; the expenses of holding said election shall be paid out of the general fund of the county.

Conduct of election.

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 Durham 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. The returns shall be executed in duplicate, one copy thereof shall be filed with the commissioners of Durham County, and the other with the clerk of the Superior Court of said county. On the first Wednesday following the election the board of commissioners shall meet as a canvassing board, and shall receive the returns of said election, shall judicially pass upon the same and declare the result of said election, and the same shall be duly recorded in the records

Canvass of vote.

Declaration of result.

of said board and in the office of the register of deeds of Durham County.

SEC. 3. That it shall be the duty of the board of commissioners of Durham County to order a new registration for such election, and only those voters who shall duly register for said election shall be entitled to participate in the same. New registration.

SEC. 4 That if at said election a majority of the votes cast shall be "For Good Roads Bonds" 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. Act effective when ratified.

SEC. 5. That if the result of said election shall be in favor of the issuance of said bonds the board of commissioners of Durham County shall be authorized and empowered to issue bonds to an amount not exceeding seven hundred fifty thousand dollars (\$75,000), in such denominations as said board of commissioners 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 twenty years from date of issue, and at such place or places as said board of commissioners may determine. Said bonds shall be denominated "Durham County Good Roads Bonds," and shall be signed by the chairman of the board of commissioners of Durham County, and countersigned by the clerk to said board, and shall have the corporate seal impressed thereon, and the coupons thereto attached shall bear the facsimile signature of the chairman of the board of county commissioners engraved or lithographed thereon. Said bonds shall be numbered and may be issued in series or installments as hereinafter provided for, 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. Limit of bonds. Interest. Maturity. May be issued serially.

SEC. 6. That a record of said bonds shall be kept showing the numbers and denominations thereof, when the same will mature, the interest-bearing rate thereof, the amount received from the sale of the same, the date of paying the proceeds into the treasury of Durham County, and such other data in relation to the same as the said board of commissioners may direct to be kept. Record of bonds.

SEC. 7. That the bonds hereby authorized shall be sold under such regulations and in such manner as said board of commissioners may direct, but none of said bonds shall be sold for less than their face value, and the chairman of the said board of commissioners of Durham County shall not deliver said bonds Terms of sale.

or any part of them to the purchaser or purchasers thereof until the purchase money shall be paid in full.

Special tax.

SEC. 8. That in the event a majority of the votes cast at said election shall be "For Good Roads Bonds," as herein provided, then and in such event the board of commissioners of Durham County shall annually levy a special tax upon all the property

Limit of tax rate.

and subjects of taxation in the county of Durham or not more than twenty-five cents on the one hundred dollars assessed valuation or property and subjects of taxation, and not more than seventy-five cents on each poll, for the purpose of providing a fund for the payment of the principal of said bonds and the interest coupons on said bonds, as it shall become due; and the money paid into the county 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 be transferred by order of the said board of commissioners of Durham County to the general road fund of said county.

Application of proceeds.

Surplus to general road fund.

Investment of sinking fund.

SEC. 9. That it shall be the duty of the said board of 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 advantageous to the county, but in case said bonds can not 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 solvent banking institution or trust company in North Carolina, 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 authorized by this section shall be made by the treasurer of Durham County under the direction of the board of commissioners of said county.

Deposit.

Treasurer custodian.

Sinking fund account.

SEC. 10. That the treasurer of Durham County shall keep a separate account of the sinking fund, which said fund shall be kept separate and apart from all other funds or moneys.

Commissioners vested with full control of roads.

SEC. 11. That the method and manner of constructing the system of good roads contemplated by this act shall rest entirely in the sound discretion of the board of commissioners. 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 to be selected by the board of commissioners to superintend the work done by such contractor or contractors.

SEC. 12. 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 duty of said board of commissioners 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 said work, which estimates shall be made by some competent persons to be selected by the board of commissioners; the purpose and intention of this section being that before the said board of commissioners shall proceed with the expenditure of the proceeds of sale of said bonds it shall have full and complete data and information as to how many miles and what roads can be permanently constructed and improved with the funds which shall become available under this act, to the end that the proceeds of the sale of said bonds may be judiciously expended, so that each section of Durham County may receive its fair and just share of the work to be done in accordance with the provisions of this act; *Provided*, that all data, plans, surveys, specifications, etc., shall first be submitted to the State Highway Commission for approval as to sufficiency of same, and that the estimates of costs on same are reasonable. No road shall be constructed from bonds so issued without the approval, as above stated, of the State Highway Commission.

Survey to be made of work contemplated.

Purpose.

Data and survey to be submitted to State Highway Commission.

SEC. 13. That nothing herein contained shall be construed so as to compel the board of commissioners to sell all or any part of the bonds herein authorized, it being the purpose of this act to confer upon the said board of commissioners authority and power to sell all or any part of said bonds herein authorized at such time or times as in their judgment the best interests of the county may require.

Sale of all of bonds not mandatory.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 480

AN ACT TO CONSOLIDATE THE LAW RELATING TO THE PROTECTION OF GAME IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and fifty-nine of the Public-Local Laws of the session of one thousand nine hundred and seventeen be and the same are hereby repealed.

1917 law repealed.

Closed season
for quail.

How quail may
be killed.

Removal of quail
from county
unlawful.

Sale unlawful.

Hunting on lands
of another.

Nonresident of
county to
secure license.

Proviso: owner
of Iredell
real estate.

License of
nonresident
of state.

Closed season
for game.

Exceptions:
squirrel open
season.
Snipes, ducks,
doves.

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, shoot on the ground, 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 January tenth, in each and every year; and that it shall be unlawful to take or destroy the eggs of any quail in said county at any time.

SEC. 3. That it shall be unlawful for any person, persons, firm or corporation to ship, haul, carry, transport or otherwise convey beyond the limits of Iredell County any quail dead or alive; and 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, dead or alive, within said county of Iredell.

SEC. 4. That it shall be unlawful for any person or persons to hunt on the lands of another without first obtaining the permission from the owner or owners of the land to do so; and 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 the county of Iredell, to hunt, shoot or kill any quail in said county unless said nonresident of said county 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 said applicant shall pay to the clerk of said court the sum of five dollars, and said license, when issued, shall be good from the date of the issue to the close of the open season for that year: *Provided*, any resident of the State who is a bona fide owner of real estate in Iredell County shall not be required to pay said license tax.

SEC. 5. That 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 of Iredell, unless said nonresident shall have first applied to and obtained from the clerk of the Superior Court of said county a license to hunt therein, which license shall not be issued until the applicant shall pay to the clerk of said court the sum of twenty-five dollars, and said license, when issued, shall be good from the date of issue to the close of the open season for that year.

SEC. 6. That it shall be unlawful for any person or persons to hunt any game in said county with gun or guns except from the first day of December until the tenth day of January in each and every year: *Provided*, squirrels may be hunted with gun or dog during the months of May and September: *Provided further*, that it shall be lawful to hunt snipe, ducks and doves from the first day of November, until the first day of March in each and every year.

SEC. 7. That it shall be unlawful for any person or persons to hunt, kill or trap any opossum at any time in said county of Iredell, except from the first day of October until the first day of March in each and every year. Closed season for opossum.

SEC. 8. That any person, persons, firm or corporation violating any provision or provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court. Violation a misdemeanor.

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 8th day of March, A. D. 1919.

CHAPTER 481

AN ACT TO AUTHORIZE AND DIRECT THE COMMISSIONERS OF HALIFAX COUNTY TO LEVY A SPECIAL TAX FOR ROAD PURPOSES IN BRINKLEYVILLE TOWNSHIP, HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Halifax County be and the same is hereby authorized, empowered, and directed to levy a special tax of fifty (50) cents on the one hundred dollars (\$100) property valuation in Brinkleyville Township and one dollar and fifty cents (\$1.50) on each taxable poll in said township for the purpose of providing a fund for constructing, maintaining and repairing the public roads of said Brinkleyville Township: *Provided*, that the money arising from the said tax shall be expended in the manner directed by chapter four hundred and forty-four of the Public-Local Laws of one thousand nine hundred and thirteen, as amended by chapter four hundred and twelve, Public-Local Laws of one thousand nine hundred and fifteen. Limit of tax rate.

SEC. 2. That if a bond issue for the purpose of providing funds for constructing, maintaining and repairing the public roads of Halifax County shall be authorized and ratified by a vote of the people of said county on or before June first, one thousand nine hundred and nineteen, the provisions of this act shall be null and void. Proviso: expenditure of money prescribed.

SEC. 3. This act shall be in force from and after its ratification. Act void if county bond election carries.

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 482

AN ACT TO REGULATE BEE KEEPERS IN TOWNS OF SURRY COUNTY.

The General Assembly of North Carolina do enact:

Unlawful to keep more than four stands of bees.

SECTION 1. That it shall be unlawful for any person, firm or corporation to keep in any town in said county of twenty-five hundred population and over, more than four stands of bees for raising or any other purpose at one time: *Provided*, that the town commissioners of said town shall have the right to grant in writing a permit to keep bees upon such proof as may satisfy them that no injury or disturbance of citizenship of said town will be caused thereby.

Proviso: written permit from town authorities.

SEC. 2. That any person violating this act shall be fined not exceeding fifty dollars.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 483

AN ACT TO PROVIDE FOR PENSIONS TO BE PAID TO RETIRED PUBLIC SCHOOL TEACHERS IN NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Special tax to provide pensions.

SECTION 1. That for the purpose of providing a fund for the payment of pensions to retired public school teachers of New Hanover County are authorized, empowered and directed to levy a special tax of five cents on the one hundred dollars real and personal property valuation, the funds arising from the collection of the said tax to be kept separate and apart from other taxes of the county. The said tax is to be levied on the first Monday in May or at such other time as the general taxes for the county are levied and the same is to be collected by the sheriff or other tax collector and paid over by him to the treasurer of the county, who shall keep the same in a separate fund to be known as "The County School Pension Fund" and paid out by the said treasurer upon order properly signed by the county board of education and attested by the county superintendent of education.

Levy and collection.

Proceeds a separate fund.

SEC. 2. Upon application of any person who has taught in the public schools of New Hanover County for twenty years or longer to the board of education of the county, it shall be the duty of the said board of education to make investigation and upon finding that said person has been employed as teacher in

Application for retirement on pension.

the public school for a term of twenty years, shall make an order granting a pension during the remainder of the life of such teacher to an amount equal of one-third of the average yearly salary received by the said teacher during the three years prior to the granting of such pension. The said county board of education shall thereupon immediately certify the name of the said teacher to the treasurer of the county, who shall enroll the said name upon a permanent list and shall thereafter pay to the said person the amount so allowed as a pension in semiannual installments on the first days of January and June of each year.

SEC. 3. The board of education of New Hanover County and their successors in office are authorized and empowered, in their discretion to retire any teacher in the public schools of the county who has been employed as such public school teacher for thirty years or longer and shall certify the name of the said person so retired to the county treasurer together with an order for the payment of a pension for the remainder of the life of the said teacher so retired in an amount equal to two-thirds of the average yearly salary received by the said teacher during the three years prior to the date of said retirement, the said pension to be paid in equal semiannual installments on the first Mondays in January and June of each year.

SEC. 4. That should the pension fund arising from the collection of the special tax herein provided for at any time amount to more than twenty thousand dollars (\$20,000), the surplus over and above such amount shall be paid in to the general school fund of the county, to be used in defraying the expenses of the public schools of New Hanover County.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 484

AN ACT TO AMEND CHAPTER 62 OF THE PUBLIC-LOCAL LAWS OF 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter sixty-two of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby amended as follows: By adding to section seven immediately after the last words of said section "at all times" the following: a comma in lieu of the period and immediately after the comma as follows: "Said tax shall be in such sum on the property and polls as may be certified to the Highway commission to certify road tax.

county commissioners each year by the county highway commission as being necessary for the purposes herein mentioned, not to exceed the limit herein mentioned."

SEC. 2. That the following named citizens and taxpayers of Camden County are hereby appointed members of the Camden highway commission to fill the vacancies that now exist on the said highway commission: J. C. Wright, Herman Newbern, and Dr. C. G. Ferebee, whose terms of office shall be for four years from the first Monday in February, one thousand nine hundred and nineteen.

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 8th day of March, A. D. 1919.

CHAPTER 485

AN ACT TO ESTABLISH A HIGHWAY COMMISSION FOR CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. A body to be known and designated as the "Highway Commission of Caswell County" (hereinafter referred to as the highway commission, or the commission) is hereby created in and for Caswell County. The commission is hereby constituted a body politic and corporate, and under the name and style aforesaid may sue and be sued, adopt a common seal, purchase or otherwise acquire and hold all property which may be necessary for the exercise of the powers of the commission, and do all other things which may be necessary for the accomplishment of the purposes specified in this act.

SEC. 2. The highway commission shall consist of seven members, J. B. Watlington, Mrs. Bettie Rainey, S. T. Fuqua, J. D. Burton, J. B. Satterfield, J. B. Turner, and T. J. Florance are hereby appointed members of the commission, the first two named to serve until the first Monday in December, nineteen hundred and twenty, the second two named to serve until the first Monday in December, nineteen hundred and twenty-two, and the last three named to serve until the first Monday in December, nineteen hundred and twenty-four. At the general election for county officers to be held for the year nineteen hundred and twenty, and at each such general election to be held thereafter, there shall be elected a sufficient number of members of the commission, to serve for a term of six years each, to take the place of the members whose terms expire in

Highway
commissioners
appointed.

Terms of office.

Highway
commission
created.

Seven
commissioners
appointed.

Terms of office.

Successors to
be elected.

the year of such general election. The term of office of each member of the commission shall be deemed to continue until the election and qualification of his successor. If for any cause there shall be a vacancy in the commission (including a vacancy caused by failure to qualify), the remaining members of the commission shall appoint some person to fill the vacancy, and the person so chosen shall serve for the unexpired term. The members of the commission, before entering upon the discharge of their duties, shall take and subscribe an oath, before some person qualified to administer oaths, for the faithful performance of their duties as members of the commission, which oaths shall be filed with the clerk of the superior court of Caswell County.

SEC. 3. The highway commission shall meet at the court-house in Yanceyville within thirty days after the dates on which this act takes effect, and shall proceed to organize by electing one of its members as chairman, and some competent person as secretary. The secretary may but need not be elected from among the members of the commission. The commission shall hold a regular meeting at the courthouse in Yanceyville on the first Monday in each month, and special meetings may be held at any time upon the call of the chairman or of any two members of the commission upon two days notice to the members who do not join in the call. The members of the commission shall receive as compensation while actually engaged in the performance of their duties the sum of three dollars per diem and mileage; but no per diem shall be paid for more than three days in any one month.

SEC. 4. The secretary of the commission shall keep a record and minutes of its proceedings in a book to be provided for that purpose, which book, together with all other records and papers of the commission, shall at all times be kept open to the inspection of the public.

SEC. 5. The highway commission shall perform all the duties which have heretofore been performed and exercise all the powers heretofore exercised by the board of county commissioners of Caswell County, or by the road officials of the several townships within said county, or by any other body or person now or heretofore acting under authority of existing law, in relation to the public roads of said county (other than the power to borrow money, issue evidences of indebtedness, and levy taxes), whether under general law or a special law; and the management and control of all the public roads in said county shall be vested absolutely and entirely in the highway commission, except roads under the exclusive control and management of the authorities of an incorporated city or town, or the authorities of the State of North Carolina. The highway

Vacancies.

Oath to be taken.

Organization.

Time and place of meeting.

Compensation.

Records.

Powers and duties.

Control of roads.

Supervision of road work.

Laying out or relocation.

commission, or its duly authorized agent, shall have power to supervise, direct, and have full charge and control of the building, maintenance, repair, and improvement of all said public roads, including the control of the county convict force, if any. 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 public roads now in use, and discontinuing old roads; and it 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 powers and duties and all other powers and duties conferred upon it by this act.

Part of 1917 road law made to apply.

SEC. 6. The highway commission shall have all the powers which by sections thirty-two and thirty-seven, inclusive, of chapter two hundred and eighty-four of the Public Laws of one thousand nine hundred and seventeen (as said act may now stand or as it may be reenacted or amended) are conferred upon road commissions created pursuant to said act.

Disposition of township road funds.

SEC. 7. All moneys on hand when this act takes effect, or thereafter received, which were or shall be raised by Caswell County or by or on behalf of any township therein for road purposes (other than moneys raised to pay the principal and interest of bonds), whether raised by taxation, bond issues, or otherwise, shall, upon the taking effect of this act, or when they are collected, be deposited with the county treasurer and kept by him in a separate fund or funds and paid out only upon written orders of the highway commission, signed by the chairman and secretary of the commission. All road machinery, stock and implements and other property owned or used by Caswell County or by any township therein shall, upon the taking effect of this act, be turned over to the highway commission.

Machinery, stock and equipment.

Sheriff and treasurer required to give bond for performance of duties under act.

SEC. 8. The county treasurer of Caswell County and the sheriff of said county shall each give a bond in such penal sum as may be fixed by the highway commission, with surety to be approved by the commission, conditioned upon the faithful performance of their duties under this act, and upon the lawful application of the moneys raised for road purposes or for the payment of bonds issued for road purposes, which may come into their hands, which bond shall be approved by the commission and filed with the secretary. In case such bonds be given in surety companies, the premiums thereon shall be paid by the commission out of the funds hereby authorized to be paid out upon the order of the commission.

To determine time and amount of bonds expedient.

SEC. 9. The highway commission may from time to time determine the time or times when, or the amount or amounts,

in which, in the judgment of the commission, it would be expedient to issue bonds of Caswell County authorized to be issued by the board of county commissioners for road purposes, and to determine the time, place and medium of payment of the principal and interest of such bonds, or any other matter relating to such bonds, and to request the board of county commissioners to issue such bonds in accordance with such determination, and it shall be the duty of the board of county commissioners to comply with any such request provided, however, that this section shall apply only to bonds which the board of county commissioners is expressly authorized by law to issue; *Provided, further,* that the bonds shall be issued only upon the condition and subject to the limitations and restrictions prescribed by law.

County
commissioners
directed to comply
with request.

SEC. 10. The proceeds of the sale of any bonds issued by Caswell County for road purposes shall be apportioned and expended by the highway commission among the several townships in said county in such a manner that not less than ten thousand dollars shall be spent on the roads in each township.

Application of
proceeds of bonds.

SEC. 11. The highway commission shall have power to set aside out of the proceeds of the sale of any bonds aforesaid, such sum as the commission may deem advisable for the purpose of securing any funds by cooperation with the state or federal government which may be offered in aid of good roads in Caswell County.

Authorized to
secure federal
or state aid.

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

SEC. 13. This act shall be in force from and after its ratification.

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 486

AN ACT AUTHORIZING CHOWAN COUNTY TO LEVY A SPECIAL TAX FOR ROAD AND BRIDGE PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Chowan County is hereby authorized to levy annually on all taxable property and polls in said county a special tax of not more than forty cents on the one hundred dollars assessed valuation of said property nor more than one dollar and twenty cents per poll, for the special purpose of constructing, improving and maintaining public roads and bridges of said county.

Limit of tax rate

SEC. 2. All acts and parts of acts in 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 March, A. D. 1919.

CHAPTER 487

AN ACT TO AUTHORIZE THE ISSUANCE OF BONDS OF SELMA TOWNSHIP, JOHNSTON COUNTY, FOR ROAD PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Johnston County is hereby authorized and directed, upon the conditions and subject to the limitations and restrictions set forth in this act, to issue bonds of Selma Township in said county, for the purpose of laying out, opening, altering, constructing, and improving public roads in said township and purchasing any necessary machinery, tools or implements for said road improvements. Said board of county commissioners is further hereby authorized and directed to levy annually a special tax ad valorem upon all taxable property in said township for the purpose of paying the principal and interest of all bonds issued under this act as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and in addition to all other taxes authorized to be levied by said board.

SEC. 2. The bonds hereby authorized shall not be issued nor shall said special tax be levied, unless and until the question of issuing such bonds shall be submitted to the qualified voters of said Selma Township at a special election to be held for that purpose, and a majority of the qualified voters voting on said question shall have voted in favor of issuing said bonds.

SEC. 3. The board of county commissioners of Johnston County may, upon its own initiative, and shall, upon request of the road commissioners of Selma Township, order a special election to be held in said township at such time as may be designated by said board of county commissioners, for the purpose of voting upon the question of issuing bonds under this act. Said election shall be held under the supervision of said board of county commissioners, and, in all particulars other than those specifically provided for in this act, shall be held and conducted, and the qualifications of voters at the election determined as nearly as may be practicable in accordance with the general law relating to election for members of the General Assembly. The said board of county commissioners may, in its discretion, order a new registration for said special election, but such new registration shall not be necessary unless so ordered. Notice of the

Road bonds and special tax for sinking fund authorized.

Bonds to be submitted to voters.

County commissioners to call election upon request township road commissioners.

Conduct of election.

New registration.

Notice.

election shall be given by publication at least twice in some newspaper published in Johnston County, the first publication to be at least thirty days before the election. The question to be voted upon shall be stated in said notice as follows: "The question of issuing not exceeding \$100,000 of serial bonds of Selma Township." The board of county commissioners shall appoint the registrars and judges of election for said election, and shall cause to be printed and distributed a sufficient number of ballots for use at the election. At said election the voters who are in favor of the issuance of said bonds shall vote a ballot on which shall be written or printed the words "For bond issue"; and the voters who are opposed to the issuance of said bonds shall vote a ballot on which shall be written or printed the words "Against bond issue." At the close of the polls the election officers shall count the votes and make return thereof to the board of county commissioners of Johnston County, which board shall, as soon as practicable after the election, judicially pass upon the returns and judicially determine and declare the result of said election, which determination shall be spread upon the minutes of said board. The returns shall be made in duplicate one copy of which shall be delivered to the board of county commissioners as aforesaid, and the other filed with the clerk of the Superior Court of Johnston County. If the board of county commissioners of Johnston County shall cause a notice containing a brief statement of the result of said election as determined by said board to be published at least once in a newspaper published in said county, no right of action or defense founded upon any invalidity in said election shall be asserted, nor shall the validity of said election be open to question in any court upon any ground whatever except in an action or proceeding commenced within thirty days after the first publication of said notice: *Provided, however,* that a copy of this sentence shall be incorporated in said notice.

Form of ballot.

Declaration of result.

No question of validity after 30 days.

SEC. 4. The bonds authorized by this act may be issued as one issue or divided into two or more separate issues, and in either case may be issued all at one time or from time to time. Each issue shall so mature that the aggregate principal amount of the issue shall be payable in annual installments, beginning not more than three years after the date of the bonds of such issue and ending not more than thirty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously, the bonds of such issue outstanding at any one time shall mature as aforesaid.

Maturity of bonds.

SEC. 5. For the purposes of this act said Selma Township shall be and is hereby declared to be body politic and corporate

Township declared body politic and corporate.

Board of
commissioners
agent of
township.

under the name and style of "Selma Township," and shall have all the rights and be subject to all the liabilities in respect to any rights or causes of action growing out of the provisions of this act. The board of county commissioners of Johnston County shall be the agent of said township for the purpose of issuing said bonds and levying taxes for the payment thereof, and shall be a party to all suits brought by or against said township in relation to said bonds. The board of county commissioners of Johnston County shall adopt a corporate seal for said township, of which seal the Register of Deeds of said county shall have the custody.

Interest on bonds.

SEC. 6. Said bonds shall be issued in the corporate name of said township. The bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest, as the said board of county commissioners of Johnston County may determine, subject to the limitations and restrictions of this act. The bonds shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Johnston County, and the seal of said township shall be affixed to the bonds and attested by the register of deeds of Johnston County; and the coupons of such bonds shall bear the printed or lithographed or engraved facsimile signature of said chairman who is in office at the date of bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

Manner of sale.

SEC. 7. Said bonds shall be sold by the board of county commissioners of Johnston County, in the manner provided in the Municipal Finance Act (chapter 138 of the Public Laws of 1917, as amended) for the sale of bonds of cities and towns. They shall not be sold for less than par and accrued interest.

Terms.

Application
of proceeds.

SEC. 8. The proceeds of the sale of said bonds shall be deposited in a bank or banks in the Town of Selma, and paid out only, upon the order of the road commissioners of Selma Township, to be applied solely for the purposes for which the bonds were issued. The said road commissioners shall have full power and authority to expend said proceeds for said purposes. The purchaser of the bonds shall not be bound to see to the application of the proceeds.

Collection of taxes.

SEC. 9. The taxes provided for in section one of this act shall be collected by the sheriff of Johnston County and paid over by him to the treasurer of Johnston County, to be applied solely to the payment of the principal and interest of said bonds

SEC. 10. All laws and parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 488

AN ACT AUTHORIZING UNION COUNTY TO LEVY A SPECIAL TAX FOR ROAD AND BRIDGE PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Union County is hereby authorized and directed to levy annually a special tax of not less than thirty cents nor greater than fifty cents on the one hundred dollars valuation of property and not less than ninety cents nor greater than one dollar and fifty cents on the poll, for the special purpose of constructing, improving and maintaining public roads and bridges of said county, and paying all expenses incident to such work, such property tax to be levied on all taxable property in the county, and such poll tax to be levied on all taxable polls in the county. Limit of tax rate.

SEC. 2. All other laws and parts of laws passed at the session of the General Assembly at which this act is passed, authorizing the board of county commissioners of Union County to levy a special tax upon all taxable property and polls in said county for the purposes stated in section one of this act (except laws authorizing taxes to pay the principal or interest of bonds) are hereby repealed. All laws and parts of laws in conflict with this act are also hereby repealed. Other laws passed by General Assembly of 1919 authorizing tax for same purpose repealed.

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1919.

CHAPTER 489

AN ACT TO AMEND CHAPTER 282 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE RECORDER'S COURT IN THE TOWN OF APEX IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter two hundred and eighty-two of the Public-Local Laws of one thousand nine hundred and seventeen be amended by striking out the words Maximum per diem of recorder increased.

“twelve dollars and fifty cents” in line twelve of said section three and inserting in lieu thereof the words “twenty dollars.”

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 490

AN ACT TO CREATE AND ESTABLISH THE OFFICE OF AUDITOR IN ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

- Office created. SECTION 1. That the office of auditor for Rockingham County is hereby instituted and created; and the auditor of said county
- Minimum salary. shall receive a salary of eighteen hundred dollars (\$1,800) per annum; *Provided, however,* that the board of county commissioners of Rockingham County shall have the power, in their discretion, to increase said salary if they deem it proper and
- Maximum salary. necessary, but said increase shall not exceed in any event
- Bond. twenty-five hundred dollars (\$2,500), and said auditor shall furnish bond in some bonding company authorized to do business in the state in the sum of five thousand dollars (\$5,000) payable to the county of Rockingham conditioned that he shall diligently, truly and faithfully perform all the duties and requirements of said office, and he shall be responsible for all penalties, or any moneys of other kinds which may be recorded against him for any negligence, default, and malfeasance of misconduct in office.
- Auditor appointed. SEC. 2. That Numa Winstead be, and he is hereby appointed by the General Assembly of North Carolina to hold said office of
- Term of office. auditor of Rockingham County until the first Monday in December, one thousand nine hundred and twenty, unless he be removed from office as hereinafter provided, or until his successor is elected and qualified, and after the ratification of this act, and immediately upon the execution and filing with the board of commissioners of Rockingham County the bond required in section one of this act, he shall enter upon the discharge and duties of said office and his salary shall commence upon his filing bond and taking the oath of office required.
- To take oath. SEC. 3. The auditor shall, before entering on his duties, take and subscribe before the clerk of the Superior Court an oath that he will honestly, conscientiously, fearlessly, diligently, impartially, and to the best of his skill and ability, discharge the duties required by this act.

SEC. 4. It is the intent and purpose of this act and in the creation of the office of auditor of Rockingham County to make him an agent of the board of county commissioners of said county, for the transaction of such public business in connection with the administration of the county's affairs that may be referred to him by said board of commissioners, and in addition to said duties the said auditor is required to perform the duties hereinafter set out, and the said board of commissioners of Rockingham County are hereby empowered to, at any time during the period for which the auditor named herein is appointed, or at any time during a term of office which he may hold by virtue of an election by said board, to remove said auditor from office if in their discretion they deem it proper and necessary and for the best interest of Rockingham County, and the said board of commissioners are hereby empowered to elect another auditor for Rockingham County in that event, or they may, in their discretion, not elect an auditor at all; *Provided, however,* nothing herein contained shall be construed to prohibit the same board of commissioners, or a succeeding board from electing an auditor to carry out the provisions of this act and reestablish said office at any time.

Auditor to be agent of commissioners.

Commissioners may remove auditor from office.

May leave office vacant.

Proviso: office may be re-established.

SEC. 5. It shall be the duty of the auditor of Rockingham County to make out the tax books of the county as required by law and the register of deeds and his assistants shall give whatever time is required of them by the auditor in assisting him in making said tax books and the said assistants shall be given without any further compensation other than the salary of the register of deeds. It shall be his further duty to make out and prepare for publication all annual statements required by law and all monthly statements now required by the board of county commissioners; to investigate and inquire for all delinquent taxpayers, and to require all delinquent property of every kind and nature whatever to be placed on the tax list, and to aid and assist the sheriff to locate and collect all privilege tax and township road tax; to act as county tax assessor in the years in which the machinery act requires one, and at those times the auditor shall be ex officio county tax assessor; to investigate tax listers and assessors; to act as accountant for the county settling with the county officers; to supervise, and examine at least once in every ninety days all books, accounts, receipts and vouchers and other records of all officers of Rockingham County which show fees and commissions collected and received by them; to examine at least once each year the dockets of all the justices of the peace, mayors, and recorders of said county; and he is authorized to administer oaths on certifications of claims which may be filed against the county, and to open a set of books in

Auditor to make out tax books.

Statements, annual and monthly.

Delinquent taxes.

Assessment of taxes.

Supervision and examination accounts of other officers.

Dockets of justice of peace, mayors and recorders.

To keep record open to inspection.

To audit claims and bills.

Purchase of county supplies.

Expense of office.

Permanent records.

which shall be shown the receipts, fees and commissions of all the officers of said county in an expert and intelligent manner, which books shall be permanently kept as the record of his office and always open to public inspection; to audit all bills and claims presented to the board of commissioners of said county for payment, and no claim or bill filed with said board of commissioners shall be allowed or paid until it has been audited and approved by said auditor, and all warrants drawn upon claims or bills allowed by said board of commissioners shall be countersigned and approved by said auditor before they shall be honored or paid by the treasurer of said county. It shall be his further duty under the order and direction of the board of commissioners of Rockingham County, if he shall be directed to do so, to familiarize himself with market prices of such things as the county has to buy from time to time and to assist in buying the supplies of the county.

SEC. 6. That the board of commissioners of Rockingham County shall purchase such books, blanks, stationery, and office supplies as will be necessary to enable the auditor to carry out the provisions of this act.

SEC. 7. That the auditor shall open and keep an office in the county courthouse, or other place to be designated by the board of commissioners of Rockingham County, but the permanent records of the auditor's office shall be kept at night in the vault of the register of deeds office in said courthouse.

SEC. 8. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 9. This act shall be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1919.

CHAPTER 491

AN ACT TO AMEND CHAPTER 280 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1917, RELATIVE TO THE RECORDER'S COURT OF MIDDLE CREEK TOWNSHIP IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

Salary of recorder.

SECTION 1. The recorder of the recorder's court of Middle Creek Township, as created and established by chapter two hundred and eighty of the Public-Local Laws of North Carolina, session of one thousand nine hundred and seventeen, shall receive a salary of not less than twenty dollars (\$20) and not more than twenty-five dollars (\$25) per day while actually engaged

in holding said court, the amount of said salary to be fixed by the board of commissioners of the town of Fuquay Springs, North Carolina, which said salary shall be paid by said board monthly.

SEC. 2. That section five of chapter two hundred and eighty of the Public-Local Laws of North Carolina, session of one thousand nine hundred and seventeen, be and the same is hereby amended by adding, immediately following the word "jurisdiction" and immediately preceding the word "of" in line one of said section five, the words: "concurrent with justices of the peace of Wake County and mayor of the town of Fuquay Springs." Jurisdiction concurrent with that of justice of peace and mayor.

SEC. 3. That section six of said chapter be, and the same is, hereby amended by striking out, in line two of said section, the word "exclusive" and inserting in lieu thereof the word "concurrent" and by striking out, beginning immediately after the word "crime" in line four of said section, the words: "committed within that territory embraced within the lines of Middle Creek Township, including the town of Fuquay Springs," and by striking out, in line seven of said section, the words "Middle Creek Township" and inserting in lieu thereof the words "Wake County," and by striking out the remainder of said section six appearing after the words "Fuquay Springs" in line eight of said section, and adding in lieu thereof the following: "*Provided*, that in all cases where a defendant is charged in the court of a justice of the peace of Middle Creek Township with the commission of a crime of which said justice's court may not have final jurisdiction, and of which said recorder's court does have final jurisdiction, said defendant shall be bound over to the recorder's court of Middle Creek Township to be tried therein as the law directs: *Provided further*, that if, in such cases neither said justice's court nor the said recorder's court shall have final jurisdiction, said defendant, or defendants, shall be bound over to the Superior Court of Wake County to be tried therein as provided by law." Exclusive jurisdiction revoked.
Final jurisdiction.
Where jurisdiction is not final.

SEC. 4. That section twenty-nine of said chapter be and the same is hereby amended by adding, immediately after the word "Township," in line seven of said section, and immediately preceding the word "in" in said line, the words: "both with reference to subject matter and territory"; and by adding immediately after the word "and" and immediately preceding the word "shall" in line eight of said section, the words: "in like manner." Civil jurisdiction.

SEC. 5. That section thirty of said chapter be, and the same is hereby amended by striking out, after the word "court" in line Time of trial.

sixteen of said section, the words: "commencing more than five days after the expiration of the time for filing answers as above provided."

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 492

AN ACT TO APPOINT MEMBERS OF THE BOARD OF EDUCATION OF BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That M. B. Gillam be and is hereby appointed a member of the board of education of Bertie County for a term of six years from April first, one thousand nine hundred and nineteen, and R. A. Urquhart be and is hereby appointed a member of the board of education of Bertie County for a term of four years from April first, one thousand nine hundred and nineteen, to fill the unexpired term caused by the resignation of Dr. Wayland Mitchell.

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1919.

CHAPTER 493

AN ACT TO AMEND CHAPTER 334, PUBLIC LAWS OF NORTH CAROLINA FOR THE SESSION 1903, BY CHANGING THE BASIS OF TAXATION FROM AN ACREAGE BASIS TO A VALUATION BASIS IN A CERTAIN PORTION OF WASHINGTON TOWNSHIP, BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four, chapter three hundred and thirty-four, Public Laws of one thousand nine hundred and three, be and the same is hereby repealed, and the following is substituted in lieu thereof:

"That it shall be the duty of the said fence commissioners to report annually at the April meeting of the board of county commissioners, the condition of the said fence and gates, the costs of building, maintaining or repairing the same for the preceding year, and estimate and report what sum of expenditures is necessary to keep said fences and gates in repair for the succeeding year. And it shall be the duty of the said board of county com-

Two members appointed.

Chapter 334, Public-Laws 1903, amended.

Fence commissioners to report annually.

Scope of report.

Commissioners to levy tax.

missioners to levy a tax sufficient to meet such expenditures upon all the property lying within the bounds of said district or territory. The board shall adopt the valuation of property in said territory as fixed by the appraisers for state and county purposes, and the taxes so levied shall be uniform and shall be collected by the sheriff of Beaufort County at the same time and in the same manner and under the same regulations as are now provided for the collection of state taxes, and he shall pay over the same to the chairman of the fence commissioners.”

SEC. 2. That this act shall apply only to that portion of Washington Township, Beaufort County, described in section two, of chapter three hundred and thirty-four, Public Laws of one thousand nine hundred and three.

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 3d day of March, A. D. 1919.

CHAPTER 494

AN ACT TO ENABLE THE COUNTY OF POLK TO LEVY A SPECIAL TAX.

WHEREAS, the county of Polk has incurred indebtedness in meeting the necessary expenses of the county, which the ordinary tax levy is not sufficient to liquidate,

Now, therefore

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the county of Polk are hereby authorized and empowered to levy a special tax for the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty, of not more than fifteen cents on each one hundred dollars property valuation and forty-five cents on each poll, to provide a fund from which to liquidate and pay the indebtedness of the county outstanding at the time of such liquidation, and incurred for the necessary expenses of the county.

SEC. 2. That said tax shall be levied at the time and upon the same property and persons, and collected in the same manner as the other county taxes are levied and collected, but the fund arising from the same shall be kept as a separate and distinct fund, to be used only for the purposes herein designated.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 495

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:

Commissioners
authorized to
submit bond
issue and tax.

Limit of bonds.

Notice of election.

New registration.

Canvass of vote.

Declaration
of result.

Form of ballot.

Bonds to be
issued upon
demand of board
of education.

Interest.

SECTION 1. The board of commissioners of New Hanover County in order to provide for the erection, construction, equipment, 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 three hundred and twenty-five thousand dollars (\$325,000), 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 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.

SEC. 2. That 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.

SEC. 3. 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 the bonds and the levy of the special tax shall vote "For public school bonds." All qualified voters who are opposed thereto shall vote "Against public school bonds."

SEC. 4. 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 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

days 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. Maturity.

SEC. 5. That said bonds shall be issued and sold by the board of commissioners of New Hanover County at such times and in such amounts 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. No bonds to be sold at less than par.

SEC. 6. The board of education is authorized to select one or more depositories for the funds accruing as the proceeds from the sale of said bonds and make such terms with said depositories as to the payment of interest or other benefits as will, in the judgment of the board be most advantageous; but before such funds are deposited the depositories selected shall be required to give an indemnity to be approved by the county commissioners, as other bonds, conditioned to indemnify and save the county from loss of said fund, and for the faithful accounting for same, and the said funds may be disbursed for the purposes provided in this act upon vouchers signed by the chairman of the board of education and countersigned by the superintendent of public instruction, and no commission shall be paid to the county treasurer or other parties for handling same, or any part thereof. Depositories of funds.
Bond required.

SEC. 7. 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 Disbursement.
Special tax must be levied for sinking fund.

Limit of tax rate. Monday in June of each year a special tax for said county, not exceeding twenty cents on one hundred dollars worth of property, and sixty 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 for general county purposes the taxes so levied shall be collected as other taxes, and the same shall be a separate fund applied first to the payment of the interest on said bonds, and then to the creation of a sinking fund, sufficient in the judgment of the board of commissioners to redeem said bonds, when same shall become due.

Expenses to be paid from proceeds. SEC. 8. 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.

Commissioners to audit sheriff's account. SEC. 9. 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.

Board of education to apply for sale of bonds. SEC. 10. 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 expenses 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 herein before provided for, who shall pay the same only upon the written demand of said board of education to him, signed by the chairman of said board and countersigned by the secretary of said board.

Treasurer custodian. SEC. 11. That the residue of the proceeds of the sales 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 schoolhouses 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 expended since the first of June, one thousand nine hundred and eighteen, 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 moneys expended in

Application of proceeds.

Board authorized to borrow money.

building, 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.

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

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 496

AN ACT TO CREATE A HIGHWAY COMMISSION OF NASH COUNTY TO BE KNOWN AND DESIGNATED AS THE NASH COUNTY HIGHWAY COMMISSION.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created a road commission to be known as the Nash County Highway Commission, whose duties shall be to supervise the laying out of roads leading from one district into and through other road districts in Nash County, to confer with the road authorities of other counties into which roads from Nash County may extend with a view to putting same in condition for acceptance and maintenance by the State Highway Commission, and to do and perform any and all things necessary to be done by way of making preliminary surveys of prospective state highways and federal aid roads and submit to the State Highway Commission and the federal authorities these projects for their approval, and to do and perform all things necessary to be done to secure Nash County's apportionment of state highway funds and federal aid funds, and in coöperation with the State Highway Commission or such other authority as may have supervision of the expenditure of said funds, to aid in every way possible to the end that said funds may be spent either in the construction of federal roads or the improvement of old roads that will be most beneficial to all the people of the county. It is the purpose of this section that the Nash County highway commission shall have full power to do all things necessary to be done in dealing with the State Highway Commission and federal aid authorities in constructing, improving and maintaining as many of the main leading highways in and through the county as may be agreed upon by and between the Nash County highway commission

Highway commission, created and duties prescribed.

To secure state and federal aid.

Full power to deal with state and federal authorities.

and the said state and federal authorities, and in respect to any and all things necessary to be done in the laying out, opening up, altering, building, improving or maintaining all such highways the Nash County highway commission shall have the same power and authority as is now given the road commissioners, of any of the road districts as at present constituted, and in respect to the main leading highways which are to be built, improved or maintained with state aid or federal aid funds the power and authority of the Nash County highway commission shall be superior to any of the road commission of the county as now constituted; *Provided*, that under no condition shall this act be construed for the highway commission herein created to have supervision or control of any of the highways in Nash County except those which are to be built or repaired or maintained by state aid or federal aid funds supplemented by county funds in case such state aid and federal aid funds are required so to be supplemented.

Proviso:
commission given
no control of
county roads.

Membership of
commission.

SEC. 2. That the said highway commission shall consist of seven responsible citizens and freeholders of Nash County, who shall be elected by the board of county commissioners and shall qualify as soon as may be practicable after the passage of this act. The said highway commissioners shall hold office for a term of two years and until their successors are elected by the board of county commissioners and qualify; *Provided*, that in electing said highway commission the board shall, as nearly as may be possible, select representatives from the several sections of Nash County.

Term of office.

If state or federal
be conditioned on
county
contribution
county
commissioners
may levy special
tax.

SEC. 3. That if by act of this state, state aid shall be available for the construction of state or national highways in and through Nash County, and if said state aid shall be conditioned upon the contribution by the county to a fund for said highway construction, the board of county commissioners is hereby authorized to levy in the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty, or in either of said years, a special tax of not to exceed thirty cents on the one hundred dollars valuation of property in Nash County and of ninety cents on each taxable poll in said county for the purpose of raising the said fund to meet the requirements of the state to cooperate with the state in the construction of said state or national highways in or through said county. The said taxes shall be levied and collected at the same time and in the same manner as the other county taxes are levied and collected.

Treasurer
custodian.

SEC. 4. That the funds arising from any tax levied under the authorization of this act shall be deposited with the treasurer of Nash County, shall be kept separate and apart from the other county funds, and shall be paid out by him only upon the order of the highway commission herein created.

SEC. 5. The said highway commission is hereby authorized to ^{Expenditure} expend and apply any funds arising from the tax authorized in ^{of funds.} this act in coöperating with the state in the construction of state and national highways in and through Nash County.

SEC. 6. The said highway commission of Nash County shall ^{Compensation.} be entitled to receive in compensation for their services such per diem pay for days actually served and mileage compensation for miles actually traveled as shall be determined by the board of county commissioners of Nash County; *Provided*, that the per diem paid shall not exceed five dollars per day and the mileage allowed shall not exceed the actual traveling expenses. The said compensation shall be paid out of the funds arising ^{Manner of} from the tax authorized in this act, if said tax is imposed, and ^{payment.} if said tax is not imposed, the said compensation shall be paid out of the general county funds.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 497

AN ACT TO AUTHORIZE THE COMMISSIONERS OF PITT COUNTY TO LEVY A SPECIAL TAX OF FIFTEEN CENTS FOR MAINTENANCE OF ROADS.

WHEREAS, The general road fund of Pitt County and the taxes ^{Preamble.} heretofore levied and collected for the maintenance of the public roads of Pitt County, have proven totally inadequate to pay for the maintenance of said roads of Pitt County;

Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of maintaining the public ^{Limit of tax rate.} roads of Pitt County, the commissioners of Pitt County are hereby authorized and empowered to levy at the regular time of levying taxes for state and county purposes a tax of not more than fifteen cents (15 cts.) on the one hundred dollars on all taxable property within said county.

SEC. 2. That the taxes collected under this act shall be used ^{Application of} exclusively for the maintenance of the public roads and bridges ^{proceeds.} of Pitt County and is in addition to taxes now allowed by law to be levied and collected for road purposes.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 498

AN ACT TO PROVIDE FOR A COURT STENOGRAPHER FOR
SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Employment of
stenographer
authorized.

SECTION 1. That the county commissioners of Sampson County are authorized and directed to employ a competent court stenographer for each term of Superior Court of said county, whose duties it shall be to attend the sitting of the court and take stenographic notes of oral testimony, the admissions and objections made by either side, the rulings of the court, the charge to the jury and all other matters in connection with the procedure of the trial. The compensation of such stenographer shall be paid out of the general county funds.

Payment.

Fees added to
costs in criminal
actions.

SEC. 2. That in all criminal actions that shall hereafter be tried in said court in which it shall be necessary to empanel a jury, or to take a report of any evidence, there shall be taxed in the bill of costs a stenographer's fee of two dollars, and in all civil actions tried in said court in which a jury shall be empanelled, or the evidence taken by order of the judge, there shall be taxed in the bill of costs a stenographer's fee of three dollars: *Provided*, that if the case shall consume more than one day then an additional charge of two dollars per day may be taxed for each additional day or part thereof.

In civil actions.

Additional days.

Collection of fees.

SEC. 3. It shall be the duty of the clerk of the Superior Court of said county to tax and collect said stenographer's fee as he shall tax and collect other costs, and shall pay such money collected as stenographer's fee as he shall tax and collect other costs, and shall pay such money collected as stenographer's fee into the general fund of the county, taking the receipt of the treasurer therefor.

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

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 499

AN ACT TO PROTECT THE PUBLIC ROADS OF DUPLIN
COUNTY.

The General Assembly of North Carolina do enact:

Unlawful to
damage surface
of roads by
turning teams
while plowing.

SECTION 1. That it shall be unlawful for any person in cultivating any cleared land contiguous to any public road in Duplin

County to use said road or any part thereof for turning round his team or farm implements at the end of rows, or to plow up, disturb or in any way interfere with the surface of said public road by using said public road for the turning round of teams and farm implements at the end of rows in cultivating cleared land contiguous to said roads, and all such persons so offending shall be guilty of a misdemeanor, and shall be liable to a penalty not exceeding fifty dollars or imprisonment not more than thirty days. Penalty.

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

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 500

AN ACT TO AMEND CHAPTER 426 PUBLIC-LOCAL LAWS,
SESSION 1917, RELATING TO GAME IN CLEVELAND
COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section (1) of chapter of four hundred and twenty-six of Public-Local Laws of North Carolina, session one thousand nine hundred and seventeen, be struck out, and the following be inserted in lieu thereof: "That it shall be unlawful to hunt, shoot, kill or in any manner trap or sell any quail or partridge in Cleveland County between January the tenth and December the first of any year." Closed season
for quail.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 501

AN ACT TO CURTAIL OR PREVENT DRUNKENNESS IN
ASHE AND WATAUGA COUNTIES, NORTH CAROLINA,
AND TO PROVIDE FOR THE JUDGES OF THE SUPERIOR
COURT, HOLDING THE SUPERIOR COURTS OF ASHE AND
WATAUGA COUNTIES TO MAKE INQUIRY AS TO SALES OF
LIQUOR IN ASHE AND WATAUGA COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be lawful for and the duty of the judge holding the spring term of the Superior Court of Ashe and Watauga counties, North Carolina, nineteen hundred and nineteen, Lawful for judge
to make inquiry
into sale of liquor.

and each spring term thereafter, to sit as a court of inquiry, on Tuesday the second day thereof, and hear evidence and make inquiry as to the sale or sales of spirituous liquors to any person or persons in Ashe and Watauga counties, and to order indictments made upon evidence thereby obtained.

Duty of citizens to report purchasers of liquor or persons seen intoxicated.

SEC. 2. That it shall be the duty of every citizen of Ashe and Watauga counties, to report the name of every person known to have bought spirituous liquors in Ashe and Watauga counties, and the name of each person seen or known to have been intoxicated, to the clerk of the Superior Court of said counties of Ashe and Watauga, and said clerk of court shall thereupon issue subpoena or subpoenas for such person or persons reported to have purchased liquor in said county, and for the person or persons reported to have been intoxicated in said county, directing said person or persons to appear before the judge holding the spring term of said court of said counties, on Tuesday the second day of said term, and then and there testify as to whom he purchased the liquor of, and of all such matters as may be inquired of by the judge, relating to sales, possession and importations of spirituous liquors, in or into said counties of Ashe and Watauga.

Clerk of court to subpoena reported persons.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 502

AN ACT TO REGULATE CERTAIN OFFICIAL FEES AND SALARIES IN MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

Fees of register of deeds prescribed.

SECTION 1. The register of deeds of Mecklenburg County shall be allowed and shall charge for registering any deed of real estate (not exceeding seven hundred and fifty words), including certificate of probate, acknowledgment and privy examination and order of the clerk, ninety cents and ten cents per hundred words for all additional copy sheets; said register of deeds shall receive for registering any real estate mortgage or deed of trust, not containing more than one thousand four hundred words, one dollar and ten cents and also ten cents for additional copy sheet; crop liens forty cents; chattel mortgages twenty cents; furniture liens or contracts twenty cents: *Provided*, this fee shall only apply in the event the furniture dealers adopt a uniform contract to be approved by the register of deeds.

Fees of clerk of court regulated.

SEC. 2. That the clerk of the Superior Court of Mecklenburg County shall be allowed and shall charge for: probate of chattel mortgage, crop liens or furniture contracts ten cents. Order for

registration of deed, or other writing which has been proved or acknowledged in another county of the state or before a judge, justice of the peace, notary or other officer, twenty-five cents; probate of deed or other writing proved by witness, including certificate, twenty-five cents probate of deed or other writing acknowledged by the signers or makers, including all except married women who acknowledged at the same time, with certificate thereof, twenty-five cents; probate of deed or other writing executed by a married woman, for her acknowledgment and privy examination with certificate thereof, twenty-five cents; subpoenas, each name, fifteen cents; appeals from justice of the peace, including docketing, fifty cents; bond or undertaking, including justification, sixty cents; capias, each defendant, one dollar; continuance, thirty cents; for indictment, each defendant sixty cents; letters of administration, including bond and justification of all sureties, one dollar and fifty cents (\$1.50); docketing judgment fifty cents; indexing judgments each name ten cents, filing and recording report of sales by commissioners and trustees, two dollars.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 503

AN ACT TO AMEND CHAPTER 415 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATIVE TO FISHING IN THE STREAMS OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and fifteen of the Public-Local Laws of nineteen hundred and seventeen be amended by adding at the end of section one thereof the following: "And ^{Open season} *Provided further*, that any owner or lessor of any canal, swamp ^{for gill nets.} or fish pond may fish same with gill nets from October first to April first."

SEC. 2. That section three of chapter four hundred and fifteen of the said Public-Local Laws of nineteen hundred and seventeen be amended by adding at the end of said section the following: "That the game warden or his deputies shall not confiscate or ^{Nets set during} destroy any gill nets set by the owners or lessors of any canal, ^{open season not} swamp or fish pond, when set by said owner or lessor between ^{to be destroyed.} the first of October and the first of April."

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 504

AN ACT RELATING TO FEES OF DEPUTY SHERIFFS OF ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

Fees for serving summons and subpoena, and for arrest.

SECTION 1. That all deputy sheriffs in Rockingham County shall be allowed fees as follows: For serving summons one dollar, for serving subpoenas fifty cents, for arrest of all persons on any criminal charge one dollar and fifty cents.

SEC. 2. This act shall apply to Rockingham County only.

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

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 505

AN ACT TO AMEND CHAPTER 629 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE RECORDER'S COURT OF LEAKSVILLE TOWNSHIP, ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

Fees of prosecuting attorney increased.

SECTION 1. That section two of chapter six hundred and twenty-nine of the Public-Local Laws of the General Assembly of one thousand nine hundred and seventeen be and the same is hereby amended by striking out the words "one dollar and fifty cents" in line ten thereof and inserting in lieu thereof the words "two dollars." Amend further said section two by striking out of line eleven in said section two the words "two dollars and fifty cents and inserting in lieu thereof the words "four dollars."

SEC. 2. Amend said section two of the said chapter six hundred and twenty-nine of the General Assembly of one thousand nine hundred and seventeen by adding at the end of said section two the following: "That said prosecuting attorney is hereby given full power and authority to take affidavits to warrants, and to issue warrants in all criminal cases originating and occurring in said Leaksville Township, and to affix the seal of the court to other writs and process of the court."

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

Ratified this the 8th day of March, A. D. 1919.

Prosecuting attorney authorized to issue warrants.

CHAPTER 506

AN ACT TO PROVIDE RURAL POLICEMEN FOR THE COUNTY OF WILSON.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Wilson County are hereby authorized and empowered to establish a rural police in said county, and to that end to employ one or more men of good character and habits, to be rural policemen. Any policeman appointed under and by virtue of this act shall be subject to removal by the said board of commissioners. The board of commissioners may name one of said policemen as chief, and he shall have authority over the others, and the others shall work under his direction and control. The board of commissioners are authorized and empowered to purchase such equipment, uniforms, horses, and motor vehicles as in their judgment is necessary for the use of said rural police.

Commissioners authorized to establish a rural police.

May name chief and delegate authority to him.

SEC. 2. The said rural police shall patrol the entire county under the general direction and control of the board of commissioners and the sheriff of the county, and it shall be their duty to suppress, prevent and otherwise control violations of the criminal law in Wilson County in conjunction with the other peace officers in the said county. Each and every of said rural police are hereby constituted peace officers in the county of Wilson and shall have the same authority to make arrest as sheriffs, constables and other police officers, and to serve subpoenas and other processes and in general to do all things necessary and proper to carry out the purposes for which they are appointed.

Duties of police.

Powers.

SEC. 3. The said rural police shall always wear their uniforms when on duty and shall wear a badge bearing the inscription "Rural Police, Wilson County, North Carolina."

To wear uniform on duty.

SEC. 4. Said rural police may serve civil processes issued out of any of the courts of North Carolina.

May serve civil processes.

SEC. 5. The board of commissioners of Wilson County may require the said police to give a bond or bonds for the faithful performance of the duties of the office; before entering upon the discharge of their duty the said police shall take and subscribe an oath substantially as follows: "I solemnly swear (or affirm) that during my term of office as rural policeman I will diligently inquire into and study the criminal laws of North Carolina and will be vigilant in the enforcement thereof, that I will conduct myself at all times with due consideration to all persons without regard to wealth, color or condition in life, that I will seek to protect the weak and helpless, to prevent the commission of crime. That I will not be influenced in any matter by personal prejudice

May be required to give bond.

Must take oath.

Form of oath.

or bias, and that I will diligently perform the duties of my office to the best of my ability. So help me God."

SEC. 6. The salaries of said police shall be fixed by the board of commissioners and paid from the general county fund, all fees due the said police for serving process, both criminal and civil, and for acting as witnesses shall be faithfully accounted for and turned into the general fund of the county.

SEC. 7. This act shall be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1919.

CHAPTER 507

AN ACT TO AMEND HOUSE BILL NUMBER 622, SENATE BILL NUMBER 634, RATIFIED MARCH 3d, 1919, RELATING TO HUNTING IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

Act previously
ratified amended.

SECTION 1. That House bill number six hundred and twenty-two. Senate bill number six hundred and thirty-four, ratified March third, one thousand nine hundred and nineteen, be and the same is hereby amended by striking out the word "five" in line two before the word "dollars" in section four, and inserting in lieu thereof the word "one"; and by inserting a period after the word "year" in line three of section seven and striking out all the remainder of said section seven.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 508

AN ACT TO AMEND CHAPTER 662, PUBLIC LAWS OF 1909, FOR THE PROTECTION OF FISH IN POTEKASI CREEK IN HERTFORD AND NORTHAMPTON COUNTIES.

The General Assembly of North Carolina do enact:

Chapter 662
Public Laws
1909 amended.

SECTION 1. That section one of chapter six hundred and sixty-two of the Public Laws of one thousand nine hundred and nine be, and the same is hereby amended as follows: After the words "Creeksville Mill" in line four insert "and beyond said Creeksville Mill to the Conway-Jackson road."

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 509

AN ACT TO AMEND SECTION 3733, REVISAL OF 1905, SO AS TO MAKE THE SAME APPLY TO DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section thirty-seven hundred thirty-three (3733) of the Revisal of one thousand nine hundred and five, chapter thirty-two thereof, be amended as follows: That the word "Davidson" be inserted and added thereto, in line after the word "Rutherford" in line five and before the word "or" in line six. Law relating to public drunkenness.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 510

AN ACT TO AMEND CHAPTER 1 OF THE PUBLIC-LOCAL LAWS OF 1913 RELATING TO ROAD COMMISSIONERS OF DAVIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section one of chapter one of Public-Local Laws of nineteen hundred and thirteen by striking out in line three thereof the word "four" and inserting in lieu thereof the word "six." Also by striking out in line three thereof the word "three" and inserting in lieu thereof the word "four." Amend further by striking out in line nineteen thereof the word "four" and inserting in lieu thereof the word "six"; also by striking out in line twenty thereof the word "three" and inserting in lieu thereof the word "four." Also amend by striking out in line twenty-six of said section the word "four" and inserting in lieu thereof the word "six." Number of road commissioners increased.

SEC. 2. That F. A. Naylor and Grover Shutt are hereby appointed members of the road commission of Davie County. That the above-named members shall begin their duties immediately after their qualification and after the ratification of this act. That they shall hold office until December the first, nineteen hundred and twenty and until their successors are appointed and qualified. Two new commissioners appointed.

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

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 511

AN ACT RELATING TO THE DUTIES OF THE SHERIFF OF MADISON COUNTY, AND TO ENCOURAGE THE ENFORCEMENT OF THE REVENUE LAW.

The General Assembly of North Carolina do enact:

Reward for arrest and conviction of maker or seller of liquor.

SECTION 1. That every sheriff, deputy sheriff, or other police officer who shall, in Madison County, arrest and furnish evidence leading to the conviction of any person breaking any of the laws prohibiting the manufacture and sale of spirituous and intoxicating liquors in Madison County shall be entitled to receive out of the public funds of said county the sum of fifteen dollars (\$15) for each and every conviction so caused; and said sum shall be paid to said officer by the treasurer of Madison County, shall be in addition to and in excess of any salary or compensation now allowed by law, and shall be taxed as part of the cost versus the person convicted.

Sheriff's deputy's compensation increased.

SEC. 2. That section three, chapter two hundred ninety-one, of the Public-Local Laws of one thousand nine hundred and seventeen, be and the same is hereby amended by striking out from lines five, six and seven the words "said deputy to room at the jail, to hold office at the pleasure of the sheriff, and to receive a salary of \$50 per month," and inserting in lieu thereof the following: "said deputy may room at the jail, shall hold office at the pleasure of the sheriff, and shall receive a salary of \$65 per month.

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

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 take effect on the first day of June, one thousand nine hundred and nineteen.

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 512

AN ACT TO PROVIDE FOR THE ERECTION OF A NEW COURTHOUSE IN LINCOLN COUNTY AUTHORIZING A BOND ISSUE THEREFOR.

The General Assembly of North Carolina do enact:

Limit of bonds.

SECTION 1. That the board of county commissioners of Lincoln County are hereby authorized, empowered and directed to issue bonds to the amount not to exceed one hundred thousand dollars and not less than seventy-five thousand dollars, to be known as "courthouse bonds," for the purpose of building and erecting a

new county courthouse in the county of Lincoln. The said bonds shall be coupon bonds and bear interest at a rate not to exceed six per cent and shall be issued in such manner, and in such form, in such denominations, and for such terms as may seem best to a majority of the entire board of county commissioners of Lincoln County. The proceeds from the sale of the aforesaid bonds shall be kept separate and apart from other funds of Lincoln County and shall be used for the purpose of erecting and building a modern, commodious and convenient courthouse on the site of the present courthouse of Lincoln County.

Interest

Application
of proceeds.

SEC. 2. That within one year from the ratification of this act, it shall be the duty of the county commissioners to issue the said bonds and to begin work on erecting the courthouse as above provided.

Courthouse to be
begun within year.

SEC. 3. That it shall be the duty of the county commissioners, and they are hereby authorized and directed to remove the present courthouse and dispose of the same in such manner and on such terms as to them may seem best and the proceeds of the sale of the present courthouse building, or any part thereof, shall be turned into the general funds of the county to be used for county purposes. During the time that the present courthouse is being torn down or removed and during the time required for the erection of the new courthouse, as above provided for, the county commissioners of Lincoln County are hereby authorized and empowered and directed to provide a suitable and convenient place for transaction of the business of the county by the several officers thereof, and the said place so provided shall be, for all purposes, the courthouse of Lincoln County during the time specified above.

Removal present
courthouse.Temporary
courthouse.

SEC. 4. That the ground floor of the new courthouse, above provided for, shall be properly built and equipped with rest rooms and retiring rooms and other conveniences, and shall be known and designated as a memorial, commemorating the services of the soldiers who have gone from Lincoln County to the Revolutionary War, Civil War, The Spanish-American War, and the recent World-Wide War.

Ground floor new
courthouse a
memorial.

SEC. 5. That for the purpose of paying the interest on, and providing a sinking fund for the payment of the aforesaid courthouse bonds, the county commissioners of Lincoln County are hereby authorized empowered and directed to levy such taxes as in their discretion may be necessary upon the real and personal property of the county of Lincoln, and on the polls, and on such other subjects of taxation as are now or may hereafter be taxable under the laws of the State of North Carolina; the said tax to be levied at the same time and in the same manner as other county tax, and collected by the sheriff or other tax collector of

Levy of special
tax for
sinking fund.

Collection.

the county in the same manner as other taxes of the county are collected.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 513

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY AND THE BOARD OF ALDERMEN OF THE TOWN OF SANFORD TO APPROPRIATE MONEY FOR SOLDIERS' MEMORIALS, ETC.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Lee County and the board of aldermen of the town of Sanford are hereby authorized and empowered to appropriate such sums of money as in their discretion may be proper for the purpose of placing memorial tablets, erecting monuments or memorial buildings or printing memorial records in memory of Lee County soldiers who served in the World War.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 514

AN ACT TO AMEND CHAPTER 680 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE FEES OF CORONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter six hundred and eighty of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby amended by striking out the word "not" in the last line thereof, so that the proviso in said section shall read as follows: "*Provided*, said expenses shall exceed one dollar."

SEC. 2. That all laws and parts 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 10th day of March, A. D. 1919.

Appropriation
authorized.

Coroner's
expenses where
inquest is not
held paid when
more than \$1.

CHAPTER 515

AN ACT TO REGULATE THE FEES OF CERTAIN OFFICERS
AND COURT OFFICIALS OF ROWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff, deputy sheriffs and constables of Rowan County shall be allowed the following fees and expenses, namely: Executing summons from Superior Court, one dollar; for arrest, one dollar and fifty cents in criminal actions; imprisonment of any person in a civil or criminal action, fifty cents; executing a subpoena on a witness, fifty cents; conveying a prisoner to jail to another county, ten cents per mile. Expenses of officer in 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 of 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; 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; 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 executions for money in civil actions, three per cent on the amount collected; advertising sale of the property under execution at each public place required, twenty-five cents. 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; summoning a grand or petit jury or special venire for each man summoned fifty cents; all fees paid to any printer for any advertisement required by law to be printed. For summoning and qualifying appraisers, and for performing all duties in laying off homestead and personal property exemptions, or either, two dollars and fifty cents, to be included in the bill of costs. Executing a deed for land or any interest in land sold under execution, one dollar and fifty cents, to be paid by the purchaser. Service of writ of ejectment from Superior Court, one dollar and fifty cents; for every execution, either in civil or criminal cases, one dollar where levy is made or person arrested.

Fees of sheriff,
deputy sheriffs
and constables
prescribed.

Expenses of
conveying
prisoners.

Care of inmates
of jail.

Summoning
jurors.

Appraisers.

Writ of ejectment.

SEC. 2. That jailer for Rowan County shall receive for furnishing prisoners with fuel, one pound of wholesome bread, one pound of good roasted or boiled flesh and a sufficient quantity of vegetables and of water, with every attendance, the sum of sixty Jailer's fees.

cents per day, unless the board of commissioners of the county of Rowan shall deem it expedient to decrease the fees which it may do, in its discretion.

Fees where
defendant goes
to prison.

SEC. 3. That in all criminal cases wherein the defendant is convicted and sentenced to a term on the road or state prison, full fees due all officers, court officials, justices of the peace and witnesses, shall be paid in full by the county and the county charges.

SEC. 4. All laws in conflict with this act are hereby repealed, and this act shall only apply to Rowan County.

SEC. 5. This act shall be in force from and after its ratification. Ratified this the 10th day of March, A D. 1919.

CHAPTER 516

AN ACT TO INCREASE THE FEES OF JUSTICES OF THE PEACE, IN PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That justices of the peace shall receive the following fees, and none other:

Fees for
attachment,
summons,
subpoena, trial
and judgment, etc.

For attachment with one defendant, fifty cents; and if more than one defendant, ten cents for each additional name.

For summons, fifty cents, if more than one defendant in the same case; for each additional defendant, ten cents.

For subpoena for each witness, ten cents.

For trial of an issue and judgment, one dollar.

For taking an affidavit, twenty-five cents.

Orders in actions.

For taking bond or undertaking, or for an order of publication, or an order to seize property, or for any other order made in a cause or action, twenty-five cents.

For order of removal, twenty-five cents.

Jury trial.

For jury trial and entering verdict, one dollar.

Execution and
renewal.

Execution, twenty-five cents.

Renewal of execution, ten cents.

For continuance of case, twenty-five cents.

Return to notice of appeal, fifty cents.

Arrests.

Order of arrest in civil action, twenty-five cents.

Warrant for arrest in criminal cases, or in bastardy, fifty cents.

Warrant of commitment, twenty-five cents.

Justification of bond or undertaking, twenty-five cents.

Depositions.

For taking depositions on order or commission—one hundred words—per copy sheet, ten cents.

Garnishment for taxes, fifty cents.

For making necessary certificate and return to same, fifty cents.

For examination of woman in case of bastardy, twenty-five cents. Examination in bastardy.

Returns to court in criminal cases, fifty cents.

For hearing petition for widows years allowance, issuing notice to commissioners and allotting the same, two dollars.

For filing and docketing laborer's lien, seventy-five cents. Laborer's lien.

Probate of deed or other writing proved by a witness, including the certificate, twenty-five cents.

Probate of a deed or other writing executed by a married woman, proper acknowledgment and private examination, with the certificate thereof, twenty-five cents.

Probate of a deed or other writing acknowledged by the signee or makers, including all except married women who acknowledge at the same time, with the certificate thereof, twenty-five cents. Probates.

Probating chattel mortgage, including the certificate, ten cents.

For issuing all papers and copies thereof in an action for claim and delivery, and the trial of the same, if issues are joined, when there is one defendant, one dollar and fifty cents; and if more than one defendant in action, fifty cents for each additional defendant; and ten cents for each subpoena issued in said cause and twenty-five cents for taking replevy bond when one is given: *Provided*, that where the trial of such cause shall have been removed from before the justice of the peace issuing the said papers, the justice of the peace sitting in trial of such cause shall receive fifty cents of the above costs for such trial and judgment. Claim and delivery.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed: *Provided*, that this act shall apply to Pitt County only.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 517

AN ACT TO PROMOTE THE FISH INDUSTRY IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to catch or take from any of the streams, lakes or ponds in Henderson County any fish of any kind whatever in any other way or manner than with hook and line or casting rod: *Provided*, that it shall not be unlawful to seine in French Broad river in said county, or to catch fish therefrom with trap or basket: *Provided further*, that individuals, firms or corporations owning or having leased ponds containing or stocked with fish, Unlawful to fish save with hook and line. Exception French Broad River. Exception: stocked ponds.

or which may hereafter be stocked with fish, shall have the right to take fish from said ponds in any manner they may see fit, and to catch or take from said ponds fish of any size whatever.

Day's trout catch limited.

SEC. 2. That it shall be unlawful for any person to catch or take from any stream or streams in Henderson County more than twenty rainbow trout or more than twenty mountain trout in any one day.

Small fish to be put back.

SEC. 3. That it shall be unlawful for any person who catches or hooks any trout less than five inches in length to fail or neglect to carefully remove such trout from the hook with as little hurt or injury as possible, and place same back in the stream from which it was taken.

Unlawful to use dynamite, lime, etc.

SEC. 4. That it shall be unlawful for any person or persons to use dynamite, lime or any other such material or substance to kill fish, or render same helpless so that they may be caught or killed, in any stream in Henderson County.

Penalty for violation.

SEC. 5. That any person or persons violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction, be punished by fine or imprisonment in the discretion of the court.

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

SEC. 7. That this act shall apply only to Henderson County.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 518

AN ACT TO PROVIDE FOR THE ISSUING OF BONDS IN SMITHFIELD TOWNSHIP ROAD DISTRICT, JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Limit of bonds.

SECTION 1. That the commissioners of Smithfield Township road district, Johnston County, be and they are hereby authorized and empowered to issue and execute fifteen thousand dollars coupon bonds at a rate of interest not exceeding six per cent per annum to run for a period of fifteen years.

Interest and maturity.

Application of proceeds.

SEC. 2. That the commissioners of said township shall use the proceeds derived from the sale of said bonds for the purpose of paying off the present indebtedness of said roads and the purchasing of machinery and equipment for the better working of the roads of said township.

Special tax.

SEC. 3. That the board of county commissioners of the county of Johnston shall levy a special bond tax in Smithfield Town-

ship of five cents on the hundred dollars valuation of property and fifteen cents on the poll for the year nineteen hundred and nineteen and annually thereafter until said issue of bonds is matured. Limit of rate.

SEC. 4. That the commissioners of Smithfield Township road district, Johnston County, shall annually set aside a sufficient amount of the bond tax to pay the interest on said bonds as well as a sufficient amount, which, invested at six per cent interest, will retire the fifteen thousand dollars bonds herein provided for at the end of fifteen years, and any excess shall be turned into the general fund for working the roads in said township. The sinking fund created shall be invested by the commissioners of Smithfield Township road district, Johnston County, at not less than six per cent interest net and all security taken for money so loaned shall be taken in the name of the commissioners of Smithfield Township road district, Johnston County, and said sinking fund shall be kept separate and apart from the general fund for road purposes in said township. Sinking fund to be provided. Investment of sinking fund.

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 10th day of March, A. D. 1919.

CHAPTER 519

AN ACT TO CONSOLIDATE THE HEALTH DEPARTMENTS OF THE CITY OF FAYETTEVILLE AND THE COUNTY OF CUMBERLAND.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of health of Cumberland County as constituted and elected under and by virtue of chapter sixty-two of the Public Laws of one thousand nine hundred and eleven, be and they are hereby empowered to control, and are vested with the immediate care and responsibility of the health and sanitary interests and conditions of said county, including the city of Fayetteville, and the due enforcement of all laws with reference thereto. County board of health charged with care of health of entire county.

SEC. 2. That the said county board of health shall be elected and constituted as prescribed by section nine of chapter sixty-two of the Public Laws of one thousand nine hundred and eleven, the two physicians of said board to be recommended by a majority of the Medical Society of Cumberland County, and all duties and powers imposed by law upon the board of aldermen of the city of Fayetteville, with reference to the health and sani- Membership of board. Powers of city aldermen partially transferred to board.

tary conditions of the said city, are hereby partially transferred to and vested in the said county board of health, to the extent of giving said board of health concurrent jurisdiction with said board of aldermen over the health and sanitary matters in Fayetteville.

Superintendent of health to be elected by board.

SEC. 3. That the said county board of health shall, as herein after set forth, elect a superintendent of health, and such assistants, officers and servants as they shall deem necessary for the enforcement of all health and sanitary laws within said county, including the city of Fayetteville, and to prescribe the duties of such officers, servants and helpers so appointed and elected, fix their salaries and compensations and pass all necessary rules, regulations and acts with reference thereto.

Expenses shared equally by city and county.

SEC. 4. That all salaries, fees and expenses necessary and required to carry out the provisions of this act shall be contributed and paid by the city of Fayetteville and the county of Cumberland in the proportions following, that is to say: one-half thereof by the city of Fayetteville, and the remainder thereof by the county of Cumberland: *Provided*, that the total amount expended by said board of health shall not exceed six thousand dollars in any one year.

Limit of amount expended.

Board to furnish annual statement to city aldermen and county commissioners.

SEC. 5. That it shall be the duty of the said county board of health to furnish to the board of aldermen or governing body of the city of Fayetteville and the board of commissioners of Cumberland County on the first Monday in May of each year, a statement in detail of all disbursements made by it pursuant to the provisions of this act, for the twelve months preceding, and at the same time furnish to the said bodies a statement in detail, showing all estimated expenses and requirements for the ensuing year, necessary to carry out the requirements and provisions of this act; and it shall be the duty of the said board of aldermen or governing body of the city of Fayetteville, and the said board of commissioners of Cumberland County to thereafter at the time designated by law for levying taxes to make a levy on all real and personal property sufficient to raise the revenue required to meet and pay their respective shares of said amount so required and in the event such levy cannot be made by reason of any constitutional or legal limitation, then said bodies are hereby duly authorized and empowered to levy a special tax to meet such requirements or any deficiency of the same: *Provided*, however, that the board of aldermen or governing body of the city of Fayetteville or the board of commissioners of Cumberland County may reduce the amount asked for, if in the judgment of either of said boards the amount asked for is excessive.

City and county authorities directed to levy taxes to meet expense of board.

Proviso: reduction of amount asked for.

Month's expenses to be deposited to credit of board.

SEC. 6. That the board of commissioners of Cumberland County and board of aldermen or governing body of the city of Fayetteville shall on the first day of each month from and after the first

day of July, one thousand nine hundred and nineteen, deposit or cause to be deposited in some banking institution in the city of Fayetteville, to be designated by the said board of health of Cumberland County, one-twelfth each of the respective amounts to be paid by each body respectively, as herein provided, which said amounts shall be expenses and withdrawn from said banking institution by checks or warrants duly approved by the superintendent of health and signed by the clerk of said county board of health, and countersigned by its chairman: *Provided, however,* that in the event the amount so furnished under and by virtue of the estimate as set out in this act, shall be insufficient to meet the requirements of the said board of health, then and in that event it shall be the duty of the said county board of health to certify to the board of commissioners of Cumberland County and the board of aldermen or governing body of the city of Fayetteville any such deficiency required, and the purposes for which the same is to be used, and if the same shall appear to said commissioners of Cumberland County and the board of aldermen or governing body of the city of Fayetteville to be a necessary expense and requirement, these said bodies shall appropriate such amount in the same proportions as hereinbefore set forth, which said proportions shall be deposited in such banking institution to the credit of said county board of health when the same is required by said board of health, and such funds so deposited shall be withdrawn from such banking institution in the manner herein before set forth: *Provided,* the total amount shall never exceed six thousand dollars annually.

SEC. 7. The said board of health of Cumberland County shall on the first Monday of April, one thousand nine hundred and nineteen, elect and appoint all officers, assistants and helpers necessary to carry out the provisions of this act, who shall, subject to the provisions as to removal, hold office until the first Monday of April, one thousand nine hundred and twenty-one, and said board of health at such meeting to be held on said first Monday of April, one thousand nine hundred and nineteen, shall prescribe the duties of all such officers, assistants and helpers and fix their salaries and compensations. On the first Monday of April, one thousand nine hundred and twenty-one, and thereafter every two years, the said board of health of Cumberland County shall elect for a term of two years, unless removed for cause, a superintendent of health, and shall elect or appoint all other officers, assistants and helpers required and contemplated by the provisions of this act, to hold their positions at the pleasure of the board of health.

SEC. 8. All ordinances of the city of Fayetteville and rules and regulations of the county board of health with reference to the health and sanitary conditions of said city and county not

Disbursement.

Proviso:
certification of
deficiency.How deficiency
shall be met.Election and
appointment of
officers to
carry out act.Shall prescribe
duties and
fix salaries.Term of
superintendent.Ordinances not
in conflict
continued in force.

in conflict with any of the provisions of this act shall remain in full force and effect.

Removal of officers.

SEC. 9. That the superintendent of health and all other officers and employees elected by said county board of health may be removed by said board for cause at any time.

Publication of ordinances.

SEC. 10. All ordinances passed by the board of health shall be published once a week for four successive weeks in some newspaper published in Fayetteville, and shall be recorded in a book of ordinances to be kept by said board, and either the book of ordinances or the printed copies of ordinances shall be legal evidence of their passage and effect.

Penalty for violation of act.

SEC. 11. That any person, firm or corporation violating any of the ordinances of the city of Fayetteville and rules and regulations of the county board of health now in force and effect, and any ordinance, rule or regulation created and made by the county board of health, shall be guilty of a misdemeanor and fined not more than fifty dollars or imprisoned not more than thirty days.

SEC. 12. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 520

AN ACT TO AUTHORIZE THE COMMISSIONERS OF GASTON COUNTY TO, SUBMIT TO THE VOTERS OF SAID COUNTY THE QUESTION OF ISSUING BONDS TO BUILD AND IMPROVE THE PUBLIC ROADS THEREOF.

The General Assembly of North Carolina do enact: •

Commissioners authorized to submit bond issue.

SECTION 1. That for the purpose of building, grading, and constructing standard hard surface, gravel, soil, and sandclay roads, and otherwise improve and maintain the public roads in Gaston County, the board of commissioners of said county is hereby authorized, empowered and directed, in its discretion, to submit to the voters of said county, as soon after the ratification of this act, as they deem necessary, the question of issuing bonds to an amount, not exceeding five hundred thousand dollars.

Limit of bonds.

Notice of election.

SEC. 2. That 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.

Conduct of election.

SEC. 3. That any election held under the provisions of this act shall be conducted in the same manner as is now, are 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 elections, 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 ^{New registration.} 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 the 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 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. 4. The votes shall be counted at the close of the polls by ^{Canvass of vote.} the election officers and returned to the clerk of the said board of county commissioners by one member of the said election officers on Thursday following the election; and said commissioners at 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 results of said election shall be necessary. That at said election all ^{Form of ballot.} 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. 5. That in the event a majority of the votes cast at said ^{Preparation and issuance of bonds.} election, shall be voted "For Road Bonds" and the result declared and recorded as aforesaid, the board of commissioners of Gaston County shall 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

ten 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 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.

Interest.

Maturity.

SEC. 6. That the bonds issued under this act, or provided for therein, shall be signed by the chairman of the said board of commissioners and countersigned by the clerk of said board, and shall have upon them the corporate seal of said county and shall be styled "Gaston 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. That said board of commissioners shall sell said bonds as other bonds are ordinarily sold.

Manner of sale.

None to be sold for less than par.

SEC. 7. That none of the bonds issued by this act shall be disposed of by sale, exchanged, 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 the 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 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 must be recorded in the minutes of the board of commissioners. That the county board of commissioners may act jointly with the State Highway Commission in making sale of bonds issued under this act, the State Highway Commission acting under advisory capacity.

Record of bonds.

Expenses of election and bonds.

SEC. 8. 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, and the said commissioners are hereby authorized and empowered to replace said county funds out of proceeds arising from the sale of said bonds.

Compensation of registrars.

SEC. 9. That the registrars shall receive for their services hereunder, three cents for each name registered, and the judges

and registrar shall receive same 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 as in election for members of the General Assembly.

SEC. 10. That in case a majority of votes in said county are cast and declared to be "Against Road Bonds," then and in that event this act and all sections thereof shall be void and of no effect.

SEC. 11. That the board of county commissioners of Gaston County 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.

SEC. 12. That the proceeds arising from the sale of the bonds herein provided for shall be placed with or paid to the treasurer of Gaston County who shall keep them separate from other funds, and the bond of such 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 are taken and approved. He shall disburse said funds upon the order of the board of county commissioners, which order shall be signed by the chairman thereof and countersigned by its secretary.

SEC. 13. 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, the board of county commissioners of Gaston 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 of jurisdiction of the county, of not more than thirty cents on the one hundred dollars valuation of real, personal and mixed property, and not more than ninety cents on each poll, observing the constitutional equation between property and poll. The tax so levied shall be collected by the sheriff or other persons 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 treasurer of the county, and the proceeds of such funds shall be held by such treasurer and shall be used by said board of county commissioners and drawn upon by them for the purposes designated in this act.

SEC. 14. That the board of county 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 coöperate 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 county 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.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 521

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY TO ISSUE BONDS TO BE USED IN THE CONSTRUCTION AND MAINTENANCE OF THE PUBLIC ROADS OF BISCOE TOWNSHIP.

The General Assembly of North Carolina do enact:

Limit of bonds.

SECTION 1. That the board of county commissioners of Montgomery County be and they are hereby authorized and empowered to issue bonds not exceeding thirty thousand dollars (\$30,000) to be denominated "Biscoe Township Road Bonds," for the purpose of constructing and maintaining the public roads of Biscoe Township, Montgomery County. That said bonds shall be issued in denominations of not less than one hundred dollars (\$100) nor more than five thousand dollars (\$5,000) to bear interest at not exceeding six per cent per annum to be evidenced by coupons attached to said bonds. The said county commissioners are authorized to prescribe the form of said bonds, the length of time which they shall run not to exceed thirty years, and the denominations in which they shall be issued. The said bonds shall bear the signatures of the chairman and secretary of the board of county commissioners and the coupons attached to said bonds shall bear the facsimile signature of the chairman of the said board.

Interest.

Maturity.

None to be sold for less than par.

SEC. 2. That no bonds issued under the provisions of this act shall be sold or otherwise disposed of for less than par and accrued interest. The said commissioners of Montgomery County are authorized and empowered to sell or dispose of said bonds either by public or private sale or by sealed bids as to them may seem best, and in case they sell at public sale they shall give notice thereof in one or more newspapers published in the State

Notice of sale.

of North Carolina for at least thirty days and also advertise in one or more newspapers published within or without the state, which make a business of advertising such sales.

SEC. 3. That the money arising from the sale of said bonds issued under the provisions of this act shall constitute a separate and distinct fund to be applied and appropriated for the laying out, construction and maintenance of the public roads in the township of Biscoe, Montgomery County; and the treasurer or the disbursing officer acting in place of the treasurer of said county shall keep a separate account of said funds so that the condition of the same may at all times be shown. The county commissioners shall also keep a book in which the number of bonds sold shall be entered, date of sale, amount paid for same and when the interest shall fall due.

Application of proceeds.

Separate account to be kept.

SEC. 4. That the disposition of the said funds arising from the sale of the aforesaid bonds shall be under the direction of the Biscoe Township road commission hereinafter provided for, and their successors in office.

Disposition under township commission.

SEC. 5. That in order to provide a fund for the payment of the interest on said bonds as it may accrue and create a sinking fund for their payment at maturity the board of commission of Montgomery County shall annually levy a special tax of such amount as in their discretion may be deemed necessary for this purpose. That the said tax shall be levied and collected as other taxes and shall be imposed upon the polls and such property and other subjects of taxation as are now or may hereafter be subject to taxation under the laws of the state; and it shall be collected by the officer or officers charged with the collection of other county taxes and he shall, in respect thereto, be liable officially as well as personally to all requirements of the law now prescribed or which may hereafter be prescribed on the faithful collection and payment of other taxes.

Commissioners directed to levy tax for sinking fund.

Collection.

SEC. 6. That the purchaser or purchasers of any part of said bonds shall not be required to see to the application of the proceeds of said funds by the commissioners of Montgomery County.

SEC. 7. That the Biscoe Township Road Commission be and the same is hereby created a body corporate with all the rights, powers and privileges pertaining to such body, including the right to sue and be sued, make rules and regulations for the proper conduct of its business, enter into contracts, have a seal and generally to perform the duties of such a corporation; the same to consist of three members; to wit, H. L. Steed, whose term of office shall be two years; R. E. Page, whose term of office shall be four years; and C. L. Steed, whose term of office shall be six years; and their successors in office shall be elected at the general election every two years for the election of members of the General Assembly and shall hold office for six years. In case of the death or removal from the township or vacancy from any

Township road commission created.

Commissioners named.

Successors.

Vacancies.

other cause a successor shall be appointed by the board of county commissioners.

Vested with control and supervision of all township highways.

May employ engineer.

Proviso: bond required of superintendent.

Section nine, chapter 305 Public Laws 1909 amended.

Payment in lieu of road labor \$2.50 for four days.

Receipts.

SEC. 8. That the said Biscoe Township road commission shall have charge of the construction, maintenance, repair and general road work in the township of Biscoe. They shall direct and supervise the laying out, altering or constructing of all highways within the said township. They shall be authorized and empowered to employ a competent superintendent or engineer to supervise the construction and repair of the roads in the said township and generally to direct the work of the public roads of Biscoe Township as in their judgment may be deemed best: *Provided*, that the Biscoe Township road commissioners shall require all superintendents or contractors of Biscoe Township to give a good and sufficient bond for the faithful performance of the duties imposed upon them and such bond shall be for double the amounts of any money collected by the superintendent from the public road subjects of Biscoe Township That nothing in this act shall be construed to repeal any of the road laws now in effect in the county of Montgomery except as is herein specified.

SEC. 9. That section nine, chapter three hundred and five of the Public Laws of one thousand nine hundred and nine be and the same is amended as to Biscoe Township by striking out all after the colon (:) in line five down to and including the colon (:) in line eleven and inserting the following in lieu thereof:

“Provided, that if any person within the ages above referred to shall on or before the first day of May of each year pay to the Biscoe Township road commission the sum of two dollars and fifty cents (\$2.50) he shall be relieved of the four days labor on the public roads as provided for herein.”

“Provided, that the Biscoe Township road commission shall give to each and every person a public road receipt showing for what year such person has paid his road dues. Receipts shall be signed by the superintendent of public roads for Biscoe Township, and who shall have executed a bond as required in section eight.”

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 522

AN ACT TO AUTHORIZE LENOIR COUNTY TO ISSUE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Lenoir County is hereby authorized to issue bonds of said county in an

Limit of bonds.

aggregate principal amount not exceeding one hundred thousand dollars, for any one or more of the following purposes, viz: laying out, opening, altering, constructing, and improving roads and bridges of said county, and funding floating indebtedness of said county now outstanding incurred for said purposes, which floating indebtedness is hereby ratified and validated. Said board is hereby further authorized to levy annually a special tax ad valorem upon all taxable property in said county for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and in addition to all other taxes authorized to be levied by said board.

SEC. 2. The bonds authorized by this act may be divided into two or more separate issues. Each issue shall so mature that the aggregate principal amount of the issue shall be payable in annual installments, beginning not more than three years after the date of the bonds of such issue and ending not more than twenty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds on any one issue are not delivered simultaneously, the bonds of such issue outstanding at any one time shall mature as aforesaid.

SEC. 3. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest as the board of county commissioners of Lenoir County may determine, subject to the limitations and restrictions of this act. The bonds shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Lenoir County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and the coupons of such bonds shall bear the printed or lithographed or engraved facsimile signature of the chairman of said board of county commissioners who is in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

SEC. 4. Said bonds shall be sold for not less than par and accrued interest in the manner provided in the Municipal Finance Act (chapter 138 of the Public Laws of 1917, as amended) for the sale of bonds of cities and towns. The bonds shall be sold by the board of county commissioners.

SEC. 5. The proceeds of the sale of said bonds shall be placed in a separate fund and used only for the purposes for which the

Purposes.

Special tax for sinking fund authorized.

Maturity.

Interest.

Terms and manner of sale.

Application of proceeds.

bonds were issued The purchaser of the bonds shall not be bound to see to the application of the proceeds.

Additional powers.

SEC. 6. The powers granted by this act are granted in addition to and not in substitution for existing powers of Lenoir County, and are not subject to any limitation or restriction contained in any other law. This act shall not be construed as repealing any other law authorizing Lenoir County to issue bonds but shall be deemed to be additional and independent legislation for said purpose.

SEC. 7. All laws and parts 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 10th day of March, A. D. 1919.

CHAPTER 523

AN ACT FOR BETTER ENFORCEMENT OF THE STATE-WIDE DOG LAW IN THE COUNTY OF GUILFORD.

The General Assembly of North Carolina do enact:

Sheriff to furnish taxpayer with license tag.

SECTION 1. That in lieu of the receipt provided for in section three of the State-wide Dog Law passed at the General Assembly of nineteen hundred and nineteen, the sheriff of the county shall furnish to the person paying such tax a metal tag for each dog upon which said tax is paid and the said dog shall be securely fastened to a collar upon the neck of the dog upon which such tax is paid, which tag must be kept upon said dog at all time.

Unlawful to allow dogs to roam at night.

SEC. 2. That it shall be unlawful for any person to allow his dog over six months old to go upon the lands of another either in the day or night, without permission of the owner or one in possession of said lands.

Dogs must be tagged.

SEC. 3. That it shall be unlawful for any person to harbor or permit to remain about his premises any dog not having a license tag.

Lawful to kill trespassing untagged dogs.

SEC. 4. That it shall be lawful for any person to kill any dog found trespassing upon his premises where such dog is not wearing the metal tag hereinbefore provided for and it shall be lawful for any person to kill any dog when trespassing as aforesaid whether the dog wears a tag or not, where the said dog is in the act of pursuing, worrying or wounding any livestock, poultry or game, and the person killing any dog as provided in this act shall not be liable in damages or otherwise for such killing.

Lawful to kill all dogs worrying livestock or game.

Application of proceeds.

SEC. 5. That the net tax derived from this bill after paying the expenses of collection shall be used for the county road fund: *Provided*, that one-half the net tax arising from the provisions of this bill may be used for the farm-life schools of said county.

SEC. 6. That any person violating any of the provisions of Violation a
this act shall be guilty of a misdemeanor. midemeanor.

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

SEC. 8. That this act shall apply to the county of Guilford.

SEC. 9. That this act shall be in force from and after its rati-
fication.

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 524

AN ACT TO AMEND CHAPTER 425 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO RECORDS COURT OF STAN- LY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred twenty-five, Public-Local To retain
Laws of one thousand nine hundred and thirteen be and the same jurisdiction court
is hereby amended by striking out the words "six months" after must act in
the word "within" and before the word "after" in line eight in thirty days.
subsection (c) of section two of said chapter, and inserting in
lieu thereof the words "thirty days."

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

SEC. 3. This act shall be in force from and after its ratification.
Ratified this the 10th day of March, A. D. 1919.

CHAPTER 525

AN ACT TO REPEAL CHAPTER 502, PUBLIC-LOCAL LAWS OF 1915, AND TO FIX THE SALARIES AND DUTIES OF OFFICERS OF CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Caswell County may appoint Appointment
one deputy in each township of the county, except Yanceyville of deputies
Township, and may allow such deputies the fees made and col- by sheriff.
lected by them in serving summons, subpœnas, notices of process
of all kinds, and all fees and commissions made and collected by
them from executions in their respective townships; and the
deputies so appointed shall not receive any compensation for No fees to be
serving summons, subpœnas, notices and process of all kinds retained by
in Yanceyville Township, and such fees shall be turned over to officers in
Yanceyville
Township.

the treasurer of Caswell County by the sheriff and deputies as hereinafter provided.

Deputies to give bond.

SEC. 2. That each deputy appointed by the sheriff of Caswell County, before performing any of the duties of his office, shall execute a bond to be approved by the county commissioners, payable to the State of North Carolina, in the sum of five hundred dollars; the form of bond and oath to be subscribed shall be the same as now required of sheriffs under the general law.

Yanceyville Township deputy.

SEC. 3. That the sheriffs shall appoint one deputy for Yanceyville Township, whose duties shall be to assist the sheriff in all his duties and whose salary shall be fixed and paid by the sheriff.

Sheriff to turn over fees to treasurer.

SEC. 4. All other fees, commissions, profits, and emoluments of all kinds now belonging or appertaining to or hereafter by any law belonging or appertaining to the sheriff by virtue of his office shall be faithfully collected by him and turned over to the treasurer of said county, to be disposed of as hereinafter provided, except as to provisions made in section one of this act.

Sheriff's salary.

SEC. 5. That the sheriff shall receive a salary of twenty-three hundred dollars per annum, payable monthly on an order of the county commissioners, in lieu of all other compensation whatsoever; *Provided*, the sheriff shall receive the fees and expenses allowed in seizing and destroying illicit distilleries, and the commissioners shall allow him a reasonable sum for board of prisoners in jail.

Proviso: Sheriff to retain fees for capturing stills.

SEC. 6. That the clerk of the Superior Court and the register of deeds of said county shall faithfully collect, account for, and turn over to the treasurer of said county, monthly, and they, the said clerk and register of deeds, shall be responsible on their respective official bonds for all fees, commissions, etc., collected or which ought to be collected.

Clerk of court and register of deeds to turn over fees to treasurer.

Clerk's salary.

SEC. 7. That the clerk of the Superior Court of said county shall receive a salary of twelve hundred dollars per annum, payable monthly on an order of the county board of commissioners of Caswell County, in lieu of all other compensation whatever, except commissions and recording of accounts and orders relating to matter wherein the said clerk is receiver of trust funds in his hands.

Register of deeds' salary.

SEC. 8. That the register of deeds of said county shall receive a salary of twelve hundred dollars per annum, payable monthly on an order of the county board of commissioners of Caswell County in lieu of all other compensation whatever.

Treasurer's salary.

SEC. 9. That the treasurer of said county shall receive a salary of six hundred dollars per annum, payable monthly on an order of the board of county commissioners of said county, in lieu of all other compensation whatever.

Fee accounts.

SEC. 10. That the treasurer of said county shall keep a separate account of all moneys coming into his hands by virtue of

this act, and shall pay out the same on warrants drawn by the county commissioners as provided by law.

SEC. 11. That it shall be the duty of the treasurer of Caswell County to audit quarterly and at such other times as may be ordered by board of commissioners the books of the clerk of the Superior Court, the register of deeds, the sheriff, and his own office, 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.

Quarterly audit of books of clerk, sheriff and register.

Audited account open to inspection.

SEC. 12. That the board of commissioners of Caswell 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. That the board may appropriate out of the general fund of the county a sum not exceeding one hundred dollars for auditing the books as provided by this section of this act.

Audit by county commissioners.

Payment for audit.

SEC. 13. The officers, hereinbefore named are required to turn over to the treasurer of Caswell County all moneys coming into their hands by virtue of this act, and make a settlement with said treasurer on the first Monday of each month, and the county commissioners may at any time require said officers or any one of them to exhibit to them all books and accounts showing all moneys received and turned over to the treasurer under the provisions of this act.

Settlements with treasurer.

SEC. 14. That any officer, who shall wilfully fail or refuse to collect and account for the full fees, commissions or emoluments of any kind belonging to his office, and pay same over to the county treasurer, shall be guilty of a misdemeanor.

Wilful failure to collect full fees a misdemeanor.

SEC. 15. That this act shall apply only to Caswell County.

SEC. 16. That chapter five hundred and two of Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby repealed, and all other laws and clauses of laws in conflict with this act are hereby repealed.

Chapter 502 Public-Local Laws 1915 repealed.

SEC. 17. That this act shall be in force and effect on and after the first Monday in December, one thousand nine hundred and nineteen.

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 526

AN ACT TO REGULATE THE HUNTING OF SQUIRRELS IN PERQUIMANS AND CAMDEN COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to hunt squirrels in Perquimans and Camden counties except as hereinafter provided.

Closed season.

SEC. 2. That the closed season for hunting squirrels in the above counties shall be from February the first until October the fifteenth.

Non-residents not allowed to hunt.

SEC. 3. That none other than the residents of each of the aforesaid counties shall be allowed to hunt squirrels in their respective counties.

Penalty for violation.

SEC. 4. That anyone violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars or imprisoned not more than thirty days for each offence.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 527

AN ACT TO AMEND CHAPTER 452 OF THE PUBLIC-LOCAL LAWS OF 1911, BEING AN ACT TO FIX SALARIES FOR THE COUNTY OFFICERS OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and fifty-two of the Public-Local Laws of North Carolina, session of one thousand nine hundred and eleven, be amended by adding at the end of section five thereof, the following: "*Provided further*, that the county commissioners may, in their discretion, increase the salaries or compensation of any clerk, deputy, assistant or employee of the county, mentioned or contemplated by this act, other than the officers elected by vote of the people."

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

Ratified this the 10th day of March, A. D. 1919.

Chapter 452
Public-Local
Laws 1911
amended.

Commissioners
may increase
salaries county
employees not
elected by people.

CHAPTER 528

AN ACT TO AMEND CHAPTER 367 OF THE PUBLIC-LOCAL LAWS OF 1917, FIXING THE SALARIES OF CERTAIN OFFICERS OF DAVIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter three hundred and sixty-seven of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby repealed and the following is enacted in lieu thereof: Section five
chapter 367
Public-Local
Laws 1917
repealed.

"SEC. 5. That the sheriff of Davie County shall receive a salary of two thousand dollars (\$2,000) per annum, in full compensation for collecting all taxes, and he shall further receive all fees for serving writs and papers as allowed sheriffs under the general law. That the said sheriff shall appoint a deputy sheriff who shall receive a salary of six hundred dollars (\$600) per annum. That the salary of the sheriff and deputy sheriff herein provided for shall be effective from and after December first, nineteen hundred and twenty. That the sheriff shall appoint a jailer, whose compensation shall be fixed by the board of county commissioners of Davie County." Sheriff's salary
Salary of deputy.
When effective.
Jailer.

SEC. 2. That section seven of chapter three hundred and sixty-seven of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby repealed and the following enacted in lieu thereof: Law further
amended.

"SEC. 7. That the clerk of the Superior Court shall receive a salary of twelve hundred dollars (\$1,200) annually and shall receive no other compensation whatsoever. And the board of county commissioners shall each receive three dollars per day for each day employed, and mileage." Clerk's salary.
Commissioner's
per diem.

SEC. 3. That section six of chapter three hundred and sixty-seven of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby amended by striking out the word "thirteen" in line two of said section and inserting in lieu thereof the word "fifteen." Register of deeds'
salary increased
to \$1,500.

SEC. 4. That section eight of chapter three hundred and sixty-seven of the Public-Local Laws of one thousand nine hundred and seventeen is hereby repealed and the office of county treasurer of Davie County is reestablished, and that J. L. Holton is hereby appointed county treasurer to perform the regular and usual duties of said office until his successor is duly elected and qualified. The salary of said county treasurer shall not exceed one thousand dollars per annum, to be fixed by the county commissioners. Office of treasurer
re-established.
Treasurer
appointed.
Salary.

SEC. 5. That the compensation of the county surveyor shall be three dollars per day for each day or part thereof he is engaged Compensation
of surveyor.

in the public work of the county, together with mileage at the rate of five cents per mile traveled.

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

SEC. 7. That this act shall be in force from and after June first, one thousand nine hundred and nineteen, except as specified in section five of this act.

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 529

AN ACT TO AUTHORIZE ROWAN COUNTY TO ISSUE ROAD DEVELOPMENT BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

Limit of bonds.

SECTION 1. The board of county commissioners of Rowan County is hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding two hundred thousand dollars, for the purpose of laying out, opening, altering, constructing, and improving county highways in said county.

Commissioners to issue bonds upon request of highway commission.

SEC. 2. If the board or body having charge and control of the county highways of Rowan County shall at any time or times make any request to the board of county commissioners of said county in regard to the issuance of any bonds authorized by this act, it shall be the duty of the board of county commissioners to comply with such request, it being intended by this act to vest the power to issue bonds in the board of county commissioners, but subject to the control of the board or body having charge and control of the county highways of said county.

Notice of pending issue of bonds.

SEC. 3. Immediately after the ratification of this act and before any bonds are issued hereunder, the clerk of the board of county commissioners of Rowan County shall cause to be published once a week for four successive weeks in one or more newspapers published in Rowan County, a notice substantially in the following form, with the blanks properly filled in, and with the name of such clerk appended to the notice, viz: Notice is hereby given to the voters of Rowan County that after the expiration of thirty days after the first publication of this notice, the board of county commissioners will issue Rowan County road improvement bonds under the provisions of a special act ratified by the General Assembly on the _____ day of _____, one thousand nine hundred and nineteen (here insert date of ratification of this act), authorizing the issuance of not exceeding two hundred thousand dollars bonds for county highways. Notice is also given that the question of issuing such bonds will not be sub-

Question not submitted unless petition is signed by at least 25 per cent of voters.

mitted to the voters at an election, unless within said period of thirty days there shall be filed with the clerk of the board of county commissioners a petition for an election on such question, signed by at least twenty-five per cent of the registered voters of said county. This notice was first published on the 3d day of June, one thousand nine hundred and nineteen.

.....
Clerk of the Board of County Commissioners.

SEC. 4. If a sufficient petition shall be filed with the board of county commissioners as provided in this section, no bonds shall be issued under this act unless and until the question of issuing such bonds shall be submitted to the voters of Rowan County at an election and a majority of the votes cast at said election are in favor of issuing such bonds. A petition demanding that the question of issuing the bonds be submitted to the voters at an election may be filed with the clerk of the board of county commissioners within thirty days after the first publication of the notice aforesaid. The petition shall be in writing and signed by at least twenty-five per cent of the registered voters in the county as shown by the registration books for the last preceding election therein. The residence address of each signer shall be written after his signature. Each signature to the petition shall be verified by a statement (which may relate to a specified number of signatures) made by some adult resident freeholder of the county under oath before an officer competent to administer oaths, to the effect that the signature was made in his presence and is the genuine signature of the person whose name is purports to be. The petition need not be all on one sheet. If on more than one sheet, it shall be verified as to each sheet. The clerk of the board of county commissioners shall investigate the sufficiency of the petition and present it to the board of county commissioners with a certificate stating the results of his investigation. The board of county commissioners shall thereupon determine the sufficiency of the petition, and the determination of said board shall be conclusive.

Election to be called if sufficient petition is presented.

Form of petition prescribed.

Signatures, verified.

Clerk of commissioners to investigate sufficiency.

Determination of board conclusive.

SEC. 5. If the board of county commissioners determine a petition filed as aforesaid to be sufficient, the board shall submit the question of issuing bonds under this act to voters at a special election to be held as soon as may be practicable. The board of county commissioners shall fix the date for holding said election, shall name the registrars and judges of election for the voting precincts of said county, and shall cause notice of said election to be given by publication at least once at least thirty days before the election in some newspaper published in Rowan County. Said election shall be held and conducted in all respects in accordance with the provisions of law relating to the holding and conducting of elections for members of the General Assembly. Those quali-

Conduct of election.

Notice.

fied to vote at said election shall be those who were qualified to vote at the last preceding election for members of the General Assembly and county officers and those who have since become qualified by becoming of age or otherwise. The decision of the board of county commissioners upon the right to vote of any voter shall be final and conclusive. At said election the voters who favor the issuance of said bonds shall vote a ticket with the words "For Road Improvement Bonds" written or printed thereon, and the voters who are opposed to the issuance of said bonds shall vote a ticket with the words "Against Road Improvement Bonds" written or printed thereon. The votes shall be counted at the close of the polls and returns thereof made to the said board of county commissioners on the Thursday next following the election, and said board shall be resolution declare the results of said election as soon as possible after the return of said vote, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording or declaring of the results of the election shall be necessary. Said resolution of the board of county commissioners declaring the results of said election shall be published once a week for at least two successive weeks in some newspaper published in Rowan County. No right of action or defense grounded upon the invalidity of said election shall be asserted, nor shall the validity of the election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the first publication of said resolution.

SEC. 6. That bonds authorized by this act may be divided into two or more separate issues. Each issue shall mature in annual installments or series, the first of which shall be payable not more than three years after the date of the bonds of such issue, and the last not more than thirty years after such date. No such installments or series shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously, the bonds outstanding at any one time shall mature as aforesaid.

SEC. 7. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest as the board of county commissioners may determine, subject to the limitations and restrictions of this act. They shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Rowan County, and the county seal shall be affixed to the bonds and attested by the clerk of said

Form of ballot.

Canvass of vote.

Declaration of result.

Validity not open to question after thirty days.

Maturity of bonds.

Interest.

Form of bonds.

board; and the coupons shall bear the printed or lithographed or engraved facsimile signature of the clerk of the said board in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

SEC. 8. Said bonds shall be sold upon sealed proposals at a price not less than par and accrued interest. Before any such sale, there shall be published in a newspaper published in Rowan County a notice containing a description of the bonds to be sold, the place of sale, and the time limit for the receipt of sealed proposals, which time shall not be less than ten days after the first publication of such notice. The board of county commissioners may cause such further publication of such notice to be made as the board may deem expedient. All proposals submitted pursuant to such notice shall be opened in public, and the bonds shall be awarded to the highest bidder, unless all bids are rejected.

Terms of sale.
Notice of sale.

Bids opened
in public.

SEC. 9. The proceeds of the sale of such bonds shall be placed in a separate fund and used only for the purposes for which the bonds were issued. The purchaser of the bonds shall not be bound to see to the application of the proceeds.

Application
of proceeds.

SEC. 10. Said board of county commissioners is hereby further authorized to levy annually a special tax ad valorem upon all taxable property in said county, for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by said board.

Special tax for
sinking fund.

SEC. 11. The powers granted by this act are granted in addition to and not in substitution for existing powers of Rowan County, and are not subject to any limitations or restrictions contained in any other law.

Powers
additional.

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

SEC. 13. This act shall be in force from and after its ratification.

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 530

AN ACT TO AMEND CHAPTER 764, PUBLIC-LOCAL LAWS OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and sixty-four of the Public-Local Laws of one thousand nine hundred be, and the same is hereby amended by adding at the end of section one

Warren County
road law
amended.

Transportation
of farm ma-
chinery.

the following: "Provided, that this act shall not prevent owners or operators of threshing, shredding, or other farm machines transporting same from farm to farm of patrons by gasoline or kerosene engines or other motor power while in the operation of such machines above mentioned, and for the purpose of operation of such machines for toll or other consideration: *Provided, further*, that this amendment shall in no sense relieve the owner or operator of such machines from the fines or penalties incurred under conditions above mentioned"

Proviso: owner
not relieved from
liability.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 531

AN ACT RELATING TO THE COUNTY BOARD OF EDUCATION OF ROCKINGHAM COUNTY, AND APPOINTING ADDITIONAL MEMBERS THEREON.

The General Assembly of North Carolina do enact:

Board of education
increased.

SECTION 1. That the county board of education of Rockingham County is hereby increased from three to five members, and the said board shall consist hereafter of five members instead of three, the same to be appointed by the General Assembly of North Carolina as is now provided by law. One member of said board shall at all times be a member of the minority party.

One member a
member of
minority party.

Two new members
appointed.

SEC. 2. That Artie Hopkins is hereby appointed as a member of said board to hold office for a term of two years from the first Monday in July, 1919, and B. Frank Mabane is hereby appointed as a member of said board to hold office for a term of four years from the first Monday in July, 1919, and each of said members shall hold office for the period designated herein and until their successors are chosen: *Provided, however*, that they shall become members of said and shall, upon the ratification of this act, immediately enter upon their duties as a member of said board.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 532

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF POLK COUNTY TO ISSUE BONDS TO PROVIDE FUNDS FOR PURCHASE OF A SITE AND BUILDING A COUNTY HOME FOR THE AGED AND INFIRM.

The General Assembly of North Carolina do enact:

SECTION 1. That in order to procure funds for the payment of ^{Limit of bonds.} the purchase price of a site and to erect thereon suitable buildings, properly equipped and furnished, for a county home of the aged and infirm of the county of Polk, the board of commissioners of said county is hereby authorized and, in their discretion, empowered to issue and sell coupon bonds of said county to an amount not exceeding fifteen thousand dollars, in denominations of not less than one hundred dollars or more than one thousand dollars, as may be determined by said commissioners, bearing ^{Interest.} interest from date of said bonds at a rate not to exceed five per cent per annum, and payable annually until 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. The said bonds shall be signed by the chairman of the board of commissioners of said county and shall be countersigned by the clerk of said board, and shall have affixed thereto the 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 prescribe, and the coupons attached to said bonds shall have the facsimile signatures of the chairman and clerk of said board, lithographed upon each coupon.

SEC. 2. No bond issue under the provisions of this act shall be ^{No bonds to be sold at less than par.} sold or otherwise disposed of for less than its par value.

SEC. 3. The said clerk of the board of commissioners shall keep ^{Record to be kept.} 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 number of bonds which shall be paid, taken up or otherwise cancelled, so that on inspection of said book the true state of the bonded debt herein provided for may be seen and easily ascertained.

SEC. 4. That the board of county commissioners of Polk ^{Manner of sale.} 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.

Application of proceeds.

SEC. 5. That the proceeds arising from 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 purposes for which they are issued, as herein provided. That the said proceeds shall be paid to the board of commissioners of Polk County and the said board shall immediately deposit in the county depository, and the depository shall be liable for any misappropriation thereof by said depository.

Deposit of funds.

Special tax to be levied for sinking fund.

SEC. 6. That for the purpose of paying the accrued interest on said bonds and creating a sinking fund for their retirement when due, said commissioners shall annually compute and levy, at the time of levying other county taxes, a sufficient special tax on all property, poles, and all other subjects of taxation which are now and hereafter may be subject to taxation under the laws of this state and the 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.

Collection.

Election to be called upon petition of 25 per cent of voters.

SEC. 6-A. *Provided*, that this act shall not become effective unless a petition of at least twenty-five per cent of the qualified voters of Polk County shall be presented to the county commissioners of the said county, asking that an election be called for the purpose of taking the sense of the voters of Polk County upon the provisions herein contained. It shall be the duty of the county commissioners within thirty days after the receipt of such petition by them to call an election by the qualified voters of Polk County and under the same rules and regulations, and in the same manner as elections for members of the General Assembly. At the said election the voters shall cast ballots on which shall be printed or written the words "For County Home Bonds," and ballots on which shall be written or printed the words "Against County Home Bonds." If a majority of the votes cast at such election shall be in favor of county home bonds then this act shall be in full force and effect; if a majority of the votes so cast shall be "Against County Home Bonds" then this act shall be null and void. At the said election only those electors who were qualified to vote at the preceding general election for the members of the General Assembly shall be qualified to vote.

Conduct of election.

Form of ballot.

Majority against bonds nullifies act

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 533

AN ACT FOR THE PROTECTION OF GAME IN MOORE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the closed season or time in each year during which quail and partridges shall not be killed, wounded, hunted or in any manner taken or captured shall be from the first day of March to the thirteenth day of November. Closed season for quail.

SEC. 2. That it shall be unlawful to trap or set a trap for a fox. Unlawful to trap fox.

SEC. 3. Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars (\$10), nor more than fifty dollars (\$50). Penalty for violation.

SEC. 4. *Provided*, that this act shall apply only to Moore County.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 534

AN ACT RELATING TO PUBLIC ROADS AND BRIDGES IN HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. A body to be known and designated as the "Highway Commission of Halifax County" (hereinafter referred to as the highway commission, or the commission) is hereby created in and for Halifax County. The commission is hereby constituted a body politic and corporate, under the name and style aforesaid, the commission may sue and be sued, adopt a common seal, purchase or otherwise acquire and hold all property which may be necessary for the exercise of the powers of the commission, and do any and all things which may be necessary for the proper accomplishment of the purposes specified in this act. Highway commission for county created.

SEC. 2. The highway commission shall be composed of five members, A. Paul Kitchin, John L. Patterson, A. B. Schlichter, S. P. Johnston, and J. R. Dickens, are hereby appointed members of the commission, to serve until the first Monday in December, one thousand nine hundred and twenty. At the general election to be held for the year one thousand nine hundred and twenty, Commissioners named. Successors.

Term of office.	and at each general election to be held thereafter, for the election of county officers, there shall be elected by the qualified voters of Halifax County five members of the highway commission, to serve for a term of two years. The term of office of each member shall be deemed to continue until the election and qualification of his successor. If for any cause there shall be a vacancy in the commission, the remaining members thereof
Vacancies.	or member thereof shall appoint some person who is a citizen and taxpayer of Halifax County to fill such vacancy, and the person so chosen shall serve for the unexpired term. The members of the highway commission, before entering upon the discharge of their duties, in addition to the oath to 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 Halifax 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: "I,, do solemnly swear (or affirm) that I will honestly, diligently, and faithfully perform the duties of the office of member of the highway commission of Halifax County to the best of my knowledge, skill and ability, so help me God."
High commissioners to take oath.	
Form of oath.	
Organization.	SEC. 3. The highway commission shall meet at the courthouse in Halifax within twenty days after the date on which this act takes effect and shall proceed to organize by the election of one of its members as chairman, and some competent person as secretary. The commission shall hold a regular meeting at the courthouse in Halifax on the first 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 commission upon two days notice to the members who do not join in the call. The members of the commission shall receive as compensation while actually engaged in the performance of their duties the sum of ten dollars per diem and mileage; 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.
Time and place of meeting.	
Compensation.	
Secretary's salary.	SEC. 4. The secretary of the commission shall keep a record and minutes of its proceedings in a book to be provided for that purpose, which book, together with all other records, papers and vouchers, shall be at all times kept open to the inspection of the public.
Records of commission open to inspection.	SEC. 5. There shall be elected by the highway commission annually 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 highways"; and there shall also be elected annually (if the highway commission deems it to be necessary) a skilled and experienced
Superintendent of highways.	Highway engineer.

civil engineer, also experienced in modern methods of road building, who shall assist the superintendent of highways in the discharge of his duties as fixed by this act, and who shall be known and designated as the "highway engineer." The same person may be appointed both as superintendent of highways and as highway engineer. The said superintendent of highways and highway engineer (if one be elected) shall be paid a just and reasonable compensation to be fixed by the commission and the salaries shall be paid out of the taxes to be levied and collected under this act.

SEC. 6. Before entering upon the discharge of his duties the superintendent of highways shall give bond in the penal sum of five thousand dollars, with surety to be approved by the commission, conditioned upon the faithful performance of his duties and the proper accounting for all funds which may come into his hands by virtue of this act, which bond shall be approved by the commission and filed with the secretary. The commission in like manner may cause the highway engineer 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.

SEC. 7. The highway commission, or the superintendent of highways 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 the commission and its agents, and the commission shall have full authority at all times to suspend, remove or discharge any of its employees, including the superintendent of highways and the highway engineer.

SEC. 8. The highway commission shall perform all the duties which have heretofore been performed, and exercise all the powers heretofore exercised by the board of county commissioners of Halifax County, or by the road officials of the several townships within said county, 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 the highway commission, except roads and bridges under the exclusive control and management of the authorities of an incorporated city or town, or the authorities of the State of North Carolina. The highway commission, or its duly authorized agent, shall have power and

Jobs may
be combined.

Compensation.

Superintendent
to give bond.

Payment of
premiums.

Compensation of
overseers, foremen
and laborers.

Discharge or
removal.

Management and
control of all
public roads and
bridges vested
absolutely and
entirely in
commission.

Exception: roads
and bridges
controlled by
town, State, or
U. S.

Control of
building and
maintenance.

authority to supervise, direct, and have full charge and control of the building, maintenance, and repair of all said public roads and bridges, 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 public roads now in use, and the discontinuing old roads, and it 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.

Laying out or relocating of roads.

Township road system abolished.

County made the unit.

SEC. 9. The system of working the public roads of Halifax 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 and other moneys authorized by this act to be expended by the highway commission, and said taxes and other moneys may be expended for roads 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 or other moneys were derived.

Proviso: roads of one township to be kept in as good repair as those of other sections.

Provided, however, that in expending the receipts from road taxes to be levied and collected under the provisions of this act the highway commission shall disburse the same so that the public roads and bridges in each section of the county shall be kept in as good a state of repair, so far as practicable, as the public roads and bridges are in other sections of the county.

Convicts assigned to custody of commission.

SEC. 10. Any person in Halifax County who shall be convicted in any of the courts of said county, whether Superior, justices', mayors' or other courts, and sentenced to work on the public roads, shall be assigned into the custody and control of the highway commission of Halifax County by the board of county commissioners of said county, or other authority having charge of said prisoners, whenever the highway commission shall request said board of county commissioners or other authority so to do. Said prisoners while in the custody and under the control of the highway commission shall be employed on such road work or bridge work as may be deemed best by the highway commission, or, if at any time said prisoners cannot, in the judgment of the highway commission, be advantageously employed on such work, it shall be lawful for the highway commission to hire out said prisoners, for reasonable and proper consideration, as one body or in a gang or gangs, to any person, firm or corporation, public or private, for the performance of other kinds of work,

Employment on road work discretionary.

whether road work or other work. The expense of maintaining and guarding said prisoners while employed or hired out by the highway commission shall be paid out of the taxes levied for road purposes under the provisions of this act, or out of the moneys received as compensation for their services. The highway commission is hereby authorized and empowered to use the common jail of said county for the safekeeping of said prisoners, or to build and keep a convict camp or camps for said purpose, and is also authorized and empowered to feed, clothe, maintain, and guard said prisoners while they are employed or hired out as aforesaid.

Expense of
guarding and
maintaining
prisoners.

SEC. 11. In addition to the convict force, said highway 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. The 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 pay therefor reasonable compensation.

Employment of
of free labor.

Purchase of
machinery.

SEC. 12. The highway commission shall also have power and authority to enter into contracts with any person, firm or corporation for the construction, improvement, maintenance or repair of any public roads or bridges of the county, and, in all cases where in the judgment of the commission it is necessary or desirable, to require the contractor to give bond conditioned for the faithful performance of his contract.

Letting of
contracts.

SEC. 13. In opening new highways, widening and straightening out old roads or repairing the same, the highway commission is hereby authorized through its agents to enter upon any land and build such highways. If the commission and the owner or owners of said land cannot agree as to the amount of damages, if any, the commission shall, either before or after the completion of the work, select one disinterested freeholder, who shall be a resident of the township in which the land is situated, and the said landowner shall have the power and authority to select one disinterested freeholder in said township and the two so selected shall have the power and authority to choose a third freeholder in said township, and the three persons so chosen shall go upon the land and assess the damages and benefits. The judgment of two of those so chosen shall be the amount of damages the said commission shall pay said landowner. *Provided*, in case either party to said proceeding is not satisfied with the award of damages, they may appeal to the Superior Court of Halifax County, as in all other cases of appeal from inferior courts. *Provided, also*, 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

Right of eminent
domain.

Claim for and
assessment
of damages.

Appeal.

No suit to be
begun in less than
sixty days or after
six months.

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 six months after the completion of the road across the lands of the claimant.

SEC. 14. The highway commission is hereby authorized through its agents to enter upon any land in said county, to cut and carry away any timber (except trees or groves on improved land planted or left for shade or ornament), dig, or cause to be dug and carry away any gravel, sand, clay, dirt or stone, which may be necessary for the proper repair or construction of roads in said county and make or cause to be made such drains or ditches upon any land adjoining or lying near any road in said county that the commission may deem necessary for the better condition of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person; and any person obstructing such drains or ditches shall be guilty of a misdemeanor. Due compensation shall be made for any damage sustained by the landowner under this section, to be ascertained under the same rules and regulations as are provided in section thirteen.

SEC. 15. Before entering upon any land as authorized by sections thirteen and fourteen of this act, it shall be the duty of the highway commission, through its representative, to serve notice upon the owner or owners of said land, notifying them that the highway is to be located upon the land or that certain material is to be taken, as the case may be.

SEC. 16. The highway commission shall have power to acquire by purchase or condemnation gravel pits, rock quarries, and all materials, machinery, implements, and property necessary or useful for the construction, improvement or repair of the public roads or bridges under the charge of the commission.

SEC. 17. The highway commission shall in each year, prior to the date on which the board of county commissioners of Halifax County levies taxes for general county purposes (beginning in the year nineteen hundred and nineteen), present to the board of county commissioners a statement of the rate of the special tax which the commission desires to have levied by the board of county commissioners for such year for the special purpose of constructing, improving, maintaining, and repairing public roads and bridges under the provisions of this act; and it shall be the duty of the board of county commissioners to levy said special tax at said rate for said purpose upon all the taxable property in the county: *Provided, however,* that the board of county commissioners shall not be required to levy a tax for said purpose at a rate greater than sixty-five cents on the one hundred dollars valuation of said taxable property. In the event that the highway commission shall fail or neglect to present such a

Condemnation.
of materials.

Construction
of ditches.

Obstruction
a misdemeanor.

Damages.

Notice to
land-owners.

May purchase
gravel pits,
quarries etc.

Commission to
present statement
of special tax for
maintenance
to county
commissioners.

County
commissioners to
levy such tax.

Limit of tax rate.

Levy when tax
rate has not been
presented.

statement in any year to the board of county commissioners, then the board of county commissioners shall levy such special tax at a rate not less than fifty cents on the one hundred dollars assessed valuation of said taxable property.

SEC. 18. Halifax County shall assume the payment of the principal and interest of all bonds or notes now outstanding issued by any township in Halifax County for the purpose of constructing, improving or repairing roads or bridges in said township; and it shall be the duty of the board of county commissioners of Halifax County to levy annually a special tax upon all taxable property in said county for the special purpose of paying such principal and interest, or for providing a sinking fund for such bonds or notes, which tax shall be levied at a rate sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by the board of county commissioners. The power and duty to levy such special tax is hereby conferred and imposed upon the board of county commissioners for the reason that the charge and control of the roads and bridges for which the bonds and notes aforesaid were issued are transferred by this act from the township authorities to the county authorities, and for the further reason that it would be inequitable to require the several townships by or on whose behalf said bonds and notes were issued, to bear the whole burden of taxation for the purpose of paying said bonds and notes, as well as the burden of the taxes required by section seventeen of this act and the taxes to be levied to pay county bonds to be issued for road and bridge purposes under this special act passed at the present session of the General Assembly, the proceeds of which county bonds will be expended largely in townships other than the townships aforesaid.

SEC. 19. All moneys on hand when this act takes effect, or thereafter received, which were or shall be raised by Halifax County or by or on behalf of any township therein for road or bridge purposes (other than moneys raised to pay the principal and interest of outstanding township bonds or notes), whether raised by taxation, bond issues, or otherwise, including any moneys received by reason of the hiring out of the convict forces by the highway commission to any person, firm or corporation, shall, upon the taking effect of this act, or when they are collected, be deposited with the county treasurer and kept by him in a separate fund or funds and paid out only upon written orders of the highway commission, signed by the chairman and secretary of the commission. All road machinery, stock and implements and other road property owned or used by Halifax County or by any township therein shall, upon the taking effect of this act, be turned over to the highway commission.

County to assume payment of township bonds.

Special tax for sinking funds.

Reasons for transfer.

Township road funds turned over to commission.

Kept as separate fund.

Machinery, stock and implements.

Sinking fund to be kept by county treasurer.

SEC. 20. All moneys on hand when this act takes effect, or thereafter received, raised or to be raised by means of a tax levied on property or polls in any one township for the purpose of paying the principal or interest of bonds or notes issued by such township for road or bridge purposes, shall, when this act takes effect, be deposited with the county treasurer of Halifax County and placed by him in separate funds to be used solely for the purpose of paying the principal and interest of said bonds and notes.

No commissions allowed treasurer on bonds or special tax.

SEC. 21. No commissions shall be allowed to the county treasurer's office or to the board of county commissioners on account of the receipt or disbursement of the proceeds of the sale of any bonds, or on account of any moneys raised by special tax for road or bridge purposes or for the payment of the principal or interest of any bonds or notes issued for such purposes.

Special or local laws within county repealed.

SEC. 22. All special or local laws relating to the construction, improvement or maintenance of public roads or bridges of Halifax County or of any township therein, including special or local laws authorizing the raising of money for said purposes, are hereby repealed. All laws and parts of laws in conflict with this act are also repealed. Nothing in this act, however, shall be held to invalidate any indebtedness incurred under any law hereby repealed, or to invalidate any act done under such a law, or to prevent the collection of any taxes levied under such law.

No indebtedness invalidated.

SEC. 23. This act shall be in force and shall take effect when, at an election to be held in Halifax County under the provisions of a special act passed by the General Assembly of North Carolina at its session of one thousand nine hundred and nineteen entitled "An Act to authorize Halifax County to issue road and bridge bonds and to provide for the payment thereof" authorizing the issuance of not exceeding five hundred thousand dollars of bonds of said county, a majority of the voters voting at said election shall have voted in favor of the issuance of said bonds.

Ratified this the 10th day of March, A. D. 1919.

Act effective when Halifax County votes road bond issues.

CHAPTER 535

AN ACT TO AUTHORIZE A TAX LEVY FOR THE TOWNSHIPS OF DUPLIN COUNTY FOR ROADS.

The General Assembly of North Carolina do enact:

Limit of tax rate.

SECTION 1. That the board of county commissioners of Duplin County may on a petition from a majority of the qualified voters of any township, levy annually at the time of levying other taxes, a tax not to exceed fifty cents on the each one hundred dollar valuation of property and one dollar and fifty cents on the

poll, which taxes shall be collected and settled for as other taxes, and expended on the roads and bridges of such townships under the direction of the commissioners, or some agent acting under their direction. Said commissioners may relieve such township from the free labor system by requiring the payment of a stipulated sum by each person liable to road duty in lieu of the poll tax. That the board of commissioners may make regulations in any one township or all the townships in Duplin County requiring that the roads shall be worked during a specified time of the year and they may prescribe regulations restricting all or certain kind of road work during the remainder of the year.

Collection and application.

Compensation in lieu of road labor.

Regulations for road work.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 536

AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO ISSUE ROAD AND BRIDGE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Rockingham county is hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding seven hundred and twenty-five thousand dollars for any one or more of the following purposes, viz: laying out, opening, altering, constructing, and improving county highways in said county, constructing, reconstructing and altering county bridges in said county, and funding floating indebtedness of said county now outstanding in the amount of two hundred and twenty-five thousand dollars, which floating indebtedness is hereby ratified and validated. Said board is hereby further authorized to levy annually a special tax ad valorem upon all taxable property in said county for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest becomes due, which tax shall be in an amount sufficient for said purpose and in addition to all other taxes authorized to be levied by said board.

Limit of bonds.

Floating indebtedness validated.

Special tax for sinking fund.

SEC. 2. The bonds authorized by this act may be issued as one issue or divided into two or more separate issues, and in either case may be issued all at one time or from time to time. Each issue shall so mature that the aggregate principal amount of the issue shall be payable in annual installments, beginning not more than three years after the date of the bonds of such

Maturity of bonds.

issue and ending not more than thirty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously, the bonds of such issue outstanding at any one time shall mature as aforesaid.

Form,
denomination.

Interest.

SEC. 3. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest, as the board of county commissioners of Rockingham County may determine, subject to the limitations and restrictions of this act. The bonds shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal of as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Rockingham County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and the coupons of such bonds shall bear the printed or lithographed or engraved facsimile signature of the chairman of said board of county commissioners who is in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

Manner and
terms of sale.

SEC. 4. Said bonds shall be sold in the manner provided in the Municipal Finance Act (chapter one hundred and thirty-eight of the Public Laws of one thousand nine hundred and seventeen, as amended) for the sale of bonds of cities and towns. They shall not be sold for less than par and accrued interest.

Application of
proceeds.

SEC. 5. The proceeds of the sale of said bonds shall be placed in a separate fund and used only for the purposes for which the bonds were issued. The purchaser of the bonds shall not be bound to see to the application of the proceeds.

Powers additional

to and not in substitution for existing powers of Rockingham County, and are not subject to any limitation or restriction contained in any other law.

SEC. 7. All laws and parts 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 10th day of March, A. D. 1919.

CHAPTER 537

AN ACT TO INCREASE THE NUMBER OF COMMISSIONERS
OF HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the ratification of this act the board of county commissioners of Haywood County shall consist of five members, and M. M. Noland and J. R. Boyd, Jr., be and they are hereby appointed in the office of county commissioners for the term ending the first Monday in December, one thousand nine hundred and twenty. Their successors shall be elected at the general election in November, one thousand nine hundred and twenty, in the same manner as other county officers. Immediately upon the passage of this act they shall qualify by taking the proper oath of office.

Two new
Commissioners
appointed.

Successors.

SEC. 2. That all laws and parts 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 10th day of March, A. D. 1919.

CHAPTER 538

AN ACT TO PROVIDE OFFICIAL WEIGHERS OF COTTON
AND PEANUTS FOR HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That board of commissioners of Hertford County are hereby empowered to create the office or offices of cotton weigher and peanut weigher not more than one of each of any shipping point, whose duty it shall be after having qualified and taken the oath hereinafter prescribed, to weigh all cotton and peanuts that they may be requested to weigh and to keep a complete record of said weights and the name of the person for whom weighed and to grade all cotton weighed by them and to furnish a copy of said weights and grade of cotton to the party for whom weighed or graded, when desired, and the said weights of cotton or peanuts and the grade of cotton shall be prima facie evidence of the correctness thereof.

Commissioners
authorized to
create offices of
cotton and peanut
weighers.

SEC. 2. That nothing herein shall prevent the said commissioners from appointing the same person weigher both of cotton and peanuts.

Same person may
hold both
positions.

SEC. 3. That the compensation of said official weighers shall be fixed by the said board of commissioners, and paid by the person for whom service is rendered.

Compensation.

To take oath.

SEC. 4. That before beginning upon the performance of their duties said weighers appointed under the provisions of this act shall take and subscribe to the oath provided for cotton weighers in section twenty-three hundred and sixty of the Revisal of nineteen hundred and five, the necessary changes in said oath being made to apply to the official peanut weigher.

SEC. 5. That all laws and clauses of laws inconsistent with the provisions of this act are repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 539

AN ACT TO SECURE THE BETTER ENFORCEMENT OF THE LAW AGAINST THE MANUFACTURE AND SALE OF INTOXICATING LIQUORS IN LEE COUNTY.

The General Assembly of North Carolina do enact:

Reward for conviction of manufacturer of liquor.

SECTION 1. That any officer of Lee County who shall hereafter arrest and procure evidence sufficient to convict any person of manufacturing intoxicating liquors in Lee County shall, upon the conviction of said person so arrested, be entitled to receive a fee of fifty dollars (\$50) to be taxed against the defendant.

Reward for conviction of sale.

SEC. 2. That any officer of said county who shall hereafter arrest and procure evidence sufficient to convict any person of the offense of selling intoxicating liquors contrary to law, shall, upon the conviction of said person of said offense, be entitled to receive a fee of twenty-five dollars (\$25) to be taxed against the defendant.

Fee for seizure of vehicle used in transporting.

SEC. 3. That when any officer of Lee County shall hereafter seize or capture any vehicle or team, transporting intoxicating liquors, contrary to law, and said vehicle or team is forfeited and sold under the provisions of law, said officer shall be entitled to receive a fee of fifty dollars (\$50) to be added in the cost of said seizure and sale, which shall be deducted from the money received from the sale, and the remainder of the funds received from the said sale shall be paid over to the proper authorities, as is now required by law.

Fees when costs are not paid by defendants.

SEC. 4. That in all cases where any person is convicted of the manufacture or sale of intoxicating liquors, and the cost is not paid by the defendant, but is taxed against the county, the officer making the arrest and securing the conviction of said defendant shall be allowed a fee of ten dollars (\$10) to be taxed against the bill of cost against the county of Lee.

SEC. 5. That in all cases where a distillery or other apparatus used for the manufacture of spirituous liquor shall be seized at the place of manufacture, it shall be carried to the county courthouse in Lee County and there destroyed by the sheriff in the presence of the board of county commissioners, and said officers so seizing and delivering said distillery or apparatus shall be entitled, after the same has been destroyed, to dispose of the scrap material and the funds derived from said sales shall be retained by him in remuneration of said seizure in the capture and destruction of said distillery. And if the sum received from said sale does not amount to as much as five dollars, the county shall pay the said officer an amount necessary to make the sum so received by him for said service the sum of five dollars.

Destruction of apparatus used in manufacture.

Officer to receive minimum of five dollars.

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

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 10th day of March, A. D. 1919.

CHAPTER 540

AN ACT TO AMEND SECTION 9, CHAPTER 305, OF THE PUBLIC LAWS OF 1909 RELATIVE TO PUBLIC ROADS OF MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine, chapter three hundred and five of the Public Laws of one thousand nine hundred and nine be and the same is hereby amended as to Pee Dee, Mount Gilead, Cheeks Creek, Rocky Springs, Little River, Ophir, Uwharris, and Eldorado townships by striking out all after the colon (:) in line five down to and including the colon (:) in line eleven and inserting in lieu thereof: "Provided, that if any person within the ages above referred to shall on or before the first day of May of each and every year pay to the supervisor or treasurer of said township board or township road commission the sum of two dollars and fifty cents, he shall be relieved of the four days labor on the public roads as provided for therein. Upon payment of said sum within said time such officer receiving same shall execute a receipt to such person which shall be evidence of compliance with this act as to road duty for such year."

Section nine, Chapter 305, Public Laws 1909 amended.

Compensation in lieu of road labor.

Receipt.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 541

AN ACT TO PREVENT DEPREDACTIONS OF DOMESTIC FOWLS.

The General Assembly of North Carolina do enact:

Unlawful to permit domestic fowls to run at large after notice.

SECTION 1. That it shall be unlawful for any person in territory where the stock law prevails to permit any turkeys, geese, chickens, ducks or other domestic fowls to run at large after being notified as provided in section two of this act, on any lands that may be cultivated in any kind of grain or feed stuff, or used for gardens or for ornamental purposes.

Violation of act a misdemeanor.

SEC. 2. That any person so permitting his fowls to run at large, after three days written notice to keep them up, shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding ten dollars or imprisoned not exceeding ten days, and each day said fowls are permitted to run at large after said notice in writing is given shall constitute a separate offense.

Penalty.

SEC. 3. That this act shall apply only to the counties of Durham, Dare, Richmond, Lenoir, Johnston, Cumberland, Nash, Scotland, Vance, Hoke, and Polk.

Application of act limited.

SEC. 4. That this act shall be in force and effect from and after April first, nineteen hundred and nineteen.

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 542

AN ACT AUTHORIZING THE CLERK OF THE SUPERIOR COURT OF HENDERSON COUNTY TO APPOINT CONSTABULARY FOR POLICING THE GROUNDS AND ESTATE OF THE CAROLINA MILITARY-NAVAL ACADEMY, INC., IN HENDERSON COUNTY.

President or Commandant of institution to recommend constables for appointment.

SECTION 1. That the clerk of the Superior Court of Henderson County shall have the power and he is hereby authorized and directed to appoint at the request of the president of the Carolina Military-Naval Academy, Incorporated, or the commandant of said academy, such person or persons as are lawfully qualified to act, to be selected or named by the said president or commandant, as constabulary to police the estate or grounds of the Carolina Military-Naval Academy, Incorporated, in Henderson County and the constable or constables so appointed by the clerk shall have the power and authority conferred upon all other constables of said county, and shall have power and authority to enforce the rules and regulations promulgated by

Powers of constables.

the Carolina Military-Naval Academy from time to time for the protection of the property and the preservation of order on said estate.

SEC. 2. Any person or persons who shall make or offer resistance to said constable or constables in the discharge of the duties imposed upon them in enforcing the rules and regulations referred to in section one of this act shall be guilty of a misdemeanor and upon conviction, may be punished by a fine or imprisonment, in the discretion of the court. Resistance a misdemeanor.

SEC. 3. That this act shall be in force from and after the first day of May, 1919.

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 543

AN ACT TO REPEAL CHAPTER 116, PUBLIC LAWS OF 1907, RELATING TO PRIMARY IN UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and sixteen, Public Laws of one thousand nine hundred and seven, be and the same is hereby repealed. That this act apply only to Union County. Union County primary law repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 544

AN ACT TO AMEND SECTION 1 OF CHAPTER 737 OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION 1909, RELATING TO THE COMPENSATION AND DUTIES OF THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter seven hundred and thirty-seven of the Public Laws of one thousand nine hundred and nine be amended by striking out the word "twelve" in the last line of said section, and inserting in lieu thereof "twenty-four hundred dollars per annum," so as to make said section read as follows: Law amended.

"That the chairman of the board of commissioners of Mecklenburg County shall receive in lieu of all other compensation now provided by law, a salary of twenty-four hundred dollars per year, to be paid in twelve monthly installments." Chairman's salary fixed at \$2,400.

Required to give
entire time to
office.

SEC. 2. That the chairman of the board of commissioners of said county shall devote his entire time and attention to the duties of his office, and as such shall have general supervision and control of the affairs of the county committed by law to the supervision and control of the board of commissioners of said county, and shall maintain an office in the county courthouse for the transaction and dispatch of the business of said county, where said chairman shall remain during office hours, to be fixed by the board of commissioners of said county, and duly published.

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 10th day of March, A. D. 1919.

CHAPTER 545

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF BUNCOMBE COUNTY TO CONTRIBUTE TO THE LINDLEY TRAINING SCHOOL.

The General Assembly of North Carolina do enact:

Annual contribu-
tion authorized.

SECTION 1. That the board of commissioners of Buncombe County are hereby authorized and empowered to contribute annually to the Lindley Training School, for charitable purposes, not exceeding the sum of five hundred dollars, to be paid in monthly installments.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 546

AN ACT TO PREVENT HUNTING IN CAPE FEAR TOWNSHIP, LEE COUNTY.

The General Assembly of North Carolina do enact:

Unlawful for non-
resident to hunt
in township.

SECTION 1. That it shall be unlawful for any nonresident, not a freeholder in Cape Fear Township, Lee County, to hunt any game with gun, dog, traps, or otherwise on any lands not owned by him in said township without first obtaining permission in writing from the landowner.

Penalty for
violation.

SEC. 2. Any person violating the provisions of this act shall, upon conviction, be guilty of a misdemeanor and fined not less

than five dollars (\$5) nor more than fifty dollars (\$50), or imprisoned not more than thirty days.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 547

AN ACT TO MAKE APPLICABLE SECTION 1066 OF THE REVISAL OF 1905, IN CERTAIN CASES, IN REFERENCE TO SMALL ROADS HAULING FREIGHT.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand and sixty-six of the Re- Corporation com-
 visal of one thousand nine hundred and five, together with all mission given
 amendments thereto that might be applicable, be and the same supervision rail or
 is hereby made applicable to any and all chartered rail or tram roads exist-
 ing power of
 eminent domain.

roads of any length in North Carolina, using or having used the power of eminent domain for the purpose of constructing their road or gaining right of way, and such roads may be required to haul such freight and at such rates as the Corporation Commission may find, upon investigation, to be just and reasonable: *Provided*, this act shall apply to Swain County only.

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

Act limited to
Swain County.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 548

AN ACT TO AMEND THE PROHIBITION LAW AND TO PROVIDE FOR THE BETTER ENFORCEMENT OF THE SAME IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person who shall manufacture or sell Manufacture or
 spirituous liquors shall be guilty of a felony, and upon conviction thereof, for the first offense shall be fined or imprisoned in the discretion of the court, and for all additional offenses shall Penalty.
 be imprisoned on the chaingang or in the penitentiary for not less than twelve months nor more than two years.

SEC. 2. That for every conviction of any person for manu- Reward for con-
 facturing spirituous liquors, the officer who furnishes the evidence viction of manu-
 shall be entitled to fifty dollars (\$50), to be taxed against the facture.

party convicted, and said officer shall also be entitled to the still run by the said party so convicted, after the same has been cut up, by or in the presence of the board of county commissioners.

Reward for conviction of sale, transporting or possession.

SEC. 3. That for every person convicted of selling, transporting, or having spirituous liquors in his possession for sale, the officer who furnishes the evidence to convict such person shall be entitled to twenty-five dollars (\$25), to be taxed against the party convicted.

Special officers may be appointed.

SEC. 4. That to the end that the provisions of this act may be carried out, the sheriff of the county upon the recommendation of the solicitor of the district, shall appoint one or more special officers for such time as the solicitor shall designate, who shall have the same power as a deputy sheriff, and receive the same fees as allowed by law to deputy sheriffs, but nothing in this act shall relieve the sheriff of the duty of enforcing the prohibition laws, and he shall be paid for the same as provided in this act.

SEC. 5. That this act shall apply to Clay County only.

Act limited to Clay County. Certification of act to solicitor.

SEC. 6. That upon the ratification of this act the Secretary of State shall mail a certified copy of the same to the solicitor of the Twentieth Judicial District.

SEC. 7. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 549

AN ACT TO ESTABLISH A REFORMATORY FOR A MANUAL TRAINING SCHOOL FOR THE DETENTION OF THE CRIMINAL YOUTH OF BUNCOMBE COUNTY.

Preamble.

WHEREAS, it appears to the General Assembly that there are in the county of Buncombe a number of youths between the ages of seven and sixteen years who violate the criminal law, and that while such youths should be detained and punished, and at the same time taught the doctrines of religion, good morals and industry, it would be to the best interest of such youths and expedient that they be not associated with older and more hardened criminals, but that they be kept separate, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the county of Buncombe and the city of Asheville, through their respective boards of commissioners, or other governing authorities, are hereby empowered and directed to purchase, receive, accept and own and hold, at some suitable and

County of Buncombe and City of Asheville authorized to purchase site or sites for training schools.

convenient point or points in said county of Buncombe, a tract or tracts of land not exceeding in the aggregate two hundred (200) acres, whereon to erect and operate a school or schools for the training and moral and industrial development of the criminal, delinquent, male children of said county; that in the event said commissioners, aforesaid, shall determine to use for the purposes provided in this act, any land or lands now owned by the county of Buncombe, or the city of Asheville, that the value of the same shall be determined by said boards in joint session, if possible; but if they are unable to agree as to such value, so as to charge one-half thereof against the board not now owning such land or lands, then, the value of the same shall be determined by arbitration as follows:

Use of land now owned by city or county.

Each board shall choose some competent and disinterested man,

Determination of value by arbitration.

which two men so chosen shall go upon the land, and after examining the same, shall, if possible, agree upon the value of the same, and in the event that they are unable to agree, they shall then choose a third man and the opinion of two of said three shall be binding upon both boards; that when such school or schools shall have been organized the person or persons in charge thereof shall receive therein such delinquent and criminal children of said county under the age of sixteen (16) years as may be sent or committed thereto under any order or commitment by any of the judges holding Superior Courts of said county, or the presiding judge of the police court of the city of Asheville, or other criminal courts established within said county, and shall have the sole right and authority to keep, restrain and control them during such time as they shall have been committed to said institution under such proper and humane rules and regulations as may be adopted by the governing rules of said institution;

Commitment of children.

Provided, nothing herein shall be construed as a limitation upon the power or authority of any court or judge to commit criminal children of said county to the Stonewall Jackson Training School

Control after commitment.

or other similar institutions: *Provided further*, that any court or the judge thereof authorized to sentence children to this institution may make such sentence for a definite length of time or if, in the judgment of the court, such sentence should be made indeterminate, then the court is authorized to make such sentence, taking into consideration the facts and circumstances in each particular case: *Provided further*, that in the event any magistrate or other inferior court having binding jurisdiction to the Superior Court shall try a child who might be sentenced to said institution may, in the event such child is bound over, commit him, pending the time of his trial in Superior Court to said institution where he should be detained as persons committed to same and at the proper time the officer or officers of said institution shall deliver him to the court for trial.

Proviso: Courts may still commit to state institutions.

Sentences may be indeterminate.

Children may be committed pending trial.

Governing body of school or schools.

SEC. 2. That the commissioner of public institutions of the county of Buncombe, the commissioner of public safety of the city of Asheville, and some competent and discreet person appointed at a joint meeting between the board of county commissioners of the county of Buncombe and the board of commissioners of the city of Asheville, shall constitute the governing board of such school or schools; that the said commissioner of public institutions and the commissioner of public safety, shall remain on said governing board during their respective terms of office, and their successors as such officers shall take their place on said board; that the third member elected as hereinabove specified, shall hold office for a term of two years, and until his successor shall be elected in the method hereinabove provided for, and shall receive a salary to be fixed by the board of county commissioners and the board of commissioners of the city of Asheville, at the time he is elected, but said boards may alter or change said salary, as in their discretion is wise and proper from time to time.

Successors.

Third member.

Term of office.

Compensation.

Contracts or purchases exceeding \$500 to be approved by city and county commissioners.

That said governing board of such school or schools shall not make, purchase or let any contract in excess of the sum of five hundred dollars (\$500), without the consent and approval of a majority of the board of county commissioners, and the board of commissioners of the city of Asheville, and that all lands purchased under and by virtue of the terms of this act shall be purchased at a price, and at such location as is agreed upon by said boards of commissioners of the county and the city, respectively.

Expense shared equally by city and county.

SEC. 3. That the expense of establishing and maintaining said institution shall be borne equally by the county of Buncombe and the city of Asheville, but the governing board of such school or schools is hereby empowered to accept any funds available, either in the erection or maintenance of said school or schools from the Juvenile Protective Association of Buncombe County or from any other charitable institution or individual either in or out of said county.

Agricultural and normal training.

SEC. 4. That there shall be established and conducted on such lands as may be owned in connection with said school or schools such agricultural pursuits, work shops and preparation for other pursuits as the governing body of the same may deem expedient so as to keep regularly at work all able-bodied inmates; that all inmates shall, if possible, be taught the precepts of the Holy Bible, good moral conduct and industry.

Superintendent and other officers.

SEC. 5. That the governing body aforesaid shall have the management and control of said institution and shall have the authority to employ a superintendent and such other assistants and officers as they may deem necessary, to fix their salaries, to define their duties, to discharge any employee and to make any and all rules or regulations as they may deem necessary for the

management and control of said reformatory under the provisions of this act and not inconsistent therewith.

SEC. 6. That the superintendent employed by said board shall have the right and is hereby authorized to require obedience from all inmates of said institution and is hereby intrusted with the authority for correcting and punishing any inmate thereof to the extent as a parent may, under the law, correct his own child, and said governing boards shall have the right at any time to discharge said superintendent for cause. Powers of Superintendent.

SEC. 7. That said institution and every inmate thereof shall be, at all times, under the visitorial jurisdiction of the Board of Charities of the State of North Carolina, the Juvenile Protective Association of Buncombe County and the Associated Charities of the City of Asheville. Visitorial jurisdiction.

SEC. 8. That in the event it shall appear to the governing board of said institution that any inmate of the same is or become ungovernable and is exerting an improper influence over any other inmates, 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, the county jail or chaingang, where such inmate shall serve out his unexpired term. In the event such governing board shall be of the opinion that any inmate of said institution has been sufficiently punished and his correction has been of such nature that he is then fitted to be released from said institution, the said governing board is hereby authorized and empowered to parole such inmate under such rules and conditions as to them may seem wise, but empowered at all times to recapture and recommit such inmate or inmates as violate the terms of parole so given. Ungovernable inmates may be sent to prison.
Release or parole.

SEC. 9. That the superintendent and other persons in charge of said institution shall receive and take into it all children committed thereto by the competent authorities and shall cause all such children in such school to be instructed in such rudimentary branches of useful knowledge as may be suited to their various ages and capacities. The said children, if possible, shall be taught such useful trades and given such moral training as the governing body aforesaid may direct, and such children shall perform such manual labor as the superintendent may direct subject to the approval of the governing body aforesaid. Duties of officers of institution in regard to training of inmates.

SEC. 10. That any commitment under this act shall be full, complete and sufficient authority to the officers and agents of said institution for the detention and keeping therein of any child or children so committed. Authority for detention.

SEC. 11. That in the event the governing body of said institution shall determine to accept colored children in the same, they shall provide suitable quarters for them, which shall in no event be nearer than one-half mile to the school established for Colored children be kept in separate quarters.

white children. The white children and colored children shall at all times be kept and worked entirely separate and by separate officers: *Provided, however,* that one superintendent may have general supervision over both schools; but the advisability of having one or two superintendents shall be and remain in the discretion of the governing board of said institution.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 550

AN ACT TO AMEND CHAPTER 660 OF THE PUBLIC-LOCAL AND PRIVATE LAWS OF THE SESSION 1917, FIXING THE SALARIES OF THE OFFICERS OF CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and sixty of the Public-Local Laws of one thousand nine hundred and seventeen be amended by adding the following: That the outgoing sheriff, on the first Monday in December, nineteen hundred and twenty, and on every such biennial date thereafter, when there is a new incoming sheriff, the retiring sheriff will deliver to his successor the tax books with all uncollected taxes properly audited to the satisfaction of the county commissioners which may be charged to the account of the incoming sheriff and credited to the outgoing sheriff, upon the filing of the satisfactory bond or bonds duly approved by the board of county commissioners, by the incoming sheriff. This act shall not apply to any tax book for any previous year, or any taxes that may be past due, except the taxes that are due for the year bearing the date in which the incoming sheriff qualifies and takes charge of the office.

SEC. 2. That said act be further amended by adding "The commissioners of said county may, in their discretion, employ such help for rewriting any record or doing any clerical work for the county not contemplated by said act in reference to allowances for services."

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 10th day of March, A. D. 1919.

Proviso: all under care one superintendent.

Out-going sheriff to deliver tax books with uncollected taxes properly audited to successors.

Act does not apply to previous year.

Commissioners authorized to employ clerical assistance.

CHAPTER 551

AN ACT TO REGULATE FEES OF JUSTICES OF THE PEACE.

The General Assembly of North Carolina do enact:

SECTION 1. That justices of the peace shall receive the following Fees specified. fees, and none other: For issuing summons, application, affidavit, undertaking, and order of attachment in attachment proceedings and making copies of the same, with one defendant in case a fee of two dollars, and if more than one defendant, an additional fee of one dollar for making copies of papers to be served on additional defendant; transcript of judgment, twenty cents; summons, thirty cents, if more than one defendant in same case, each additional defendant, fifteen cents; subpoena for each witness, ten cents; trial when issues are joined, one dollar, and if no issues are joined, then a fee of fifty cents for trial and judgment; taking an affidavit, bond or undertaking, or for an order of publication, or an order to seize property, twenty-five cents; jury trial and entering verdict, one dollar; execution, twenty-five cents; renewal of execution, fifteen cents; return to appeal, fifty cents; order of arrest, in civil actions, twenty-five cents; warrant of arrest in criminal and bastardy cases, forty cents; warrant of commitment, twenty-five cents; garnishee summons in attachment proceedings, including copy of same, for one defendant, and twenty-five cents for each additional defendant in case, taking depositions on order or commission, per one hundred words, ten cents; garnishment for taxes, and entering judgment, and making necessary returns and certificate of same, fifty cents; for hearing petition for widow's year's allowance, issuing notice to commissioners, making the necessary copy of report for widow, personal representative and the clerk of the Superior Court and allotting the same, two dollars; for filing and docketing laborer's lien, sixty cents; probate of a deed or other writing proved by a witness, including the certificate, twenty-five cents; probate of a deed or other writing executed by a married woman, proper acknowledgment and private examination, with the certificate thereof, twenty-five cents; probate of a deed or other writing acknowledged by the signee or makers, including all except married women who acknowledge at the same time, with certificate thereof, twenty-five cents; probating chattel mortgage, including the certificate, ten cents; for issuing all necessary papers and making copies thereof in an action for claim and delivery, and the trial of the same, where there is one defendant, two dollars, and if more than one defendant in action, seventy-five cents for each additional defendant, and ten cents

for each subpoena issued in said cause, twenty-five cents for taking the replevy bond, when one is given: *Provided*, that when the trial of said cause shall have been removed from before the justice of the peace issuing the papers, the justice of the peace sitting in the trial of such cause shall receive seventy-five cents of the above costs for such trial and judgment; for removal of case from before one justice of the peace to another justice of the peace for trial, a fee of twenty-five cents for each time case is removed; for issuing road orders to overseers of public roads of their appointment and assignment of hands to their sections of roads, fifteen cents (to be paid by the county); that in all counties operating chaingangs, and where defendants are worked for thirty days for the nonpayment of fines and costs imposed against them in the courts of the justices of the peace, the townships or counties operating the chaingangs, shall pay to the justices of the peace and the constables one-half of their fees in all cases out of the chaingang funds.

Operation of act limited to three counties.

SEC. 2. That this act shall apply only to Union, Stanly, and Chatham counties.

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 10th day of March, A. D. 1919.

CHAPTER 552

AN ACT RELATING TO THE COMPENSATION AND DUTIES OF THE SHERIFF OF YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five thousand, two hundred and forty-five of the Revisal of one thousand nine hundred and five be and the same is hereby amended by adding at the end of said section the following: "*Provided*, that the sheriff and tax collector of Yancey County shall receive four per cent of all taxes, licenses and privileges collected by them for state, county, township, school district or other purposes after the expiration of the present incumbent: *Provided*, that nothing herein contained shall affect the taxes to be collected by the present sheriff of Yancey County for the years one thousand nine hundred and eighteen, one thousand nine hundred and nineteen, one thousand nine hundred and twenty, who shall receive five per cent commissions for the collection of taxes of said county during his term of office as sheriff and tax collector of said county of Yancey."

Revisal amended.

Sheriff to receive four per cent of taxes after expiration term of incumbent.

SEC. 2. That if the sheriff or tax collector of Yancey County, Failure to settle on of before the first day of September of any year, shall not have settled in full for the taxes of the preceding year, the said sheriff or tax collector shall not be allowed to collect the taxes levied for the year following that year for which the settlement has not been made, but the board of county commissioners shall appoint some competent person who shall act as tax collector for said year and shall be entitled to receive compensation allowed by law therefor.

by first of September entails forfeiture of right of collection.

SEC. 3. That the sheriff of Yancey County shall not receive from any person, collect for any person, or satisfy to any person any claims against Yancey County for services performed for the county unless said person shall have performed such services himself.

Claims for services.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 553

AN ACT FOR THE PROTECTION OF GROWING CROPS IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful for any person or persons owning any chickens or other barnyard fowls to permit the same to run at large upon the growing crops of grain, including corn and peas and truck, of another person or to run at large upon grain crops, including corn and peas, which have matured or are in the process of maturing.

Unlawful to let fowls run upon grain or truck.

SEC. 2. Any person violating the provision of this act shall be guilty of misdemeanor and may be punished by a fine not exceeding fifty dollars or by imprisonment for not more than thirty days: *Provided, however,* that this penalty shall not apply unless the owner of said crops shall have notified the owner of said chickens or other fowls that they were causing damage to such crops.

Penalty for violation.

Proviso: notice to owner of fowls.

SEC. 3. That this act shall apply only to Wake County, and Olin Township in Iredell County.

Limitation of act.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 554

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CATAWBA COUNTY TO LEVY A SPECIAL TAX TO MEET THE BONDED INDEBTEDNESS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Limit of tax rate. SECTION 1. That the board of county commissioners of Catawba County is hereby authorized to levy annually a special tax of not to exceed ten cents on the hundred dollars valuation of property in said county and thirty cents on each taxable poll in said county, for the purpose of paying the interest and providing a sinking fund sufficient to meet at their maturity the bonds of Catawba County heretofore issued for the purpose of building bridges in said county. The said tax shall be levied and collected at the same time and in the same manner as the other taxes of Caawbta County are levied and collected. The proceeds arising from the said tax shall be deposited with the treasurer of Catawba county, shall be kept separate and apart from the other county funds, and shall be used for the purpose of paying the interest on the aforesaid bonds and providing a sinking fund to retire the aforesaid bonds at their maturity.

Purpose of tax.

Collection.

Application of proceeds.

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

Ratified this the 10th day of March, A. D., 1919.

CHAPTER 555

AN ACT FOR THE PROTECTION OF GAME IN UNION COUNTY.

The General Assembly of North Carolina do enact:

Closed season for quail. SECTION 1. That the close season or time in each year during which quail and partridges shall not be shot, killed, wounded or in any manner hunted, taken or captured in Union County shall be from the first day of January to the fifteenth day of December. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars (\$10) nor more than fifty dollars (\$50).

Penalty for violation.

Game warden provided for. SEC. 2. That the commissioners of Union County be and they are hereby authorized and empowered to appoint a game warden for the county of Union, prescribe his duties and fix his compensation.

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 10th day of March, A. D. 1919.

CHAPTER 556

AN ACT TO AUTHORIZE HALIFAX COUNTY TO ISSUE ROAD AND BRIDGE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Halifax County is hereby authorized, upon the conditions and subject to the limitations and restrictions set forth in this act, to issue bonds of said county in an aggregate principal amount not exceeding five hundred thousand dollars for any one or more of the following purposes, viz: laying out, opening, altering, constructing, and improving county highways in said county, and constructing, reconstructing and altering county bridges in said county. Said board is hereby further authorized to levy annually a special tax ad valorem upon all taxable property in said county for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and in addition to all other taxes authorized to be levied by said board.

Commissioners authorized to issue bonds.

Limit of bonds.

Special tax for sinking fund.

SEC. 2. The bonds hereby authorized shall not be issued, nor shall said special tax be levied, unless and until the question of issuing the bonds shall be submitted to the qualified voters of Halifax County at a special election to be held for that purpose, and a majority of the qualified voters voting on said question shall be in favor of issuing the bonds. It shall be the duty of the board of county commissioners to cause a special election to be held for said purpose at such time as may be designated by the board, but not later than the first Tuesday in August, one thousand nine hundred and nineteen. The board of county commissioners shall cause notice of the election to be posted at the courthouse door in Halifax County at least thirty days before the election, and to be published once in each of the four successive weeks immediately preceding the election in some newspaper published and circulating in Halifax County. The board of county commissioners shall name the registrars and judges of election for the voting precincts of the county for said elec-

Bond issue to be submitted to voters.

Call for election.

Notice.

Conduct of election.

Form of ballot.	tion, and it shall cause to be printed and distributed a sufficient number of ballots for use at the election. At said election the voters who favor the issuance of said bonds shall vote a ballot on which shall be written or printed the words "For Road and Bridge Bonds" and the voters who are opposed to the issuance of said bonds shall vote a ballot on which shall be written or printed the words "Against Road and Bridge Bonds." At the
Canvass of vote.	close of the election the votes shall be counted and returns thereof made to the board of county commissioners of Halifax County, for which purpose said board shall cause blank abstracts to be printed and furnished to the registrars and judges of election. On the first Thursday following the election said board of county commissioners shall meet as a canvassing board, shall receive the returns of said election, shall judicially pass upon the returns, and shall judicially determine and declare the result of said election, all of which shall be recorded in the records of said board. The returns shall be executed in duplicate, and one copy shall be delivered to the board of county commissioners as aforesaid, and the other filed with the clerk of the Superior Court of Halifax County. In all respects other than those herein mentioned said special election shall be held and conducted and the qualifications of voters at said election determined, as nearly as may be practicable in accordance with the general law relating to the holding and conducting of elections for members of the General Assembly and the determination of the qualifications of voters at such elections. The expense of holding said special election shall be paid out of the general funds of the county.
Declaration of result.	
Returns in duplicate.	
Expenses of election.	
Publication of result.	The board of county commissioners shall cause a notice containing a brief statement of the result of said election as determined by the board to be published at least once in a newspaper published in Halifax County. No right of action or defense founded upon any invalidity of said election shall be asserted, nor shall the validity of said election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within sixty days after the first publication of said notice: <i>Provided, however,</i> that a copy of this sentence shall be incorporated in said notice. The board of county commissioners may, in its discretion, order a new registration for said special election, but such a new registration shall not be necessary unless ordered by the board.
Validity of election not subject to question after 60 days.	
New registration may be ordered.	
Commissioners to issue bonds at request of those charged with control of highways.	SEC. 3. If a board or body other than the said board of county commissioners shall have charge and control of the county highways of Halifax County, and such other board shall at any time or times make any request to said board of county commissioners in regard to the time or times or the amount or amounts in which said bonds shall be issued, or in regard to any other matter respecting said bonds, it shall be the duty of the board of county

commissioners to comply with such request, it being intended by this act to vest the power to issue said bonds in the board of county commissioners, but subject to the direction and control of the separate board or body, if any, having charge and control of the county highways of said county.

SEC. 4. The bonds authorized by this act may be issued as one issue or divided into two or more separate issues, and in either case may be issued all at one time or from time to time. Each issue shall so mature that the aggregate principal amount of the issue shall be payable in annual installments, beginning not more than three years after the date of the bonds of such issue and ending not more than thirty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously, the bonds of such issue outstanding at any one time shall mature as aforesaid.

Maturity of bonds.

Limitation of installments.

SEC. 5. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest, as the board of county commissioners of Halifax County may determine, subject to the limitations and restrictions of this act. The bonds shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Halifax County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and the coupons of such bonds shall bear the printed or lithographed or engraved facsimile signature of the chairman of said board of county commissioners who is in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

Form and denominations.

Interest.

Signed by chairman.

SEC. 6. Said bonds shall be sold in the manner provided in the Municipal Finance Act (chapter one hundred and thirty-eight of the Public Laws of one thousand nine hundred and seventeen, as amended) for the sale of bonds of cities and towns. They shall not be sold for less than par and accrued interest.

Sale of bonds.

Must bring par and accrued interest.
Application of proceeds.

SEC. 7. The proceeds of the sale of said bonds shall be placed in a separate fund and used only for the purposes for which the bonds were issued. The purchaser of the bonds shall not be bound to see to the application of the proceeds.

SEC. 8. The powers granted by this act are granted in addition to and not in substitution for existing powers of Halifax County,

Additional powers.

and are not subject to any limitation or restriction contained in any other law.

SEC. 9. All laws and parts of laws in conflict with this act are hereby repealed.

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 557

AN ACT TO FIX THE COMPENSATION OF THE SHERIFF AND TREASURER OF HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Compensation not to exceed amounts received for fiscal year ending first Monday in December, 1918.

SECTION 1. That the compensation of the sheriff and of the treasurer of Haywood County shall, in no year, exceed the amount received by the said sheriff and the said treasurer for the fiscal year ending the first Monday in December, one thousand nine hundred and eighteen: *Provided*, that in computing the compensation of the sheriff and the treasurer for the year one thousand nine hundred and eighteen their commissioners on all taxes listed for that year shall be included.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 558

AN ACT TO EQUALIZE THE FEES OF THE CLERK OF THE COURT, REGISTER OF DEEDS, SHERIFFS AND TAX COLLECTORS OF HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the register of deeds of Hertford County shall be entitled for registering any deeds or other writing authorized to be registered with certificate of probate or acknowledgment and private examination of a married woman containing not more than three copy sheets, one dollar; and for every additional copy sheet, fifteen cents.

SEC. 2. That the clerk of the court in Hertford County shall receive for an appeal from the clerk to the judge, one dollar; for preparing and presenting bill of costs, fifty cents; for docketing judgment in criminal cases, fifty cents; indexing lis pendens,

Register of deeds' fees.

Fees of Clerk of court.

ten cents, if required to be indexed; recording and copying papers, per copy sheet, twenty cents; transcript of any manner of record or papers on file, per copy sheet, fifteen cents.

SEC. 3. That the sheriff of Hertford County shall receive for Sheriff's fees executing summons or any other writ or notice, seventy-five cents.

SEC. 4. That the board of commissioners of Hertford County are hereby empowered to fix the rate of per cent allowed the various tax collectors in said county for collecting all taxes at their regular meeting in June nineteen nineteen and yearly thereafter: *Provided*, that said rate of per cent shall not exceed five or be made less than three per cent on each hundred dollars collected. Commissions for tax collectors Limitation.

SEC. 5. That the fees provided for in the first three sections of this act shall not be in addition to but in lieu of the fees now provided by law for the specific services herein mentioned and for all services not herein provided for the said county officials shall receive the fees as the law now provides. Fees not additional but in lieu present fees.

SEC. 6. That all laws and clauses of laws in so far as they are inconsistent with this act are hereby repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 559

AN ACT TO APPOINT THE MEMBERS OF THE ROAD ELECTORATE FOR UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That F. G. Henderson, John T. Green, Henry Parker, T. C. Eubanks, Edwin Nivens, Sam Redwine, W. E. Lemmonds, Thomas Lee Price, G. W. Smith, and W. C. Heath be and they are hereby appointed the members of the road electorate for Union County. Electorate appointed.

SEC. 2. That this act shall be in force from and after the ratification of a road law passed at this session of the General Assembly, by the board of commissioners of Union County. When effective.

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 560

AN ACT TO AMEND CHAPTER 421 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE DUNN ROAD DISTRICT.

The General Assembly of North Carolina do enact:

Law amended

SECTION 1. That chapter four hundred and twenty-one of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended by adding at the end of section three of said chapter the following words: "*Provided further*, that when any such public road leading through the town of Dunn or any part of the same shall have been paved by said town with sheet asphalt or other permanent pavement, the commissioners of Dunn road district shall work or cause to be worked other streets or roads in said town to be designated by the commissioners of the town of Dunn equivalent in area to that portion of said public road or roads leading through the town of Dunn which have been so permanently paved.

Road work by district to compensate Town of Dunn for permanent paving public road.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 561

AN ACT TO AUTHORIZE THE COMMISSIONERS OF FORSYTH COUNTY TO REFUND THE AMOUNT OF POLL TAX PAID BY THE SOLDIERS AND SAILORS WHO PARTICIPATED IN THE LATE WORLD WAR.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Forsyth County be and they are hereby authorized and empowered to refund to each soldier and sailor of the said county who participated in the late world war, either by overseas duty or by service in the training camps in this country, and of the Winston-Salem Home Guard, the amount of poll taxes paid by the said soldier or sailor for the years one thousand nine hundred and eighteen and one thousand nine hundred and nineteen, and the board of aldermen of the city of Winston-Salem may also make refunds as provided in this section.

Authority given for refund of taxes.

Winston-Salem may also make refunds.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 562

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY TO ERECT A SUITABLE MEMORIAL TO THE MEN OF UNION COUNTY FOR THE SERVICES THEY RENDERED THE NATION IN THE WAR BETWEEN THE ALLIES AND GERMANY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Union County be and they are hereby authorized to purchase a suitable site in the city of Monroe, Union County, North Carolina, and erect thereon a building known and designated as a "Community Building," as a memorial to the valiant service rendered to the nation by the men of Union County in the war between the allies and Germany. Authorized to purchase site and erect building.

SEC. 2. That said building and site shall cost not exceeding fifty thousand dollars (\$50,000). Limit of cost.

SEC. 3. That, when erected, the board of county commissioners of Union County are hereby authorized to take charge of said building and permit the same to be used for such public gatherings as they shall designate and for such other purposes as they from time to time shall see fit, and they are hereby authorized to rent any portion of said building and collect the rents therefrom and place it in the treasury of Union County, and to do any and all things looking to the upkeep of said property. Control and use of building

SEC. 4. That the board of county commissioners of Union County may employ some one to represent them in looking after the erection of said building, or may designate one of their own number, who shall be paid such compensation as the other members of the board may agree upon as reasonable for his services in looking after the making of a contract for the erection and final completion of said building. Superintendency of building's erection.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 563

AN ACT TO FIX THE SALARY OF THE SHERIFF OF UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That beginning with the expiration of the term of the present sheriff of Union County, the salary of the sheriff for said county shall be, in lieu of all fees, commissions and allow- Sheriff's salary \$3,000 per annum.

ances of every kind whatsoever, the sum of three thousand dollars per annum, with no allowances whatever except as herein-after provided.

Allowance for assistance.

SEC. 2. That the sum of twenty-seven hundred dollars is allowed to said sheriff to be used for the sole purpose of employing deputies or assistants.

Payment for care of prisoners.

SEC. 3. That the sheriff or his jailer, at the sheriff's discretion, shall have the use of the residence part of the jail and shall be paid the amounts allowed by law for the boarding and caring for the prisoners which may be placed in said jail.

Sheriff to collect and pay fees to treasurer.

SEC. 4. That the sheriff of said county shall collect all fees, commissions and other items, which are provided by law for the sheriff, and shall pay the same to the county treasurer of said county. That the said sheriff shall furnish the board of county commissioners a monthly itemized statement of all fees, commissions, and other items so collected and turned over to the county treasurer, and in event the sheriff should fail to collect any fees, commissions or other items provided by law, as he is required to do, such fees, commissions or other items shall from time to time be deducted by the board of county commissioners from the salary of the sheriff.

Uncollected fees to be deducted from salary.

SEC. 5. That the said salary of the sheriff of three thousand dollars per annum and his deputies, not exceeding the amount as herein allowed, shall be paid upon order of the board of county commissioners out of the general fund of the county by the treasurer.

Payment of salary and allowance.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 564

AN ACT TO CREATE THE OFFICE OF TREASURER OF AVERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of treasurer of the county of Avery be and the same is hereby created and M. G. Teaster be and he is hereby appointed treasurer of the said county for the term expiring the first Monday in December, one thousand nine hundred and twenty, and until his successor is elected and qualified. That his successor shall be elected in the general election for members of the General Assembly in the year one thousand nine hundred and twenty in the same manner as other county officers are elected. The duties of the said treasurer shall be those usually incident to such office in the various counties of the state.

M. G. Teaster appointed treasurer.

Successor.

Duties.

SEC. 2. That the compensation of the said treasurer shall be ^{Compensation.} fixed by the board of county commissioners of the county of Avery, not to exceed three per cent of the funds handled by him as such treasurer.

SEC. 3. That immediately upon the ratification of this act the ^{Bond.} said M. G. Teaster shall immediately qualify by taking the proper oath and giving such bond as may be approved by the commissioners of the said county of Avery

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 10th day of March, A. D. 1919.

CHAPTER 565

AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO ISSUE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Buncombe ^{Limit of bonds.} County is hereby authorized to issue bonds of said county in an aggregate principal amount of three hundred thousand dollars, for the purpose of laying out, opening, altering, constructing, ^{Purpose.} and improving county highways and bridges in said county.

SEC. 2. Before any bonds are issued under this act, the board ^{Notice to be given of impending issue.} of county commissioners of Buncombe County shall cause to be published once a week for four successive weeks in one or more daily newspapers published in Buncombe County, a notice substantially in the following form, with the blanks properly filled in, viz:

“Notice is hereby given to the voters of Buncombe County ^{Form of notice.} that after the expiration of thirty days after the first publication of this notice, the board of county commissioners will issue bonds of Buncombe County under the provisions of a special act ratified by the General Assembly on the day of, 1919 (here insert date of ratification of this act), authorizing the issuance of not exceeding \$300,000 bonds for county highways and bridges. Notice is also given that the question of ^{Bonds not submitted unless election is petitioned for.} issuing such bonds will not be submitted to the voters at an election, unless within said period of thirty days there shall be filed with the clerk of the board of county commissioners a petition for an election on such question, signed by at least

ten per cent of the registered voters of said county. This notice was first published on the 3d day of June, 1919.

.....
"Clerk of the Board of County Commissioners."

If sufficient petition is filed bonds must be submitted.

SEC. 3. If a sufficient petition shall be filed with the board of county commissioners as provided in this section, no bonds shall be issued under this act unless and until the question of issuing such bonds shall be submitted to the voters of Buncombe County at an election and a majority of the votes cast at said election are in favor of issuing such bonds. A petition demanding that the question of issuing the bonds be submitted to the voters at an election may be filed with the clerk of the board of county commissioners within thirty days after the first publication of the notice aforesaid. The petition shall be in writing and signed by at least ten per cent of the registered voters of the county as shown by the registration books for the last preceding election therein. The clerk of the board of county commissioners shall investigate the sufficiency of the petition and present it to the board of county commissioners with a certificate stating the result of his investigation. The board of county commissioners shall thereupon determine the sufficiency of the petition, and the determination of said board shall be conclusive.

Petition must be signed by at least 10 per cent of voters.

Investigation of sufficiency.

Submission of question.

Notice of election.

Conduct of election.

Form of ballot.

Canvass of vote.

Declaration of result.

Publication of result.

SEC. 4. If the board of county commissioners determine a petition filed as aforesaid to be sufficient, the board shall submit the question of issuing bonds under this act to the voters at a special election to be held as soon as may be practicable. The board of county commissioners shall fix the date for holding said election, shall name the registrars and judges of election for the voting precincts of said county, and shall cause notice of said election to be given by publication once a week for four successive weeks before the election in some newspaper published in Buncombe County. Said election shall be held and conducted in all respects in accordance with the provisions of law relating to the holding and conducting of elections for members of the General Assembly. At said election the voters who favor the issuance of said bonds shall vote a ticket with the words "For Bonds" written or printed thereon, and the voters who are opposed to the issuance of said bonds shall vote a ticket with the words "Against Bonds" written or printed thereon. The votes shall be counted at the close of the polls and returns thereof made to the said board of county commissioners on the Thursday next following the election, and said board shall by resolution declare the result of said election as soon as possible after the return of said vote, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording or declaring of the result of the election shall be necessary. Said resolution of the board of county commissioners

declaring the result of said election shall be published once a week for at least two successive weeks in some newspaper published in Buncombe County. No right of action or defense founded upon the invalidity of said election shall be asserted, nor shall the validity of the election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the first publication of said resolution.

Validity of election not subject to question after 30 days.

SEC. 5. The bonds authorized by this act may be divided into two or more separate issues. Each issue shall mature in annual installments or series, the first of which shall be payable not more than three years after the date of the bonds of such issue, and the last not more than thirty years after such date. No such installments or series shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds or any one issue are not delivered simultaneously, the bonds outstanding at any one time shall mature as aforesaid.

Maturity of bonds.

Limitation of installments.

SEC. 6. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest as the board of county commissioners may determine, subject to the limitations and restrictions of this act. They shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Buncombe County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and the coupons shall bear the printed or lithographed or engraved facsimile signature of the county treasurer in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

Form and denominations.

Interest.

Signed by chairman.

SEC. 7. Said bonds shall be sold upon sealed proposals at a price not less than par and accrued interest. Before any such sale, there shall be published in a newspaper published in Buncombe County a notice containing a description of the bonds to be sold, the place of sale, and the time limited for the receipt of sealed proposals, which time shall be not less than ten days after the first publication of such notice. The board of county commissioners may cause such further publication of such notice to be made as the board may deem expedient. All proposals submitted pursuant to such notice shall be opened in public, and the bonds shall be awarded to the highest bidder, unless all bids are rejected.

Sale of bonds. Advertisement.

Bids opened in public.

Application of proceeds.

SEC. 8. The proceeds of the sale of such bonds shall be placed in a separate fund and used only for the purposes for which the bonds were issued. The purchaser of the bonds shall not be bound to see to the application of the proceeds.

Special tax for sinking fund.

SEC. 9. Said board of county commissioners is hereby further authorized to levy annually a special tax ad valorem upon all taxable property in said county, for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by said board.

Powers additional.

SEC. 10. The powers granted by this act are granted in addition to and not in substitution for existing powers of Buncombe County, and are not subject to any limitations or restrictions contained in any other law.

SEC. 11. All laws and parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 566

AN ACT AUTHORIZING THE COUNTY OF COLUMBUS TO ISSUE BONDS AND LEVY A TAX TO LIQUIDATE CERTAIN FLOATING INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Limit of bonds.

SECTION 1. That the commissioners of the county of Columbus be and they are hereby authorized and empowered to issue bonds not to exceed twenty thousand dollars (\$20,000) for the purpose of paying off the present floating indebtedness of the said county. That said bonds shall be issued in denominations not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) and bear interest at not exceeding six per cent per annum to be evidenced by coupons attached to said bonds. Said commissioners of Columbus County are authorized to prescribe a form of said bonds and denomination in which they shall be issued. Said bonds are to run for a term of ten years. They shall be signed by the chairman and secretary of the said board of county commissioners and bear the seal of the county.

Denominations.

Maturity.

Must bring par and accrued interest.

SEC. 2. That no bonds issued under the provisions of this act shall be sold or otherwise disposed of for less than par and accrued interest. That said commissioners of Columbus County

Sale private or public.

are empowered to sell or dispose of said bonds either by public or private sale or by sealed bids as to them may seem best. In case they sell them at public sale, they shall cause notice thereof in one or more newspapers published in the State of North Carolina for at least thirty days and they may also advertise the sale of said bonds in one or more newspapers published within or without the state which make a business of advertising such sales. Advertisement.

SEC. 3. That the purchase money arising from the sale of the said bonds shall be applied to the payment of the present floating indebtedness of the county of Columbus. Application of proceeds.

SEC. 4. That for the purpose of creating a sinking fund for the payment of the said bonds as they mature and to pay the interest on the same as it may accrue, the board of commissioners of Columbus County are authorized and empowered to levy annually a special tax in such amount, as in their discretion may be deemed necessary. The said tax shall be levied and collected in the same manner as other taxes 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 the state. Said tax shall be collected by the officer or officers charged with the collection of other county taxes and he 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 other taxes. Special tax for sinking fund.

SEC. 5. That the purchaser or purchasers of any part of said bonds shall not be required to see to the application of the proceeds of said bonds by the commissioners of Columbus County. Collection.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 567

AN ACT AMENDING CHAPTER 606, PUBLIC-LOCAL LAWS, PASSED BY THE GENERAL ASSEMBLY OF NORTH CAROLINA AT ITS SESSION OF 1917, RATIFIED ON THE 5TH DAY OF MARCH, 1917, ENTITLED "AN ACT TO PROVIDE THE AUSTRALIAN BALLOT."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and six of the Public-Local Laws of one thousand nine hundred and seventeen, ratified March the fifth, one thousand nine hundred and seventeen, be and the same is amended as follows: By adding an additional section thereto entitled:

School elections held at same time may be held under general election law.

SEC. 43 (b). *Provided*, that any public graded high school, farm-life school, or other school election or any election on the question of voting bonds for school purposes, held on the same day and at the same time as any general election, may be held under, and according to the provisions of the law under which the general election is held.

SEC. 2. That all laws and clauses of law 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 10th day of March, A. D. 1919.

CHAPTER 568

AN ACT TO AMEND CHAPTER 561 OF THE PUBLIC-LOCAL LAWS OF 1913 AND ACT AMENDATORY THEREOF, RELATING TO THE SALARIES OF OFFICERS OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That chapter five hundred and sixty-one of the Public-Local Laws of one thousand nine hundred and thirteen as amended by chapter two hundred and forty-eight of the Public-Local Laws of one thousand nine hundred and fifteen and chapter six hundred and ten of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby further amended as follows:

Sheriff's deputies.

In section seven, line three, strike out the word "fifteen" and insert the word "eighteen" in lieu thereof; in section seven, line five, strike out the words "one thousand" and insert the words "twelve hundred" in lieu thereof; in section ten, lines two and three, strike out the words "three thousand" (\$3,000) and insert in lieu thereof the words thirty-three hundred (\$3,300).

Clerk of court's salary.

SEC. 2. 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 by striking out section eleven and inserting in lieu thereof the following: "The register of deeds of New Hanover County shall receive for his salary a sum of twenty-eight hundred dollars (\$2,800) per annum.

Register of deeds.

Clerk to commissioners.

SEC. 3. That the clerk of the board of county commissioners of New Hanover County shall receive for his salary the sum of two thousand dollars (\$2,000) per annum, which shall be payable monthly out of the general county funds.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 569

AN ACT TO AMEND HOUSE BILL 252, SENATE BILL 279, PASSED AT THE PRESENT SESSION OF THE GENERAL ASSEMBLY, SAID BILL BEING ENTITLED "AN ACT TO REPEAL CHAPTER 372 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, 1915, AND AMENDATORY ACTS THERETO, PROVIDING FOR RECORDER'S COURTS AND COUNTY COURT FOR COLUMBUS COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section three of house bill two hundred and fifty-two, senate bill two hundred and seventy-nine, passed at the present session of the General Assembly, said bill being entitled "An act to repeal chapter three hundred seventy-two of the Public-Local Laws of North Carolina, one thousand nine hundred and fifteen, and amendatory acts thereto, providing for recorder's courts and county court for Columbus County," be amended by striking out in section three the word "April" and inserting in lieu thereof the word "July." Bill amended.
Effective in July instead of April.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 570

AN ACT TO REPEAL CHAPTERS 116, 505 AND 642 PUBLIC-LOCAL LAWS OF 1915 RELATIVE TO STOCK LAWS IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapters one hundred and sixteen, five hundred and five and six hundred and forty-two of the Public-Local Laws, session nineteen hundred and fifteen, of North Carolina, be and they are hereby repealed and the provisions of chapter two hundred and forty-eight, Public-Local Laws and Private Laws, extra session of nineteen hundred and thirteen, applying to Pender County, be and they are hereby reinstated and shall apply to the whole of Pender County. Chapters 116, 505 and 642, Public-Local Laws 1915 repealed.
Chapter 248 Public-Local Laws 1913, made to apply to whole of county.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 571

AN ACT TO INCREASE THE FEES OF THE CLERK OF THE SUPERIOR COURT, WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the clerk of the Superior Court of Watauga County shall receive and collect the following fees for the following items, and all other fees shall remain the same as before the passage of this act:

Fees of clerk of court specified.	Appointing and qualifying justices.....	\$0.35
	Auditing account of receiver, executor, administrator, guardian or other trustee required to render accounts if not over \$300.00.....	.50
	If over \$300.00, not exceeding \$1,000.00.....	1.00
	If over \$1,000.00.....	1.00
	Auditing final settlement of receiver, executor, administrator, guardian or other trustees required to render account, one per cent for all sums not exceeding \$1,000.00, now one-half of one per cent for all sums over \$1,000.00, one-fifth of one per cent, now one-tenth of one per cent on such taxes, but such fees shall not exceed \$25.00.	
	Bills of cost, preparing same.....	.30
	Docketing judgment.....	.30
	Impaneling jury.....	.15
	Docketing ex-parte proceedings.....	.60
	Judgment final, civil action.....	1.25
	Letters of administration, including bond and justification..	1.25
	Probate of chattel mortgage.....	.10
	Resignation of guardian, relinquishment of right to administer30
	Making transcript of judgment.....	.30

Supplies and fuel. All necessary supplies and fuel shall be furnished by the board of county commissioners.

SEC. 2. This act shall apply to Watauga County only.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 572

AN ACT TO AMEND CHAPTER 496 OF THE PUBLIC LAWS OF 1913, RELATING TO THE PRIMARY LAW OF LEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and ninety-six of the ^{Law amended.} Public Laws of one thousand nine hundred and thirteen be and the same is hereby amended by adding after section eighteen and before section nineteen the following:

"SEC. 18-A. That the chairman of the county board of election ^{Statement by county board of elections.} shall, within sixty days after any primary held under this chapter, file with the register of deeds of the said county an itemized statement of receipts and disbursements of all moneys received and paid out under the provisions of this act, giving the names of persons filing notices and the dates of same and the amounts disbursed, to whom paid and the date paid."

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 573

AN ACT TO CREATE A ROAD DISTRICT FOR THE COUNTIES OF CHOWAN, PERQUIMANS, PASQUOTANK, CAMDEN, AND CURRITUCK, AND TO PROVIDE FOR A BOND ISSUE AND LEVY OF TAXES TO PAY FOR THE COST OF SAID ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purposes set out in section two hereof ^{Northeastern Carolina road district created.} all the counties of Perquimans, Pasquotank, Camden, and Currituck, and all of first township of Chowan County in the State of North Carolina, are hereby constituted a road district, to be known as the "Northeastern Carolina Road District."

SEC. 2. That the purposes for which the Northeastern Carolina ^{Purposes for which created.} road district is created is to put a hard surface highway from Edenton, North Carolina, to the Virginia state line and to that end to improve and put a hard surface on the main road from Edenton to Hertford, heretofore designated by the North Carolina State Highway Commission, on the main road from Hertford to Elizabeth City, heretofore designated by the North Caro-

lina State Highway Commission and on the road from Elizabeth City to the Virginia state line by way of Hastings Corner, in Camden County, and Shawboro, Snowden and Moyock in Currituck County. The route between Elizabeth City and the Virginia state line to be such as the road commission hereinafter appointed may select; said commission being empowered to construct a new road in whole or in part between Elizabeth City and Shawboro, should it deem same advisable.

Part of route to be selected by commission.

Road commission created.

Members appointed.

Term of office.

Successors.

Vacancies.

Oath to be taken.

Body corporate.

Rights and privileges.

SEC. 3. That a road commission to be known as the "North-eastern Carolina Road Commission" shall be and is hereby created, whose duty it shall be to construct said highway. The commission shall consist of five members, one of whom shall be a resident and taxpayer of the county of Chowan, one a resident and taxpayer of the county of Perquimans, one a resident and taxpayer of the county of Pasquotank, one a resident and taxpayer of the county of Camden, and one a resident and taxpayer of the county of Currituck. That H. G. Wood, for the county of Chowan, Charles Whedbee, for the county of Perquimans, P. W. McMullan, for the county of Pasquotank, W. J. Morrisette, for the county of Camden, and W. S. Newbern, for the county of Currituck, are hereby designated as members of the said North-eastern Carolina road commission, from their respective counties and shall hold office until the first Monday in March, one thousand nine hundred and twenty-one, and until their successors shall have been elected and qualify. Their successors shall be elected by the county commissioners of the several counties, each board of commissioners to elect a member from its county on the first Monday in March, one thousand nine hundred and twenty-one and biennially thereafter. In case of any vacancy on said board by death, or failure to qualify, resignation or otherwise, such vacancy shall be filled by the board of county commissioners of the county from which said member was appointed, except in Pasquotank County, and in said county by Pasquotank highway commission. Each member of the said commission shall take and subscribe an oath before the clerk of the Superior Court of his county for the faithful performance of his duties as member of the said commission.

SEC. 4. That said Northeastern Carolina road commission and its successors, in office, is hereby created a body corporate under and by virtue of the laws of North Carolina under the name and style of the "Northeastern Carolina Road Commission" and shall have all powers and authority granted corporations of like nature by the laws of North Carolina, and by its corporate name may sue and be sued, make contracts, acquire real and personal property by purchase, gift or devise, hold and exchange or sell the same and exercise such other rights and privileges as are incident to other corporations of like nature, such as the con-

demnation of land for construction, widening or changing the roads designated in this act and such other powers as are necessary to carry out any of the provisions of this act. It is hereby especially empowered and authorized to acquire by purchase or otherwise, if it shall deem the same proper, any toll road or bridges in any of the counties through which the highway runs, and is hereby fully authorized and empowered to build such bridge or bridges across any streams which said highway may traverse, as the said commission may deem best suited to carry out the purposes for which said district is created; *Provided*, that all bridges that are now the property of or maintained by either one or more of the several counties aforesaid, shall become the property of and be subject to be maintained by the said commission, without any compensation being made therefor to any of said counties.

Authorized to purchase toll bridges.

To build bridges.

Proviso: county bridges to be taken over by commission.

SEC. 5. That the said commission shall have charge of all funds derived from the sale of bonds issued by virtue of this act, and shall have paid to it all moneys collected or derived from any and all of the sources provided for by this act and shall have full charge and authority to spend the said moneys in such manner as it deems necessary for the furtherance of the purposes set forth in this act.

To have charge all funds derived from sources provided by act.

SEC. 6. That the said Northeastern Carolina road commission created hereby shall have full control of all road work and all matters and things in connection with said highway described in section two hereof.

Given full control of highway designated.

SEC. 7. Said Northeastern Carolina road commission shall biennially from the date of its organization, elect a chairman and secretary, who shall hold office for two years and until their successors are elected and qualify. The members of said commission shall receive pay only when acting jointly as a road commission or upon some special work directed by the said road commission, and shall receive as compensation for their services the sum of five dollars per day and actual expenses, not to exceed six dollars per day.

Chairman and secretary elected biennially.

Compensation of commissioners.

SEC. 8. That the money necessary to carry on the work of said commission shall be derived from the sale of bonds of the Northeastern Carolina road district, as hereinafter provided. The payment of the principal and interest of the said bonds shall be provided partly by an assessment on the adjoining property owners as hereinafter provided and partly by the levy of a tax on all property and polls subject to taxation for general county purposes in the district set out in section one hereof.

Payment of interest and principal of bonds.

SEC. 9. That the said road commission shall at its first meeting determine what portion of the cost of the highway to be improved or constructed under this act, shall be borne by the abutting property owners, which portion shall not exceed twenty-

Proportion of cost borne by abutting property owners not to exceed 25 per cent.

Classification of
land for
assessment.

Assessment a
lien on property.

Assessment made
according to front
foot plan.

Three-fourths of
cost to be paid
by counties.

Commission
authorized to
issue bonds.
Limit of bonds.
Maturity.

five per cent of the cost of the highway to be paved under this act, and the said commission is hereby empowered to assess the sum against the property on either side of the highway by one of the following terms: First, ratably on all the land immediately adjacent to and abutting said highway, or, second, upon all lands lying within a distance of one-half mile on either side from the margins of said highway which said lines shall, if the second plan is adopted be divided into three divisions, all the land lying within eight hundred and eighty feet of the margins of said highway shall constitute the first division; all lands outside of the first division and within eight hundred and eighty feet of the exterior margin thereof shall constitute the second division, and all lands outside the second division and within eight hundred and eighty feet of the exterior margin thereof, shall constitute the third division. Each separate tract or parcel in the first division shall be assessed and subject to a charge of a proportionate part of forty-five per cent of the amount assessed against the abutting property owners, and shall be subject to a lien therefor until the assessment is paid, and each separate tract or parcel of land in the second division shall be subject to a charge for a proportional part of thirty-five per cent of the amount assessed against the abutting property owners and be subject to a lien therefor until said assessment shall be paid, and each tract or parcel of land in the third division shall be subject to a charge for a proportional part of twenty per cent of the amount assessed against the abutting property owners and be subject to a lien therefor until such assessment shall be paid. The charge against the several separate tracts of parcels of land in each division shall be assessed ratably according to the front foot plan, that is to say, one foot of longitude measured along the road and extending latitudinally across the division, shall be taken as a unit by which to determine the proportion of the assessment so that a unit in each division will be eight hundred and eighty square feet of superficial area. If the areas of said divisions are not equal to each other, the rate fixed for each division shall be fixed on the basis that the benefit conferred on eight hundred and eighty square feet of land in division first, second and third are related to each other as the numbers forty-five and thirty-five and twenty, respectively. This section is to imply that one-eighth of the cost of said highway shall be borne by the property on each side of the said highway and six-eighths by the property and polls within the several counties traversed by said highway.

SEC. 10. That the Northeastern Carolina road commission is hereby authorized and empowered to issue bonds of the Northeastern Carolina road district, created herein, to an amount not to exceed five hundred thousand dollars. Said bonds shall be

payable in installments of from one to twenty-five years from the date of issue; that is, twenty thousand dollars worth thereof shall mature each year; said bonds shall bear interest at a rate not to exceed six per cent per annum, payable annually or semi-annually as the commission may desire; shall be issued at such times and in such amounts as the said commission shall deem proper; and shall be payable at such time and places as said commission shall determine; *Provided*, said bonds shall not be sold for less than par.

Interest.

Bonds may not be sold for less than par.

SEC. 11. That the commission created in this act shall on or before September first, one thousand nine hundred and nineteen, file with the boards of commissioners of the several counties in the district an assessment roll which shall contain a description of each lot or parcel of land to be assessed under the provision of section nine hereof, and a map or plat showing same, together with the name of the owner of said land and the amount assessed against the tract; but in no case shall a mistake in the name of the owner be fatal when the description of the property is correct. Said assessment against said lands shall be paid in ten equal annual installments and shall be collected as other taxes are collected and shall be a lien against the lands assessed in the same manner and to the same extent as taxes levied by proper authorities for state and county purposes

Assessment roll to be filed on or before September 1, 1919.

Assessment payable in ten equal annual installments.

SEC. 12. That the commission created under this act shall on or before the first Monday in June of each year certify to the board of commissioners of the several counties within the district the amount of tax which will be necessary to pay any bond or bonds and the interest on any bond or bonds which may be issued by said commission or road district and then outstanding that may become due within the next twelve months, together with the cost of the commission and shall certify the amount of taxes to be levied upon the property in the whole district and the rate of taxation which shall not exceed in any one year ten cents on the one hundred dollars value of taxable property and thirty cents on each taxable poll. Upon the certification by the said commission as above, to the said boards of county commissioners, it shall be the duty of the said several boards of county commissioners, and they are hereby directed at the time of levying other taxes, to levy and assess against all the property within their respective counties lying within the district set out in section one hereof and upon each taxable poll in said district the amount asked for by the said road commission, not to exceed the amounts above set out: *Provided*, that the rate of taxation imposed under this act in the several counties in the district shall be the same.

Certification of tax necessary to pay bonds or interest.

Limit of tax rate.

County commissioners to levy tax and assess property.

Proviso: tax rate in several counties the same.

- Deposit of moneys under control of commission. SEC. 13. The moneys derived from sale of bonds and all other moneys coming into the hands of the commission shall be deposited in the name of the commission in some bank in the district, to be determined by the commission; *Provided, however,* that the fund shall be deposited one-fourth in some bank or banks in Chowan County, one-fourth in some bank or banks in Perquimans County, and one-half in some bank or banks in Pasquotank County. The said commission shall make all necessary rules and by-laws providing for the manner of drawing out said funds and the manner of payment of bills and all other rules and by-laws to carry out properly the purposes of this act.
- Disbursement. SEC. 14. The said road commission shall improve said highway in accordance with plans and specifications to be furnished free of charge by the State Highway Commission. Said road commission is authorized to employ an expert road engineer at such compensation as may be fixed by said road commission. The road engineer may request at any time the advice of the state highway engineer in solving any problem that may arise, either technical, economical or otherwise that may be deemed by him to be of benefit to the commission, and such advice shall be without any expense to the commission. It shall be the duty of the engineer of the road district, under the provisions of this act to keep or have kept the necessary books and accounts showing in detail the expenditures for all work done by said commission. The engineer shall keep or have kept in suitable way a cost accounting system showing the unit cost of various items entering into the construction of the roads, showing when and where the various elements of cost entering into the said work were used, giving the name of the road and the nearest station, number of culverts, bridges, etc. It shall be his duty to keep approximate yardage, costs and approximate classification of the materials moved in all excavations made for the purpose of building such roads.
- Plans and specifications of highway. Road engineer. Engineer to keep account of expenditures. Unit cost system to be used. Record of excavations. Annual financial statement of commission. Relocation of road. Assessment of damages. SEC. 15. The said road commission shall annually on or before May first of each year after its organization, file with the several boards of county commissioners of the counties in the district, a detailed report of all moneys received and expended.
- SEC. 16. In widening and straightening old roads and repairing same, the commission created by this act, is hereby authorized through its agents to enter upon any land and locate and build such highways. If the said commission and the owner or owners of said land cannot agree as to the damages, if any, the said 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 damage and benefits under the general law as it now exists:

Provided, however, that before entering upon said lands as authorized by this section it shall be the duty of the said commission to serve notice upon the owner or owners of said land, notifying them that the highway is to be located upon said land under authority of this act, and *Provided further,* that in assessing the damages sustained by landowner, the jury shall take into consideration the special benefits, if any, accruing to the landowner, and in determining such benefits consideration shall be given to the benefits the landowner has derived from the fact that any old road right of way has reverted back to said landowner by reason of the relocation and construction of the new road; and if such benefits shall exceed the damages, then the amount of such excess of benefits shall be assessed against the landowner and shall constitute a lien upon the land adjoining the road, and shall be collected by the sheriff in the same way as public taxes; and it is *Provided further,* 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 six months after the completion of the road by or across the lands of the claimant; and *Provided further,* that either party may appeal to the Superior Court from the assessment of damages and benefits, where the matter shall be heard by the court and jury de novo. No cost shall be awarded against the district upon appeals when the recovery awarded through such appeal is not more favorable to appellant than the award of the referees.

Notice to owners.

Jury to consider benefits.

Excess of benefits a lien on land adjoining road.

No suit for damages within 60 days after completion of road.

No suit after six months.

Appeal.

Costs.

SEC. 17. The commission created by this act is hereby authorized through its agents to enter upon any land in said counties to cut and carry away any timber except trees or groves on improved land planted or left for shade or ornament, dig or cause to be dug and carried away any gravel, sand, clay, dirt or stone which may be necessary for the proper repair and construction of said road in said county, and make or cause to be made such drains or ditches upon any land adjoining or lying near such road as the said commission may deem necessary for the better condition of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person; and that any person obstructing such drains or ditches shall be guilty of a misdemeanor; *Provided, however,* that before entering upon land as authorized by this section, it shall be the duty of the said commission, through its representative, to serve notice upon the owner or owners of said land, notifying them that certain material authorized to be taken by this section is required for the road work.

Condemnation of materials for road building.

Ditches.

Obstruction of ditches a misdemeanor.

Proviso: notice to landowner.

- Protection of road from shade. SEC. 18. That the said commission, through its agents, is hereby authorized to enter upon any land adjoining or bordering on any county road and cut the trees on such land for a distance in width of not over thirty feet from the edge of the right of way of said road: *Provided*, that this is necessary for the maintenance of said road: *Provided further*, that they shall not cut trees or groves on improved land planted or left for shade or ornament; *Provided further*, that due compensation shall be made for any damage sustained by the landowner to be ascertained under the same rules and regulations provided in section sixteen of this act.
- Compensation for damages. SEC. 19. The owner of any land from which any timber or other material has been removed may present to the authorities his claim therefor in writing, and upon such presentment it shall be the duty of the said authorities to set a day not later than thirty days thereafter for the purpose of hearing and determining such claim. Upon the hearing and determination thereof, the claimant may appeal to the Superior Court of said county to have his case tried as in other civil cases.
- Claims for material. SEC. 20. The highway provided for by this act shall have a right of way of not less than forty feet except where the road authorities or State Highway Commission deem it impracticable to acquire such width, and in such cases the width shall be as determined by said authorities. The alignment of the road shall be as straight as practicable.
- Hearing. SEC. 21. That this act shall not be construed so as to effect any road legislation of the several counties of the district except so far as it applies to the land described in section two of this act.
- Appeal. SEC. 22. That the commission hereby created is hereby authorized to receive and expend in conjunction with the North Carolina State Highway Commission any moneys from the United States Government or the State of North Carolina that may be appropriated or set apart for the purpose of building roads.
- Right-of-way prescribed. SEC. 23. That if any moneys shall be allotted to the several counties hereinbefore mentioned, either by the State of North Carolina or by the United States government, by reason of the construction of the road hereinbefore mentioned, it shall be refunded by the road commission to the several counties in the proportion to the amount of taxes paid by said counties.
- No other road legislation affected. SEC. 24. Nothing in this act shall authorize or empower the said highway commission to construct, improve or pave any street or streets in any incorporated town through which said highway may pass.
- Commission may secure state or federal aid. SEC. 25. That this act shall be in force and effect from and after its ratification.
- Refund to counties. Ratified this the 10th day of March, A. D. 1919.
- No town streets to be improved.

CHAPTER 574

AN ACT TO INCREASE THE SALARIES OF THE CLERK AND DEPUTY CLERK OF THE SUPERIOR COURT OF UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the salary of the clerk of the Superior Court ^{Salary of clerk.} of Union County shall, from the first of March, nineteen hundred and nineteen, be twenty-one hundred dollars per annum.

SEC. That the salary of the deputy clerk of the Superior ^{Salary of deputy.} Court for said county shall, from the first day of March, nineteen hundred and nineteen, be seventy-five dollars per month.

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

Ratified this the 10th day of March, 1919.

CHAPTER 575

AN ACT TO AMEND CHAPTER 67, PUBLIC-LOCAL LAWS 1917, RELATING TO IMPROVEMENT AND MAINTENANCE OF PUBLIC ROADS IN CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter sixty-seven, of the Pub- ^{Maximum rate of interest on bonds increased.} lic-Local Laws of one thousand nine hundred and seventeen be amended by striking out the word "five" in line nine thereof and inserting in lieu thereof the word "six."

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 576

AN ACT TO PROVIDE SCHEDULE OF FEES TO BE COLLECTED BY THE CLERK OF THE SUPERIOR COURT IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees of the clerk of the Superior clerk, ^{Fees of clerk to be regulated.} Guilford County, whether he is paid for his services on a salary basis or in lieu of salary receives the fees, shall, be the following and no other, for the services designated herein, namely:

- Fees specified. Advertising and selling under mortgage in lieu of bond, two dollars for sales of real estate and one dollar for sales of personal property.
- Affidavits, including jurat and certificate, fifty cents.
- Appeal from justice of the peace, or from any court inferior to the Superior Court, one dollar.
- Appeal from the clerk to the judge, one dollar.
- Appeal to the Superior Court, including certificate and seal, one dollar.
- Appointing and qualifying justices of the peace, to be paid by the justice, twenty-five cents.
- Apprenticing infant, including indenture, one dollar.
- Attachment, order in, fifty cents.
- Auditing accounts of fiduciaries. Auditing account of receiver, executor, administrator, guardian or other trustee, required to render accounts, if not over three hundred dollars, fifty cents; if over three hundred dollars and not exceeding one thousand dollars, eighty cents; if over one thousand dollars, one dollar.
- Auditing settlements of fiduciaries. Auditing final settlement of receiver, executor, administrator, guardian or other trustee, required to render accounts, one-half of one per cent of the amount on which commissions are allowed to such trustees, for all sums not exceeding one thousand dollars; and for all sums over one thousand dollars, one-tenth of one per cent on such excess; but such fees shall not exceed *twenty dollars*, unless there be a contest, when the clerk shall have one per cent on the said excess over one thousand dollars; but in no instance shall his fees exceed *thirty dollars*.
- Limit of fee. Auditing final account real estate commissioners. Auditing and recording the final account of commissioners appointed to sell real estate, one-half of the fees allowed for auditing and recording final accounts of executors.
- Bill of costs, preparing same, fifty cents.
- Bond on undertaking, including justification, seventy-five cents.
- Capias. Cancelling notice of *lis pendens*, twenty-five cents.
- Capias, each defendant, one dollar.
- Capias, when the defendant is not arrested thereunder, shall be such sum as the commissioners of his county may allow, not to exceed one dollar.
- Caveat to a will, entering and docketing same for trial, one dollar and fifty cents.
- Certificates. Certificate (including certificate on indictment), except where it is a charge against the county, fifty cents; and where it is a charge against the county, the fee shall be such sum not exceeding fifty cents as the board of commissioners shall allow.
- Commission, issuing, seventy-five cents.
- Continuance, thirty cents; in criminal cases, thirty cents for each defendant, and fifty cents in civil cases.

- Docketing ex parte proceedings, one dollar.
- Docketing indictments, twenty-five cents.
- Docketing liens, twenty-five cents.
- Docketing judgment, in criminal cases, fifty cents; in civil actions, fifty cents.
- Docketing summons, fifty cents
- Execution and return thereon, including docketing, one dollar; Execution.
- and certifying return to celrk of any county where judgment is docketed, twenty-five cents.
- Filing all papers, twenty-five cents for each case.
- Filing and recording report of sales by commissioners and trustees, two dollars.
- Guardian, appointment of, including taking bond and justification, one dollar.
- Impaneling jury, twenty-five cents.
- Indexing judgment on cross-index book, twenty-five cents for Indexing
the judgment regardless of number of parties. judgment.
- Indexing liens on lien book, ten cents.
- Indexing lis pendens, ten cents, if required to be indexed.
- Indictment, each defendant in the bill, one dollar.
- Injunction, order for, including taking bond or undertaking and justification, one dollar.
- Judgment, final, in term time, civil action, each defendant, one Judgment.
dollar.
- Judgment, final, against each defendant, in criminal action, one dollar.
- Judgment, final, before the clerk, one dollar.
- Judgment by confession, without notice, all services, three dollars.
- Judgment in favor of widow for year's support, fifty cents; and for docketing same, twenty-five cents.
- Judgment nisi, entering against a defaulting witness or juror, on bail bond or recognizance, fifty cents.
- Juror ticket, including jurat, ten cents.
- Justification of securities, on any bond or undertaking, except Justification
as otherwise provided (each), fifty cents. of sureties.
- Letters of administration, including bond and justification of sureties, one dollar.
- Motions, entry and record of, in civil action, fifty cents; in criminal action, each, twenty-five cents.
- Notices, twenty-five cents, and for each name over one in same paper, ten cents additional.
- Notifying solicitors of removal of guardian, one dollar
- Order enlarging time for pleading in special proceedings, and Orders.
civil actions, twenty-five cents; and for all other interlocutory orders therein, fifty cents.
- Order of arrest, each defendant, one dollar.

Order for appearing of apprentice, on complaint of master, one dollar; for appearance of master, on complaint of apprentice, one dollar.

Order for the registration of a deed or other writing, which has been proved or acknowledged in another county, or before a judge, justice, notary, or other officer, except a chattel mortgage, twenty-five cents.

Postage, actual amount necessarily expended.

Presentment, each person presented, ten cents.

Probates.

Probate of a short form of lien bond, or lien bond and chattel mortgage combined, fifteen cents.

Probate of a deed or other writing, except as otherwise provided, proved by a witness, including the certificate, twenty-five cents.

Probate of a deed or other writing, acknowledged by the signers or makers, including all except married women, who acknowledge at the same time, with the certificate thereof, twenty-five cents.

Probate of a deed or other writing, executed by a married woman, for her acknowledgment and private examination, with the certificate thereof, twenty-five cents.

Probate of limited partnership, fifty cents.

Probate of will in common form, and letters testamentary, one dollar.

Qualifying.

Qualifying justice of the peace, to be paid by the justice, twenty-five cents.

Qualifying members of the board of commissioners, to be paid by the commissioners, twenty-five cents.

Recognizance, each party where no bond is taken, twenty-five cents.

Recording.

Recording and copying papers, per copy sheet, fifteen cents.

Recording names, qualification and expiration of term of office of justices of peace, five cents for each name.

Registering trained nurses, including certificate of registration, fifty cents.

Recording certificates of incorporation of corporations, three dollars.

Recording names of jurors as required by law, five cents for each name.

Resignation.

Resignation of guardian, relinquishment of right to administrator, or to qualify as executor, receiving, filing, and noting same, twenty-five cents.

Seal of office, when necessary, twenty-five cents.

Subpœna, each name, fifteen cents.

Summons, in civil actions or special proceedings, including all the names therein, one dollar, and for every copy thereof, twenty-five cents.

Transcript of judgment, seventy-five cents; with seal, one ^{Transcripts.} dollar.

Transcript of any matter of record or paper on file, per copy sheet, fifteen cents.

Trial of any cause, or stating an account, as referee, pursuant to order of the judge, such allowance as the judge may make.

Warrant, one dollar.

Witness ticket, including jurat, ten cents.

Five per cent commission shall be allowed the clerk on all ^{Commission on} fines, penalties, amercements, and taxes paid the clerk by virtue ^{fines, penalties,} of his office; and three per cent on all sums of money not exceeding five hundred dollars placed in his hands by virtue of his office, except on judgments, decrees, and executions; and upon the excess over five hundred dollars of such sums, one per cent. ^{taxes, etc.}

SEC. 2. That all laws and clauses of laws providing for the ^{Conflicting} fees to be collected by the clerk of the court, which are in conflict ^{laws repealed.} with the provisions of this act, whether special, local, public-local or general, and especially section two thousand seven hundred and seventy-three of the Revisal of one thousand nine hundred and five, are hereby expressly repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 577

AN ACT TO REPEAL ALL PRIVATE, LOCAL, SPECIAL, AND PUBLIC-LOCAL ACTS RELATING TO ROAD WORK IN UNION COUNTY AND THE SUBDIVISIONS THEREOF, AND TO ABOLISH FREE LABOR FROM THE PUBLIC ROADS OF UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all special, local, private, and public-local ^{Local and special} laws relating to public roads in Union County, or any subdivision ^{laws repealed} thereof, except for the purpose of collecting any and all taxes ^{except for} levied thereunder and now due, be and the same are hereby re- ^{collection.} pealed so as to leave the public roads of Union County and the ^{of taxes due.} working thereof regulated by an act passed at this session of ^{Roads to be} the General Assembly providing for a road electorate in the ^{regulated by state} several counties of this state and for other purposes. ^{road electorates} ^{law.}

SEC. 2. That the superintendent of the chain-gang and the ^{Road} road commissioners of Monroe Township in said county are ^{commissioners} hereby authorized and directed to turn over to the road com- ^{given control all} missioners of said county heretofore appointed or elected as ^{county road} and convicts. ^{property}

provided by law, all convicts, funds and property of every description in their possession.

County road funds.

SEC. 3. That all other road authorities in said county, or any subdivision thereof, shall turn over all road funds and property of every description in their possession to the road commissioners of said county.

Township road funds.

SEC. 4. That all road funds now provided for any township in said county and the proceeds of any property in any township, shall first be used to pay off and discharge any liability of such township and the remainder, if any, shall be used by the road commission in the maintenance or improvement of the roads in such township.

Working of convicts on roads optional.

SEC. 5. That the road commissioners of said county shall have authority to receive any convicts, funds and property from any township, and shall have authority to work convicts on the public roads of said county; *Provided*, they can do so at satisfactory expense, and in event they at any time find it to be inexpedient or too expensive to work convicts on the public roads of said county, they may cease to do so and turn such convicts as they may have over to the counties from which they were received.

Free labor abolished.

SEC. 6. That no free labor shall be required on the public roads in Union County.

Act effective when county commissioners ratify State law.

SEC. 7. That this act shall be in force from and after the ratification by the board of county commissioners, of an act passed at this session of the General Assembly providing for the creation of a road electorate and for other purposes.

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 578

AN ACT TO AMEND H. B. 1070, S. B. 1035, PROVIDING ADDITIONAL RULES AND REGULATIONS FOR THE WORKING OF THE PUBLIC ROADS IN BEULAH TOWNSHIP, JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Change in personnel of road commission.

SECTION 1. That house bill one thousand and seventy, senate bill one thousand and thirty-five, same having been ratified on March fifth, one thousand nine hundred and nineteen, being file number five hundred and eighty, be amended by striking out in line one of section one the name "R. L. Pittman," and inserting in lieu thereof the name "A. J. Broughton."

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 579

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF MONTGOMERY COUNTY TO SELL THE OLD JAIL LOT.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Montgomery County are hereby authorized and empowered in their discretion to sell at the best possible price obtainable any part or all of the old jail lot in the town of Troy, and invest proceeds in a new building as authorized by the General Assembly at the present session: *Provided* that the said board of commissioners erect jail on top of new courthouse to be erected on or adjacent to present courthouse lot. Sale authorized. Proviso: jail to be erected on top new courthouse.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 580

AN ACT TO REQUIRE THE SHERIFF OF PITT COUNTY TO
PERFORM THE DUTIES OF CONSTABLE IN GREENVILLE
TOWNSHIP, PITT COUNTY, AND RECEIVE THE FEES
THEREFOR WHILE SO SERVING.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Pitt County are hereby authorized and empowered, in their discretion, to require the sheriff of Pitt County to perform the duties now imposed on the constable of Greenville Township in case of a vacancy in said office and upon the passage of a resolution to that effect by said board, it shall be the duty of the said sheriff to perform said duties: *Provided, however,* that the commissioners of Pitt County shall not be deprived of the right to fill a vacancy in the office of constable when they deem it proper, and when such vacancy is so filled, the fees for serving papers from justices of the peace by the sheriff shall go to the county. Sheriff to perform constable's duties. Proviso: constable may be named.

SEC. 2. That when it becomes the duty of the sheriff of said county to serve processes issued to a constable as provided in this act and to perform the duties fixed upon the constable of any township of Pitt County, by law, the said sheriff shall, in addition to his salary as said sheriff, receive the fees allowed by law to constables in said county for serving said papers. Sheriff to receive fees.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 581

AN ACT TO AUTHORIZE THE ERECTION OF A BRIDGE
ACROSS SMITH'S CREEK, PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

Commissioners
to erect bridge
on petition.

SECTION 1. The board of county commissioners of Pamlico County is hereby authorized and empowered, in its discretion and upon petition of local residents and property owners, to erect or cause to be erected a bridge across Smith's Creek opposite or near the town of Oriental, Pamlico County, and to pay the cost of said bridge out of the public road funds of Pamlico County: *Provided*, that the erection of said bridge shall not be begun and the contract for its erection shall not be let until the residents and the property owners of the community requesting such erection shall have given to the board of county commissioners a written guarantee that they will, upon the completion of the bridge, reimburse the public road funds of the county in such an amount as shall be stated in said guarantee, and shall be satisfactory to the board of county commissioners, and until said residents and property owners shall have, at their own expense and without expense to the county, constructed satisfactory roads connecting the nearest existing public roads on either side of Smith's Creek with the site of said proposed bridge.

Proviso:
Reimbursement
for cost.

Connecting roads
to be built.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 582

AN ACT TO AMEND CHAPTER 439 OF THE PUBLIC-LOCAL
LAWS OF 1913, CREATING THE OFFICE OF AUDITOR FOR
MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

Chapter 409,
Public-Local Laws
1913, amended.

SECTION 1. That chapter four hundred and thirty-nine of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, be amended by adding the following after the word "direct" in the last line of section two of said act: "*Provided*, that the board of commissioners of said county is hereby authorized to employ a competent, skilled public accountant to audit, once a year, all the books of the public officers in said county handling public or private funds, and to make and certify to said board a report of said audit so made by said public accountant, for which service said board is authorized to pay a

Public accountant
to be employed.

Compensation.

reasonable compensation out of any funds in the county treasury not otherwise appropriated, not to exceed the sum of five hundred dollars (\$500) per year, which said audit when made and certified shall be posted at the county courthouse door, and also published in a weekly paper published in said county for which publication in such paper said board is authorized to pay a reasonable compensation out of any funds not otherwise appropriated in the county treasury; that the posting and publication of said accountant's certified report as aforesaid shall be in lieu of the annual statement now required by section one thousand three hundred and twenty-six of the Revisal of North Carolina, in so far as Mecklenburg County is concerned, but this proviso shall not apply to the annual statement for one thousand nine hundred and eighteen”

Auditor's report
to be published.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 583

AN ACT TO AMEND CHAPTER 684 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA ENACTED AT THE SESSION OF 1915, IT BEING AN ACT TO PLACE THE OFFICERS OF HARNETT COUNTY UPON A SALARY BASIS.

The General Assembly of North Carolina do enact:

SECTION 1. That section eleven of chapter six hundred and eighty-four of the Public-Local Laws of nineteen hundred and fifteen be amended by striking out said section and inserting in lieu thereof the following:

“The clerk of the Superior Court of Harnett County shall receive for his salary the sum of twenty-three hundred dollars (\$2,300) per annum, and in addition thereto, his chief deputy shall receive a salary of six hundred dollars (\$600) per annum, and out of the allowance made said clerk, he shall employ and pay the compensation of all necessary clerical assistance sufficient to give prompt and efficient service imposed upon him by law.”

Salary of clerk
of court.

SEC. 2. That section thirteen of said act be and the same is hereby amended by striking out said section thirteen and inserting in lieu thereof the following:

“The register of deeds of Harnett County shall receive for his salary the sum of twenty-five hundred dollars (\$2,500) per annum, and in addition thereto his deputy shall receive a salary of

Salary of
register of deeds.

six hundred dollars (\$600) per annum, and out of the allowance made the said register of deeds shall employ and pay for a sufficient clerical force for the prompt and efficient discharge of the duties imposed upon him by law.”

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 584

AN ACT TO PROVIDE FOR THE PAYMENT OF THE INCREASE IN BOND OF THE SHERIFF AND OF THE TREASURER OF HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Increased cost of
bond paid
by county.

SECTION 1. That the board of county commissioners of the county of Haywood be and they are hereby authorized, empowered and directed to pay such amount, if any, in excess of the bonds paid for the year one thousand nine hundred and eighteen as shall be caused by the act heretofore passed by the General Assembly of one thousand nine hundred and nineteen, relating to the compensation of the sheriff and the treasurer of the said county.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 585

AN ACT TO REQUIRE THE USE OF LIGHTS AFTER DARK ON VEHICLES USING THE HARD-SURFACED PUBLIC ROADS OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Suitable lights
required.

SECTION 1. It shall be the duty of every owner of or user of any vehicle, including bicycles, on the hard-surfaced public roads of New Hanover County after dark to display or cause to be displayed a suitable light in a prominent place upon the said vehicle so that same may be easily seen both from the front and from the rear.

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 (\$50) or imprisoned not exceeding thirty (30) days. Violation of act misdemeanor.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act shall be repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 586

AN ACT TO SECURE THE BETTER ENFORCEMENT OF THE LAW AGAINST THE MANUFACTURE AND SALE OF INTOXICATING LIQUORS IN CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any officer of Chatham County who shall hereafter arrest and procure evidence sufficient to convict any person of manufacturing intoxicating liquors in Chatham County or aiding and abetting in the same shall, upon the conviction of said person so arrested, shall be entitled to receive a fee of fifty dollars (\$50) to be taxed against the defendant. Fee for conviction of manufacturer of liquor.

SEC. 2. That any officer of said county who shall hereafter arrest and procure evidence sufficient to convict any person of the offense of selling intoxicating liquors contrary to law, shall, upon the conviction of said person of said offense, be entitled to receive a fee of twenty-five dollars (\$25) to be taxed against the defendant. Fee for conviction of seller of intoxicating liquor.

SEC. 3. That when any officer of Chatham County shall hereafter seize or capture any vehicle or team transporting intoxicating liquors contrary to law and said vehicle or team is forfeited and sold under the provisions of law, said officer shall be entitled to receive a fee of fifty dollars (\$50), to be added to the cost of said seizure and sale, which shall be deducted from the money received from said sale, and the remainder of the funds received from the said sale shall be paid over to the proper authorities, as is now or may hereafter be required by law. Fee for seizure of vehicle transporting liquor.

SEC. 4. That in all cases where any person is convicted of the manufacture or sale of intoxicating liquors, and the cost is not paid by the defendant, but is taxed against the county, the officer making the arrest and securing the conviction of said defendant shall be allowed a fee of ten dollars to be taxed against the bill of cost against the county of Chatham. Fee when defendant not convicted.

SEC. 5. That nothing in this act shall be construed as in any way repealing any law that may now or hereafter exist, allowing Act not to repeal existing law.

the compensation for the capture of a distillery or other apparatus for the manufacture of intoxicating liquor, but is to be in all respects an addition thereto.

Sale of captured material.

SEC. 6. That the county commissioners of Chatham County are authorized and directed to dispose of and sell the copper or other material used in the manufacturing apparatus so destroyed, and use the funds in the way and manner in which they see fit to better enforce the prohibition laws in Chatham County.

SEC. 7. That this act shall apply to Chatham County only.

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 10th day of March, A. D. 1919.

CHAPTER 587

AN ACT FOR THE PROTECTION OF THE PUBLIC ROADS OF BUNCOMBE COUNTY.

WHEREAS, the use of automobile trucks and other freight carrying vehicles of much weight have become very common in the county of Buncombe, and on account of climatic conditions and the grades of roads in said county, said trucks and other heavily loaded vehicles from time to time do much damage to the roads of said county, and the commissioners of said county under the existing law are helpless to combat conditions as they now arise,

Now, therefore,

The General Assembly of North Carolina do enact:

Rules for freight carrying vehicles.

SECTION 1. That the board of county commissioners of Buncombe County be and they are hereby authorized and empowered to make and promulgate just and reasonable rules and regulations for the use of automobile trucks and other heavy freight carrying vehicles to be used or run over the improved roads and bridges of the county of Buncombe from time to time, as in their best judgment are reasonable and proper, to meet such conditions, climatic or otherwise, as may arise.

Rules may be changed.

SEC. 2. That the said board of commissioners of Buncombe County may change, alter, or repeal any of the rules and regulations by it made from time to time, so as to meet the various conditions that arise, fixing the roads upon which trucks and heavy vehicles may run during a given period or the maximum amount in tonnage which any one vehicle or train of vehicles may carry over such roads at such periods, as in their judgment is wise; that said rules and regulations, when so made, and pub-

After publication rules become law.

lished three times in a daily paper published in the city of Asheville, and posted at the courthouse door, shall then be and become the law relative thereto.

SEC. 3. That any person, firm or corporation violating any of the rules or regulations so made and promulgated by the board of county commissioners of Buncombe County, shall be guilty of a misdemeanor, and on conviction thereof shall pay a fine of twenty dollars (\$20) for each and every offense, and the owner of such automobile truck or other freight carrying vehicle shall be liable in damages to the county of Buncombe for all damage that is done to the roads or bridges of said county by reason of running the same in violation of such rules and regulations so promulgated.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 588

AN ACT RELATING TO FUNDS FOR SCHOOL PURPOSES IN McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all funds paid by the National Forest for the county of McDowell, North Carolina, shall be paid to the treasurer of McDowell County, North Carolina, to be expended by the board of education of McDowell County, North Carolina, for the benefit of the public schools of said county.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 589

AN ACT TO AMEND CHAPTER 667 OF THE PUBLIC-LOCAL LAWS OF 1917 RELATING TO SALE OF PARTRIDGES.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and sixty-seven of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is amended by striking out in the title thereof the words "in New Hanover County" and by striking out in line

one of section two, the word "counties" and inserting in lieu thereof the word "county."

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

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 10th day of March, A. D. 1919.

CHAPTER 590

AN ACT REQUIRING THE TREASURER AND COMMISSIONERS OF JACKSON COUNTY TO DEPOSIT COUNTY FUNDS AT INTEREST.

The General Assembly of North Carolina do enact:

SECTION 1. The commissioners of Jackson county shall at their first meeting in December, one thousand nine hundred and nineteen, and annually thereafter, designate as depositories for the funds coming into the treasurer's office, the banks of Jackson County.

SEC. 2. That any bank so designated, desiring to receive on deposit and pay the usual rate of interest on daily balances, shall qualify as such depository by executing a good and sufficient bond, payable to the State of North Carolina, with sureties to be approved by said board of commissioners and the treasurer, conditioned that such bank or banks will safely keep and account for and pay over said money on demand on checks or vouchers signed by any person or persons duly authorized to issue same.

SEC. 3. The treasurer of Jackson County shall forthwith after said date in December, one thousand nine hundred and nineteen, deposit all moneys in his hands as such treasurer, belonging to any fund, deposit the same in the banks designated by the board of commissioners, on interest at the usual rate on daily balances: *Provided*, that no money shall be placed in any bank of said county which has not qualified as provided in section two of this act and agree to pay the usual rate on said daily balances.

SEC. 4. It shall be the duty of the treasurer of Jackson County to make daily deposits of all public funds coming into his hands by virtue of his office, and maintain as nearly as practicable an equal balance in each bank so qualifying as a depository of public funds.

SEC. 5. It shall be the duty of the treasurer of said county to collect all interest on the funds so deposited by him, and credit same to the fund which earned said interest.

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

Ratified this the 10th day of March, A. D. 1919.

Banks to be designated as county depositories

Banks to give bond.

Treasurer to deposit money.

Proviso: money not to be deposited until bank qualifies.

Daily deposits required.

Treasurer to collect interest.

CHAPTER 591

AN ACT SUPPLEMENTAL TO AN ACT TO LEVY A SPECIAL TAX TO CONSTRUCT AND KEEP IN REPAIR THE PUBLIC ROADS OF MITCHELL COUNTY, AND FOR OTHER PURPOSES, PASSED DURING PRESENT SESSION OF THE GENERAL ASSEMBLY OF 1919.

The General Assembly of North Carolina do enact:

SECTION 1. That section twenty-three of house bill three hundred and one, senate bill three hundred and seventy-four, file number two hundred and eighty-five, be and the same is hereby amended by striking out all of said section after the word "in" in line one and inserting in lieu thereof the following: "full force and effect from and after July first, one thousand nine hundred and nineteen." H. B. 301, S. B. 374, amended.

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 592

AN ACT TO AMEND H. B. 1109 AND S. B. 1186 OF THE PRESENT SESSION.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section ten of house bill number one thousand one hundred and nine and senate bill number one thousand one hundred and eighty-six of the present session by striking out the entire section and substituting the following: "Whenever new meters for water, gas, or electricity are proposed to be installed the furnisher shall make a deposit with the county auditor to pay for inspecting and testing same; said deposit shall be two dollars whenever four or a less number of such meters are to be inspected and tested at one test, but whenever more than four such meters are to be inspected and tested at one test the deposit shall be at the rate of fifty cents for each meter to be tested. The said county auditor shall pay such deposit to said meter adjuster whenever the inspection and test has been completed." And amend section twelve by striking out the entire section and substituting the following: "It shall be the duty of every person, firm, corporation or municipality who shall furnish water, gas, or electricity by meter measure in New Hanover County to furnish the consumer a facsimile of the meter dials each time the meter is read; said facsimile shall be left at the Furnisher of meter to make deposit. What to cover. Facsimile of meter reading required.

premises where the meter is located on the same day the meter is read.”

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 593

AN ACT TO REPEAL HOUSE BILL 679, SENATE BILL 731, FILE NUMBER —, IN OFFICE OF SECRETARY OF STATE, RATIFIED FEBRUARY 26, 1919, IT BEING AN ACT PREVENTING THE KILLING, SELLING, AND SHIPPING OF CALVES FOR VEAL IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

H. B. 679, S. B. 371, repealed.

SECTION 1. That House bill number six hundred and seventy-nine, Senate bill number seven hundred and thirty-one, file number....., in office of Secretary of State, ratified February twenty-sixth, one thousand nine hundred and nineteen, it being an act preventing the killing, selling and shipping of calves for veal in Buncombe County be and the same is hereby repealed.

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 594

AN ACT TO AMEND CHAPTER 307 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE AUDITOR OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Auditor's salary increased.

SECTION 1. That section one of chapter three hundred and seven of the Public-Local Laws of the session of the General Assembly of one thousand nine hundred and thirteen, be amended by striking out in line three the words “eighteen hundred dollars (\$1,800),” and inserting in lieu thereof the following: “Twenty-four hundred dollars (\$2,400).”

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 595

AN ACT TO REGULATE FEES OF COUNTY SURVEYOR AND MILEAGE IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county surveyor of Surry County shall receive a per diem not to exceed five dollars for the time actually employed. Per diem for county surveyor.

SEC. 2. That chapter sixty-two, Public-Local Laws, one thousand nine hundred and seventeen, be amended by adding in section twelve, after the word "employed" in the last line, the words "and mileage of five cents each way." Chapter 62, Public-Local Laws 1917, amended. Mileage.

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 596

AN ACT TO AUTHORIZE THE COMMISSIONERS OF MECKLENBURG COUNTY TO REFUND ITS BONDED INDEBTEDNESS OF \$300,000 AUTHORIZED BY CHAPTER 146 OF THE PUBLIC LAWS OF 1889 AND OTHER ACTS.

WHEREAS, the board of commissioners of Mecklenburg County, Preamble. pursuant to chapter one hundred and seventy-one of the Public Laws of eighteen hundred and sixty-eight and eighteen hundred and sixty-nine, did cause to be submitted to a vote of the people of Mecklenburg County the question as to whether said county should subscribe for two hundred thousand dollars (\$200,000) of the stock of the Charlotte and Atlanta Airline Railroad Company, and one hundred thousand dollars (\$100,000) of the stock of the Atlantic, Tennessee and Ohio Railroad Company, and issue its coupon bonds for three hundred thousand dollars (\$300,000) in exchange or payment, for said stock in said railroad companies, and

WHEREAS, at the election held pursuant to said order of said Preamble. board a large majority of the qualified voters of said county voted in favor of said stock subscriptions, and the issuance of said bonds by said county in payment therefor, as appears from the resolutions of said board adopted on the first day of June, one thousand eight hundred and seventy, declaring the result of said election as hereinbefore set forth, and

WHEREAS, thereafter, the said board of commissioners did, by Preamble. resolution, duly adopted in the year one thousand eight hundred and seventy, issue and deliver to the proper officers of said rail-

way companies three hundred thousand dollars (\$300,000) of its coupon bonds in exchange for three hundred thousand dollars (\$300,000) of the stock of said railway companies, as aforesaid, which bonds matured twenty years from their date, and

Preamble.

WHEREAS, upon the maturity of said bonds the said county of Mecklenburg, not having the necessary funds with which to pay off the same, was authorized by chapter one hundred and forty-six of the Public Laws of one thousand eight hundred and eighty-nine, to refund said bonded indebtedness by issuing three hundred thousand dollars (\$300,000) of its coupons, bearing interest, payable annually, at the rate of not to exceed six per cent per annum, in such denominations as the board might deem best, to mature thirty years after date, all of which will more fully appear by reference to said act, and

Preamble.

WHEREAS, the board of commissioners of said county did, on the first day of November, one thousand eight hundred and ninety, pursuant to the authority contained in and conferred upon said board by said last-named act, issue three hundred thousand dollars (\$300,000) of coupon bonds, due thirty years from the date thereof, which bonds were sold and the proceeds thereof used in taking up the railroad bonds, as hereinbefore referred to, and in refunding the indebtedness of the county, thereby created, and

Preamble.

WHEREAS, the said three hundred thousand dollars (\$300,000) of said coupon bonds, issued pursuant to chapter one hundred and forty-six of the Public Laws of one thousand eight hundred and eighty-nine will mature in one thousand nine hundred and twenty, at which time the county of Mecklenburg will be without sufficient funds, available for that purpose, with which to pay off said bonds, thereby rendering it necessary that said county should obtain authority from the General Assembly of North Carolina to again issue three hundred thousand dollars (\$300,000) of its coupon bonds with which to pay off said present outstanding bonds of like amount, and refund said indebtedness,

Therefore,

The General Assembly of North Carolina do enact:

To issue
refunding bonds.

Amount.

Denominations.

Interest.

Form of bonds.

SECTION 1. That the board of commissioners of Mecklenburg County be, and it is hereby authorized and directed to issue refunding bonds of the county of Mecklenburg to an amount not exceeding three hundred thousand dollars (\$300,000) of denominations not greater than one thousand dollars (\$1,000), bearing interest from the date thereof at the rate of not exceeding five and one-half per cent, 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 to exceed thirty (30)

years from the date thereof, and in 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 upon the request of any holder or holders of said bonds, the clerk of said board is authorized and empowered to register the same and to make same payable to the order of the registered holder only and from the date of said registration, which shall be entered upon the face of said bonds so registered, they shall cease to be payable to the bearer. Said board of commissioners is hereby expressly authorized to issue said bonds in either one or more series, which series of bonds, if more than one, so issued may be made to fall due at different dates so that any number of said bonds may become due at any time after five (5) years from the date thereof, not to exceed thirty (30) years from their date: *Provided*, the total issue of said bonds authorized under this act shall not exceed three hundred thousand dollars (\$300,000) and the maximum rate of interest thereon shall not exceed five and one-half per cent.

Authentication.

Bonds may be registered.

May be issued in series.

Proviso: total issue not over \$300,000.

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 Mecklenburg County shall levy and cause to be collected annually as other county taxes are levied and collected, a special tax upon all subjects of taxation in accordance with chapter eight hundred and forty (840) of the Public Laws of North Carolina of one thousand nine hundred and five, and acts amendatory thereof, sufficient in amount to pay said interest and create said sinking fund to pay the principal of said bonds at the maturity thereof.

Special tax for bonds.

SEC. 3. That the clerk of the board of commissioners of said county shall provide a record in his office in which shall be entered and kept the name of every purchaser of said bonds, and the number and amount of bonds so purchased; and also a record of bonds paid off, or redeemed, together with the date of their payment of redemption, and the bonds and coupons when paid or redeemed, shall be recorded so paid or redeemed, and shall be destroyed by fire in the presence of said board of commissioners, and the clerk of the Superior Court of said county, and a record of such destruction shall be made, dated and preserved.

Record of sales.

Redemption of bonds and coupons.

SEC. 4. That before selling said bonds said board of commissioners shall advertise the same for thirty (30) days immediately preceding the date of sale in at least one newspaper of general circulation, published in Mecklenburg County, and may also advertise said sale in one or more financial journals published anywhere in the United States, giving the time and place when bids will be open for the sale of said bonds and the terms upon which said bonds are issued: *Provided*, that said board shall have the

Bond sale to be advertised.

Advertisement.

Proviso: bids may be rejected in toto.

right, in its discretion, to reject any and all bids for said bonds, but shall not accept any bid for less than par; *Provided further*, that after said board of commissioners shall have advertised for bids for said bonds and no acceptable bids shall have been made therefor, then said board shall have the discretion to sell said bonds, or any part thereof, privately to such person or persons, as shall make a satisfactory offer therefor, which offer, however, shall not be less than par, with accrued interest, or to readvertise for bids for said bonds, as provided in this section, in case a satisfactory sale thereof cannot be effected.

SEC. 5. That the total net proceeds arising from the sale of all bonds issued pursuant to the provisions of this act, shall constitute a separate and distinct fund, and shall be used exclusively for the purpose of refunding and paying off the present outstanding bonded indebtedness of said county of three hundred thousand dollars (\$300,000), authorized and created and contracted pursuant to the several acts of the legislature referred to in the preambles of this act, and which indebtedness consists of, and is evidenced by the present outstanding coupon bonds of said county aggregating three hundred thousand dollars (\$300,000), issued on the first day of November, one thousand eight hundred and ninety, and due and payable on the first day of November, one thousand nine hundred and twenty; and the board of commissioners of said county shall cause the treasurer thereof to open and keep a separate account of all funds received from the proceeds of the sale of said bonds and the disbursements thereof, and the said treasurer shall be liable officially, as well as personally, to all the requirements of law now, or hereafter prescribed for other county funds in his hands, and the faithful keeping and disbursements thereof; and the board of commissioners of said county shall require said treasurer to give bond for the faithful and honest performance of his duties in respect to said special fund, which said bond shall be in such amount as said board, in its discretion may fix. Said treasurer shall receive no compensation for his services in receiving, keeping and disbursing said funds other than the premium paid upon the official bond which said board of commissioners shall require him to give for the protection of said fund; and all taxes levied hereunder shall be collected by the sheriff, tax collector, or other officer charged with the collection of other county taxes, and they shall in respect thereto be liable officially, as well as personally, to all the requirements of law now, or hereafter, prescribed for the faithful collection and payment of other county taxes, and the bonds given by said officials for the collection of county taxes shall include the taxation levied hereunder.

SEC. 6. That in order to provide for the safekeeping and investment of the funds arising from the collection of taxes levied

Proceeds
separate fund

Purpose.

Treasurer's
record.

Liability for
proceeds.

Bond.

Treasurer to
receive no
compensation.

Collection of
special tax.

Special account
of bond account.

under this act, over and above the amount necessary to pay the interest on said bonds, the treasurer or other custodian of county funds, shall open upon his books an account designated "Railroad Refunding Bond Account" and all sums received by said treasurer, or other custodian of county funds, from taxes levied hereunder which shall not be necessary for the payment of the accrued or accruing interest on said bonds hereby authorized to be issued, shall be credited to the account of "Railroad Refunding Bond Account," and said fund shall be kept to the credit of said account, separate and distinct from all other county funds, for the purpose of paying the principal of the bonds hereby authorized to be issued at the maturity thereof; and said treasurer or other custodian of county funds is hereby authorized and directed to invest any funds which belong to said "Railroad Refunding Bond Account" from time to time, in safe, interest-bearing securities payable to the county of Mecklenburg for the use and benefit of said fund:

Provided, that no investment of said funds shall be made until the security thereof is approved by the board of commissioners of said county, and *Provided further*, that the preference shall be given in making said investment in the purchase, if possible, of the bonds issued hereunder, and the treasurer or other custodian of county funds, shall be liable on his official bond for the faithful and honest performance of the duties imposed by this section.

SEC. 7. That the duties imposed and the powers conferred by this act shall be construed to be mandatory, and not directory, and any official provided for under this act failing to perform any duty imposed, or power conferred upon him under the provision of this act, shall be guilty of a misdemeanor, and fined or imprisoned at the discretion of the court.

SEC. 8. That the bonds issued under this act shall be known as "Mecklenburg County Refunding Bonds," and shall be so designated on their face.

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 597

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CHATHAM COUNTY IN THEIR DISCRETION TO ISSUE BONDS FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING THE ROADS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Chatham County be and they are hereby authorized, in their discretion, to issue

Investment
of funds.

Proviso: securities
to be approved.

Powers and
duties mandatory.

Violation of act
a misdemeanor.

Title of bonds.

Bond issue
authorized.

Amount. bonds in an amount not to exceed three hundred thousand dollars (\$300,000) for the purpose of constructing, improving and maintaining the public roads of Chatham County. That said bonds shall be issued in denominations of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000) and bear interest at a rate not exceeding six per cent per annum to be evidenced by coupons attached to said bonds. The said county commissioners are authorized to prescribe the form of said bonds, the length of time they shall run, not to exceed thirty years, and the denominations in which said bonds shall be issued. The said bonds shall bear the signature of the chairman and secretary of the said board of county commissioners of Chatham County and the coupons attached to the said bonds may bear the facsimile of the signature of the chairman of the said board.

Bonds not sold under par.
 Commissioners to sell bonds.
 Advertisement.

SEC. 2. That no bonds issued under the provisions of this act shall be sold or otherwise disposed of for less than par and accrued interest. The said board of county commissioners of Chatham County are authorized and empowered to sell or dispose of the said bonds either at public or private sale, or by sealed bids, as to them may seem best, and in case they sell at public sale they shall give notice thereof in one or more newspapers published in the State of North Carolina for at least thirty days, and said board of commissioners of Chatham County may also advertise the sale of said bonds in one or more newspapers published within or without the state, which may make a business of advertising such sales.

To be separate fund.

SEC. 3. That the money arising from the sale of said bonds issued under the provisions of this act shall constitute a separate and distinct fund to be appropriated to the laying out, construction, maintenance, and repair of the public roads of Chatham County.

Disbursements under direction of commissioners.

SEC. 4. That the disbursements of the said funds arising from the sale of the bonds aforesaid shall be under the direction of the board of county commissioners or such officers or agents as they may direct, and the same shall be expended in the same manner as other road funds of the county.

Special tax authorized.

SEC. 5. In order to provide for the payment of the interest as it may accrue and to retire at their maturity any bonds, which may be issued under the provisions of this act, the commissioners of Chatham County are authorized and empowered to levy such tax on the property and polls of the said county as may, in their judgment, be required for this purpose. The said tax shall be levied and collected in the same manner, at the same time, and by the same officers as the other taxes of the county are levied and collected.

Purchaser not required to see to application of funds.

SEC. 6. That the purchaser or purchasers of any part of said bonds shall not be required to see to the application of the

proceeds arising from the sale of said bonds by the commissioners of Chatham County or other officers of the said county.

SEC. 7. That all laws and parts 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 11th day of March, A. D. 1919.

CHAPTER 598

AN ACT TO AMEND SECTION 12 OF CHAPTER 143, PUBLIC-LOCAL LAWS OF 1917, AND TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF ROBESON COUNTY TO HIRE OUT THE CONVICTS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section twelve of chapter one hundred and forty-three of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby amended by striking out the words "including the control of the county convict force" from lines fourteen and fifteen of said section, the same being lines four and five from the top of page two hundred and thirty-six. Chapter 143,
Public-Local
laws 1917,
amended.

SEC. 2. The board of county commissioners of Robeson County, together with the road commissioners of Robeson County, are hereby authorized and empowered to hire out the convicts sentenced to work upon the public roads of said county to any contractor doing work upon said roads or upon the public bridges of said county. County and road
commissioners
to hire out
convicts.

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 11th day of March, A. D. 1919.

CHAPTER 599

AN ACT TO AMEND CHAPTER 643, PUBLIC LAWS OF 1913, RELATIVE TO COTTON WEIGHER FOR RAEFORD TOWNSHIP, HOKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and forty-three of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows: In line three and Chapter 643,
Public-Local
Laws 1913,
amended.

four of section three, strike out the words "town of Raeford" and insert in lieu thereof the words "county of Hoke," and by striking out section six and inserting in lieu thereof the following:

Compensation
of cotton weigher.

"SEC. 6. That said cotton weigher shall receive as full compensation for his services a sum to be fixed by the board of county commissioners of Hoke County, said sum not to exceed twenty cents per bale for each bale of cotton weighed, the seller and purchaser to pay each one-half of said sum; and the purchaser shall retain the seller's half out of the purchase price and shall be responsible to said weigher for his fees."

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 600

AN ACT TO AMEND H. B. 1109 AND S. B. 1186 OF THE PRESENT SESSION.

The General Assembly of North Carolina do enact:

H. B. 1109, S. B.
1186, amended.

SECTION 1. Amend section ten of House bill number one thousand one hundred and nine and Senate bill number one thousand one hundred and eighty-six of the present session by striking out the entire section and substituting the following: "Whenever new meters for water, gas, or electricity are proposed to be installed the furnisher shall make a deposit with the county auditor to pay for inspecting and testing same; said deposit shall be two dollars whenever four or a less number of such meters are to be inspected and tested at one test, but whenever more than four such meters are to be inspected and tested at one test the deposit shall be at the rate of fifty cents for each meter to be tested. The county auditor shall pay such deposit to said meter adjuster whenever the inspection and test has been completed." And amend section twelve by striking out the entire section and substituting the following: "It shall be the duty of every person, firm, corporation, or municipality who shall furnish water, gas, or electricity by meter measure in New Hanover County to furnish the consumer a facsimile of the meter dials each time the meter is read; said facsimile shall be left at the premises where the meter is located on the same day that the meter is read."

Fee for inspection
and testing

Section 12
amended.

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

SEC. 3. This act shall be in force from and after its ratification.
Ratified this the 11th day of March, A. D. 1919.

CHAPTER 601

AN ACT SUPPLEMENTAL TO AN ACT PASSED AT THIS GENERAL ASSEMBLY, IT BEING AN ACT TO PROHIBIT SOLICITATION OF PASSENGERS ON RAILROAD TRAINS IN BUNCOMBE AND OTHER COUNTIES, AND KNOWN AS H. B. 670, S. B. 748, FILE NUMBER 415, IN OFFICE OF SECRETARY OF STATE AND RATIFIED MARCH 3, 1919.

The General Assembly of North Carolina do enact:

SECTION 1. That an act ratified March third, one thousand nine hundred and nineteen, and filed in office of Secretary of State, as House bill number six hundred and seventy, Senate bill number seven hundred and forty-eight, and file number four hundred and fifteen, it being an act prohibiting the solicitation of passengers on railroad trains, be amended by striking out of said act whenever it may appear the words "Buncombe" and "McDowell."

H. B. 670, S. B. 748, amended.

Counties stricken out.

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 11th day of March, A. D. 1919.

CHAPTER 602

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CHATHAM COUNTY TO ISSUE BONDS TO PAY FOR CERTAIN ROAD IMPROVMENT.

WHEREAS, chapter six hundred and forty-seven of the Local Laws of nineteen hundred and seventeen provided for an election for the issue of bonds of Chatham County for the improvement of public roads, and

WHEREAS, under the provisions of the said act an election was held and the said bonds were authorized and issued to the amount of three hundred thousand dollars (\$300,000), but were never sold or offered for sale; and

WHEREAS, upon the faith of the said election the commissioners of Chatham County authorized, empowered and directed J. M. Gregory, a road contractor, in the year one thousand nine hundred and seventeen, to do certain grading on the public roads in Baldwin Township in said county and said J. M. Gregory, acting under such authority performed such work to the amount of two thousand two hundred dollars (\$2,200), for which he has received no payment;

Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Chatham County, to-wit: C. D. Moore, W. H. Ferguson, and C. B. Fitz, be and they are

Bonds for relief of J. M. Gregory.

hereby authorized, empowered and directed to deliver to J. M. Gregory bonds of Chatham County issued as aforesaid amounting to two thousand two hundred dollars (\$2,200) in full settlement for road grading in Baldwin Township, said county; the said bonds to run not less than ten nor more than fifteen years and to draw interest not to exceed five per cent (5%) per annum.

SEC. 2. That the county commissioners of Chatham County shall pay off and discharge said bond and interest, as set forth in section one of said bill, out of any taxes arising from any levy that has been made by them or may be in the future be levied in Baldwin Township of said county for road improvement.

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

SEC. 4. This act shall be in force from and after its ratification. Ratified this the 11th day of March, A. D. 1919.

Tax for bond
and interest.

CHAPTER 603

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

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of New Hanover County be and they are hereby authorized and empowered to levy a special tax of not more than five cents on the one hundred dollars valuation of real and personal property in said county, and fifteen (15) cents on each poll, to be expended and applied for the special purpose of keeping and maintaining inmates and prisoners at the county home in said New Hanover County. The said tax shall be levied and collected as other taxes in said county.

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 11th day of March, A. D. 1919.

Special tax
for county home.

CHAPTER 604

AN ACT TO REGULATE THE FEES TO BE CHARGED BY THE JUSTICES OF PEACE IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the justices of peace in Iredell County shall receive a fee of forty-five cents for each summons issued in a

Fee for summons.

civil action where there is one defendant and ten cents additional for every additional defendant.

SEC. 2. That the said justices of the peace shall receive a fee of sixty cents for the trial of a civil action and the entry of judgment therein. ^{Fee for trial of civil action.}

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 605

AN ACT TO AUTHORIZE THE COMMISSIONERS OF BUNCOMBE COUNTY TO SET APART AND APPROPRIATE TO THE ASHEVILLE BOARD OF TRADE, INC., SUCH A SUM OF MONEY AS THEY, IN THEIR DISCRETION, MAY DEEM WISE FOR THE ADVANCEMENT AND DEVELOPMENT OF THE RESOURCES OF BUNCOMBE COUNTY, NOT EXCEEDING THE SUM OF \$2,500 IN ANY YEAR.

The General Assembly of North Carolina do enact:

SECTION 1. That the chairman and board of commissioners of Buncombe County are hereby authorized to set apart, donate and appropriate to the Asheville Board of Trade, Inc., such a sum of money as they, in their discretion, may deem wise for the advancement and development of the resources of Buncombe County, not exceeding the sum of twenty-five hundred dollars (\$2,500) in any year. ^{Appropriation authorized.} ^{Limit of amount.}

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

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 606

AN ACT TO SUPPLEMENT AN ACT TO ALLOW ADDITIONAL COMPENSATION TO COUNTY OFFICERS IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That whereas, an act to allow additional compensation to county officers in Duplin County was passed by the House of Representatives and Senate and ratified on March the seventh, one thousand nine hundred and nineteen, applying to the years one thousand nine hundred and twenty and one thousand nine hundred and twenty-one, that such act and all its provisions ^{Increased pay for county officers.}

shall apply to the year one thousand nine hundred and nineteen beginning the fifteenth day of March, one thousand nine hundred and nineteen.

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 607

AN ACT RELATIVE TO PROBATE AND REGISTRATION FEES OF HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees charged for the registration of real estate transfers in Harnett County shall be increased twenty-five cents each, and chattel mortgages ten cents each over present charges; and the fees charged by the clerk of the court for probating real estate transfers shall be increased from twenty-five cents to fifty cents, and chattel mortgages from ten cents to twenty cents.

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 11th day of March, A. D. 1919.

CHAPTER 608

AN ACT TO AUTHORIZE AND EMPOWER GRIFFINS TOWNSHIP ROAD DISTRICT OF NASH COUNTY TO ISSUE BONDS FOR ROAD PURPOSES.

Preamble.

WHEREAS, by the provisions of chapter four hundred and fifty-one of the Public-Local Laws of the session of one thousand nine hundred and eleven of the General Assembly of North Carolina, there was created and organized as a body corporate a road commission for Griffins Township road district in Nash County; and

Preamble.

WHEREAS, the said road commission desires to provide an additional fund for the purpose of further constructing, improving, and maintaining the public roads of said district;

Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That in order to provide a fund for the further proper construction, improvement, and maintenance of said pub-

Road
commissioners
to issue bonds.

lic roads of said road district, and its successors in office, are hereby authorized and empowered to execute, issue, and sell twenty (20) bonds, each in the principal sum of one thousand dollars (\$1,000), to bear a rate of interest not to exceed six per cent per annum, and to be payable one each year for twenty successive years from and after the date to be fixed by said commission: *Provided*, the road commission for Griffins Township road district are hereby authorized, directed and instructed to issue and sell only five thousand dollars of said bonds, but upon petition signed by a majority of the freeholders of said road district to the board of county commissioners of Nash County the said commissioners shall, by resolution, issue the remaining fifteen thousand dollars of said bonds at such time and in such installments as may be requested in said petition. 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. Said bonds and each of them shall be signed by the chairman of said road commission, in his official capacity, and shall be countersigned by the secretary or clerk of said commission; but the coupons thereto attached may be signed by a facsimile lithographed signature of the said chairman and of the secretary or clerk. The said bonds and coupons shall upon their face express that they are payable out of the taxes levied and to be levied upon the taxable property and polls of said road district. To the end that said bonds and each of them, with the coupons representing their annually accruing interest, shall be payable at maturity, according to their several intents and purposes, the county commissioners of Nash County shall at the regular times and meetings for levying other taxes, beginning with one thousand nine hundred and nineteen, levy a sufficient tax, in addition to other taxes levied for road purposes, on all the taxable property and polls of said road district, the constitutional equation to be at all times observed, to pay each or one of said bonds next thereafter falling due, and the interest coupons annually falling due on all of said bonds. The said tax so levied is to be collected by the sheriff or tax collector of Nash County as the other taxes are collected, and when collected shall be kept separate and used for the payment of the annually maturing bond and the coupons representing the annually accruing interest on the entire issue.

SEC. 2. That the proceeds of the sale or negotiation of said bonds shall be paid over and held by the treasurer of Nash County to the credit of said road commission for Griffins Township road district and shall be used and applied to the objects and purposes of building, repairing, improving, and constructing the public

Amount.

Interest rate.

How payable.

Proviso: not

all bonds sold.

Bonds issued

on petition.

Coupons.

Authentication.

Bonds payable

from special fund.

Commissioners to

levy tax to pay.

Manner of

collection.

Separate fund.

Disposition

of proceeds.

roads of said road district. No part of said funds shall be paid out by the said treasurer except upon orders signed by the chairman and countersigned by the secretary or clerk of said road commission. The said treasurer, upon said order or orders, will pay the amount thereof and charge the same to said road district fund: *Provided, however*, that there shall be deducted from the proceeds of the sale or negotiation of said bonds the actual expenses of preparing, printing, or lithographing the same and of negotiating the sale thereof, which shall include reasonable attorney's fees to be fixed by said road commission.

SEC. 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 11th day of March, A. D. 1919.

CHAPTER 609

AN ACT FOR THE BETTER ADMINISTRATION OF THE PUBLIC ROADS IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the several boards of road overseers, road commissioners, road supervisors or other administrative bodies in charge of the construction, maintenance and repair of public roads in the several townships in Warren County are hereby each and all, except in Warrenton Township, abolished and in lieu thereof there is hereby created for each township in Warren County a board of three road supervisors as named below:

River Township, Dr. L. J. Pecot, S. T. Wilson, T. B. Fleming.

Roanoke Township, H. L. Wall, J. T. Delbridge, W. W. Kidd.

Six Pound Township, J. T. Haithcock, W. H. Palmer, J. A. Nicholson.

Hawtree Township, W. T. Paschall, W. P. Rodwell, W. R. Coleman.

Smith Creek Township, Wm. Paschall, Thos. Williams, H. F. Booker.

Sandy Creek Township, Sam Allen, J. K. Pinnell.

Nut Bush Township, N. H. Paschall, Jno. A. Wilson, Nat Williams.

Shocco Township, J. Irwin Edgerton, J. W. Burroughs, M. S. Dryden.

Fork Township, W. H. Pridgen, O. F. Clark, L. A. Fowler.

Fishing Creek Township, D. L. Robertson, A. S. Bugg, J. T. Gupton.

Judkins Township, Walter Wiggins, J. W. Hudson, W. F. Hayes.

Road control
bodies abolished.

Warrenton
township
excepted.

Boards of road
supervisors
created.

As soon as practicable after the ratification of this act the said Organization. boards of supervisors shall meet and organize, each board, electing a chairman and secretary thereof.

SEC. 2. At the general election of one thousand nine hundred Election of and twenty and biennially thereafter there shall be elected by the supervisors. voters of each township of Warren County in the manner prescribed for the election of other township officers three road supervisors who shall take office on the first Monday in December following their election and remain in office until their successors are elected and qualified. In case a vacancy occurs in any board Vacancies. of road supervisors said vacancy shall be filled for the unexpired term by appointment of the board of county commissioners of Warren County.

SEC. 3. That each board of road supervisors shall have complete To have control and full control of all construction, maintenance and repair of the of construction. public roads of its township and shall be in control of and responsible for the expenditure of the public road funds of said township. Said supervisors shall receive in compensation for Compensation. their services three (3) dollars per day for time actually employed: *Provided*, that no road supervisor shall receive compensation for more than twenty-four days service in any one year. Proviso: not more than 24 days in year.

SEC. 4. Said boards of road supervisors shall keep a full, com- To keep accounts. plete and itemized account of all receipts and expenditures and the same shall be open for inspection by any citizen of Warren Open for County or by the board of county commissioners of Warren inspection. County at any time, and shall be annually published according Publication. to law.

SEC. 5. That the auditor of Warren County is hereby authorized Auditor to keep and directed to keep a careful and separate record of all road separate records. funds collected from the several townships which are now or may hereafter be operating under the road law contained in chapter five hundred and eighty-one, Public Laws of one thousand eight hundred and ninety-nine, except section four thereof and amendments Distribution. adopted to said chapter five hundred and eighty-one to set aside as much of the said road fund of any township as may be necessary to pay the debts incurred by said township to other townships in Warren County or to any other party in the construction of its public roads, to apply said sum on said debts and return the remainder and any other road funds of said township to the township from which said funds were collected.

SEC. 6. That the bonds, notes and accounts connected with the Bonds, notes public roads of the several townships of Warren County shall remain unchanged and undistributed by this act except as is provided in section five above. and accounts not affected.

SEC. 7. That the game commissioners of Warren County shall Game commissioners to turn over turn over to the board of county commissioners of Warren County all money in cash on hand or invested in anything of funds. value which the said game commission may now hold, arising

from the dog tax of Warren County in the years one thousand nine hundred and sixteen, seventeen and eighteen. The said board of county commissioners shall divide the assets thus received among the several townships of Warren County in proportion to the amounts contributed by the several townships under the dog tax law during the aforementioned years, and the said board shall distribute the assets so divided among the several townships, as each may be entitled to receive, and the same shall be placed among the road funds of the said township.

SEC. 8. That the road supervisors of the township of Warren County shall elect annually one of their number chairman, and one of their number secretary, who shall keep a true and exact itemized account of all money expended by them for roads, culverts, and bridges and such other expenses as may be incurred in the discharge of their duties, and they shall submit itemized accounts to the county commissioners monthly, and the county commissioners shall pay to the persons named in said statement the sum due them therein out of the funds of the townships whose accounts are thus submitted.

SEC. 9. The chairmen of the boards of road supervisors of the several townships of Warren County shall, on the first Monday in April, one thousand nine hundred and nineteen, meet in Warrenton and take over all of the teams, tools, machines, drags, scrapes, harness, and other accessories of all descriptions that may be at that time owned by Warren County or used in connection with what is now known as Warren County convict force; and the same shall be at the disposal of the aforesaid body of chairmen for such purposes as may, in their discretion, be to the best interest of the above named townships in Warren County. The said chairmen of the said boards shall meet on the first Monday in December, one thousand nine hundred and twenty, and annually thereafter, and at such other times as may be necessary.

SEC. 10. That at the April meeting, one thousand nine hundred and nineteen, said supervisors shall appoint three competent men as the county road commissioners whose duty it shall be to do all things necessary to meet the requirements of the Federal Aid Road Law in making contracts with the proper authorities and doing all acts necessary in connection with said law except levying taxes and shall recommend to the county commissioners a new levy of such taxes as may be necessary or the issue of such bonds as they may deem best to meet the federal aid offered Warren County. They shall be paid a salary of five dollars per day for actual time serving.

SEC. 11. That three county road commissioners shall be elected by the people of the county at the November election, one thousand nine hundred and twenty and biennially thereafter and shall qualify on the first Monday in the years in which they are

Division of assets.

Election of chairman and secretary.

To keep itemized account.

Chairmen of boards to meet.

Duties prescribed.

Times of meeting.

County road commissioners to be appointed. Duties.

Compensation.

Election of road commissioners.

electd and discharge the duties set forth in section ten of this act.

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

SEC. 13. That this act shall be in force from and after the date of its ratification.

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 610

AN ACT TO PROVIDE FOR THE FIXING AND CHARGING OF STENOGRAPHIC FEES IN BILLS OF COST OF CASES IN THE SUPERIOR COURT OF PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be lawful for and the duty of the clerk of the court of Pender County to enter and charge as a part of the costs of cases heard in the Superior Court of Pender County, in which a court stenographer shall be employed, a reasonable fee for the services of said stenographer; *Provided*, that said fee shall not exceed ten dollars (\$10) per day for the days said stenographer shall be actually engaged; and *Provided further*, that no charge of less than one dollar (\$1.00) shall be made for stenographic services. Stenographer's fee to be charged in costs.
Amount to be charged.

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 11th day of March, A. D. 1919.

CHAPTER 611

AN ACT TO ENABLE THE COUNTIES OF WILKES, SURRY, AND ALLEGHANY TO CONSTRUCT A MODERN HIGHWAY ACROSS THE BLUE RIDGE MOUNTAIN FROM DOUGHTON, NORTH CAROLINA, TO ROARING GAP, NORTH CAROLINA.

WHEREAS, the public road upon the Blue Ridge mountains between the town of Doughton, North Carolina, and Roaring Gap, North Carolina, is not a road adequate to the needs of the business and traveling public, and Preamble.

WHEREAS, the same runs through or so near as to benefit each of the counties, and Preamble.

Preamble.

WHEREAS, each and all of the said counties are interested in the reconstruction and improvement of the public road between the towns aforesaid, so as to make the same reasonably adequate to the needs of the public, and the citizens of the said counties using the same;

Therefore,

The General Assembly of North Carolina do enact:

Officers of three counties to cooperate.

SECTION 1. That it shall be the duty of the board of commissioners or road commissioners or whatever body shall have control of the construction and improvement of the public roads of each of said counties of Wilkes, Surry, and Alleghany to cooperate and join with the said road authorities of the other counties named herein in the construction of a new public road from the town of Doughton, North Carolina, in the county of Wilkes, to Roaring Gap, North Carolina, in the county of Alleghany; that said road improvement shall be carried on by the road authorities of the counties aforesaid upon such terms as may be agreed upon between the road authorities of the said counties, and under the direction or supervision of the State Highway Commission.

New public road.

Under direction of state highway commission.

Expense to be justly divided.

SEC. 2. That it shall be the duty of each of the said counties to contribute a just and equitable share in labor, money or material in the construction of said road, and in the laying out and locating of same, which road shall be a modern improved highway, and the said road authorities shall cooperate in the constructing and financing said road upon a just and equitable basis, considering the benefits to be received by each county and its ability to aid in such improvement, and the said road authorities of the counties aforesaid are authorized to cooperate with the State Highway Commission in the construction of said road and to receive any funds of said State Highway Commission that may be available for the construction and improvement of said road; that each of the said road authorities of the aforesaid counties is hereby authorized and empowered to use such portion of the road funds, material or labor, which they now or may hereafter have, in the construction and improvement of the said road.

Powers of road authorities.

State highway commission arbiter of differences.

Duty of body in control.

SEC. 3. That if the road authorities of the counties aforesaid cannot agree upon the portion of the said road to be constructed by each of the counties, or if they cannot agree upon the labor or material or financial aid to be furnished by each of them, then, in that event, such differences or disagreements shall be adjusted and settled by the State Highway Commission, and it shall be the duty of whatever body shall have control of the construction and improvement of the public roads of each of the said counties to cooperate and join with the road authorities of the other counties named herein in the construction of a new public road from

Doughton, North Carolina, to Roaring Gap, North Carolina, and such improvement shall be carried on under the direction of the State Highway Commission.

SEC. 4. That it shall be the duty of each of the said road ^{Duties of counties.} authorities of each of the said counties to carry out the orders, decision and direction of the State Highway Commission, touching the construction of the said highway or improved road. They ^{Location of highway.} are empowered to have said highway laid out and located in such a way as may be deemed best by the road authorities of the counties aforesaid and they may use any portion of the present road between the points aforesaid that may be properly and advantageously used in the construction and improvement of the said road.

SEC. 5. "That Surry County shall not be required to expend ^{Amounts to be expended by counties.} more than three thousand dollars, and Wilkes County shall not be required to expend more than two thousand dollars and Alleghany County shall not be required to expend more than five thousand dollars to be paid only out of such fund as may come into the hands of the highway commissioner of Surry and Wilkes and Alleghany counties for the purpose of constructing and maintaining public highways in said counties.

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 612

AN ACT TO AMEND SECTION 2721 OF THE REVISAL OF 1905, RELATING TO WORKING FREE LABOR ON PUBLIC ROADS.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand seven hundred and twenty-one of the Revisal of one thousand nine hundred and five be amended by striking out the word "one" in line eighteen, and inserting in lieu thereof the words "two and one-half"; *Provided*, this act shall not apply to any counties except Duplin and Sampson. ^{Section 2721 of the Revisal amended.}

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 613

AN ACT TO AUTHORIZE TOPSAIL TOWNSHIP, PENDER COUNTY, TO ISSUE BONDS FOR IMPROVEMENT OF ROADS.

The General Assembly of North Carolina do enact:

Board of trustees
created body
politic.

Rights, powers
and liabilities.

SECTION 1. That the board of trustees of Topsail Township, Pender County, hereinafter created, shall be and remain a body corporate under said name, and may adopt and use a seal, and shall be chosen in manner hereinafter provided. That said corporation shall be and remain invested with all the property, real and personal, and all other rights, privileges and powers now owned, held, and enjoyed by, and shall be responsible for all debts and liabilities of, and subject to all the duties and obligations devolving upon the board of road trustees of Topsail Township by reason and virtue of their office. Said corporation shall be capable of receiving gifts and grants, of purchasing and holding real and personal estate, of selling, mortgaging and transferring the same for public road purposes, and of prosecuting and defending suits for or against the said corporation. Conveyances to said board of trustees shall be to them and their successor, in office; and all deeds, and mortgages and other agreements effecting real estate, and all bonds and obligations shall be deemed sufficiently executed when signed by the chairman and secretary of said board, and attested by the seal of said corporation

Roads and bridges
under control of
board of trustees.

Trustees named.

Terms of office.

Vacances.

SEC. 2. That all roads and bridges in Topsail Township shall be from and after the ratification of this act, under the control of a board of road trustees composed of five (5) members: That J. C. Nixon, T. E. Atkinson, Arthur W. King, R. T. Shingleton, and C. W. Futch, be and they are hereby appointed as such board of road trustees; that the three first named of said trustees shall hold office until the first Monday in December, one thousand nine hundred and twenty-two, and the other two until the first Monday in December, one thousand nine hundred and twenty, and their successors shall be elected quarterly thereafter. The vacancies in said board shall be filled by the qualified voters of Topsail Township at the regular state and county election, and biennially thereafter.

Trustees to
issue bonds.

Amount.

Denomination.

Interest.

Time and place
of payment.

SEC. 3. That the said board of road trustees is hereby authorized and empowered to issue coupon bonds not to exceed, in amount, the sum of thirty thousand dollars (\$30,000) of denominations of one hundred dollars (\$100), or multiples thereof, bearing interest from date of issue at a rate not to exceed five per cent (5%) per annum, payable semiannually at such time and place as said board of road trustees may direct, until the said bonds are paid; that the said bonds shall be made payable at a time and place to be fixed by said trustees and named therein,

not to be less than ten nor more than twenty years from date of issue. The said bonds and their coupons shall be numbered, and the bonds 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 thereto attached shall be signed by the chairman of said board. A record shall be kept of the said bonds, showing the number and denomination thereof, and when the same shall mature and the interest bearing rate thereof, the amount received from the sale of the same, and date of payment, and such other dates as the board may direct to be kept.

Form and authentication.

Records.

SEC. 4. That no bonds authorized by this act shall be disposed of 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. The treasurer of the said board shall receive all moneys paid in the purchase of the bonds in his official capacity as treasurer of the board, and he and the sureties on his official bond shall be liable to account for any pay over the same, and it shall be the duty of said board of road trustees to see that the bond of said treasurer shall at all times be sufficient in amount and with satisfactory sureties to provide against any loss of money arising from the sale of such bonds, and to that end may at any time require said treasurer to renew his official bond in such sum, and with satisfactory surety as they may require, and in default thereof to remove him from his office as treasurer.

Bonds not to be sold for less than par.

Purpose.

Treasurer to be custodian of funds.

Bond of treasurer.

SEC. 5. That the treasurer shall not pay out any money belonging to said road fund except on orders duly signed by the chairman and secretary of said road trustees.

Manner of payment of money.

SEC. 6. That the funds received from the sale of said bonds shall be used only for such purposes as laying out, building, straightening, and grading the public roads of said township, buying necessary machinery, such as tractors, plows, teams, carts, wagons, and such other fixtures and material as the road trustees may deem essential for the proper improvement of the roads of Topsail Township.

Restriction of use of funds.

SEC. 7. That it shall be the duty of the said board of road 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 in, or moneys otherwise apportioned to Topsail Township for road purposes, a sum equal at least four per cent (4%) of the principal of said bonds.

Sinking fund.

SEC. 8. That it shall be the duty of the said road trustees to provide each year for the payment semiannually of the interest on said bonds, and for that purpose to set apart each year from the taxes collected in, or moneys otherwise apportioned to Topsail Township for road purposes a sum sufficient to pay the same.

To provide for payment of interest.

SEC. 9. That it shall be the duty of said road trustees to organize and fix suitable compensation for its secretary and treasurer,

Compensation of board.

and a reasonable per diem for the members of said board. Said per diem compensation shall not exceed four dollars (\$4) per day, nor shall said board charge for more than twenty-five days in any one year.

Investment of sinking fund.

SEC. 10. That it shall be the duty of the treasurer to invest or loan the money coming into his hands for the purpose of creating a sinking fund, in safe securities, but no such loans shall be made unless authorized by a majority of the board of road trustees.

Election of road superintendent.

SEC. 11. That it shall be the duty of said trustees within ninety days from the ratification of this act, to call a meeting of all the justices of the peace in said Topsail Township, who shall in joint session with the board of road trustees, the chairman of said board to preside at said meeting, proceed to elect by ballot a road superintendent. The result of said election shall be declared and recorded in the proceedings of said board of road trustees. Seven shall constitute a quorum in this joint meeting of justices and trustees, with the power to elect as aforesaid. If no election is made by this meeting, the board of trustees shall within ten days thereafter, proceed to elect such road superintendent. Said person so elected shall take and subscribe on oath for the faithful performance of his duties as road superintendent, and shall execute an official bond before entering upon any of said duties, with sufficient surety, in the sum of one thousand dollars (\$1,000), for the faithful performance of his duties and accounting for all moneys and property which may come into his hands as said officer. Said bond shall be approved by, and made payable to said board of road trustees and recorded as other official bonds.

Qualification of superintendent.

Bond.

Said superintendent shall hold his office for two years from the first Monday in July, nineteen hundred and nineteen, and shall be elected biennially thereafter except that the board of road trustees may for incompetency, or inability, or neglect to perform the duties of the office or for other good cause remove said road superintendent, from his office and elect a successor for the unexpired term, subject to the same causes for removal. There shall be held biennially on the first Monday in May a joint session of all the justices of the peace and the board of trustees, for the purpose of electing a road superintendent for said Topsail Township, who shall give bond and take oath as aforesaid. Said road superintendent shall enter upon his duties when directed by said board of trustees to begin; and his salary shall be fixed by the said board.

Term of office of superintendent.

May be removed for cause.

Biennial meeting of justices of peace and trustees.

Compensation of superintendent.

Competent man to be elected.

SEC. 12. That the said board and justices of the peace in the selection of a superintendent for their roads shall elect a man competent to discharge all and severally the duties incumbent upon said office, regardless of the location or residence of said superintendent.

SEC. 13. That said road superintendent is hereby given power ^{Powers of road superintendent.} and authority, subject to the approval of the board of trustees, to locate and relocate, widen, or otherwise change any part of any public road, where in his judgment such location, relocation or change will prove advantageous to public travel, and for the ^{Road material.} purpose of said road construction the superintendent or any one under his authority, by his direction or under his supervision, may enter upon the lands of any person, and proceed to open, build and construct the road and may use rock, earth, timber or any necessary material contiguous to said road, for the proper construction and building of said road. That when any person or ^{Payment for material provided for.} persons on whose lands the new road or part of a road is to be located claims damages therefor in excess of what the trustees deem fair and equitable, and shall petition the board of road trustees of the township for a jury to assess the damages, the said board within not less than fifteen nor more than sixty days after the completion of said road, shall order a jury of freeholders of the township of not less than three nor more than five persons, none of whom shall be related to the person claiming damage, to be summoned by the sheriff of the county or constable of the township on notice issued by said board of trustees, to meet and assess the damages, if any, sustained by the owner of the land, which said jury, after first being duly sworn to impartially assess the damages, shall forthwith proceed to assess the same, and make their return to the next regular or called session of the said board of road trustees. The said jury in considering the question of damages must take into consideration the benefits to public travel and to the owner of the land and if the benefits are equal to the damage sustained they shall so declare. The officer serving the ^{Compensation of officer and jurors.} process shall be entitled to his regular fee for service of summons in civil action, and the jurors who make claim shall be paid the sum of one dollar each. And the damage, if any, together with ^{Damages.} fees of officers and jurors, shall be paid out of the township road fund.

SEC. 14. That the board of trustees may in their discretion ^{County treasurer may be treasurer of road fund.} elect the county treasurer of Pender County, to hold and disburse any funds that may come into their hands by virtue of this act; that in that event the county treasurer shall keep a perfect record of his transactions, open for the inspection of the taxpayers of Topsail Township, and such other duties as the board of trustees may deem proper to impose. That section five of this act shall then be construed to apply to the treasurer of Pender County.

SEC. 15. That the board of trustees if they deem it more ^{May let work by contract.} advantageous to the economic construction of their said roads may let parts or sections out, by contract, and pay for same out of the public road funds, in the same manner as salaries, fees, and ex-

penses incurred in laying out, building and grading the roads of said township.

Special road
tax repealed.

SEC. 16. That by virtue of this act the present special road tax law for Topsail Township is hereby repealed.

Restriction of
use of highways.

SEC. 17. That it shall be unlawful for mill men, logging camps, and timber dealers, or anyone in their employ to transport over the public roads of Topsail Township, logs for milling or shipping purposes; or lumber in loads exceeding five hundred pounds. This act shall not be construed to apply to citizens hauling lumber for their immediate building purposes.

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

Bonds non-taxable.

SEC. 19. That all bonds authorized to be issued by this act shall be non-assessable for state, county and municipal taxes.

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 614

AN ACT RELATING TO THE PUBLIC ROADS OF AVERSBORO TOWNSHIP, HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Commissioners
to call election
on petition.

SECTION 1. That the board of commissioners of Harnett County be and they are hereby authorized upon petition of fifty or more of the qualified voters of Aversboro Township, Harnett County, to call an election to be held in said township upon the question of issuing bonds in the sum of not less than forty thousand dollars nor more than one hundred thousand dollars under the provisions of chapter four hundred and twenty-seven, Local-Public Laws of nineteen hundred and thirteen, except as modified by this act.

Bond issue.

SEC. 2. That if a majority of the qualified voters of said township shall vote in favor of said bond issue, then the board of road commissioners appointed and qualified under said chapter, four hundred and twenty-seven, Local-Public Laws of nineteen hundred and thirteen shall succeed to all the rights, privileges and duties of the commissioners of the Dunn road district in addition to the duties, rights and privileges imposed and granted to them under said act of nineteen hundred and thirteen: *Provided*, that said board of road commissioners may in its discretion abolish and discontinue the convict camp heretofore maintained by the commissioners of the Dunn road district: *Provided*, that if the election herein referred to be carried in favor of a bond issue, then no further taxes shall be levied under the provisions of chapter seven hundred and ninety-two, Public Laws of one thousand nine hundred and seven, or acts amendatory thereof.

Board of road
commissioners.

Rights, privileges
and duties.

May abolish
convict camp.

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

SEC. 4. This act shall be in force from and after its ratification. Ratified this the 11th day of March, A. D. 1919.

CHAPTER 615

AN ACT TO AUTHORIZE THE COMMISSIONERS OF PERSON COUNTY TO ISSUE BONDS FOR THE PURPOSE OF ERECTING A NEW COURTHOUSE AND JAIL.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of erecting a new courthouse and jail, or the repair and improvement of the present courthouse and jail, as may be deemed best, the commissioners of Person County are hereby authorized and empowered to issue bonds to an amount not exceeding one hundred and fifty thousand dollars, of such denomination as the commissioners may deem best, and bearing interest at the rate of not exceeding five per cent per annum from the date thereof, with coupons attached, payable semiannually, during the time said bonds shall run.

SEC. 2. That said bonds shall be issued in six equal installments, maturing serially at the expiration of five, ten, fifteen, twenty, twenty-five, and thirty years, respectively, from the date thereof. That said bonds shall be numbered, and the coupons to each bond shall bear the number of the bond to which it is attached as well as the number of the coupon, and both bonds and coupons shall be signed by the chairman of the board of commissioners of Person County and countersigned by the register of deeds and attested by the seal of the county, and said bonds shall be entitled "Person County Courthouse and Jail Bonds."

SEC. 3. That none of said bonds shall be sold, or otherwise disposed of, for less 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 the purchaser of any of said bonds shall not be required to see to the application of the fund. That all necessary costs and expenses incurred in having said bonds prepared and the sale of same shall be paid out of the fund arising from the sale thereof.

SEC. 4. That the sale of said bonds shall be made in accordance with the provisions of chapter one hundred and forty-seven of the Public Laws of one thousand nine hundred and seventeen.

SEC. 5. That in order to pay the interest on said bonds, as it may become due, and create a sinking fund for retiring said

bonds at maturity, as provided herein, the commissioners of said county shall annually compute and levy, at the time of levying other taxes, not exceeding forty cents on each one hundred dollars worth of property and one dollar and twenty cents on each poll, and said taxes shall be collected and paid over just as other taxes of the county, but to be used solely for the purposes herein mentioned.

Rate.

Sinking fund provided for.

Investment of sinking fund.

SEC. 6. That the commissioners shall set apart annually to the sinking fund from the taxes levied and collected each year hereunder an amount which shall not be less than three per cent of the total amount of the bonds issued under this act, and they shall manage and invest said sinking fund at their discretion until paid out for the redemption of the said bonds as they may mature.

May sell property.

SEC. 7. That the said commissioners are hereby authorized and empowered to make sale of the present jail lot and any other vacant lots owned by said county in the town of Roxboro, and the proceeds received from the sale of said lots shall be used by said commissioners in connection with the funds received from the sale of the bonds authorized by this act for the erection of said courthouse and jail.

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 full force and effect from and after its ratification.

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 616

AN ACT TO AMEND AN ACT RATIFIED MARCH 3, 1919, ENTITLED "AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF WILSON COUNTY TO ISSUE BONDS FOR THE PURPOSE OF BUILDING A COUNTY HOME AND HOSPITAL, AND FOR OTHER PURPOSES."

The General Assembly of North Carolina do enact:

Act amended.

SECTION 1. The act passed by the General Assembly of North Carolina at its present session entitled "An act to authorize the board of commissioners of Wilson County to issue bonds for the purpose of building a county home and hospital, and for other purposes," ratified March third, one thousand nine hundred and nineteen, House bill number six hundred and twenty, Senate bill number seven hundred and thirty, is hereby amended by striking out sections five, six, seven, eight, nine, ten, eleven, and twelve of said act, and inserting in lieu thereof the following sections:

"SEC. 5. In the event that a majority of the qualified voters voting upon said questions at said election shall vote in favor of the issuing of said bonds, then the board of commissioners of Wilson County is hereby authorized and empowered to issue said bonds in an aggregate principal amount not exceeding fifty thousand dollars (\$50,000). Limit of bonds

"SEC. 6. The bonds authorized by this act may be issued as one issue or divided into two or more separate issues, and in either case may be issued all at one time or from time to time. Each issue shall so mature that the aggregate principal amount of the issue shall be payable in annual installments, beginning not more than three years after the date of the bonds of such issue and ending not more than thirty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously, the bonds of such issue outstanding at any one time shall mature as aforesaid. Maturity of bonds.
Limitation of installments.

"SEC. 7. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest, as the board of county commissioners of Wilson County may determine, subject to the limitations and restrictions of this act. The bonds shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Wilson County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and the coupons of such bonds shall bear the printed or lithographed or engraved facsimile signature of the chairman of said board of county commissioners who is in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing. Form and denominations.
Interest.
Signed by chairman of board.

"SEC. 8. Said bonds shall be sold upon sealed bids, at a price not less than par and accrued interest, to the bidder who will take them at the lowest rate of interest: *Provided, however,* that the rate of interest shall be a multiple of one-quarter of one per centum per annum, payable semiannually. The rate of interest herein referred to is the interest rate stated on the face of the bonds, as distinguished from what is commonly called the "interest basis" upon which the bonds are sold. Before any such sale, there shall be published one or more times in a newspaper published in the town of Wilson a notice containing a description of the bonds to be sold, the terms of sale, the place of sale, and the time limited Sale of bonds.
Notice of sale.

for the receipt of sealed bids, which time shall be not less than twenty days after the first publication of such notice. The board of commissioners of Wilson County may cause such further publication of such notice to be made in financial or other papers as the board may deem expedient. All bids submitted pursuant to such notice shall be opened in public.

Bids opened in public.

Application of proceeds.

“SEC. 9. The proceeds of the sale of said bonds, together with the proceeds of the sale of the present county home site and property, if sold, shall be used by the board of commissioners of Wilson County in defraying the costs of erecting a building or buildings for said county for use as a county home for the aged and infirm of said county and for use as a hospital for indigent persons of said county, and in defraying the costs of acquiring a site for such county home and hospital, or for any one or more of said purposes. If, in the opinion of the said board of commissioners, it should be best so to do, they may provide in said county home and hospital, one or more wards, in which indigent persons may be treated by competent and skilled physicians and surgeons, either free of cost to them or upon the payment of such charges as such persons may be able to pay, to be determined by the board of commissioners, and to also provide nursing and board for such persons during the time they are confined in said wards. The board of commissioners of Wilson County are authorized and empowered to make a contract with the town of Wilson for the lighting of the said building and for the furnishing of water therefor; or the said board of commissioners may install the proper machinery for the purpose of lighting the said building and supplying water therefor. The said board of commissioners are authorized and empowered to receive from any and all persons gifts for the benefit of the said county home, either in property or in money, and in the event any one shall desire to give unto the said county, for the benefit of said home, a fund, the interest upon which shall be used for the benefit of the said home, the board of commissioners are hereby authorized and empowered to receive the same and hold it for said purpose.

Wards may be provided for charity patients.

May contract for water and lights with town of Wilson.

Gifts or donations.

Special tax for sinking fund.

“SEC. 10. The board of county commissioners of Wilson County shall levy annually a special tax ad valorem upon all taxable property in said county for the special purpose of paying the principal and interest of all bonds issued under this act as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and in addition to all other taxes authorized to be levied by said board. Any sinking fund commission having charge of the sinking fund for any issue of bonds of Wilson County shall have the power, in the event the board of county commissioners of Wilson County shall refuse or fail to levy said special tax, to bring

Sinking fund commission may compel levy of tax.

action in the Superior Court of Wilson County for the purpose of compelling said county commissioners to levy said tax and cause the same to be collected.

“SEC. 11. The powers granted by this act are granted in addition to and not in substitution for existing powers of Wilson County, and are not subject to any limitation or restriction contained in any other law. Powers additional.”

“SEC. 12. All laws and parts of laws in conflict with this act are hereby repealed.

“SEC. 13. This act shall be in force from and after its ratification.”

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 11th day of March, A. D. 1919.

CHAPTER 617

AN ACT TO AMEND AN ACT RATIFIED FEBRUARY 4, 1919, ENTITLED “AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF WILSON COUNTY TO BUILD A NEW COURTHOUSE, AND TO ISSUE BONDS THEREFOR.”

The General Assembly of North Carolina do enact:

SECTION 1. The act passed by the General Assembly of North Carolina at its present session entitled “An act to authorize the board of county commissioners of Wilson County to build a new courthouse, and to issue bonds therefor,” ratified February fourth, nineteen hundred and nineteen (House bill two hundred fifty-eight, Senate bill one hundred thirty-five), is hereby amended by striking out sections five, six, seven, eight, nine ten, eleven, and twelve of said act, and inserting in lieu thereof the following sections:

“SEC. 5. In the event that the board of commissioners of Wilson County shall decide to build a new courthouse and issue bonds therefor, either with or without the holding of the election herein provided for, then and in such event the bonds issued under this act shall not exceed in aggregate principal amount the sum of two hundred and fifty thousand dollars (\$250,000). Limit of bonds.”

“SEC. 6. The bonds authorized by this act may be issued as one issue or divided into two or more separate issues, and in either case may be issued all at one time or from time to time. Each issue shall so mature that the aggregate principal amount of the issue shall be payable in annual installments, beginning not more than three years after the date of the bonds of such issue and ending not more than thirty years after such date. No such installments shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond Maturity of bonds. Limitation of installments.”

issue. If all bonds of any one issue are not delivered simultaneously, the bonds of such issue outstanding at any one time shall mature as aforesaid.

Form and denominations.

“SEC. 7. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest, as the board of county commissioners of Wilson County may determine, subject to the limitations and restrictions of this act. The bonds shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Wilson County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and the coupons of such bonds shall bear the printed or lithographed or engraved facsimile signature of the chairman of said board of county commissioners who is in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

Interest.

Signed by chairman of board.

Sale of bonds.

“SEC. 8. Said bonds shall be sold upon sealed bids, at a price not less than par and accrued interest, to the bidder who will take them at the lowest rate of interest: *Provided, however,* that the rate of interest shall be a multiple of one-quarter of one per centum per annum, payable semiannually. The rate of interest herein referred to is the interest rate stated on the face of the bonds, as distinguished from what is commonly called the “interest basis” upon which the bonds are sold. Before any such sale, there shall be published one or more times in a newspaper published in the town of Wilson a notice containing a description of the bonds to be sold, the terms of sale, the place of sale, and the time limited for the receipt of sealed bids, which time shall be not less than twenty days after the first publication of such notice. The board of commissioners of Wilson County may cause such further publication of such notice to be made in financial or other papers as the board may deem expedient. All bids submitted pursuant to such notice shall be opened in public.

Notice of sale

Bids opened in public.

Application of proceeds.

“SEC. 9. The proceeds of the sale of said bonds shall be used by the board of commissioners of Wilson County in defraying the costs of building a new courthouse (including a jail), buying fixtures and furniture therefor, tearing down and demolishing the present courthouse and jail, and acquiring a site and grounds for the new courthouse and jail, or for any one or more of said purposes.

Special tax for sinking fund.

“SEC. 10. The board of county commissioners of Wilson County shall levy annually a special tax ad valorem upon all taxable

property in said county for the special purpose of paying the principal and interest of all bonds issued under this act as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and in addition to all other taxes authorized to be levied by the said board. Any sinking fund commission having charge of the sinking fund for any issue of bonds of Wilson County shall have the power, in the event the board of county commissioners of Wilson County shall refuse or fail to levy said special tax, to bring action in the Superior Court of Wilson County for the purpose of compelling said county commissioners to levy said tax and cause the same to be collected.

Sinking fund
commission may
compel levy
of tax.

“SEC. 11. The powers granted by this act are granted in addition to and not in substitution for existing powers of Wilson County, and are not subject to any limitation or restriction contained in any other law.”

Powers additional.

“SEC. 12. All laws and parts of laws in conflict with this act are hereby repealed.

“SEC. 13. This act shall be in force from and after its ratification.”

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 11th day of March, A. D. 1919.

CHAPTER 618

AN ACT TO VALIDATE THE LEVY AND COLLECTION OF TAXES IN GASTON COUNTY UNDER CHAPTER 88 OF THE PUBLIC LAWS OF 1913 AND CHAPTER 109 OF THE PUBLIC LAWS OF 1917.

WHEREAS, the board of commissioners of Gaston County have levied and collected certain taxes under chapter eighty-eight of the Public Laws of nineteen hundred and thirteen, and chapter one hundred and nine of the Public Laws of nineteen hundred and seventeen, and

Preamble.

WHEREAS, doubt has arisen as to the legality of said tax because not authorized by a special act of the General Assembly, and,

WHEREAS, it is desirous that said levies and collection of taxes as aforesaid, be validated,

Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the special tax levied and collected by the board of commissioners of Gaston County under chapter eighty-eight of the Public Laws of nineteen hundred and thirteen, and chapter one hundred and nine of the Public Laws of nineteen

Levy and
collection of
special tax
validated.

hundred and seventeen, be and the same is hereby validated as fully as if previously legally authorized.

SEC. 2. That all laws and clauses of law 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 11th day of March, A. D. 1919.

CHAPTER 619

AN ACT TO AUTHORIZE CERTAIN TOWNSHIPS IN HOKE AND ROBESON COUNTIES TO ISSUE BONDS FOR THE PURPOSE OF INVESTING IN THE CONSTRUCTION OF THE ABERDEEN AND ROCKFISH RAILROAD.

The General Assembly of North Carolina do enact:

SECTION 1. That upon presentation of a written petition to the board of county commissioners of the counties of Hoke or Robeson, or either of them, signed by one-third of the qualified voters of Queqhiffle, Raeford Township, Blue Springs Township, and Antioch Township, or either of them, in Hoke County; Red Springs Township and Smiths Township, or either of them, in Robeson County, requesting that an election be called for 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 the amount not exceeding ten thousand dollars (\$10,000) for each township so petitioning, except Raeford, Antioch and Red Springs townships, which shall petition to vote upon the question of issuing bonds in the amount not exceeding forty thousand dollars (\$40,000) each, with interest bearing coupons, to invest in the construction of the proposed extension of the Aberdeen and Rockfish Railroad by the Aberdeen and Tockfish Railway Company, its successors or assigns, from, at, or near Raeford, North Carolina, in a southeasterly direction through the townships hereinbefore mentioned, or either of them, to, or near Alma, in Robeson County: *Provided*, that the Aberdeen and Rockfish Railroad Company, its successors or assigns, may, for the benefit of this act, begin the building of its line of railroad at any point along the proposed line that may in the opinion of said company and its officers be advantageous to the construction and building of its road; said petition for said election being filed with the board of county commissioners of the county in which such township petitioning is located, and the same recorded on the minutes of the said board of county commis-

Commissioners to call election upon petition of one-third of township's voters.

Limit of bonds.

Application of proceeds.

Proviso: railroad may begin construction at any point on proposed line.

sioners. It shall be the duty of the said board of county commissioners so petitioned to call an election to be held within ninety (90) days after the presentation of said petition, at the polling place or places in the township or townships petitioning, and present to the voters of said township or townships so petitioning the question of issuing bonds of said townships for the purpose of investing the same in the proposed extension of the Aberdeen and Rockfish Railroad, the said bonds to be used on the terms and conditions hereinbefore 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 in which the township or townships asking for said election are situated.

Election to be called within 90 days after presentation of petition.

Notice of election.

New registration.

SEC. 2. That the board of county commissioners of each 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 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 registrar and judges of election and all other election officers; that the registrar and judges of election shall at the close of the polls count the votes, certify the result to the board of county commissioners of the county in which such township is situated, and said report shall be filed with the clerk of said board of county commissioners, and the vote shall be canvassed by the board of county commissioners at their next meeting following the election, and the returns of the election shall be entered on the minutes of the said board, and not other recording or declaration of the results of said election shall be necessary.

Commissioners to appoint election officials.

Canvass of returns.

Record of results.

SEC. 3. That at the said election the ballots tendered and cast by the qualified voters shall have written and 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."

Form of ballot.

Issuance of bonds. SEC. 4. In the event that a majority of the voters of the said townships, or any one of them petitioning for an election shall at the said election vote for the said bond issue, the said board of county commissioners of the county in which such township or townships are situated shall have prepared bonds, in such denomination as said board may direct, the total amount for each township not to exceed the amount hereinbefore enumerated; said bonds to have interest-bearing coupons attached, at a rate to be determined by the said board; *Provided*, that the same shall not be less than four nor more than six per centum per annum, payable semiannually during the time the said bonds shall run, and the principal shall be payable at the end of twenty years from date of 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 same, and shall be countersigned by the clerk of said board, and 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 on favorably, and that they are payable out of the taxable property and polls of said township or townships.

Interest.

Maturity.

"Investment bonds."

Bonds to be exchanged for bonds of railroad.

SEC. 5. That the board of county commissioners of the counties before named are authorized and empowered and shall issue and deliver to the Aberdeen and Rockfish Railroad 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, payable at the same time and place as the interest of said township bonds.

Construction to be begun before bonds are issued.

SEC. 6. That before the county commissioners or either of the counties herein mentioned shall issue any bonds herein provided for, after the same has been voted by any township herein mentioned, the Aberdeen and Rockfish Railroad Company shall begin the construction of its line of railroad from some point at or near Raeford to some point at or near Alma, 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 line entering into such township, connecting either with Alma or Raeford, and when said company has completed two miles as hereinafter described

in any township hereinbefore mentioned, then the county commissioners of the county in which such township is situated and the same having voted for the bonds as is hereinbefore provided for, shall issue the bonds of said township as is hereinbefore provided for, in the sum not exceeding six thousand dollars per mile of completed road, and deliver the same to the Aberdeen and Rockfish Railroad Company, upon the said Aberdeen and Rockfish 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 maturity as the township bonds so issued; and thereafter the said county commissioners of either county herein mentioned shall issue and deliver the sum of six thousand dollars in bonds of any township, in like manner as hereinbefore provided, for every mile of railroad completed by the said Aberdeen and Rockfish Railroad Company in the township voting said bond issue, until the sum of bonds voted by said township are taken up: *Provided, however,* that no bond of any township in either county through which said railroad runs shall be issued and delivered to the Aberdeen and Rockfish Railroad Company, except upon the Aberdeen and Rockfish 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 such county an equal amount of first mortgage bonds upon said completed railroad, bearing the same rate of interest and same date of maturity as the said township bonds.

SEC. 7. The county commissioners of either county herein mentioned shall enter into an agreement with the Aberdeen and Rockfish 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 either county for the township, and shall hold an equal amount of the said Aberdeen and Rockfish Railroad Company first mortgage bonds, to be delivered as provided for in this act, upon the request of the board of county commissioners of either county and the proper officers of said railroad company: *Provided,* that said trustee shall be a reputable trust company of not less than five hundred thousand dollars capital.

SEC. 8. That before the Aberdeen and, Rockfish Railroad Company can demand from the county commissioners or their trustees 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 eighty tons of good condition steel rails per mile, applied with sufficient bolts, spikes and splice bars, securely fastened and constructed and using not less than twenty-five

Limit of bonds.
per mile of road.

Proviso: terms of
delivery of bonds.

Mutual trustee
may be appointed.

Duties.

Proviso: trustee a
trust company.

Specifications of
road to be built.

hundred cross ties of good material of approximate standard dimensions per mile, with practical grades and curves, and substantial trestles and bridges and with sufficient sidings for conducting the business of the company.

SEC. 9. That the railroad first mortgage bonds hereinbefore referred to shall be held in trust by the board of county commissioners of the county herein authorized to issue the same for the benefit of the township or townships in the county that may have exchanged its township bonds with the Aberdeen and Rockfish 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 Aberdeen and Rockfish Railroad Company shall not exceed twelve thousand dollars per mile for construction and said equipment of said road.

SEC. 10. That it shall be the duty of the board of county commissioners of either county herein named to levy annually on all the taxable property and polls in each township of the county voting for said 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 either 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 on notes secured by first mortgage on real estate situate in the township to which said fund belongs, 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, and such refunding bonds, if issued by them, "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 Aberdeen and Rockfish Railroad Company shall fail or refuse to build said road within three years from 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

Railroad's bonds to be held in trust for townships.

Proviso: limitation of railroad bonds.

Commissioners to levy special tax for sinking fund.

Investment of sinking fund.

Bonds may be refunded.

Proviso: if railroad fails to build extension within three years townships are released from effect of act.

released from the force and effect of this act, so far as it applied to said townships and the same shall be null and void as to such.

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 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 declared bodies politic and corporate for purposes of act.

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 620

AN ACT TO AUTHORIZE THE COMMISSIONERS OF HALIFAX COUNTY TO LEVY A TAX FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING THE PUBLIC ROADS IN CERTAIN TOWNSHIPS.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of the county of Halifax be and they are hereby authorized and empowered in their discretion, to levy a tax of not to exceed fifty cents (50c) on the one hundred dollar property valuation (\$100), and one dollar and fifty cents (\$1.50) on the taxable polls in the following townships, to-wit: Scotland Neck Township, Roseneath Township, Palmyra Township, Connocanara Township, Enfield Township, Faucette's Township, Butterwood Township, Littleton Township, Halifax Township, Weldon Township, for the purpose of constructing, maintaining and repairing the public roads. The said tax to be levied on the property and polls of any or all of the said townships and the proceeds arising therefrom to be used in the township in which the same is levied and collected.

Limit of tax rate.

Townships in which tax is to be levied.

Purpose of tax.

SEC. 2. That the taxes herein provided for shall be levied and collected at the same time, in the same manner and by the same officers as the other taxes of the county are levied and collected and shall be paid in to the county treasurer who shall keep a separate fund for each township and the money arising from the collection of the tax in each township shall be expended on the road work in that township under the direction of the board of

Levy and collection.

Each township's tax a separate fund.

highway commissioners of the county of Halifax as other road funds of the county are expended.

Act void if county bond issue and road law carry.

SEC. 3. *Provided*, that if the election authorized by a previous act of the General Assembly of one thousand nine hundred and nineteen authorizing the issue of bonds and a county system of highways, shall be voted favorably in the county of Halifax, then this act shall be null and void; otherwise, it shall be in full force and effect.

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 11th day of March, A. D. 1919.

CHAPTER 621

AN ACT TO AMEND S. B. 598, H. B. 861, RATIFIED FEBRUARY 28, 1919, BY THE GENERAL ASSEMBLY OF NORTH CAROLINA, SESSION OF 1919, ENTITLED "AN ACT TO AUTHORIZE THE ISSUE OF TOWNSHIP ROAD BONDS FOR THE TOWNSHIPS OF ROBESON COUNTY."

The General Assembly of North Carolina do enact:

Bill amended by addition new section.

SECTION 1. That Senate bill five hundred and ninety-eight, House bill eight hundred and sixty-one, ratified February twenty-eighth, one thousand nine hundred and nineteen by the General Assembly of North Carolina, session of one thousand nine hundred and nineteen, entitled "An act to authorize the issue of township road bonds for the townships of Robeson County" be amended by adding the following as section 1-a:

Adjoining townships may upon petition form road district for bond issue.

"SEC. 1-a. That any two or more adjoining townships may upon petition of one-fifth of the registered voters in the last general election of each township form a road district of said county or maintenance of roads of said district, and the board of county commissioners of Robeson County are authorized to issue bonds for any such district upon petition of one-fifth of the registered voters of each township composing said district as above provided, in like manner as is provided for the issuance of bonds for any township. The petition to the county commissioners shall in addition to stating the amount of bonds it is proposed to issue and the approximate number of miles of roads it is proposed to improve by said bond issue, shall also state the names of the townships proposed to form the said road district for the purpose of issuing bonds as herein provided."

Form of petition.

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 622

AN ACT TO AUTHORIZE THE GOOD ROADS COMMISSION TO DISBURSE CERTAIN ROAD FUNDS OF THE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the treasurer of Halifax County be and he is hereby authorized, empowered and directed to pay out upon proper order of the good roads commission of Halifax County, surplus funds, if any, belonging to the township of Brinkleyville heretofore authorized to be used for the purpose of road constructions and maintenance. Surplus funds of Brinkleyville township to be disbursed by commission.

SEC. 2. That all laws and parts 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 11th day of March, A. D. 1919.

CHAPTER 623

AN ACT TO PROVIDE FUNDS FOR THE IMPROVEMENT OF THE ROADS OF DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of building and maintaining the public roads and bridges of Duplin County the board of commissioners of Duplin County is hereby authorized, empowered and directed to issue bonds of certificates of indebtedness from time to time as may be found necessary, not to exceed, however, in the aggregate, two hundred thousand dollars (\$200,000), but not more than one hundred thousand dollars (\$100,000) in any one year, which said bonds or certificates of indebtedness shall be in such sums and proportions as said county commissioners may deem advisable, bearing interest not to exceed a rate of six per cent per annum, with interest coupons attached, payable annually or semiannually and to provide for the payment of the interest on said bonds or certificates and also for a sinking fund to retire and pay said bonds and certificates, the said board of commissioners is hereby directed to levy annually at the time of levying other county taxes not to Commissioners directed to issue bonds. Limit of bonds. Special tax for sinking fund.

Limit of tax rate. exceed fifteen cents on each one hundred dollar valuation of property and forty-five cents on the poll, which taxes shall be collected and settled for as other taxes: *Provided*, that said taxes shall be kept separate from all other taxes: *Provided*, however, that the county commissioners may issue short term notes in lieu of bonds or certificates: *Provided further*, that the funds derived from the convict tax levy for the year one thousand nine hundred and eighteen shall become a part of the fund for the payment of the interest and provide for a sinking fund to retire and pay said bonds and certificates: *Provided further*, that said commissioners shall set apart and use not less than five per cent of the moneys derived under this act for the maintenance of the roads.

Proviso: short term notes may be issued.

Proviso: convict tax levy to become part of sinking fund.

Proviso: five per cent for maintenance.

Division of proceeds between main highways and township roads.

SEC. 2. That the board of commissioners of Duplin County shall not apply more than fifty per cent of the moneys derived under this act to the main line or lines of highway which may be approved by said commissioners as the connecting links between county seats and leading from the county seat of Duplin County to the county seats of adjoining counties. The remainder of the funds and moneys raised under this act shall be distributed equitably on the roads of the several townships of the county in proportion to the value of all the taxable property and polls of said townships as near as may be it being the purpose and intent to give equal benefits and advantages to the different parts of the county as far as possible, but where one of the main lines connecting county seats passes through a township all the money applicable to that township may be applied to such main line, if in the judgment of the county commissioners the same is wise.

Application on highway within township.

In lieu of bonds or notes commissioners may levy special tax.

SEC. 3. That in lieu of the issuing of bonds or certificates of indebtedness as hereinbefore provided for the purpose of building and maintaining the public roads and bridges of Duplin County as set forth in this act the board of commissioners may levy at the time of levying other county taxes a special tax in the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty not to exceed twenty-five cents on each one hundred dollars valuation of property and seventy-five cents on the poll which taxes shall be collected and settled for as other taxes: *Provided*, that said taxes shall be kept separate from all other taxes. That said tax and all other special taxes levied by the commissioners for convict or road purposes shall be expended in accordance with the provisions of section two of this act: *Provided*, that said commissioners shall set apart not less than five per cent of the moneys derived from this act from the maintenance of the roads.

Limit of tax rate.

Application of proceeds.

SEC. 4. This act shall be in force from and after its ratification. Ratified this the 11th day of March, A. D. 1919.

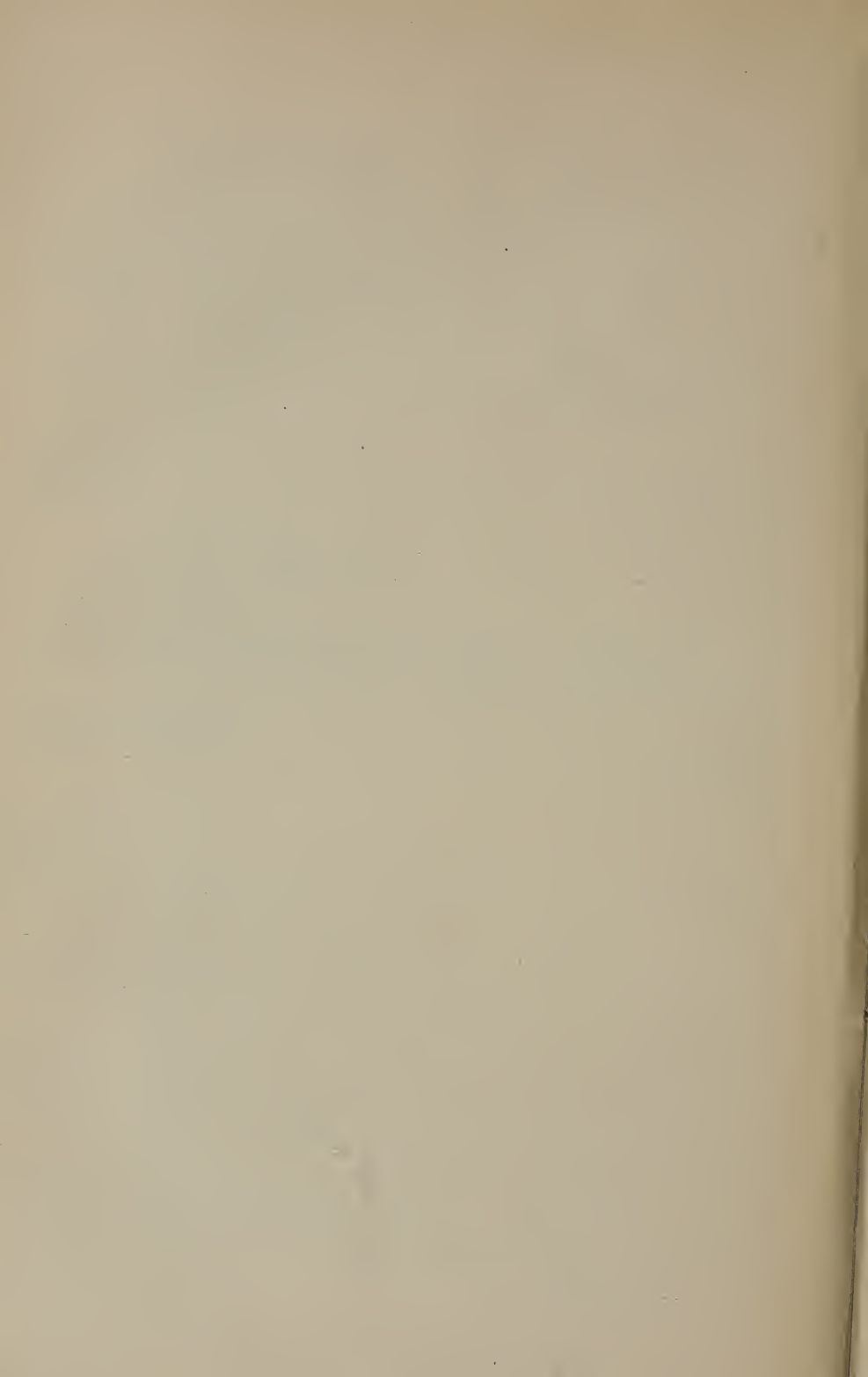
STATE NORTH CAROLINA,
OFFICE OF SECRETARY OF STATE,

RALEIGH, May 1, 1919.

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

J. BRYAN GRIMES,
Secretary of State.

[Official Seal]



INDEX TO PUBLIC-LOCAL LAWS

A

	PAGE
Ashe County, see Counties.	
Asheville-Charlotte highway, bonds for.....	432
Australian ballot, amend law relative to.....	781
Avery County, see Counties.	

B

Beaufort County, see Counties.	
Beekeepers, to regulate in towns of Surry County.....	682
Bertie County, see Counties.	
Boone Trail, Wilkes County to issue bonds for completion of.....	594
Bonds:	
Alleghany County, for Roaring Gap highway.....	825
Ashe County, for roads.....	650
Aversboro Township, Harnett County, for roads.....	832
Baldwin Township, Chatham County, for roads.....	817
Baldwin and Williams townships, Chatham County, issues invali- dated	593
Banner Township, Johnston County, for roads.....	443
for roads	586
Bertie County, for roads.....	385
Beulah Township, Johnston County, for roads.....	561
Big Creek Township, Stokes County, for roads.....	458
Biscoe Township, Montgomery County, for roads.....	726
Bladen County, for bridge across Cape Fear River.....	292
for road maintenance and repair.....	259
Brunswick County, for road purposes.....	216
Buncombe County, funding and completion of contracts.....	31
for roads and bridges.....	777
Burke County, for roads and bridges.....	502
Caldwell County, railroad bonds.....	199
Carteret County, for roads.....	505
Caswell County, for road improvement.....	340
Catawba County, for permanent road improvements.....	656
Chatham County, for roads.....	813
Chowan County.....	363
Cleveland County, for hospital.....	462
Columbus County, for repair and maintenance of roads.....	194
for floating debt.....	780
Cool Springs, Green Hill and Chimney Rock townships, for roads..	432
Craven County, for roads and bridges.....	149
Cumberland County, for roads and bridges.....	361
Davie County, for roads.....	671
Dry Wells Township Road District, for road purposes.....	204
Duplin County, for roads.....	847

Bonds—*Continued.*

	PAGE
Durham County, for roads.....	255
for roads.....	476
special tax for courthouse bonds.....	513
Forsyth County, to refund road debt.....	326
Gaston County, for roads.....	722
Gold Mine Township, Franklin County, for roads.....	77
Granville County, for roads.....	472
Griffin's Township, Martin County, for road improvement.....	224
Griffin's Township Road District, Nash County, for roads.....	820
Guilford County, for courthouse.....	227
Halifax County, for roads and bridges.....	769
Halifax County townships, road improvement.....	86
Harris Township, Franklin County, for roads.....	65
Henderson County, for roads.....	240
Holly Grove Township, Gates County, refunding road bonds.....	234
Hyde County, limit for all purposes.....	428
for roads.....	520
Jacksonville Township, Onslow County, refunding.....	57
Lenoir County, for public roads.....	531
for roads.....	728
Lincoln County, for courthouse.....	711
Lovelady Township, Burke County, for roads.....	274
McDowell County, for roads.....	621
Madison County, No. 8 Township, for roads.....	579
No. 12 Township, for roads.....	448
Martin and Bertie counties, for bridge.....	42
Meadow Township, Johnston County, for roads.....	438
Mecklenburg County, railroad refunding bonds.....	283
refundng.....	809
Montgomery County, courthouse and jail.....	347
New Hanover County, for school buildings.....	698
Northeastern N. C. Road District, Edenton-Virginia highway.....	785
Northampton, Halifax and Bertie, for bridges.....	43
Pamlico County, for roads.....	466
Pasquotank Highway Commission, for roads.....	222
Perquimans County, for roads and bridges.....	412
Person County, for courthouse and jail.....	833
for roads.....	24
Pitt County, for floating indebtedness.....	398
for roads.....	423
Polk County, for county home.....	741
Quaker Gap Township, Stokes County, for roads.....	481
Quewhiffle, Raeford, Blue Springs and' Antioch townships, Hoke County, for railroad.....	840
Randolph County, for county home.....	85
for roads.....	522

Bonds—*Continued.*

	PAGE
Red Springs and Smiths townships, Robeson County, for railroad..	840
Richmond County, for courthouse.....	304
Robeson County, for permanent bridges.....	426
township road bond act amended.....	846
township bonds for roads.....	231
Rockingham County, for roads and bridges.....	597
for roads and bridges.....	751
Rowan County, for roads.....	736
Sampson County, for roads.....	367
Sandy Creek Township, for roads.....	179
Selma Township, Johnston County, for road purposes.....	688
Smithfield Township Road District to issue bonds.....	718
South Mills Township, for roads.....	344
Surry County, for Roaring Gap highway.....	825
Swain County, for bridges.....	70
Topsail Township, Pender County, for roads.....	828
Transylvania County, to fund debt.....	318
Troy Township, for public roads.....	528
Union County, for roads and bridges.....	573
Wake County, for roads and bridges.....	306
Watauga County, for roads.....	420
for county home.....	104
Wayne County, for bridge.....	486
Wilkes County, for Boone Trail.....	594
for roads	601
for Roaring Gap highway.....	825
Wilson County, act authorizing county home bonds amended.....	834
act authorizing courthouse bonds amended.....	837
for county home.....	329
for courthouse	37
Yadkin County, for road improvement.....	378
Yadkin Township, Stokes County, for roads.....	207

Bridges:

Anson County, special tax for.....	464
Bladen County, over Cape Fear River.....	292
Bonds, Craven County commissioners to issue.....	149
Buncombe County, bonds for.....	777
Burke County, bond issue for.....	502
Cumberland County, bond issue for.....	361
Halifax County, bonds for.....	769
Haywood County, to build.....	527
Jackson County, to build.....	219
Lewis Fork Creek, Wilkes County, to build bridge over.....	596
Macon County, special tax for.....	16
Martin County, validate special tax for.....	15
Martin and Bertie counties, to build.....	42

Bridges— <i>Continued.</i>	PAGE
Nantahala River bridge in Swain County, relative to.....	273
Northampton, Halifax and Bertie, to build, over Roanoke River...	213
Tuckaseegee River, in Swain County.....	70
Yadkin River, Rowan and Davidson counties, to build.....	46
Penalty for destruction of bridges in Washington County provided..	283
Pender County, special tax for.....	360
Robeson County, bonds for.....	426
for construction and repair of.....	422
Rockingham County, bond issue for.....	597
bonds for	751
Rutherford County, special tax for.....	9
Scotland County, to construct certain bridges over Lumber River..	447
Transylvania, special tax for.....	58
Union County, bonds for.....	573
to build	431
Wayne County, bonds for.....	486
Broad Creek, repeal law relative to logs in.....	116
Brunswick County, see Counties.	
Buncombe County, see Counties.	
Burke County, see Counties.	
C	
Cabarrus County, see Counties.	
Caldwell County, see Counties.	
Camden County, see Counties.	
Carnivals:	
to prohibit in Union, Craven, Perquimans and Richmond counties..	366
Carteret County, see Counties.	
Caswell County, see Counties.	
Catawba County, see Counties.	
Cattle, diseased, to prevent importation of into Rowan County.....	50
Cattle tick, enable Brunswick County to eradicate.....	111
Charlotte-Asheville highway, bonds for.....	432
Chatham County, see Counties.	
Cherokee County, see Counties.	
Children's Home of Buncombe County, relating to.....	188
Chowan County, see Counties.	
Churches:	
Albemarle, Congregational Church, First, to incorporate.....	43
Brunswick County, to protect certain churches of.....	516
Pleasant Hill Baptist Church, to incorporate.....	8
Cities and towns:	
Apex, amend law relative to recorder's court.....	691
Asheville and Buncombe County, to appropriate money for soldiers.	30
board of trade, appropriation for.....	819
to establish reformatory for criminal youth of.....	760
Benson, relative to cotton weigher of.....	454

Cities and towns—*Continued.*

	PAGE
Fayetteville and Cumberland County to consolidate health departments	719
Monroe, aldermen of to contribute to Ellen Fitzgerald Hospital....	111
aldermen of and Union County commissioners to build cotton platform	190
Municipal corporations in Jackson County to publish statements..	22
Raleigh and Wake County, joint board of health.....	131
Raeford, cotton weigher of.....	815
Sanford, to appropriate money for soldiers' memorials.....	714
Waynesville, erect Confederate monument in.....	371
Cider, regulate sale of in Wilson County.....	114
Clay County, see Counties.	
Cleveland County, see Counties.	
Columbus County, see Counties.	
Confederate monument in Waynesville, to erect.....	371
County officers, relative to fees of.....	253
Counties:	
Alamance, commissioners, relating to compensation of.....	108
fees of deputy sheriff, to amend law relative to.....	214
game, relative to hunting of.....	569
purchasing agent, auditor of bills, jailor, commissioners to employ	189
treasurer, to abolish office of.....	290
Alexander, clerk of court, to fix salary of.....	407
game warden, to appoint.....	569
sheriff and treasurer, compensation for handling road funds....	600
special tax for roads, commissioners to levy.....	544
treasurer, to repeal law fixing salary.....	51
Alleghany, jailor, to regulate fees of.....	11
Roaring Gap highway, to construct.....	825
sawdust, to prohibit in Cranberry Creek.....	115
special tax, for interest on bonds and other purposes.....	383
Anson, game, to protect.....	171
Lanesboro Township, Precinct No. 2, amend law relative to road improvements	540
roads, better, to provide.....	415
rural policemen, compensation of.....	372
special taxes, commissioners authorized to levy.....	464
Ashe, county treasurer's office, to reestablish.....	16
drunkenness, to prevent.....	705
jailor, to fix compensation.....	17
liquor, inquiry as to sale.....	705
public road law, to provide.....	650
sawdust, to prohibit in streams.....	115
Avery, employees manufacturing, mining and lumber plants, relative to time of payment of.....	258

Counties—*Continued.*

	PAGE
Avery, gambling, amend law relative to.....	105
prohibition law, amend, and provide for enforcement.....	193
public roads, maintenance and improvement of.....	59
treasurer, to create office of.....	776
Beaufort, carnival companies, prohibit from exhibiting.....	129
county officers, to fix salaries.....	176
drainage taxes, regulate collection and disbursement.....	639
special tax for indebtedness and expenses, to levy.....	13
Washington Township, relating to taxation for fence.....	696
Bertie, board of education, to appoint members of.....	696
bridge commissioners of Northampton, Halifax and Bertie, to build	213
commissioners of Martin and Bertie counties to build bridge..	42
game, to protect.....	515
officers, to increase salaries of.....	14
road commissioners, to appoint and establish system.....	385
school fund, amend law relative to.....	186
Bladen, bridge commissioners to issue bonds to build across Cape Fear River	292
deputy clerk of court, compensation of.....	370
public roads, to protect.....	308
roads, to provide for maintenance and repair.....	259
special tax, commissioners to levy to pay note.....	526
stock law, repealed.....	373
Brunswick, cattle tick, enable county to eradicate.....	109
churches, to protect.....	516
coroners, amend law relative to fees.....	714
county funds, to provide use with Federal and State funds for roads	173
county seat, to submit location of to voters and provide build- ings	299
public roads, to provide for improvement of.....	216
special tax for indebtedness, commissioners to levy.....	220
Buncombe, Asheville Board of Trade, appropriation to.....	819
bonds, to fund floating indebtedness and complete contracts..	31
to issue and provide payment thereof.....	777
Buncombe, Asheville and, to appropriate money for homecom- ing soldiers	3
Children's Home, relating to.....	188
game law, to amend.....	191
grand jurors, for relief of.....	376
Lindley Training School, commissioners to contribute to.....	758
public road, for protection of.....	369
to protect	804
reformatory, to establish for criminal youth.....	760
road laws, to amend.....	18

Counties—*Continued.*

	PAGE
Buncombe, school law, to amend.....	262
sheriff's office, amend law relative to.....	185
solicitation of passengers, relating to.....	817
solicitation of passengers, to prohibit on railroads.....	296
tax collector, relative to office of.....	96
veal, to protect	198
veal law, to repeal.....	808
Burke, bonds, to issue for bridges and roads.....	502
Cold Water Creek, to protect from contamination.....	384
Icard Township, appoint road commissioners for.....	290
Lovelady Township road commission authorized to borrow money	274
officers, fees of.....	317
prohibition law, to amend.....	5
Upper Fork Township road law amended.....	114
Cabarrus, cotton weigher, pay of.....	94
county commissioners, amend law relative to pay of.....	61
game, for protection of.....	543
public roads, amend law relative to.....	62
Caldwell, public roads, amend law relative to.....	793
railroad, commissioners to subscribe to.....	199
tax on to pay interest on bonds.....	648
Camden, county commissioners, to fix compensation.....	164
highway commission, appointees named.....	683
road district, to create.....	785
squirrels, to regulate hunting of.....	734
Carteret, jurors, pay of.....	299
road laws, to consolidate and amend.....	505
Caswell, bonds, for road improvement, to issue.....	340
highway commission, to establish.....	684
hunting, amend law relative to.....	152
illicit distilleries, to amend law relative to destruction of...	337
jail and county home, special tax for.....	118
offices, salaries of.....	731
<i>Catawba</i> public roads, issue bonds for permanent improvement.....	656
special tax for bonded indebtedness.....	768
treasurer, relating to office of.....	227
Chatham, Baldwin and Williams township bond issues invalidated..	593
county officers, certain, to fix compensation.....	162
farm leases, to repeal law fixing termination.....	26
liquor law, for better enforcement of.....	803
Matthews Township, to incorporate in special road district....	437
officers, salaries of.....	764
public roads, to levy special tax for.....	541
roads, bonds for.....	813
to provide for improvement of.....	142

Counties—*Continued.*

	PAGE
Chatham, road improvement, to pay for.....	817
tax books, audit of.....	764
Cherokee, assistants, commissioners authorized to employ.....	280
county indebtedness, special tax levied for.....	304
jurors, county home and jail, special tax for.....	500
Murphy Township, amend road law.....	88
Notla Township, relative to roads of.....	582
public roads, relating to.....	118
Valleytown Township, improve public roads of.....	187
Chowan, bonds to issue.....	363
road law, to repeal.....	110
road district, to create.....	785
special tax for roads and bridges, to authorize.....	687
stock law, to amend law relative to.....	36
Clay, cart road, to provide for laying out.....	295
commissioners, to fix per diem.....	7
fish, to protect.....	555
game and fur-bearing animals, for protection of.....	296
hunting, amend law relative to.....	710
prohibition law, to better enforce.....	759
public roads, amend law providing for maintenance.....	52
stock law territory, relative to.....	465
Cleveland, game, amend law relative to.....	705
public hospital, establish, issue bonds and levy tax.....	642
Columbus, clerk of court, salary of.....	334
floating indebtedness, bonds for.....	780
officers, salaries of.....	592
public roads, provide for repair and maintenance.....	194
recorder's and county courts, repeal laws relative to.....	175
recorder's courts, relative to.....	783
rural policemen, to repeal law providing for.....	45
stock law territory, to enlarge.....	168
treasurer, salary of.....	298
Craven, carnivals, to prohibit.....	366
commissioners, fix pay of.....	662
road and bridge bonds, commissioners to issue.....	149
solicitation of passengers, to prohibit on railroads.....	296
Cumberland, auditor, to abolish office of.....	564
birds and deer, to protect.....	141
bonds, commissioners to issue.....	361
cotton platform, commissioners and Fayetteville aldermen to build	280
game commission, to create.....	501
health departments of Fayetteville and Cumberland County to consolidate	719

Counties—*Continued.*

	PAGE
Cumberland, recorder's court, to abolish.....	221
relative to clerk of.....	564
road law, to amend.....	362
seed cotton, amend law relative to sale.....	659
squirrels, to protect in Seventy First Township.....	562
standard keeper, relative to.....	367
Currituck, Atlantic Township, to allow change from Currituck to Dare	551
highway commission, appoint members of.....	558
road district, to create.....	785
Dare, county officers, compensation of.....	73
commissioners, to fix compensation of.....	108
dogs, running at large, to regulate.....	106
dog tax, to provide for.....	106
Davidson, auditor, to establish office of.....	315
bridge, over Yadkin River, commissioners to build.....	46
drunkenness, public, extend law relative to Davidson County..	711
public roads, working of.....	282
roads, amend law relative to working.....	666
road funds, to provide and to fund debt road commissioners..	263
Davie, officers, to audit books of.....	592
officers, salaries of.....	735
roads, commissioners to issue bonds for.....	671
road commissioners, amend law relative to.....	711
Duplin, commissioners, pay of.....	578
county officers, additional compensation for.....	655
Faison Graded School Board, money to be paid to.....	28
free road labor, relative to.....	827
jail fees, amend law relative to.....	369
officers, supplement act relative to compensation of.....	819
public roads, to protect.....	704
provide funds for.....	847
township tax levies for.....	750
Durham, bonds for roads, commissioners to issue.....	676
commissioners, increase compensation of.....	113
deputy register of deeds, additional employment of.....	97
Durham Township and County, to fix salaries of officers.....	32
road bonds, commissioners to issue.....	255
squirrel hunting, to repeal law relative to.....	40
tax, to levy for courthouse bonds.....	518
Edgecombe, cotton weighers for No. 1 Township, compensation of..	579
road commission, amend law relative to.....	599
taxes, to aid in collection of.....	73
vehicles hauling logs, relative to taxing of in No. 6 Township..	299
Forsyth, auditor, salary of.....	808
deadly weapons, to regulate carrying of.....	373

Counties—*Continued.*

	PAGE
Forsyth, dog law, to repeal.....	526
floating indebtedness, to refund.....	326
highway commission, amend law relative to.....	406
jurors, drawing of.....	289
local improvements in towns, amend laws.....	375
partridges, sale of.....	805
soldiers, to refund poll tax to.....	774
register of deeds, additional assistance for.....	578
road superintendent, compensation of.....	98
Sunday sales, to regulate.....	376
Franklin, cotton weighers, amend law relative to.....	372
county officers, amend law relative to salaries of.....	557
Dunn's Township, amend law relative to roads.....	543
Gold Mine Township, to provide good roads.....	77
Harris Township, to provide good roads in.....	65
Sandy Creek Township, provide good roads in.....	179
Gaston, auditor, to abolish office of.....	220
county officers, certain to fix salaries of.....	75
game, to protect.....	331
motor vehicles, amend law relative to tax on.....	338
road bond issue, commissioners to submit.....	722
taxes, to ratify collection of.....	839
Gates, accounts, certain, chairman of commissioners to audit.....	20
board of education, to appoint.....	665
board of education, to cancel debt of.....	777
commissioners, board of, to increase pay.....	20
Hasletts Township road law amended.....	145
Holly Grove Township authorized to issue road bonds.....	234
register of deeds, to provide cancellation fees for.....	5
taxes, to provide for collection of.....	17
Graham, Australian ballot law, to add Graham County to.....	545
county commissioners, pay of.....	72
courthouse, fence around.....	87
game and stock, to protect.....	36
Macon County road law, extended to apply to.....	642
public roads, to provide for working.....	211
Granville, audit of accounts, to provide for by public officers.....	99
foxes, to regulate hunting of.....	333
officers, to fix salaries of.....	99
partridges, to regulate hunting of.....	640
roads, a better system of working, to provide.....	472
Greene, contracts, to prevent tenants breaking.....	555
public drunkenness, amend law relative to.....	215
sheriff, to increase fees of.....	371
special tax, commissioners to levy.....	379

Counties—Continued.

	PAGE
Guilford, clerk of court, fees of.....	793
county commissioners and certain officials, to fix compensa- tion of	98
courthouse bonds, commissioners authorized to issue.....	227
dog law, for better enforcement of.....	730
fees, to regulate.....	250
hard-surface roads, commissioners to levy special tax for.....	145
justice of peace, regulate fees of.....	119
Halifax, bridge, commissioners of Northampton, Halifax and Bertie to build	213
Brinkleyville Township road fund, relative to.....	847
Brinkleyville Township, special tax for roads.....	681
Enfield Township, to provide good roads for.....	133
officers, salaries of.....	504
road improvement, amend law relative to bonds for.....	86
roads, special tax for.....	845
roads and bridges, bonds for.....	769
relating to	743
Harnett, Aversboro Township, road bond election.....	832
commissioners, compensation of.....	254
Dunn road district, amend law relative to.....	777
officers, salaries of.....	801
probate and registration fees, relative to.....	820
Haywood, bridges, certain, to build.....	527
commissioners, to increase number of.....	753
pulp, paper mills and tanneries, amend law relating to.....	226
roads, improving and repairing.....	454
sheriff and treasurer, increase bonds of.....	802
sheriff and treasurer, salaries of.....	772
stock law, boundary, relative to.....	527
Waynesville Township, to borrow money for roads.....	434
drainage of lands, to provide for.....	63
fish industry, to promote.....	717
game, to protect.....	552
officers, additional pay for.....	309
road law amended.....	240
road law, to amend.....	640
Hertford, cotton and peanut weighers, to provide.....	753
officers, fees of.....	772
farm produce, buying and receiving at night or on Sunday pro- hibited	277
Potecasi Creek, to protect fish in.....	710
roads, amend law relative to working of.....	329
Hoke, cotton weigher for Raeford Township relative to.....	815
railroad bonds, township to issue.....	840
roads, to increase special tax for.....	359

Anderson

Counties—*Continued.*

	PAGE
Hyde, clerk of court, compensation allowed.....	554
to supply Supreme Court Reports to.....	560
Mattamuskeet Drainage District, to regulate tax assessments in	41
money from special tax, use of.....	428
roads, bonds for.....	520
Iredell, county officers and clerks, compensation of.....	377
fees, to fix for service of processes.....	498
game, consolidate law for protection of.....	679
growing crops, to protect in Olin Township.....	767
intoxicating liquors, better enforcement laws against.....	498
justices of peace, fees of.....	818
Jackson, county funds, to require deposit of at interest.....	806
municipal corporations, to publish statements.....	22
roads, amend law relating to in Sylva, Dillsboro and Cullowhee	
townships	252
road labor, relative to payment in lieu of.....	117
Scott's Creek Township, free range.....	172
special tax for general indebtedness, commissioners to levy...	219
stock law, exclude certain territory from.....	187
stock law, repeal.....	6
Johnston, Banner Township, roads of.....	443
Banner Township, to provide good roads in.....	586
Benson, relative to cotton weigher of.....	454
Beulah Township, bonds for roads.....	561
Beulah Township, special tax for roads.....	531
Beulah Township, roads of.....	458
Beulah Township, road commissioners relative to.....	798
county commissioners, to fix compensation.....	162
Meadow Township, roads of.....	438
Selma Township, to issue bonds for roads.....	688
Smithfield Township Road District, to issue bonds.....	718
Jones, commissioners and board of education, compensation of...	288
Lee, hunting, to prevent in Cape Fear Township.....	758
liquor, better enforcement of law against.....	754
primary law amended.....	785
sheriffs, to fix compensation for collecting taxes.....	74
Lenoir, bonds, to issue and provide payment thereof.....	728
commissioners, compensation of.....	514
officers, salaries of.....	570
public roads, to issue bonds for.....	531
roads, amend law relative to.....	340
treasurer, salary of.....	594
Lincoln, county commissioners, to fix compensation.....	72
courthouse, to provide erection, and issue bonds.....	712
public roads, maintenance and repair.....	662
special tax for maintenance and repair.....	665

Counties—*Continued.*

	PAGE
Lincoln, road superintendent, to appoint.....	279
sheriff, amend law relative to duties of.....	92
treasurer, fix bond of.....	257
salary of	265
veal, to protect.....	166
Macon, bridge, commissioners may build over Nantahala.....	273
bridges, to levy special tax for.....	16
county commissioners, to fix pay of.....	10
domestic fowls, to prevent depredations by.....	22
game, squirrels and fur-bearing animals, to protect.....	35
Pleasant Hill Baptist Church, to incorporate.....	8
roads, amend law relative to.....	48
road laws, to amend.....	152
extended to Graham County.....	642
townships, to borrow money.....	82
Madison, distilleries, to amend law relative to seizure of.....	21
No. 8 Township, road bonds for.....	579
No. 12 Township, road bonds for.....	448
road and bridges, maintenance and improvement.....	546
sheriff, duties of.....	712
solicitation of passengers, relative to.....	817
Martin, commissioners, fix pay of.....	115
commissioners of Martin and Bertie counties, to build bridge..	42
Griffin's Township, to improve roads of.....	224
Hamilton Township road law amended.....	129
special tax, to ratify, validate, and extend.....	15
McDowell, auditor, abolish office of.....	156
commissioners, to increase compensation of.....	189
clerk of court and register of deeds, compensation of.....	291
highways, provide for construction.....	621
school funds, relative to.....	805
sheriff, to fix salary of.....	107
solicitation of passengers, to prohibit on railroads.....	296
tax collector, abolish office of.....	93
Mecklenburg, bonded indebtedness, commissioners to refund.....	283
bonded indebtedness, to refund.....	809
books of officers, audit of.....	800
chairman of commissioners, salary of.....	757
Charlotte Township road trustees, amend law relative to.....	600
clerk of court and register of deeds, to regulate fees of.....	706
jail lot, sale of authorized.....	799
officers, compensation of.....	563
reformatory or home for fallen women, donation of land to...	288
standard keeper, duties and compensation of.....	565
Mitchell, cattle, pure blood, to amend law relative to.....	13
courthouse bonds, to validate tax levy for.....	56

Counties—Continued.

PAGE

Mitchell, ^{W. Avery Co.} employees manufacturing, mining and lumbering plants, relative to time of payment of.....	258
mining, amend law relative to.....	348
roads, special tax for.....	134
road tax, supplemental to.....	807
treasurer's office, to reestablish.....	8
Montgomery, clerk of court, regulate fees of.....	408
courthouse and jail, new, to build.....	347
jail lot, old, commissioners to sell.....	799
justices of peace, amend law relative to election of.....	106
partridges, to protect, and appoint game wardens.....	559
road bonds, for Biscoe Township.....	726
road law, to amend.....	755
text-books, to provide for rental of.....	124
Troy Township, to issue road bonds.....	528
Moore, game, for protection of.....	743
Nash, cider, wine, beer, beerine, malt, to prohibit manufacture and sale of.....	229
county officers' salaries, to amend law relative to.....	24
Dry Wells Township Road District, to issue bonds.....	204
Griffin's Township, bonds for roads.....	820
highway commission, to create.....	701
Manning's Township, highways of.....	281
Nashville Township, increase road tax.....	230
roads, to amend laws relative to.....	348
Rocky Mount Road District, to amend law establishing.....	19
New Hanover, automobile lights, relative to use of.....	802
bonds, for school buildings, to issue.....	698
coroners, amend law relative to fees.....	714
county home, special tax for.....	818
county solicitor, define duties of.....	289
deposits for inspection of meters, relative to.....	816
meter adjuster, to establish office of.....	571
meter inspection act, to amend.....	807
officers, salaries of.....	782
recorder and solicitor, to fix salaries, and provide records.....	649
school teachers, retired, pensions for.....	682
Northampton, bridge commissioners of Northampton, Halifax and Bertie to build.....	213
Pleasant Hill and Roanoke townships, to provide for working roads of.....	349
farm produce, buying and receiving at night or on Sunday pro- hibited.....	277
Wiccacanee Township road law amended.....	116
Onslow, Jacksonville Township bonds, to provide for redemption..	57
Orange, court stenographer, to provide for.....	597

Counties— <i>Continued.</i>	PAGE
Orange, game, to protect.....	240
road law, to amend.....	34
salaries of public officers, to amend law relative to.....	26
Pamlico, bridge, to erect across Smith's Creek.....	800
commissioners, to increase number of, and provide road super- intendent	400
game, to protect.....	451
roads and bridges, bonds for.....	466
Pasquotank, clerk of court, salary of.....	192
highway commission, amend law relative to.....	334
highway commission authorized to issue bonds.....	222
register of deeds, salary of.....	450
road district, to create.....	785
special tax, commissioners to levy to pay debt.....	528
squirrel hunting, to regulate.....	295
stock law, to provide for election on.....	34
Pender, bridges, to levy special tax for.....	360
Democratic executive committee, election of.....	551
game, to protect.....	170
game law, for better enforcement of.....	335
Pender, officers, compensation of.....	513
to amend	310
road law, to amend.....	514
stenographic fees, in Superior Court, to fix.....	825
stock law, to repeal.....	569
Topsail Township, bonds for roads.....	828
warrants, relative to return of before justices of peace.....	262
Perquimans, carnivals, to prohibit.....	366
commissioners, fix salaries of.....	641
officers, to fix salaries of.....	111
bonds, to issue and provide payment.....	412
public officers, certain, to fix salaries of.....	11
road district, to create.....	785
squirrels, to regulate hunting of.....	734
taxes, to induce prompt payment of.....	19
Person, bonds for roads, to authorize sale of.....	24
Central Highway Commission, to improve roads.....	47
courthouse and jail, bonds for.....	833
Pitt, bonds for floating indebtedness, commissioners to issue.....	398
highway commission, to create.....	611
justices of peace, increase fees of.....	716
officers, salaries and fees of.....	518
roads, to issue bonds for.....	423
special tax for.....	703
road tax, to increase.....	397

<i>Counties—Continued.</i>	PAGE
Pitt, sheriff, relative to duties of.....	799
special tax, commissioners to levy.....	517
Polk, county commissioners, increase compensation of.....	95
county home, bonds for.....	741
public drunkenness and disorderly conduct, to prevent.....	215
road commission, create and provide construction and main- tenance	627
special tax, county to levy.....	697
Randolph, bonds for county home, commissioners to issue.....	85
county surveyor, to fix pay of.....	437
for hunting, to regulate.....	71
New Market and Liberty townships, foxes not to be liberated in.	551
road law, to amend.....	308
roads, bonds for.....	522
Richmond, auditor, commissioners to create office of.....	279
carnivals, to prohibit.....	366
county officers, fix salaries of.....	96
courthouse, to provide and to authorize bonds therefor.....	304
Robeson, bridges, permanent, to issue bonds for.....	426
board of education, compensation of.....	560
county commissioners, nomination and election of.....	338
county officers, publication of reports of.....	375
convicts, to hire out.....	815
fishing, amend laws relative to.....	707
officers, to fix salaries of.....	125
pension board, amend law relative to.....	600
public funds, amend law relating to.....	193
public roads and bridges, amend law relative to construction of	422
railroad bonds, townships to issue.....	840
rural police, amend law relative to.....	121
superintendent public instruction, salary of.....	88
township road bonds, issue of authorized.....	231
township road bond act amended.....	846
Rockingham, auditor, to create office of.....	692
board of education, members of.....	740
county officers, assistants to.....	542
deputy sheriffs, fees of.....	708
game birds and fur-bearing animals, to protect.....	675
graveyards, to change location of.....	593
Leaksville Township recorder's court, amend law relative to..	708
police powers, amend law relative to.....	621
quail, to prevent sale of.....	310
roads, relative to working of.....	608
road and bridge bonds, to validate.....	597
road and bridge bonds authorized.....	751
Rowan, bridge over Yadkin River, commissioners to build.....	46

Counties— <i>Continued.</i>	PAGE
Rowan, cattle, diseased, to prevent importation.....	50
county officers, to regulate fees of.....	715
fishing, amend law relative to.....	91
justice of peace, regulate fees of.....	163
road bonds, to issue and provide payment of.....	736
Rutherford, bridges, to levy special tax for.....	9
Cool Springs, Green Hill and Chimney Rock townships, to issue bonds for road purposes.....	432
county officers, compensation of.....	257
Hickory Nut Gap Road, amend law relating to.....	117
public roads, improvement of.....	164
rural policemen, to provide for.....	28
veal, to amend law relative to killing and shipping.....	4
Sampson, court stenographer, to provide for.....	704
free road labor, relative to.....	827
road bonds, to provide for.....	367
road maintenance, special tax for.....	359
townships, to levy special tax in.....	380
Scotland, bridges, to construct and maintain across Lumber River..	447
Confederate veterans, to aid.....	192
dead animals, relating to burial of.....	142
rural policemen, to amend law providing for.....	6
Stanly, highway commissioner, to appoint.....	170
North and South Albemarle townships, appoint road commis- sioners	190
recorder's courts, relative to.....	731
Stokes, Big Creek Township, road bonds.....	458
officers, salaries of.....	516
officers, to provide assistants for.....	567
public highways, authorize tax for.....	430
Quaker Gap Township, roads of.....	481
Yadkin Township, roads, commissioners to issue bonds for....	207
Surry, calves, heifer, to protect.....	161
Beekeepers, in towns, to regulate.....	682
game, to protect.....	173
highway commission, to create and improve roads.....	265
Roaring Gap highway, to construct.....	825
surveyor, compensation of.....	809
Swain, bridge, permission given Macon commissioners to build....	273
commissioners, to erect bridge over Tuckaseegee River.....	70
freight, relative to hauling of by small roads.....	759
officers, to provide compensation of.....	127
pulp, paper mills and tanneries, amend law relating to.....	226
road law of 1911 reenacted.....	40
squirrels, to prohibit sale of.....	519

Counties—*Continued.*

	PAGE
Swain, stock law, to amend.....	141
Swain Special Road District, relief of.....	166
Transylvania, clerk recorder's court, compensation of.....	504
compensation of	568
commissioners, to fix per diem.....	5
county treasurer, to reestablish office of.....	7
drainage, to provide for.....	673
French Broad River, to protect from carcasses and timber....	258
levies of school taxes by commissioners ratified and extended..	130
necessary expenses, provide funds for.....	313
public drunkenness, amend law relative to.....	198
special tax, commissioners to levy.....	58
Tyrrell, clerk of court, additional compensation for.....	591
road material, to authorize condemnation of.....	110
Scuppernong Township, to amend law authorizing special tax..	249
special tax, commissioners to levy.....	167
Union, bridges, special tax for.....	431
carnivals, to prohibit.....	366
clerk and deputy clerk, to increase salaries of.....	793
commissioners, compensation of.....	254
commissioners, to contribute to Ellen Fitzgerald Hospital....	111
cotton platform, commissioners and aldermen of Monroe to build	190
cotton weighers, to fix fees of.....	10
game, to protect.....	768
opossums, to protect.....	41
primary law, to repeal.....	757
public drunkenness, misdemeanor.....	152
pure-bred cattle, to encourage breeding of.....	579
register of deeds, compensation of.....	253
road and bridge bonds authorized.....	573
road electorate, to appoint.....	773
road law, to repeal.....	797
roads and bridges, special tax for.....	541
special tax for.....	691
sheriff, salary of.....	775
soldiers, memorial to.....	775
Vance, county farm, commissioners to sell.....	163
Henderson Township, to levy special tax for schools.....	201
officers, to fix salaries of and audit accounts.....	321
Wake, board of health, to create and provide for superintendent...	131
bonds for roads and bridges, to authorize issue of.....	306
court stenographer, regulate fees of.....	116
dog tax, regulate expenditure of revenue from.....	641
growing crops, for protection of.....	767
Middle Creek Township recorder's court, amend law relative to.	694

Counties— <i>Continued.</i>	PAGE
Wake, officers, salaries of.....	734
public roads and highways, to amend law relative to improve- ments	356
Warren, dog tax, to repeal law relative to.....	46
free road labor, to amend law relative to.....	45
highway commission, to repeal law relative to.....	45
hunting and fishing, amend law relative to.....	174
road law amended.....	822
roads, use of tractors thereon.....	739
school census taker, office abolished.....	10
Washington, destruction of bridges, to provide penalty for.....	283
Watauga, clerk of court, fees of.....	784
drunkenness, to prevent.....	705
liquor, inquiry as to sale.....	705
new county home, to provide for.....	104
register of deeds, increase of fees.....	544
road bonds validated.....	420
road commissioners, to define duties of.....	120
road labor, amend law relative to commutation.....	430
sawdust, to prohibit in streams.....	115
Wayne, commissioners, pay of.....	577
county officers' salaries, to fix.....	666
highway commission and road building fund, to provide for..	486
judge and solicitor county court, to increase salary of.....	103
surveyor, to regulate fees of.....	371
Wayne County Drainage District No. 2, to create treasurer for..	556
Wilkes, Boone Trail, bonds for completion of.....	594
cattle raising, to promote.....	50
Lewis Fork Creek, to build bridge over.....	596
roads, bonds for.....	601
Roaring Gap highway, to construct.....	825
Wilson, cider, regulate sale of.....	114
commissioners, to fix compensation of.....	112
county home and hospital, to issue bonds for.....	329
county home bond act amended.....	834
courthouse bond act amended.....	837
courthouse, commissioners to build, and issue bonds.....	37
financial agent, compensation of.....	255
rural policemen, to provide.....	709
scales for weighing cotton, city and county to buy.....	27
Sunday selling, to prevent.....	591
Yadkin, bonds, commissioners to issue.....	378
commissioners to borrow money for road work.....	176
municipal corporations, to publish statements.....	165
public roads, to amend law relative to.....	44
Yancey, fish and game, to preserve.....	558

Counties—*Continued.*

	PAGE
Yancey, roads, amend law relative to maintenance of.....	113
sheriff, duties and compensation of.....	766
tax levy, to validate.....	312
Courts:	
Carteret County, pay of jurors.....	299
Columbus County, recorder's and county courts, repeal laws relative to	175
court stenographer, regulate fees of, in Wake County.....	116
Cumberland recorder's court, relative to clerk of.....	564
jurors, drawing of, in Forsyth County.....	289
New Hanover County Court, duties of solicitor defined.....	289
Orange County, to provide stenographer.....	597
Pender County Superior Court, fees of stenographer.....	825
recorder's court of Cumberland County, to abolish.....	221
Stanly County recorder's courts, amend law relative to.....	731
stenographer, in Sampson County, to provide for.....	704
stenographer, fees of, in Wake County.....	116
Transylvania County recorder's court, compensation of clerk.....	504
Wayne County court, to fix salaries, judge and solicitor of.....	103
Craven County, see Counties.	
Creeks and drainways into Scuppernong River, prohibit obstruction...	87
Cumberland County, see Counties.	
Currituck County, see Counties.	

D

Dare County, see Counties.	
Davidson County, see Counties.	
Davie County, see Counties.	
Dead animals, relating to burial in Scotland County.....	142
Distilleries, illicit, amend law relative to destruction.....	337
Domestic fowls, depredations of.....	756
Drainage:	
Franklin County Commissioners, compensation of.....	460
Henderson County lands, to provide.....	63
Mattamuskeet Drainage District, to regulate assessments in.....	41
Transylvania, to provide proper drainage of lands of.....	673
Duplin County, see Counties.	
Durham County, see Counties.	

E

Edgecombe County, see Counties.	
Ellen Fitzgerald Hospital, contributions to.....	111

F

Farm produce, buying and receiving at night or Sunday in Northampton and Hertford counties prohibited.....	277
Fish, for protection of.....	115

	PAGE
Forsyth County, see Counties.	
Fowls, to prevent depredations of.....	756
Franklin County, see Counties.	
Free road labor:	
to amend Revisal relative to.....	355
in Sampson and Duplin counties.....	827

G

Game:	
Alexander County, game warden appointed.....	569
Anson County, to protect.....	171
Bertie County game law.....	515
Birds and deer, to protect in Cumberland County.....	141
Buncombe County, to amend.....	191
Cabarrus County, protection of.....	543
Caswell County, amend law.....	152
Clay County game law.....	296
to amend law relative to hunting.....	710
to protect fish in.....	555
Cleveland County, amend law relative to.....	705
Cumberland County, game commission.....	501
Durham County, to protect squirrels.....	40
Foxes, prohibited liberating in Randolph County.....	551
to regulate hunting of in Granville County.....	333
Gaston County game law.....	336
Graham County, to protect game.....	36
Granville County, regulate hunting of partridges.....	640
Henderson County, to protect.....	552
Henderson County, promote fish industry.....	717
Iredell County, consolidate law for protection of.....	679
Lee County, to prevent hunting in Cape Fear Township.....	758
Macon County, protect game, squirrels and fur-bearing animals...	35
Montgomery County, protect partridges and appoint game wardens.	559
Moore County game law.....	743
Orange County game law.....	240
Pamlico County game law.....	451
Partridges, sale of in Forsyth County.....	805
Pender County game law amended.....	335
open season	170
Perquimans and Camden counties game laws amended.....	734
Potecasi Creek, to protect fish in.....	710
Quail, to prevent sale of in Alamance.....	569
to prevent sale of in Rockingham County.....	320
Randolph County, to regulate fox hunting in.....	71
Rockingham County, protect game and fur-bearing animals.....	675
Seventy-First Township, Cumberland County, squirrels.....	562
Squirrel hunting, to regulate in Pasquotank County.....	295

	PAGE
Game— <i>Continued.</i>	
Surry County, to protect game in.....	173
Swain County, to prohibit sale of squirrels.....	519
Union County, game law amended.....	768
to protect opossums.....	40
Warren County, amend laws.....	174
Yancey County, to preserve fish and game.....	558
Game laws, to amend law relative to enforcement of.....	23
Gaston County, see Counties.	
Gates County, see Counties.	
Graham County, see Counties.	
Greene County, see Counties.	
Guilford County, see Counties.	
H	
Halifax County, see Counties.	
Harnett County, see Counties.	
Haywood County, see Counties.	
Health:	
board of health, to create for Wake County and Raleigh.....	131
Burke County, Cold Water Creek, protect from contamination....	384
dead animals, burial of in Scotland County.....	142
Fayetteville and Cumberland County, incorporate health depart- ments	719
French Broad River, to protect from carcasses and timber in Tran- sylvania County	278
Henderson County, see Counties.	
Hertford County, see Counties.	
Hickory Nut Gap road, amend law relating to.....	117
Hoke County, see Counties.	
Hospitals:	
Cleveland County, to establish.....	642
Ellen Fitzgerald Hospital, authorize contribution to.....	111
Hyde County, see Counties.	
I	
Iredell County, see Counties.	
J	
Jackson County, see Counties.	
Johnston County, see Counties.	
Justices of peace:	
Iredell County, fees of.....	818
regulate fees of in Guilford County.....	119
Montgomery County, election of.....	106
Pitt County, to increase fees of.....	716
Rowan County, to regulate fees of.....	163
warrants, relating to return of in Pender County.....	262

L

Laws amended:

PAGE

1895, ch. 238, Public.....	94
1895, ch. 388, Public.....	372
1899, ch. 81, Public.....	608
1901, ch. 295, Public.....	91
1901, ch. 690, Public.....	226
1903, ch. 97, Public-Local	117
1903, ch. 279, Public.....	373
1903, ch. 334, Public.....	696
1903, ch. 375, Public.....	434
1905, ch. 210, Public.....	187
1905, ch. 716, Public.....	434
1907, ch. 135, Public.....	454
1907, ch. 180, Public.....	74
1907, ch. 201, Public.....	62
1907, ch. 730, Public.....	527
1907, ch. 630, Public.....	431
1907, ch. 737, Public.....	257
1907, ch. 814, Public.....	19
1909, ch. 41, Public.....	162
1909, ch. 305, Public.....	755
1909, ch. 431, Public.....	542
1909, ch. 613, Public.....	257
1909, ch. 662, Public.....	710
1909, ch. 737, Public.....	757
1909, ch. 782, Public.....	518
1909, ch. 807, Public.....	21
1909, ch. 807, Public.....	337
1909, ch. 833, Public.....	230
1900, ch. 840, Public.....	23
1911, ch. 107, Public-Local	88
1911, ch. 165, Public-Local	198
1911, ch. 344, Public-Local	24
1911, ch. 451, Public-Local	348
1911, ch. 452, Public-Local	734
1911, ch. 664, Public-Local	543
1911, ch. 722, Public-Local	185
1913, ch. 1, Public-Local	711
1913, ch. 3, Public-Local	240
1913, ch. 12, Public-Local	98
1913, ch. 12, Public-Local	406
1913, ch. 20, Public-Local	174
1913, ch. 41, Public-Local	430
1913, ch. 46, Public-Local	340
1913, ch. 52, Public-Local	592
1913, ch. 69, Public-Local	172

Laws amended— <i>Continued.</i>	PAGE
1913, ch. 114, Public-Local	6
1913, ch. 141, Public-Local	373
1913, ch. 168, Public-Local	129
1913, ch. 174, Public-Local	116
1913, ch. 205, Public-Local	133
1913, ch. 213, Public-Local	133
1913, ch. 269, Public-Local	252
1913, ch. 287, Public-Local	504
1913, ch. 305, Public-Local	600
1913, ch. 307, Public-Local	808
1913, ch. 317, Public-Local	599
1913, ch. 338, Public-Local	249
1913, ch. 353, Public-Local	317
1913, ch. 421, Public-Local	774
1913, ch. 425, Public-Local	731
1913, ch. 427, Public-Local	832
1913, ch. 439, Public-Local	800
1913, ch. 453, Public-Local	362
1913, ch. 503, Public-Local	359
1913, ch. 526, Public-Local	560
1913, ch. 539, Public-Local	117
1913, ch. 551, Public-Local	86
1913, ch. 552, Public-Local	563
1913, ch. 562, Public-Local	280
1913, ch. 590, Public-Local	14
1913, ch. 590, Public-Local	186
1913, ch. 643, Public-Local	815
1913, ch. 697, Public-Local	103
1913, ch. 764, Public-Local	739
1913, ch. 786, Public-Local	621
1915, ch. 46, Public-Local	26
1915, ch. 61, Public-Local	192
1915, ch. 87, Public-Local	96
1915, ch. 90, Public-Local	46
1915, ch. 126, Public-Local	334
1915, ch. 129, Public-Local	152
1915, ch. 193, Public-Local	166
1915, ch. 269, Public-Local	188
1915, ch. 335, Public-Local	116
1915, ch. 346, Public-Local	320
1915, ch. 411, Public-Local	121
1915, ch. 439, Public-Local	356
1915, ch. 467, Public-Local	24
1915, ch. 508, Public-Local	92
1915, ch. 522, Public-Local	577
1915, ch. 575	88

Laws amended—*Continued.*

	PAGE
1915, ch. 602	214
1915, ch. 603, Public-Local	279
1915, ch. 680, Public-Local	110
1915, ch. 684, Public-Local	801
1915, ch. 691, Public-Local	557
1915, ch. 805, Public-Local	579
1917, ch. 2, Public-Local	298
1917, ch. 4, Public-Local	334
1917, ch. 6, Public-Local	48
1917, ch. 46, Public-Local	193
1917, ch. 50, Public-Local	666
1917, ch. 62, Public-Local	683
1917, ch. 61, Public-Local	192
1917, ch. 67, Public-Local	793
1917, ch. 70, Public-Local	13
1917, ch. 74, Public-Local	24
1917, ch. 108, Public-Local	356
1917, ch. 109, Public-Local	44
1917, ch. 112, Public-Local	578
1917, ch. 130, Public-Local	164
1917, ch. 140, Public-Local	543
1917, ch. 143, Public-Local	815
1917, ch. 144, Public-Local	422
1917, ch. 243, Public-Local	113
1917, ch. 276, Public-Local	145
1917, ch. 280, Public-Local	694
1917, ch. 282, Public-Local	691
1917, ch. 300	52
1917, ch. 367, Public-Local	735
1917, ch. 386, Public-Local	465
1917, ch. 400, Public-Local	40
1917, ch. 415, Public-Local	707
1917, ch. 426, Public-Local	705
1917, ch. 449, Public-Local	516
1917, ch. 525, Public-Local	265
1917, ch. 548, Public-Local	567
1917, ch. 572, Public-Local	504
1917, ch. 606, Public-Local	545
1917, ch. 606, Public-Local	781
1917, ch. 618, Public-Local	289
1917, ch. 629, Public-Local	708
1917, ch. 635, Public-Local	114
1917, ch. 650, Public-Local	375
1917, ch. 658	191
1917, ch. 659, Public-Local	649
1917, ch. 660, Public-Local	764

Laws amended— <i>Continued.</i>	PAGE
1917, ch. 676, Public-Local	338
1917, ch. 677, Public-Local	805
1917, ch. 680, Public-Local	714
1917, ch. 700, Public-Local	564
Laws reënacted:	
1911, ch. 234, Public-Local	40
Laws repealed:	
1889, ch. 542, Public	116
1899, ch. 581, Public	45
1903, ch. 253, Public	110
1907, ch. 116, Public	757
1911, ch. 384, Public-Local	526
1911, ch. 411, Public-Local	540
1913, ch. 787, Public-Local	26
1915, ch. 80, Public-Local	8
1915, ch. 99, Public-Local	569
1915, ch. 116, Public-Local	783
1915, ch. 372, Public-Local	175
1915, ch. 502, Public-Local	731
1915, ch. 505, Public-Local	783
1915, ch. 642, Public-Local	783
1915, ch. 723, Public-Local	608
1915, ch. 795, Public-Local	45
1917, ch. 1, Public-Local	10
1917, ch. 11, Public-Local	45
1917, ch. 158, Public-Local	125
1917, ch. 226, Public-Local	125
1917, ch. 385, Public-Local	7
1917, ch. 408, Public-Local	6
1917, ch. 429, Public-Local	665
1917, ch. 562, Public-Local	367
1917, ch. 637, Public-Local	51
Lee County, see Counties.	
Lenoir County, see Counties.	
Lincoln County, see Counties.	
Lumbering plants, relative time of payment of employees in Avery and Mitchell counties	258
M	
Macon County, see Counties.	
Madison County, see Counties.	
Martin County, see Counties.	
McDowell County, see Counties.	
Mecklenburg County, see Counties.	
Mines, relative time of payment employees in Mitchell and Avery counties	258

	PAGE
Mitchell County, see Counties.	
Montgomery County, see Counties.	
Moore County, see Counties.	
N	
Nash County, see Counties.	
New Hanover County, see Counties.	
Northampton County, see Counties.	
O	
Onslow County, see Counties.	
Orange County, see Counties.	
P	
Pamlico County, see Counties.	
Paper mills, tanneries and, amend law relating to.....	226
Pasquotank County, see Counties.	
Passengers, solicitation of, amend law relative to.....	817
Pender County, see Counties.	
Perquimans County, see Counties.	
Person County, see Counties.	
Pitt County, see Counties.	
Polk County, see Counties.	
Prohibition laws, enforcement of in Iredell County.....	498
R	
Randolph County, see Counties.	
Rental of text-books in Montgomery County.....	124
Revisal amended:	
sec. 1409	106
sec. 1675	141
sec. 2721	827
sec. 2785	7
sec. 2785	61
sec. 2785	72
sec. 2785	254
sec. 3715	105
sec. 3733	152
sec. 3733	215
sec. 3733	711
sec. 5245	74
Richmond County, see Counties.	
Road district, to create for Chowan, Perquimans, Pasquotank, Camden and Currituck counties	44
Roads:	
Alexander County, special tax for.....	544
Alleghany County, special tax for bonds.....	383
Anson County, to provide	415
special tax for.....	464

Roads—*Continued.*

	PAGE
Ashe County, amend law relative to.....	650
automobile lights, use of in New Hanover County.....	802
Avery County, maintenance and improvement of.....	59
Aversboro Township, Harnett County, bonds for.....	832
Baldwin Township, Chatham County, bonds for.....	817
Banner Township, Johnston County, bonds for.....	443
bonds for	586
Bertie County, bonds for	385
Beulah Township, Johnston County, additional regulation for.....	458
bonds for	561
road commissioners for	798
special tax for	531
Big Creek Township, Stokes County, bonds for.....	458
Biscoe Township, Montgomery County, bonds for.....	726
Bladen County road law	198
roads to protect.....	308
bonds, Pasquotank highway commission to issue.....	222
Brinkleyville Township, Halifax County, special tax for.....	681
Brunswick County, issue bonds for.....	216
Buncombe County, bonds for	777
commissioners to regulate use of heavy vehicles on.....	804
for protection of.....	369
Burke County, bond issue for.....	502
Cabarrus County, amend law relative to.....	62
Caldwell County, increased rate of interest on bonds.....	793
Camden County highway commission members named.....	683
Carteret County road law amended.....	505
Caswell County highway commission, to establish.....	684
Caswell County, issue bonds for.....	340
Catawba County, bonds for permanent improvements.....	649
Chatham County, bonds for.....	813
provide improvement of.....	142
Cherokee County road law amended.....	118
Chowan County road law, to repeal.....	110
special tax for	687
Clay County, amend law providing for maintenance.....	52
laying out of cart and timber roads.....	295
Columbus County, provide for repair and maintenance.....	194
Cool Springs, Green Hill, Chimney Rock townships, Rutherford County, to issue bonds for.....	432
Craven County, bonds for.....	149
Cumberland County, bond issue for.....	361
special tax extended	362
Davidson County, amend law relative to working.....	666
road commissioners, amend law relative to.....	711
law amended	282

Roads—*Continued.*

	PAGE
Davie County, bonds for.....	671
Dry Wells Township, Nash County, to issue bonds.....	204
Dunn Road District, Harnett County, amend road law of.....	774
Dunn's Township, amend law.....	543
Duplin County, to protect	704
tax levies by townships	750
Durham County, bonds for	676
to issue bonds for	255
Edenton-Virginia highway, bonds for.....	785
Edgecombe County, amend law relative to commission.....	599
No. 6. Township, tax on vehicles hauling logs.....	320
Enfield Township, Halifax County, amend law	133
Forsyth County highway commission, amend law	406
free labor, Sampson and Duplin counties, relative to.....	827
funds, to provide in Davidson County.....	263
Gaston County, amend law relative to tax on vehicles.....	338
to submit bond issue for.....	722
Gold Mine Township, Franklin County, roads for.....	77
Graham County, to provide for road maintenance.....	211
Graville County, bonds for	472
Griffins Township Road District, Nash County, bonds.....	820
Griffins Township, Martin County, to improve roads of.....	224
Halifax County, bonds for	769
Halifax County road law amended.....	743
Halifax County townships, bonds for.....	86
Hamilton Township, Martin County, road law amended.....	129
hard-surface roads, special tax for in Guilford County.....	145
Harris Township, bonds and tax for.....	65
Hasletts Township, Gates County, road law amended.....	145
Haywood County, special tax for.....	454
Henderson County road law amended.....	240
Hertford County road law amended.....	329
Hickory Nut Gap road, amend law relating to.....	117
highway commissioner, to appoint.....	170
Holly Grove Township, bonds for.....	234
Hyde County, bond issue for.....	520
Jackson County, increase payment in lieu of road labor.....	117
Icard Township, Burke County, to appoint road commissioners for..	290
Lenoir County, bonds for.....	728
to issue bonds for	531
Lincoln County, to appoint superintendent of roads for.....	279
special tax for	665
Lovelady Township, Burke County, authorized to borrow money....	274
Macon County law amended	152
law amended	48
townships, to borrow money for.....	82

Roads—Continued.

	PAGE
Madison County, special tax for roads and bridges.....	546
No. 8 Township, bonds for	579
Manning's Township, Nash County, road law amended.....	281
Martin County, validate special tax for.....	15
McDowell County, to provide for construction.....	621
Meadow Township, Johnston County, bonds for.....	438
Mitchell County, special tax for.....	134
act supplemental to road tax.....	807
Murphy Township, Cherokee County, development.....	88
Nash County, special tax for.....	701
Nashville Township, Nash County, roads, to increase tax for.....	230
Northeastern N. C. Road Commission created.....	785
Notla Township, Cherokee County, amend law relative to.....	582
No. 12 Township, Madison County, bonds for.....	448
Orange County road law, to amend.....	34
Pamlico County, bonds for.....	466
Pasquotank County road law amended.....	334
Pender County road law amended.....	310
law amended	514
Person County, to issue bonds.....	24
highway commission, to improve roads.....	47
Pitt County, to create highway commission for.....	611
to issue bonds for	423
Polk County, construction and maintenance.....	627
Quaker Gap Township, Stokes County, bonds for.....	481
Randolph County, bonds for	522
law amended	308
road material, to authorize condemnation of in Tyrrell County....	110
Robeson County, construction and repair of	422
township bond issues	231
Rockingham County, bonds for.....	751
bond issue for	591
law amended	608
Rocky Mount Road District, amend law establishing.....	19
Rowan County, bonds for	736
Rutherford County, improvement of	164
Sampson County, bond issue for.....	367
special tax for	359
special tax for	380
Sandy Creek Township, Franklin County, to provide.....	179
Selma Township, Johnston County, to issue bonds for.....	591
Smithfield Township Road District, to issue bonds.....	718
South Mills Township, Camden County, bonds for.....	344
Stokes County, tax levies for.....	430
Surry County highway commission created.....	265
Swain County, 1911 road law reënacted.....	40

Roads—*Continued.*

PAGE

Swain Special Road District, amend laws.....	166
Sylva, Dillsboro and Cullowhee townships, law amended.....	252
Topsail Township, Pender County, bonds for.....	838
tractors, use of in Warren County.....	739
Troy Township, Montgomery County, bonds for.....	528
Union County, bonds for.....	573
Union County, road electorate	773
law amended	797
special tax for	541
Upper Fork Township, Burke County, road law amended.....	114
Valleytown Township, Cherokee County, to improve.....	187
Wake County, amend law relative to hauling over.....	356
Warren County, to amend law relative to free labor on.....	45
highway commission law repealed	45
law amended	822
Watauga County, amend law relative to labor on.....	430
law amended	120
validate bonds	420
Wayne County, special tax for.....	458
Waynesville Township, to borrow money for road purposes.....	434
Wiccacanee Township, Northampton County, amend law.....	116
Wilkes County, bonds for	601
bonds for Boone Trail	594
Yadkin County, to issue bonds for.....	378
law, to amend	44
Yadkin Township, Stokes County, to issue bonds for roads.....	207
Yancey County, amend road law.....	113
Roaring Gap highway, to construct.....	825
Robeson County, see Counties.	
Rockingham County, see Counties.	
Rowan County, see Counties.	
Rutherford County, see Counties.	

S

Schools:

Gates County, cancel debt of board of education.....	277
Lindley Training School, Buncombe County commissioners to contribute to	758
McDowell County, receipts from national forest to go to school fund	816
Rockingham County, board of education, to increase members of....	740
text-books, to provide for rental of in Montgomery County.....	124
Transylvania special taxes ratified and extended.....	130
Scotland County, see Counties.	
Scuppernong River, prohibit obstruction of drainways into.....	87
Soldiers, home-coming, Asheville and Buncombe County to welcome....	3

Soldiers:	PAGE
Lincoln County, memorial for.....	712
Sanford to appropriate money for memorial.....	714
Union County, memorial to	775
Solicitation of passengers on railroads, to prohibit.....	216
amend law relative to	817
Alexander County, for public highway.....	544
Alleghany County, for interest and other purposes.....	383

Surry County, see Counties.

Stokes County, see Counties.

Swain County, see Counties.

T

Tanneries, pulp and paper mills, amend law relating to.....	226
Text-books, rental of in Montgomery County.....	124
Tyrrell County, see Counties.	

U

Union County, see Counties.

V

Vance County, see Counties.

W

Wake County, see Counties.

Warren County, see Counties.

Washington County, see Counties.

Watanga County, see Counties.

Wayne County, see Counties.

Wilkes County, see Counties.

Wilson County, see Counties.

Y

Yadkin County, see Counties.

Yancey County, see Counties.

PRIVATE LAWS



NORTH CAROLINA

PRIVATE LAWS

PASSED BY THE

GENERAL ASSEMBLY

AT ITS

SESSION OF 1919

BEGUN AND HELD IN THE CITY OF RALEIGH

ON

WEDNESDAY, THE EIGHTH DAY OF JANUARY, A. D. 1919

PUBLISHED BY AUTHORITY

RALEIGH
EDWARDS & BROUGHTON PRINTING Co.
STATE PRINTERS
1919



CAPTIONS

OF THE

PRIVATE LAWS

SESSION 1919

CHAP.	PAGE
1. An act for the relief of F. M. and Z. L. Osborne.....	3
2. An act to repeal chapter 27 of the Private Laws of 1917, establishing a school district in Ellijay Township in Macon County.....	4
3. An act to amend the charter of the town of Cherryville.....	4
4. An act to allow the Stoney Mountain Company to move the remains of Walter Sigmon to the Hill Girt Cemetery in Henderson County	5
5. An act to repeal charter 276, Laws of North Carolina, of 1881, relative to cotton weigher for Shelby, North Carolina.....	5
6. An act to repeal the charter of the town of Big Lick, Stanly County	6
7. An act for the removal of the graves from the Edgar Long Memorial Methodist Episcopal Church South Cemetery, of Roxboro...	6
8. An act to authorize and empower the town of Marion to issue bonds to fund its debt.....	7
9. An act to repeal chapter 143 of the Private Laws of 1909, incorporating the town of Iron Station in Lincoln County, North Carolina	8
10. An act empowering the Elizabeth City Water and Power Company to build a dam across Knobbs Creek.....	8
11. An act for the relief of J. M. Poole of Montgomery County.....	9
12. An act to amend chapter 403 of the Public Laws of 1903, establishing graded schools in the town of Spring Hope.....	9
13. An act to provide for the levy of an additional special tax for Lumberton Graded School District.....	10
14. An act to relieve the commissioners of the city of Concord.....	13
15. An act to repeal certain sections of the charter of the city of Durham, being chapter 235 of the Private Laws of 1899 and amendments thereto	15
16. An act to fix the corporate limits of Hayesville, Clay County, North Carolina	14
17. An act amending the town charter of Rutherfordton, chapter 253 of the Private Laws of 1913.....	14
18. An act to amend section 1, Private Laws of 1917, and to repeal chapter 130, Private Laws of 1917, relating to Farmington Special School District, Davie County.....	15
19. An act to amend chapter 449, Private Laws of North Carolina, Session 1913, entitled "An act to amend chapter 344, Private Laws of North Carolina, Session 1907, relative to the charter of the city of Concord.....	16

CHAP.	PAGE
20. An act to incorporate the town of Iron Station in Lincoln County, North Carolina	17
21. An act to empower the commissioners of the town of Roper to levy a special tax to mature certain indebtedness.....	18
22. An act to authorize the Rocky Mount Graded School District to issue school bonds.....	19
23. An act to enable W. F. Utley, Trustee, to discharge his trust for benefit of white school children of Apex and community.....	22
24. An act to amend chapter 336 of the Private Laws of 1905, as amended by chapter 177 of the Private Laws of 1915, and to enlarge the Hertford Graded School District.....	24
25. An act to permit Oxford Graded School District in Granville County to vote bonds for school buildings.....	26
26. An act to provide for the election of trustees of Andrews School District in Cherokee County.....	29
27. An act to regulate the appointment and duties of cotton weigher for the town of Dunn in Harnett County.....	31
28. An act to permit the use of excess of sinking fund in the payment of existing indebtedness incurred in building and maintaining school in Littleton School District, Warren and Halifax counties	32
29. An act to enable the Hertford Graded School District to issue bonds	33
30. An act to amend the charter of the town of Selma, Johnston County	35
31. An act to incorporate Monogram Special Tax School District, Catawba Township, Catawba County, North Carolina.....	35
32. An act to establish a high school in Warrenton Special Tax District, Warren County, North Carolina.....	37
33. An act to amend chapter 267 of the Private Laws of 1891, incorporating the town of Whiteville, Columbus County, North Carolina	40
34. An act to amend chapter 266, Private Laws of 1909, relating to the Industrial Training and Educational School, of Faison, North Carolina	41
35. An act to authorize the "Morehead City Graded School District" to issue bonds for the purpose of erecting and equipping a graded school building, or buildings, at Morehead City, North Carolina	41
36. An act for the relief of the mayor and board of aldermen, chief of police and policemen of the city of New Bern.....	45
37. An act to extend the period of compulsory education in the city of Charlotte, for the full session of the city public schools each year	45
38. An act to repeal chapter 562, Laws 1892, and to create the Tarboro School Board	48
39. An act to incorporate the town of Severn in Northampton County, North Carolina	50
40. An act to permit the official plat of the town of Morehead City to be recorded and competent as evidence in the several courts of the State	50

CHAP.	PAGE
41. An act to amend chapter 161, Private Laws of North Carolina, 1915, relative to the Clemmons Farm-life and High School.....	51
42. An act to regulate motor vehicles and public service cars in Marion, North Carolina	52
43. An act for the relief of W. N. Davis, ex-sheriff of Gaston County..	53
44. An act to amend chapter 151, Private Laws of 1911, by extending the corporate limits of the town of Maury, Greene County, North Carolina	54
45. An act to authorize the trustees of the graded schools of Goldsboro Township to issue bonds.....	54
46. An act to authorize the board of commissioners of the town of Enfield to issue bonds for the purpose of establishing a system of waterworks and sewerage.....	57
47. An act to permit school district Number One, in Township Number One, Madison County, North Carolina, to issue bonds.....	60
48. An act to amend the charter of the town of Newton, so as to increase the tax for school purposes in Newton Graded School District	61
49. An act to amend chapter 135 of Private Laws of North Carolina at its Regular Session for the Year 1905, it being "An act to incorporate the town of Andrews in Cherokee County".....	63
50. An act to amend the charter of the town of Lexington, and extend the corporate limits of the same.....	63
51. An act to amend chapter 20 of the Public-Local Laws, Extra Session of 1913, in regard to prosecuting attorney for the town of Spencer, Rowan County.....	65
52. An act to authorize the city of Statesville to call an election for the purpose of voting bonds for the graded schools.....	65
53. An act to provide for the improvement of the streets of the town of Farmville, and authorizing the board of commissioners of said town to sell bonds for the payment thereof.....	67
54. An act to amend chapter 158, Private Laws of 1903, relating to the corporate limits of the town of Ahoskie in Hertford County..	68
55. An act to authorize the commissioners of the town of Coats to convey certain real estate located within that town and designated on the official map as a certain part of Dooley Street.....	70
56. An act to incorporate the Winton Graded School District, Hertford County, and provide for bond issue.....	71
57. An act to amend and consolidate the charter of the town of Waxhaw, Union County, North Carolina.....	75
58. An act to extend the corporate limits of the town of Black Creek, North Carolina	78
59. An act to validate the issuance of bonds for the purpose of building, rebuilding and repairing schoolhouses and furnishing the same with suitable equipment in Calypso Special Tax District in Duplin County	78

CHAP.	PAGE
60. An act to amend chapter 97 of the Private Laws of North Carolina, Session 1909, and provide for the election of the trustees of the Enfield Graded Schools by vote of the people.....	81
61. An act to provide for an election to repeal the incorporation of the town of Marble, Cherokee County.....	81
62. An act to authorize the town of Ahoskie, in Hertford County, to issue bonds and to levy a special tax for waterworks.....	82
63. An act to authorize the town of Ahoskie, in Hertford County, to issue bonds and to levy a special tax for street paving.....	84
64. An act to empower the commissioners of the town of Hertford to sell the water, sewerage and electric light system and ice plant belonging to said town.....	86
65. An act to authorize the town of Mars Hill, North Carolina, to establish a water and sewerage, light and power system and lay out, build and improve streets and sidewalks.....	87
66. An act to amend chapter 267, of the Private Acts of 1891, incorporating the town of Whiteville, Columbus County, North Carolina	90
67. An act to repeal chapter 69 of the Private Laws of North Carolina, Session of 1913.....	90
68. An act to amend chapter 219 of the Private Laws of North Carolina of the Session of the General Assembly of 1907, relative to trustees of Aberdeen Graded School.....	91
69. An act to authorize the mayor and board of commissioners of the town of Clayton to sell a tract of land belonging to said town..	91
70. An act to amend chapter 343, Public-Local Laws of 1911, relating to recorder's court of Plymouth, Washington County.....	92
71. An act to enforce the better observance of Sunday in the town of Goldston, North Carolina.....	92
72. An act to validate certain acts of the trustees and other officers of Guilford College	93
73. An act to amend section 9 of chapter 146 of the Private Laws of North Carolina, Session 1897, providing for the election of the mayor of the town of Enfield by a vote of the people.....	94
74. An act to incorporate the Burkemont Turnpike Company.....	94
75. An act to authorize the town of Hamlet to issue bonds for the purpose of erecting a building or buildings for the public schools	97
76. An act to allow the board of aldermen of the town of Greenville in Pitt County to remove certain graves in said town.....	100
77. An act to allow the board of commissioners of the town of Hookerton in Greene County to remove certain graves from said town	100
78. An act to authorize the town of Aurora to issue bonds for street improvement and the enlargement of its electric light plant....	101
79. An act to authorize the committeemen of Free School District Number One in Ashe County to contract with the trustees for the Jefferson School and to permit said free school to be taught in connection with the Jefferson School.....	103

CHAP.	PAGE
80. An act to repeal the charter of the town of Hiddenite, Alexander County	103
81. An act to authorize the board of trustees of Lincolnton Graded Schools to levy a tax to pay indebtedness.....	104
82. An act to allow the town of Selma to issue bonds for the purpose of building and repairing streets and installing sewerage system for said town.....	104
83. An act to incorporate the town of Burnsville in Yancey County, North Carolina	107
84. An act amending chapter 195, Private Laws 1917, for the relief of M. C. Stanley for injuries sustained while gratuitously aiding the Pasquotank Highway Commission.....	109
85. An act to authorize the town of Rockingham to issue bonds for the purpose of erecting a building or buildings for the public schools	110
86. An act to extend the boundary of the city of New Bern and enlarge the fourth and fifth wards in said city.....	112
87. An act to authorize the town of Pittsboro to issue bonds for working the streets.....	113
88. An act to fix the boundaries of the New Bern Graded School District, Craven County.....	115
89. An act to amend chapter 140 of the Private Laws of 1917, entitled "An act to authorize the school committee of Raleigh Township to submit the question to the vote of said township of issuing \$100,000 in bonds for school buildings".....	115
90. An act to amend chapter 214 of the Private Laws of 1909 relating to the graded schools of Beaufort, Carteret County.....	117
91. An act to amend chapter 317, Private Laws of 1913, and to amend the charter of the town of Hazelwood in Haywood County, by extending the corporate limits.....	118
92. An act amending chapter 96 of the Public Laws of 1899 and amendments thereto, relating to the Kinston Graded School District..	119
93. An act to amend the charter of the town of Taylorsville.....	124
94. An act to incorporate the town of Powellsville, in Bertie County, North Carolina	125
95. An act to establish Newport Graded School District in Carteret County	127
96. An act allowing the mayor and commissioners of the town of Norwood, Stanly County, to remove certain bodies from private cemeteries to the town cemetery.....	130
97. An act to amend section 1, chapter 33, Public-Local Laws, Extra Session 1913, relative to improvement of sidewalks in the town of Trenton	130
98. An act to amend the charter of the town of Greenville.....	131
99. An act to amend the charter of the city of Asheville by amending section 38 of chapter 49 of the Private Laws of 1915.....	132
100. An act to incorporate Wedington Industrial Institute.....	132

CHAP.	PAGE
101. An act to regulate sales on Sunday in the city of Washington.....	135
102. An act to amend or extend the corporate limits of the town of Hookerton, Greene County, North Carolina.....	136
103. An act to amend chapter 435 of the Private Laws of 1913, entitled "An act to revise, amend and consolidate the charter of the town of Beaufort, Carteret County".....	137
104. An act to authorize a special tax levy for Kinston Graded School District	139
105. An act to amend the charter of the town of Chapel Hill as contained in Private Laws of North Carolina, Session 1899, chapter 283	141
106. An act to amend chapter 718 of the Public Laws of 1903, relating to the graded school in the town of Columbia.....	142
107. An act for the relief of J. Sara Collis, a public school teacher of Mitchell County	142
108. An act to allow the board of aldermen of the town of Spring Hope to issue bonds for waterworks, sewerage and street improvements	143
109. An act to amend the charter of the city of Kinston.....	144
110. An act to amend chapter 197, Private Laws of 1895, incorporating the town of Peachland in Anson County.....	148
111. An act to establish a graded school at Wake Forest and to provide special tax and bonds therefor.....	148
112. An act to amend chapter 424, Laws of 1887, relative to Reidsville School District, Rockingham County, North Carolina.....	152
113. An act to amend the charter of the town of Trenton, North Carolina, being chapter 174, Private Laws of 1911.....	153
114. An act to fix the compensation of the mayor of Wilmington, North Carolina	154
115. An act incorporating the graded school district of the city of Gastonia, North Carolina, and prescribing the powers and duties of the board of school commissioners thereof.....	154
116. An act to provide for the extension of the corporate limits of the city of Greensboro	157
117. An act to amend chapter 701, Public-Local and Private Laws, Session 1917, relative to the adjustment of cases by the mayor of Fayetteville	160
118. An act to prohibit the sale of coca cola, pepsi cola, cherro cola and other soft drinks within half a mile of Mount Gould Landing and picnic grounds on Chowan River in Bertie County on the day of the Annual Farmers Union or Farmers Alliance Picnic held there	160
119. An act to amend chapter 13 of the Private Laws of North Carolina, Extra Session 1908.....	161
120. An act to amend the charter of the graded schools of the town of Roanoke Rapids	162
121. An act to improve the town of Bakersville, Mitchell County.....	167

CHAP.	PAGE
122. An act to induce the prompt payment of taxes in the town of Reidsville	168
123. An act to grant the right and privilege to vote to certain residents of the towns of Snow Hill and Hookerton, in Green County.....	169
124. An act to amend chapter 10 of Private Laws of 1917 relative to the collection of taxes in the town of Thomasville, N. C.....	169
125. An act to authorize the town of Rutherfordton to issue bonds in excess of 10 per cent of the assessed tax valuation of its property, for waterworks and street improvements.....	170
126. An act to increase the annual taxes levied in aid of the graded schools of Mount Airy.....	171
127. An act to vote a special tax and for the election of trustees in the Nashville School District in Nash County, North Carolina..	173
128. An act to authorize the Plymouth Graded School District of Washington County to issue bonds for the purpose of erecting a building for public schools.....	175
129. An act to amend chapter 165 of the Private Laws of 1901, amending the charter of the town of Parkton, increasing its corporate limits	178
130. An act to amend chapter 12, of the Private Laws of 1917, relating to assessment for water line.....	179
131. An act to exclude certain territory from the Grimesland Special School Tax District in Pitt County.....	180
132. An act to prohibit the sale of wines within two miles of the town of Old Fort.....	181
133. An act to authorize the board of trustees of the Monroe Graded School District to issue bonds for school purposes.....	181
134. An act to authorize the board of aldermen of the town of Greenville to issue bonds to complete and equip the water and light plant of said town.....	184
135. An act to amend chapter 301 of the Public Laws of 1907 relative to School District Number 7 in Caswell County.....	186
136. An act to amend chapter 204, Private Laws 1905, relating to the graded school at Robersonville, North Carolina.....	187
137. An act to authorize Ahoskie School District, Hertford County, to issue \$15,000 in bonds for school purposes.....	188
138. An act to amend the charter of the city of Monroe.....	190
139. An act to authorize the board of trustees of the Old Trap 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.....	191
140. An act to amend chapter 42 of the Public-Local Laws of 1917, relating to Philadelphus Graded School District.....	192
141. An act to amend the charter of the city of Wilmington, N. C., relating to the boundaries of said city.....	193

CHAP.	PAGE
142. An act relating to the schools of Goldsboro Township.....	193
143. An act to incorporate Big Branch School District in Barbecue Township, Harnett County.....	194
144. An act to amend and supplement chapter 101 of the Private Laws of 1903, relating to Tryon Graded School District.....	196
145. An act to amend chapter 351, Private Laws of 1905, relating to the trustees of Lake Landing Graded School, Hyde County.....	197
146. An act to authorize the city of Statesville to call an election for the purpose of voting bonds to provide funds for the purchase of a gas plant.....	198
147. An act to authorize the school committee of Reidsville School District, Reidsville, North Carolina, to issue bonds for school purposes	200
148. An act to incorporate the town of Teachey's in Duplin County.....	203
149. An act to amend chapter 343 of the Private Laws of 1907, relating to the charter of the town of Lumberton and making the same applicable to the town of Fairmont, N. C.....	204
150. An act relating to the collection of assessments for paving levied against land by the city of Kinston.....	204
151. An act to repeal chapter 330 of the Private Laws of 1899, incorporating the town of Mint Hill in Mecklenburg County.....	206
152. An act to amend the charter of the city of Wilmington, North Carolina	206
153. An act to provide for the election of the city attorney of the city of Wilmington and fix the salary for said office.....	207
154. An act to amend chapter 75 of the Private Laws of 1911, relating to the charter of the city of Wilmington.....	208
155. An act to amend chapter 342 of the Private Laws of 1907, relating to the election of members of the school board of the city of Charlotte	208
156. An act to extend the corporate limits of the town of Hookerton....	210
157. An act to amend chapter 349 of the Private Laws of 1915 relating to the Firemen's Pension Fund for the city of Wilmington, N. C.	211
158. An act to correct an error in House Bill 722, Senate Bill 781, ratified on March 3, 1919, relating to corporate limits of the town of Ahoskie	212
159. An act to amend chapter 184 of the Private Laws of 1915, relating to elections in the city of Wilmington.....	212
160. An act to extend the corporate limits of the town of Snow Hill....	213
161. An act to extend the corporate limits of the town of Snow Hill....	214
162. An act to amend chapter 148 of the Private Laws of 1915, relating	
163. An act to extend the period of compulsory education in the city to the charter of the city of Wilmington.....	215
of Winston-Salem, for the full session of city public schools each year	215

CHAP.	PAGE
164. An act to appoint trustees of the police pension fund of Wilmington, North Carolina	218
165. An act to amend the charter of the city of Statesville, same being chapter 243 of the Private Laws of 1911, regarding the collection of taxes in said city.....	218
166. An act to correct an error in House Bill 722, Senate Bill 781, ratified on March 3, 1919, relating to corporate limits of the town of Ahoskie	219



PRIVATE LAWS

OF THE

STATE OF NORTH CAROLINA

SESSION 1919



PRIVATE LAWS
OF THE
STATE OF NORTH CAROLINA
SESSION 1919

CHAPTER 1

AN ACT FOR THE RELIEF OF F. M. AND Z. L. OSBORNE.

WHEREAS, C. L. Stephens was employed by the high school committee to teach the public high school or state high school at Turkey Knob Academy in Alleghany County during the school term of one thousand nine hundred and seventeen—one thousand nine hundred and eighteen under a contract with said committee approved by the county superintendent of said county, and in pursuance of said employment, taught a seven-months high school in said district, and Preamble.

WHEREAS, warrants were drawn in favor of said Stephens for the aggregate amount of three hundred thirty five and fifty one-hundredths dollars, and

WHEREAS, said warrants were negotiated by said Stephens to Messrs. F. M. and Z. L. Osborne and he was paid for the same aggregating said sum, and

WHEREAS, it was afterwards discovered that said Stephens did not hold a legal certificate authorizing him to teach in the high schools of the state, and

WHEREAS, the committee of said district recognized that a satisfactory school was taught by said Stephens, and that the district has received the benefit therefrom, and that the purchasers of the said warrants bought them for value and without notice of any irregularity and under the belief that he held a proper certificate authorizing him to teach such school;

Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the treasurer of the high school fund of said county is authorized and directed to pay to the said F. M. and Z. L. Osborne the sum of three hundred thirty five and fifty one-hundredths dollars out of the funds in his hands to the credit of Treasurer authorized to pay.

Proviso: to be approved by board of education.

the said Turkey Knob high school district: *Provided*, that payment shall not be made till the same is approved by the board of education of said county.

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

Ratified this the 24th day of January, A. D. 1919.

CHAPTER 2

AN ACT TO REPEAL CHAPTER 27 OF THE PRIVATE LAWS OF 1917, ESTABLISHING A SCHOOL DISTRICT IN ELLIJAY TOWNSHIP IN MACON COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter twenty-seven (27) of the Private Laws of the session of nineteen hundred and seventeen (1917) be and the same is hereby repealed.

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

Ratified this the 27th day of January, A. D. 1919.

CHAPTER 3

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CHERRYVILLE.

The General Assembly of North Carolina do enact:

Law amended.

Manner of holding election prescribed.

SECTION 1. That section five of chapter two hundred and ten, Private Laws one thousand nine hundred and thirteen, be stricken out and the following substituted in lieu thereof, to wit: "That the annual election herein provided, and any and all elections herein authorized, or as may be deemed necessary for town purposes, shall be called, held, conducted, and concluded under the direction of the mayor and board of commissioners of said town, by officers so designated and appointed by them, in manner and form in every respect, as near as may be and under the same provisions of law and practice as near as may be as elections for county officers are held and conducted, like county officials, under the general law relating to such elections in North Carolina in force at the time of such elections, including all the penalties and forfeitures prescribed for the violation of such law. That the board of commissioners and mayor are hereby authorized to call an election for any municipal purpose upon the presentation of a petition of one-fourth of the qualified voters of said town, such

Similar to county election.

Election authorized upon petition.

elections to be held in the same manner as is prescribed for holding elections of town officers. All elections for all town officers and for all town purposes shall be held at one voting place, to be designated by the board of commissioners of said town. Election to be held at one voting place.

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

Ratified this the 29th day of January, A. D. 1919.

CHAPTER 4

AN ACT TO ALLOW THE STONEY MOUNTAIN COMPANY TO MOVE THE REMAINS OF WALTER SIGMON TO THE HILL GIRT CEMETERY IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Stoney Mountain Company be and it is hereby authorized to move the remains of Walter Sigmon, a Federal soldier who was buried on the premises now belonging to the said company in Henderson County during the Civil War, to the cemetery of the Methodist Church at Hill Girt, North Carolina, or to some other cemetery in said county. Authorized to move body.

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

Ratified this the 30th day of January, A. D. 1919.

CHAPTER 5

AN ACT TO REPEAL CHAPTER 276, LAWS OF NORTH CAROLINA, OF 1881, RELATIVE TO COTTON WEIGHER FOR SHELBY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and seventy-six, Laws of one thousand eight hundred and eighty-one, be and the same is hereby repealed. Law establishing office of cotton weigher at Shelby repealed.

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

Ratified this the 4th day of February, 1919.

CHAPTER 6

AN ACT TO REPEAL THE CHARTER OF THE TOWN OF BIG LICK, STANLY COUNTY.

The General Assembly of North Carolina do enact:

All acts relating to incorporation of Big Lick repealed.

SECTION 1. That chapter one hundred and seventy-three of the Private Laws of one thousand nine hundred and three and all acts amendatory thereof or passed prior thereto, referring to the incorporation of the town of Big Lick in Stanly County, be and the same are hereby repealed.

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

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 7

AN ACT FOR THE REMOVAL OF THE GRAVES FROM THE EDGAR LONG MEMORIAL METHODIST EPISCOPAL CHURCH SOUTH CEMETERY, OF ROXBORO.

Preamble.

WHEREAS, the membership of Edgar Long Memorial Methodist Episcopal Church, South, is preparing to tear down and remove its present church building on Main Street in the town of Roxboro, North Carolina, and erect a new church building on the site of the old building, and

WHEREAS, a portion of said church lot was many years ago used as a church cemetery, and

WHEREAS, said new church building will cover more ground than the old building, and for this reason may come in contact with some of the graves on said lot;

Therefore,

The General Assembly of North Carolina do enact:

Trustees of Edgar Long Memorial Church, Roxboro, authorized to remove graves in order to erect new church.

SECTION 1. That the trustees of Edgar Long Memorial Methodist Episcopal Church, South, are hereby authorized and empowered to remove any and all graves, which they may deem necessary, for the purpose of erecting a new church building on the lot of said church on Main Street in the town of Roxboro, North Carolina.

Graves provided in town cemetery for bodies removed, trustees paying expenses.

SEC. 2. That graves shall be provided in the town of Roxboro cemetery for any and all bodies that may be removed from the graves on said church lot, and the costs and expenses of providing such graves and removing said bodies shall be paid by said trustees: *Provided, however,* in the event any grave can be identified, and claim is made by the relatives of

Proviso: claiming of bodies by relatives relieves trustees.

the person whose body is to be removed therefrom, the said trustees shall have the right to turn such body over to said relatives and be relieved from any further costs in connection therewith.

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

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

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 8

AN ACT TO AUTHORIZE AND EMPOWER THE TOWN OF MARION TO ISSUE BONDS TO FUND ITS DEBT.

WHEREAS, the town of Marion has heretofore contracted indebtedness, and issued its bonds, for the purpose of improving the streets of the said town; and Preamble.

WHEREAS, the said bonds are about to mature, and the said town is now unable to liquidate and discharge the same;

Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of paying and discharging said indebtedness, the board of aldermen of the town of Marion are hereby authorized and empowered to issue bonds in an amount not to exceed five thousand dollars (\$5,000); said bonds shall be in denomination of five hundred dollars (\$500) 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 the 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 twenty years from the date thereof, and at such place or places as said board of aldermen may determine, each of said bonds to state on its face that said bond was issued to refund a bond of like amount issued by said town of Marion for the necessary improvement of its streets. Boards authorized.
Denominations.
Interest
How payable.
Form of bonds.
Maturity.
Bonds must state on face that they are "refunding"

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. No sale at less than par.

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 the said town shall, annually, and at the time of levying other town taxes, Special tax to pay interest and retire bonds.

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 ten cents on one hundred dollars 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 in the same manner and in like tenor of other town taxes.

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 4th day of February, A. D. 1919.

CHAPTER 9

AN ACT TO REPEAL CHAPTER 143 OF THE PRIVATE LAWS OF 1909, INCORPORATING THE TOWN OF IRON STATION IN LINCOLN COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and forty-three of the Public Laws of nineteen hundred and nine 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 February, A. D. 1919.

CHAPTER 10

AN ACT EMPOWERING THE ELIZABETH CITY WATER AND POWER COMPANY TO BUILD A DAM ACROSS KNOBBS CREEK.

The General Assembly of North Carolina do enact:

SECTION 1. That authority is hereby granted to the Elizabeth City Water and Power Company to erect and build a dam across Knobbs Creek at a point which is sixty-five feet west from the center of the main line track of the Norfolk-Southern Railroad Company where it crosses the creek with its bridge, which bridge is parallel to the bridge over the road leading from Foreman Blades Lumber Company to Road Street, together with the necessary powers for constructing and maintaining said dam. The said dam is to have a concrete wall and base, together with the

Limit to tax.
Collection.

Act of 1919,
incorporating
town of Iron
Station, repealed.

Elizabeth City
Water and Power
Company
authorized to
build dam.

Specifications
of dam.

necessary automatic tide gates to permit the free outflow of water when the current is outward, but closing when the current is inward, and an especial sluice or gate to permit the passage of logs. The plans and specifications for the said dam shall be approved by the Pasquotank County Highway Commission and the dam built in accordance with the plans and specifications so approved.

Plans to be approved by Pasquotank highway commission.

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

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

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 11

AN ACT FOR THE RELIEF OF J. M. POOLE OF MONTGOMERY COUNTY.

WHEREAS, J. M. Poole, of Montgomery County, a teacher in school district number two, Cheek's Creek Township, Montgomery County, has failed to receive the salary due him under contract to teach in the public schools of the said county by reason of the failure of the board of education to allot to that school a sufficient amount to pay his salary

Preamble.

Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the treasurer of the county of Montgomery is authorized and directed to pay to the said J. M. Poole out of the school funds of the county, the sum of twenty dollars (\$20) balance due him on salary under contract for teaching in the public schools of said county during the years one thousand nine hundred and twelve and one thousand nine hundred and thirteen.

Treasurer of Montgomery county authorized to pay J. M. Poole \$20 due him on salary teaching in 1912-13.

Ratified this the 6th day of February, A. D. 1919.

CHAPTER 12

AN ACT TO AMEND CHAPTER 403 OF THE PUBLIC LAWS OF 1903, ESTABLISHING GRADED SCHOOLS IN THE TOWN OF SPRING HOPE.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and three of the Public Laws of one thousand nine hundred and three be amended by striking out the word and figures "thirty (30)" in line seven

Law amended.

Special taxes for support of graded schools in Spring Hope increased.

Taxes to be collected by county.

of section six, and inserting in lieu thereof the word and figures "sixty (60)," and by striking out the word and figures "ninety (90)" in line nine of section six, and inserting in lieu thereof the words and figures "one dollar and eighty (\$1.80)."

SEC. 2. That said taxes shall be collected by the sheriff or other tax collector of Nash County, as provided in chapter seventy-nine, section two, of the Private Laws of one thousand nine hundred and fifteen.

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

Ratified this the 7th day of February, A. D. 1919.

CHAPTER 13

AN ACT TO PROVIDE FOR THE LEVY OF AN ADDITIONAL SPECIAL TAX FOR LUMBERTON GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

Special election ordered.

SECTION 1. That it shall be the duty of the board of commissioners of the town of Lumberton to submit the question of increasing the levy of the special tax heretofore levied for the support and maintenance of the graded schools of Lumberton, at a special election to be held on the first Monday in April, one thousand nine hundred and nineteen, under the provisions of this act.

Notice of election.

SEC. 2. That thirty days notice of such election shall be posted at the courthouse door of Robeson County and at five public places within the town of Lumberton, containing a brief synopsis of the provisions of this act, and the time and place of holding such election. It shall be the duty of the board of commissioners of the town of Lumberton to appoint a registrar and two judges of election to conduct said election, who shall be qualified voters residing in said town. It shall be the duty of the registrar to make a new registration, and all persons entitled to vote for members of the General Assembly residing within the limits of the town of Lumberton shall be entitled to register for such election. The registrar shall, commencing on the fourth Saturday before said election, attend regularly at the office used by the board of commissioners of Robeson County in the courthouse at Lumberton for four successive Saturdays between the hours of 8 o'clock a. m. and 5 o'clock p. m. for the purpose of registering such persons as are entitled to register and vote in said election, and only such persons as shall duly register in accordance with the provisions of this act shall be deemed qualified voters at said elec-

How conducted.

New registration.

Registration of voters.

tion. All challenges of voters may be entered on any registration day and shall be passed upon by the registrar and judges of election on the day of election. The registrar and judges of election shall each receive three dollars for each day's service, same to be paid by the board of commissioners of the town of Lumberton out of the general treasury of said town. For the purposes of this act the polls shall be opened at the regular voting place at the courthouse at Lumberton at eight o'clock a. m., and shall remain open until sundown.

SEC. 3. At said election those who are in favor of the increased levy of special tax for graded school purposes shall vote a written or printed, or partly written or partly printed ballot with the words "For Special Tax for Graded Schools" thereon; and those opposed to the increased levy of special tax for graded school purposes shall vote a written or printed, or partly written or partly printed ballot with the words "Against Special Tax for Graded Schools" thereon. The number and names of persons registered, the number of ballots cast for and against the levy of said special tax, shall be counted and the result certified and returned to the board of commissioners of the town of Lumberton, who shall on the day next following said election open and canvass the returns of said election, and declare the result thereof.

SEC. 4. If, at said election, a majority of the qualified registered voters shall vote "For special tax for graded schools," then it shall be the duty of the board of commissioners of the town of Lumberton to annually levy a special tax for graded school purposes in such amount as the board of graded school trustees of the town of Lumberton may deem necessary to be levied for graded school purposes, and it shall be the duty of said board of graded school trustees, annually, and at least ten days prior to the time of levying town taxes in said town of Lumberton, file with the board of commissioners of said town of Lumberton a statement setting forth in writing what amount of special tax should be levied for graded school purposes for the current year, and thereupon it shall be the duty of the board of commissioners of said town of Lumberton to levy such special tax in the amount and in accordance with such written request, and this course shall be pursued each and every year after the holding of such election: *Provided, however,* that such special tax for graded school purposes shall never exceed seventy-five cents upon the one hundred dollars valuation of property in said town of Lumberton or two dollars and twenty-five cents on each taxable poll. Said special taxes shall be collected as other town taxes, and paid over to the treasurer of the graded school fund and shall be used for the support and maintenance of said graded schools in accordance with the provisions of this act.

SEC. 5. That the board of graded school trustees of said town of Lumberton shall have power and authority to use the proceeds of any special taxes to be levied and collected under the provi-

Challenges.

Compensation of registrars and judges.

Ballots.

Canvass of returns.

Special tax, how levied.

Limit of taxes
75 cents on \$100
and \$2.25 on poll.

Expenditure of funds derived.

sions of this act, or any other taxes or funds coming into their hands for school purposes, for the support and maintenance of a system of graded schools and high schools in and for the town of Lumberton; for the erection of any needed new buildings, repairs and maintenance of existing buildings; for improved or additional equipment; for discharging any indebtedness heretofore lawfully contracted by said board for the benefit of said schools, or for payment of interest on any such indebtedness; and in such other and further ways as said board may, in its discretion, deem advisable for the best interest of the public graded and high schools of said town.

Further
amplification of
trustees, powers.

SEC. 6. The board of graded school trustees of said town of Lumberton shall have power and authority, in its discretion, in addition to the branches and courses of instruction now given in the graded and high schools of said town, establish other courses of instruction in other branches of learning or industry, including drawing, music, stenography, typewriting, and book-keeping, domestic science, and such other departments as said board may, in its discretion, determine, together with any necessary supplies, apparatus or equipment needed in connection therewith. Said board shall also have power to prescribe what tuition, or rates of tuition, if any, shall be paid by pupils or students taking such additional courses or any of them; and any and all tuition collected, if any, shall be covered into the school funds of said town.

Proviso of act of
1907 repealed.

SEC. 7. That the last proviso, consisting of the last seven lines of section eighty-six of chapter three hundred and forty-three, Private Laws of North Carolina, session of one thousand nine hundred and seven, be and the same is hereby repealed.

Second election,
in event first
fails, authorized.

SEC. 8. That if, at the election to be held under the provisions of this act, a majority of the qualified voters shall vote "Against special tax for graded schools," then after the expiration of a period of six months following such election, the board of commissioners of the town of Lumberton may order another special election to be held upon the question of increasing the levy of special taxes for graded school purposes under the provisions of this act, and shall have power to fix the time and date of holding such election, which may or may not be coincident with the time of holding regular elections for said town, and in case such election be ordered by said board, the same shall be held and conducted under all the rules and regulations provided by this act and with the same effect.

Result of any
election held under
act not to affect
present
special taxes.

SEC. 9. That if, at any election to be held under the provisions of this act, a majority of the qualified voters shall vote "Against special tax for graded schools" the result thereof shall not be to affect any tax or special tax now or heretofore levied for graded school purposes under authority or law now or hereto-

fore existing, but any tax or special tax now or heretofore levied under existing law for graded school purposes in said town of Lumberton shall continue to be levied and collected in the same manner, to the same extent, and with the same effect, as if no election had been held under the provisions of this act.

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, subject to the foregoing provisions, shall take effect from and after its ratification

Ratified this the 11th day of February, A. D. 1919.

CHAPTER 14

AN ACT TO RELIEVE THE COMMISSIONERS OF THE CITY OF CONCORD.

WHEREAS, the board of aldermen of the city of Concord paid in error, certain increase in salaries to the policemen of said city not authorized by the charter of said city and amendments thereto, and desire to correct and validate same;

Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the monthly salaries heretofore paid to the several policemen of the city of Concord by the board of aldermen of said city are hereby validated, confirmed, and approved in every respect.

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

Ratified this the 11th day of February, A. D. 1919.

CHAPTER 15

AN ACT TO REPEAL CERTAIN SECTIONS OF THE CHARTER OF THE CITY OF DURHAM, BEING CHAPTER 235 OF THE PRIVATE LAWS OF 1899 AND AMENDMENTS THERETO.

The General Assembly of North Carolina do enact:

SECTION 1. That the following parts of chapter twenty of the Private Laws of one thousand nine hundred and seventeen, being entitled An act to amend the charter of the city of Durham, 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 on one thousand

nine hundred and one, ratified the ninth day of January, one thousand nine hundred and seventeen, be, and the same are hereby repealed, to wit: The three provisors appearing in the second paragraph of said section one, beginning with the words "*Provided*, that they shall not borrow any sum of money, etc.," to and including the words "for any and all of said watermains, extensions, repairs, and improvements," being the end of said section one.

Restrictions removed from power of city government to borrow money to discharge debt.

SEC. 2. That all laws or parts 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 14th day of February, 1919.

CHAPTER 16

AN ACT TO FIX THE CORPORATE LIMITS OF HAYESVILLE, CLAY COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Corporate limits to be one-half mile from center of courthouse.

SECTION 1. That the corporate limits of the town of Hayesville, Clay County, North Carolina, shall be one-half mile in each and every direction from the center of the county courthouse of Clay County as now built, said line to be run in a circle.

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 11th day of February, A. D. 1919.

CHAPTER 17

AN ACT AMENDING THE TOWN CHARTER OF RUTHERFORDTON, CHAPTER 253 OF THE PRIVATE LAWS OF 1913.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That section sixteen of chapter two hundred and fifty-three of the Private Acts of one thousand nine hundred and thirteen be and the same is hereby amended by adding in line eighteen of said section, after the word "observed" and the word "provided" the following words: "That the said authority provided by this section of this act shall include the right to levy special taxes from year to year for graded school purposes, not

Rutherfordton commissioners authorized levy special school tax not to exceed 50 cents on \$100 and \$1.50 on poll.

to exceed fifty cents on the one hundred dollars worth of property, and one dollar and fifty cents on the poll; and the said commissioners of said town are hereby authorized and empowered to levy said graded school taxes in conformity herewith to be used for the purpose of operating and maintaining said graded school without submitting the same to a vote of the people of said town; and any provisions of law in conflict herewith is hereby repealed.”

SEC. 2. That the town of Rutherfordton shall have all rights, powers and privileges granted and conferred on cities and towns under the provisions of chapter fifty-six, Public Laws of one thousand nine hundred and fifteen and shall have the right to issue bonds in excess of ten per cent of the assessed tax valuation of the property of said town; if the mayor and commissioners of said town shall decide it wise and expedient to do so and no statutory restriction shall apply to the levying of taxes by said commissioners not embraced in the charter of said town, to wit, chapter two hundred and fifty-three of the Private Laws of one thousand nine hundred and thirteen.

Vote of people not necessary.

Town granted privilege and power conferred on towns under chapter 54, Public Laws of 1915, and may issue bonds in excess of 10 per cent assessed property valuation.

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 14 day of February, 1919.

CHAPTER 18

AN ACT TO AMEND SECTION 1, PRIVATE LAWS OF 1917, AND TO REPEAL CHAPTER 130, PRIVATE LAWS OF 1917, RELATING TO FARMINGTON SPECIAL SCHOOL DISTRICT, DAVIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter forty, Private Laws of North Carolina, session one thousand nine hundred and seventeen, be amended by striking out all of said section after the words “North Carolina” in line fourteen thereof.

Limitation on bond issue for school building and site removed.

SEC. 2. That chapter one hundred and thirty, Private Laws of North Carolina, session one thousand nine hundred and seventeen, be and same is hereby repealed.

Appointment of five additional members of committee revoked. Previous taxes rescinded again made operative.

SEC. 3. That the county board of education of Davie County shall, at their first meeting after the ratification of this act, appoint three men, residents of said Farmington special school district, to be known as the building committee of said Farmington special school district whose duties it shall be to carry out

Building committee of three to be named by county board of education.

the provisions of chapter forty, Private Laws of North Carolina, session one thousand nine hundred and seventeen.

Compensation of committee.

SEC. 4. That the county board of education of Davie County shall have the right to allow said building committee reasonable compensation for their services as such building committee, to be paid out of the building fund of said Farmington special school district.

Organization: treasurer to give bond.

SEC. 5. That said building committee shall, within ten days after their appointment, meet and organize, electing one of their number as chairman, one secretary, and one treasurer, and that the treasurer thus elected shall give bond in the sum of five thousand dollars for the faithful discharge of his duties as such treasurer, said bond to be approved by the county board of education of Davie County.

Custodian of building fund.

SEC. 6. That it shall be the duty of the party or parties in whose hands the building funds of said district now are, to turn over all of said funds to said treasurer as soon as his bond shall be approved.

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

Ratified this 14 day of February, 1919.

CHAPTER 19

AN ACT TO AMEND CHAPTER 449, PRIVATE LAWS OF NORTH CAROLINA, SESSION 1913, ENTITLED "AN ACT TO AMEND CHAPTER 344, PRIVATE LAWS OF NORTH CAROLINA, SESSION 1907, RELATIVE TO THE CHARTER OF THE CITY OF CONCORD.

The General Assembly of North Carolina do enact:

Chapter 449,
Private Laws
1913, amended.

SECTION 1. That section one of chapter four hundred and forty-nine, Private Laws of nineteen hundred and thirteen, same being an act to amend chapter three hundred and forty-four, Private Laws of nineteen hundred and seven, be and the same is hereby stricken out and the following inserted in lieu thereof:

"SECTION 1. That chapter three hundred and forty-four, Private Laws of nineteen hundred and seven, be amended as follows:"

Police force increased.

(1) By striking out the words "four members of the police force" in line forty-three of section five of said chapter, and inserting in lieu thereof the words "five members of the police force, and such additional members as the board of aldermen may deem necessary, from time to time, to the proper policing of said city."

(2) By striking out the word "seventy-five" in line two of section one hundred and nine, paragraph two (2) and inserting in lieu thereof the words "one hundred." Salaries of police justices increased.

(3) By striking out the word "seventy" in line three of section one hundred and nine, paragraph three, (3), and inserting in lieu thereof the words "one hundred and twenty-five." Chief of police's salary.

(4) By striking out the word "sixty" in line six of section one hundred and nine, paragraph six (6) and inserting in lieu thereof the word "ninety." Salary of policemen.

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

Ratified this 14th day of February, 1919.

CHAPTER 20

AN ACT TO INCORPORATE THE TOWN OF IRON STATION IN LINCOLN COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Iron Station in Lincoln County be and the same is hereby incorporated by the name and style of Iron Station, and shall be subject to all the provisions contained in chapter seventy-three, volume one, of the Revisal of nineteen hundred and five of North Carolina, and other general laws for the organization and government of cities and towns in North Carolina. Town of Iron Station incorporated and made subject to general laws governing such towns.

SEC. 2. That the town limits shall extend one mile in each direction from the middle of the present site of the Seaboard Air Line Railway's depot. Limits defined.

SEC. 3. That the officers of said corporation shall consist of a mayor, five commissioners, regular and special policemen, clerk and treasurer, and such other officers as the town commissioners may elect; and the following-named persons shall fill the offices of mayor and commissioners from their qualification until the first Monday in May, one thousand nine hundred and nineteen, and until their successors are elected and qualified: For mayor, J. E. Cronland; for commissioners, S. M. Mundy, D. W. Dellinger, W. A. Goodson, R. F. Goodson, V. P. Friday. Form of government.

SEC. 4. That the officers of said corporation shall succeed themselves in case of no election being held at the appointed time, to be specified hereafter. Temporary officials named.

SEC. 5. That the clerk, treasurer and regular policemen shall be appointed by the town commissioners, and the special policemen shall be appointed by the mayor. Successors.

Priv.—2.

Commissioners given right to levy taxes.

SEC. 6. That the commissioners shall have the right to levy a tax or taxes on all the real and personal property of the citizens or inhabitants of said town, and to have the right to levy a poll tax on the male inhabitants of the said town who are twenty-one years or more of age, up to the age of forty-five years. Said taxes shall not on the real and personal property exceed the sum of fifty cents on the hundred dollars, and said poll tax shall not exceed one dollar; and the said commissioners shall have the power to tax all shows of any kind, and to tax meat markets and to tax any other form of specialties, and the moneys collected from said taxes be applied to the payment of current expenses for laying out, widening and repairing streets, and to building; repairing and modeling the city hall.

Limitations of taxes on property and poll. Privilege taxes.

Expenditure of tax moneys.

Election ordered.

SEC. 7. That an election shall be held in said town on the first Monday in May, one thousand nine hundred and nineteen, and annually thereafter, for a mayor and five commissioners, under the laws of North Carolina regulating elections in cities and towns or towns and cities.

Town council to make ordinances.

SEC. 8. That the mayor and commissioners shall form a council and make, publish and enforce ordinances for the government of said town, not inconsistent with the Constitution of the United States, the Constitution of North Carolina and the laws of said sovereignties.

Eminent domain.

SEC. 9. That the said commissioners shall have the right of eminent domain in said town for the purpose of laying off streets and for the erection of necessary buildings or other necessary improvements.

Officers to qualify.

SEC. 10. That the officers provided for by this act shall qualify, within ten days after its ratification, before a justice of the peace or clerk of the Superior Court, and all officers hereafter elected shall qualify in like manner.

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

Ratified this 14th day of February, A. D. 1919.

CHAPTER 21

AN ACT TO EMPOWER THE COMMISSIONERS OF THE TOWN OF ROPER TO LEVY A SPECIAL TAX TO MATURE CERTAIN INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Town commissioners authorized to levy special tax to pay interest and retire note given for lighting plant.

SECTION 1. For the purpose of providing funds to pay the interest and for providing a sinking fund to retire the principal of a certain note amounting to ten thousand dollars, held by the

Bank of Roper, given by the town of Roper for the erection of a lighting plant, the commissioners of the said town of Roper are hereby authorized and empowered to levy a tax in addition to the taxes now levied by the said town of Roper of not to exceed forty cents on the one hundred dollars valuation of property and one dollar and twenty cents on the poll, this said tax to be kept by the commissioners of the said town of Roper in a separate fund to be known as the fund for retiring the indebtedness on the lighting plant, and the money from the said tax levy to be paid to the Bank of Roper, the holder of the note above referred to, the money to be paid as collected by the town commissioners.

Limit of tax.

Separate fund, but money is to be paid creditor as collected.

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

Ratified this the 17th day of February, 1919.

CHAPTER 22

AN ACT TO AUTHORIZE THE ROCKY MOUNT GRADED SCHOOL DISTRICT TO ISSUE SCHOOL BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of graded school trustees of Rocky Mount be and it is hereby authorized to issue coupon bonds of the Rocky Mount graded school district (boundaries of said district being conterminous with those of the city of Rocky Mount), to an amount not exceeding thirty thousand dollars par value, for the purpose of erecting and equipping with necessary school furniture an additional school building acquiring such lands as may be necessary as a site therefor or for use in connection therewith, and otherwise enlarging the public school facilities of said district and city.

Rocky Mount school trustees authorized to issue bonds not to exceed \$30,000 for erection of building and acquiring site.

SEC. 2. That said bonds shall be in denominations of not less than one hundred dollars and be payable or redeemable at such place or places, and at such time or times, not exceeding fifty years from the date thereof, as said board of trustees shall prescribe with the privilege of making same become due serially, and shall bear interest from date at a rate not exceeding six per cent per annum, payable semiannually on the first days of July and January of each year, and at such place or places as said board of trustees shall determine. Said bonds shall be signed by the chairman of said board of trustees and attested by its secretary, and shall have affixed thereto the corporate seal of said board of trustees. The interest coupons attached to said bonds shall bear the lithographed facsimile of the signatures of said chairman and secretary; and said bonds shall,

Denomination of bonds.

Maturity.

May be serial bonds.

Interest.

Form of bonds.

in all other respects, be of such form and tenor as said board of trustees shall prescribe.

May not be sold at less than par.

SEC. 3. That none of said bonds shall be disposed of by sale, exchange, hypothecation, or otherwise, for a less price than their par value; nor shall said bonds, nor their proceeds, be used for any other purpose than that declared in section one of this act.

Must be used for purpose stated.

To pay off bonds special tax is authorized.

SEC. 4. That for the purpose of raising revenue for the payment of said bonds, both principal and interest, at the time of laying and levying municipal taxes for the fiscal year commencing on the first day of May next succeeding the ratification of the provisions of this act in reference thereto at an election to be called and held as hereinafter provided, and annually thereafter so long as necessary, the board of aldermen of said city shall lay and levy the following particular taxes, to wit:

Not to exceed five cents on \$100, nor fifteen cents on poll.

(1) on all real and personal property within the limits of said district and city, including money and solvent credits, and on every other subject of taxation upon which an ad valorem tax is or may be levied for municipal and school purposes, a tax not exceeding five cents on each and every one hundred dollars of the assessed value thereof; (2) a capitation tax not exceeding fifteen cents on each and every taxable poll in said district and city.

Bond issue to be submitted to voters of district.

SEC. 5. That the provisions of this act in reference to issuing bonds and levying taxes for the payment of the same as hereinbefore provided shall be submitted to the qualified voters of the said district and city of Rocky Mount, at an election to be called at such time as may be designated by the board of aldermen of said city and at the time of ordering said election the said board of aldermen shall likewise order a new registration of the voters in the several wards and voting precincts of said city. Said election shall be held in like manner as elections for mayor and aldermen of said city are held; and all provisions of law governing the holding of such municipal elections shall apply thereto, unless herein otherwise provided.

New registration.

Manner of holding election.

Notice of election to be given by publication.

Notice of said election shall appear by advertisement in one or more newspapers published in the city of Rocky Mount for at least thirty days preceding said election, and shall state the purpose of said election, when and at what places to be held, and the ordering of a new registration of voters in the several wards and voting precincts of said city, and shall likewise fully recite the provisions of the first, second, third, fourth, and fifth sections of this act.

Questions to be submitted.

SEC. 6. That at said election the matter of issuing bonds to an amount not exceeding thirty thousand dollars, as authorized in the first section of this act, and the levying of taxes for the payment of said bonds, as authorized in the fourth

section, shall be submitted to the qualified voters of said district and city of Rocky Mount, for ratification or rejection. Those electors favoring said proposition shall vote a printed or written ballot containing the words, "For School Bonds," and those electors opposing same shall vote a like ballot containing the words, "Against School Bonds."

SEC. 7. That the registrars and judges of election for the several wards and voting precincts of said city shall hold said election; in making return of the result thereof, shall incorporate therein, not only the number of votes cast for and against said proposition in their respective wards and voting precincts, but also the number of qualified voters therein. The board of canvassers of said city shall, in like manner as is provided by law for ascertaining the result of elections for mayor and aldermen of said city, canvass the vote cast in the several wards and voting precincts in said election and the number of qualified voters therein, and shall judicially determine and declare the result of said election; the vote of a majority of the qualified voters of said district and city to be necessary for the adoption of said proposition for issuing bonds and levying taxes for the payment of same as hereinbefore provided. The said board of canvassers shall likewise prepare an abstract, tabulating and showing the number of votes cast for and against said proposition in said election and the number of electors qualified to vote therein, and declaring the result of said election, and said abstract, after having been duly signed by the several members of said board of canvassers, or a majority of them, shall be delivered to the city clerk of Rocky Mount, who shall record said abstract in the city record book and file the original.

SEC. 8. That should said election result in the adoption of the aforesaid proposition for issuing the bonds authorized in the first section of this act, to an amount not exceeding thirty thousand dollars, said board of trustees shall, without unnecessary delay, proceed to issue the bonds thus authorized and approved to such an amount, not exceeding the limit prescribed, as shall be deemed necessary to effectuate the purpose for which the same are being issued, and to make sale of the same in such manner and upon such terms as shall be deemed most advantageous.

SEC. 9. That all moneys realized from the sale of said bonds shall be covered into the treasury of said graded school district, and the city treasurer, as treasurer ex officio of said board of trustees, shall keep the same separate and apart from all other moneys in his hands. Said treasurer shall disburse said moneys only upon the order of said board of trustees, and the same shall be expended only for the purposes hereinbefore authorized.

Taxes collected by city tax collector.

SEC. 10. That all taxes levied in pursuance of the provisions of this act shall be collected by the city tax collector of Rocky Mount as municipal taxes are collected; and said tax collector shall pay all moneys thus collected over to said treasurer, who shall disburse the same only upon the order of said board of trustees.

In event election fails, board of aldermen may call other elections, not oftener, however, than once a year.

SEC. 11. That if said proposition for issuing bonds and levying taxes for the payment thereof shall fail to receive the votes of a majority of the qualified voters of said district and city in said election, to be called and held as hereinbefore provided, the board of aldermen of said city may thereafter, and as often as shall be deemed advisable, provided that it be not oftener than once in any one year, call another or other elections, as the case may be, at which said proposition, theretofore defeated and again submitted for ratification or rejection, shall be voted upon, and the adoption of the proposition thus submitted and voted upon shall be of like force and effect as if the same had been adopted at the election first called and held as hereinbefore provided. And all of the foregoing provisions of this act relating to elections shall apply with equal force and effect to all elections authorized to be held hereunder.

Submission of other questions at election called under act not prohibited.

SEC. 12. That nothing contained in this act shall be construed to forbid or prevent the board of aldermen of said city from submitting to the qualified voters thereof, at any election which shall be called and held in pursuance of its provisions, any other question or proposition upon which such vote is, at the time, required or authorized to be taken under substantially similar conditions.

Any law affecting limits of city of Rocky Mount to apply to school district.

SEC. 13. That any amendment of the charter of the city of Rocky Mount, enlarging or reducing the territorial limits of said city, shall apply with like force and effect to the Rocky Mount graded school district, so that the boundaries of the one shall be and remain conterminous with those of the other.

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 23

AN ACT TO ENABLE W. F. UTLEY, TRUSTEE, TO DISCHARGE HIS TRUST FOR BENEFIT OF WHITE SCHOOL CHILDREN OF APEX AND COMMUNITY.

Preamble.

WHEREAS, on the seventh day of July, one thousand eight hundred and ninety-one, the citizens of Apex and community purchased and by deed recorded in book two hundred and nineteen,

page five hundred and eighty in the office of the register on deeds for Wake County, conveyed to W. F. Utley and H. C. Olive, trustees, a certain lot or parcel of land in the town of Apex, Wake County, North Carolina, on which was located a school building, the said lot of land being fully described in said deed, which description by this reference is incorporated herein; and

WHEREAS, said property was conveyed to said trustees ^{as} Preamble. school property free of any rent or charge whatsoever for the exclusive use and benefit of the white children of the town of Apex and surrounding community until said property shall be inadequate to accommodate said white children of said town and community, and then the said W. F. Utley and H. C. Olive as trustees in their discretion shall have authority to sell said premises and invest the proceeds of the same in some other more desirable house and lot in said town to be used for the like purposes aforesaid and clothed with and subject to the same trusts and liabilities of this property; and

WHEREAS, on or about the year one thousand eight hundred ^{Preamble.} and ninety-five the building on the aforesaid lot of land burned down, and since that time said lot has been vacant and unused and on or about the fourth day of August, one thousand eight hundred and ninety-eight, H. C. Olive, one of the trustees died, leaving W. F. Utley as sole trustee surviving; and

WHEREAS, the Apex graded school district comprising the terri- ^{Preamble.} tory of Apex and community, has since been incorporated and has purchased grounds and built a building with more convenient surroundings, and in the opinion of W. F. Utley, the sole surviving trustee, is serving the needs of the white children of Apex and community contemplated in the aforesaid trust; and

WHEREAS, said W. F. Utley, trustee as aforesaid, is desirous of ^{Preamble.} selling the aforesaid lot or parcel of land and paying the proceeds thereof into the hands of the trustees of the Apex graded school district to be used for school purposes for the white children of Apex and community as making the objects of his said trust, but doubts his authority to do so unless authorized by act of the General Assembly:

Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That W. F. Utley, sole and surviving trustee under a certain deed recorded in book two hundred and nineteen, page ^{W. F. Utley} five hundred and eighty in the office of the register of deeds for Wake County, be and he is hereby authorized and fully empowered to sell for the best price obtainable that certain lot or parcel of land therein described lying and being in the town of Apex, and known as the "Academy Lot," and to convey the same to the purchaser or purchasees in fee simple, and to pay the moneys ^{authorized to sell} ^{certain property.}

Proceeds of sale
to be paid to
trustee of Apex
graded school
district.
Use of funds.

received from the said sale, after deducting the expenses of sale, to the trustee of the Apex graded school district to be used by them for the benefit of the Apex graded school for the white children of said district and that in said sale the said W. F. Utley, trustee, is fully empowered to sell the said lot as a whole or to subdivide and sell in lots as will in his judgment bring the largest amount of money.

Receipt from
trustee discharges
W. F. Utley
from trust

SEC. 2. That upon taking the receipt of the trustee of the Apex graded school district for the sums of money so derived from the sale of said lot, the said W. F. Utley and his heirs shall be fully discharged from said trust.

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 24

AN ACT TO AMEND CHAPTER 336 OF THE PRIVATE LAWS OF 1905, AS AMENDED BY CHAPTER 177 OF THE PRIVATE LAWS OF 1915, AND TO ENLARGE THE HERTFORD GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That the boundaries of the Hertford graded school district, created under and by virtue of chapter three hundred and thirty-six of the Private Laws of one thousand nine hundred and five, and amended by chapter one hundred and seventy-seven of the Private Laws of one thousand nine hundred and fifteen, shall be all of that territory in the town of Hertford and all of that territory adjacent to the town of Hertford included within the boundaries of a radius of two and one-half miles from the present white graded school building in the town of Hertford.

SEC. 2. That an election of all the qualified voters within the said district described in section one hereof shall be held at such time as the board of commissioners of the town of Hertford shall designate, which shall be within ninety days from the ratification of this act, to vote upon the question of the extension and levy of the tax as provided in chapter three hundred and thirty-six, Private Laws of one thousand nine hundred and five, of the boundaries of the district as above outlined, notice of which election shall be given at the courthouse door in Hertford and at three other public places in the town of Hertford, and in three public places in the district included herein outside the limits of the town of Hertford for thirty days prior to said election. At said election all those qualified voters in favor of the extension and levy of the tax as provided by chapter three hun-

Boundaries of
Hertford school
district defined.

Election ordered
within ninety
days.

Question:
extension of
boundaries and
levy of tax as
provided in
chapter 336,
Private Laws
of 1915.
Notice of election.

Form of ballot.

dred and thirty-six, Private Laws of one thousand nine hundred and five, of the boundaries of the Hertford graded school district shall vote a ballot containing the words "For Extension and Tax," and all those qualified voters opposing the extension of the said boundaries of the said Hertford graded school district shall vote a ballot containing the words "Against Extension and Tax." The said election shall be held in accordance with law and in the same manner as all elections for the town of Hertford: *Provided, however,* that in addition to the qualified voters of the town of Hertford, all qualified voters residing in the territory embraced in the district outside the limits of the town of Hertford shall be entitled to vote on this question.

Election held in manner of town elections.

Proviso: all qualified voters in territory entitled to vote.

SEC. 3. That if at said election a majority of the qualified voters of the said district shall cast a ballot for extension of the said boundaries of the Hertford graded school district and levy the tax as provided by chapter three hundred and thirty-six, Private Laws of one thousand nine hundred and five, that said boundaries shall be those embraced in section one hereof. If the majority of the qualified voters of said district shall fail to cast their ballots for extension, then the boundaries of said district shall be those provided in chapter three hundred and thirty-six of the Private Laws of one thousand nine hundred and five as amended by chapter one hundred and seventy-seven of the Private Laws of one thousand nine hundred and fifteen.

If election carries boundaries shall be those defined in section one of act.

If election fails, boundaries are those provided by chapter 177, Private laws of 1915.

SEC. 4. That if the boundaries of the said Hertford graded school district are extended so as to include the boundaries set out in section one hereof and levy the tax as provided in chapter three hundred and thirty-six, Private Laws of one thousand nine hundred and five, as authorized, then the said district shall be for all purposes entitled to all the benefits and emoluments of the present Hertford graded school district, and shall be liable and jointly responsible for any and all obligations of said Hertford graded school district as now constituted.

If boundaries are extended, whole district shall benefit and be obligated jointly.

SEC. 5. That if said district is enlarged as above outlined, the said district shall have all the rights and privileges and be subject to all of the restrictions and liabilities set out in chapter three hundred and thirty-six of the Private Laws of one thousand nine hundred and five and chapter one hundred and fifty-four of the Private Laws of one thousand nine hundred and thirteen.

If district be enlarged it shall have rights and be subject to restrictions of laws of 1905 and 1913 relating to district.

SEC. 6. That if the said district is enlarged as above outlined the commissioners of the town of Hertford are hereby authorized, empowered and directed to levy and collect a graded school tax upon the outlying district outside of the corporation of the town of Hertford and included within the Hertford graded school district in the same manner as the taxes for the graded school district are collected within the corporate limits of said town, and the rights, duties and liabilities of the commissioners and tax

Town commissioners authorized to levy graded school tax on outlying district.

Rights and liabilities of commissioners extended.

collector of the town of Hertford be and they are hereby extended to the boundaries of the Hertford graded school district as set out in section one hereof, for the purpose of levying and collecting the taxes for said district.

SEC. 7. That all laws and parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 25

AN ACT TO PERMIT OXFORD GRADED SCHOOL DISTRICT IN GRANVILLE COUNTY TO VOTE BONDS FOR SCHOOL BUILDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of graded school trustees of the town of Oxford as established by chapter three hundred and thirty-three of the Public Laws of nineteen hundred and three (1903) and by subsequent laws shall be and remain a body corporate under that name and may adopt and use a common seal, and shall be vested with all the property, real and personal of the Oxford graded school, and the powers of said board to sell, mortgage, convey, and transfer same and in the manner set forth in section six of said chapter three hundred thirty-three of the Public Laws of one thousand nine hundred and three, are hereby confirmed and reënacted.

SEC. 2. That a majority of the trustees of the Oxford graded school district in Granville County, North Carolina, be and is hereby authorized and empowered to petition the board of county commissioners of Granville County, to call an election in said district, at a time and place to be specified by them, to determine the question, "Shall the Oxford Graded School District in Granville County issue the bonds of the said district in a sum or sums not exceeding fifty thousand dollars, with interest coupons attached, for the purpose of constructing school buildings in the said district?"

SEC. 3. That upon the request of a majority of the trustees, as aforesaid, it shall be the duty of the said board of county commissioners of Granville County to order an election to be held in the said district, at such time and place as may be specified in said request to determine the question, "Shall the Oxford Graded School District, in Granville County, issue the bonds of the said district in a sum or sums not exceeding fifty thousand dollars with interest coupons attached, for the purpose of constructing

Board of graded school trustees continued body corporate.

May petition commissioners to call election for bonds.

Duty of commissioners to call election on petition of majority of trustees.

Amount of bond issue \$50,000.

Purpose of bond issue.

school buildings in the said district?" That the said board of county commissioners shall, at least thirty days preceding such election, give notice of said election and the purpose thereof, by publication in one or more newspapers published in said county and at such other places as may be determined upon by it.

Commissioners to give notice of election.

SEC. 4. That the said election shall be held and conducted in the same manner and under the same requirements of law as are now in force, or may hereafter be prescribed by law for holding elections for members of the General Assembly: *Provided*, that there shall be a new registration of all 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 such registration books as it may deem fit and proper: *Provided further*, that the 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, or may hereafter be provided, for the election of members of the General Assembly.

Election to be held under laws now in force.

New registration provided.

SEC. 5. That at said election the ballots tendered and cast shall have printed or written on the same "For Graded School Building Bonds" or "Against Graded School Building Bonds," and all qualified electors who may be in favor of the issue of bonds shall vote a ticket on which shall be written or printed the words, "For Graded School Building 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 Graded School Building Bonds." That after said election said registrar and judges of election shall make a report to the board of county commissioners of the result of said election showing the number of votes registered, the number of votes cast "For Graded School Building Bonds" and the number of votes cast "Against Graded School Building Bonds," and the said board of county commissioners shall record said report and declare the result, and no other recording and declaration of the result of said election shall be necessary.

Form of ballot.

Report of election to be made to commissioners.

SEC. 6. That if a majority of the qualified voters of said district shall vote "For Graded School Building Bonds," and the result shall be declared and recorded as aforesaid, then it shall be the duty of the county commissioners of Granville County to prepare bonds in denominations not exceeding one thousand dollars and not less than one hundred dollars, the total amount not to exceed fifty thousand dollars, which said bonds shall bear a rate of interest not exceeding five and one-half per cent per annum, with interest coupons attached, payable semiannually on the first days of January and July; the principal thereof shall be payable or redeemable at such time or times

If bonds voted, commissioners to prepare bonds.

Denomination of bonds not less than \$100; not more than \$1,000.

Amount not to exceed \$50,000. Interest rate not over 5 1/2 per cent.

Bonds payable in not over 30 years.

not exceeding thirty years from the date of issue, as the board of county commissioners of Granville County may determine; that 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: *Provided*, that a facsimile of the said signatures on the said coupons shall constitute a sufficient signing thereof; that the said bonds shall have upon them the seal of the county and shall be styled bonds for the construction of graded school buildings in Oxford graded school district of Granville County

Form of bonds prescribed.

Bonds to be delivered to treasurer of board of graded school trustees.
Bonds to be sold under direction of graded school trustees.

SEC. 7. That upon the preparation, signing, and executing of said bonds, said board of county commissioners shall deliver the same to the treasurer of the board of graded school trustees of the town of Oxford, who shall sell said bonds at such times and in such manner as the said board of graded school trustees may direct; that none of said bonds or the proceeds thereof shall be used by the said board of graded school trustees for any other purpose than that provided for by this act; that the said bonds shall be numbered consecutively, and the coupons attached shall bear the numbers of the bonds to which they are attached. The bonds shall state the time and place they are due and payable and by what authority they were issued.

Board of trustees to record proceedings.
Bonds to be registered.

The board of graded school trustees of the town of Oxford shall record all the proceedings in respect to said bonds in the minutes of its meetings, and when sold, the numbers of the bond or bonds, the denominations, to whom sold and the number of coupons attached.

Proceeds of bonds to be deposited with treasurer of board of graded schools.
Purpose for which proceeds may be expended.

SEC. 8. That when said bonds are issued and sold the proceeds thereof shall be deposited with the treasurer of the board of graded school trustees of the town of Oxford, and the same shall be expended by the said board for the purchase of and payment for land for necessary school sites and for the erection of school buildings in the said Oxford graded school district, and especially for the erection of a high school building in said district and the purchase of a site for the same, and for the equipment of the said high school building and other school buildings in said district; that the said treasurer of the said board of graded school trustees shall keep said funds provided for in this act which may come into his hands separate from all other funds, and shall keep separate accounts of the same.

Fund to be kept separate.

Commissioners to levy tax for interest and sinking fund.

SEC. 9. When the bonds shall have been issued, the board of county commissioners of Granville County shall levy annually, first Monday in June a tax on the property and polls in the said Oxford graded school district, in Granville County, sufficient 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

Tax to be collected by sheriff.

taxes by the sheriff of Granville County and shall be paid to the treasurer of the board of graded school trustees of the town of Oxford, and shall be kept by the said treasurer as a separate fund, and shall be applied first, to the payment of the interest upon said bonds; second, to the creation of a sinking fund as aforesaid. The said treasurer of the board of graded school trustees of the town of Oxford shall be commissioner of the sinking fund for said bonds, and it shall be his duty to keep said fund invested in some safe security or bonds; said commissioner of the sinking fund shall be required to execute such bonds as the board of graded school trustees shall direct for the safekeeping 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 graded school trustees herein mentioned may direct.

Application of tax.
Treasurer of board of trustees commissioner of sinking fund.
May invest funds. To execute bond for safekeeping of fund and performance of duty.

SEC. 10. That this act shall not be construed to release or to repeal or in any manner interfere with any annual tax heretofore voted by said district for school purposes.

Act does not affect other school tax.

SEC. 11. That this act shall apply only to the Oxford graded school district of Granville County.

Act applies only to Oxford graded school district.

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

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 26

AN ACT TO PROVIDE FOR THE ELECTION OF TRUSTEES OF ANDREWS SCHOOL DISTRICT IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on the last Saturday in March, one thousand nine hundred and nineteen, and biennially thereafter, an election shall be held at the usual polling place in the town of Andrews, in Andrews school district, at which the duly qualified and registered voters of said school district, shall name a trustee or trustees; for a term of four years each, beginning on the first Monday in April of the year election is held, to take the place of the trustee or trustees whose term expires on the first Monday in April of the year election is held.

Election ordered for trustee or trustees of Andrews school district.

SEC. 2. That the board of trustees of Andrews school district shall give notice of said election by notice published once a week for the four weeks immediately preceding the date thereof, in some newspaper published in Cherokee County, and posted at the post office in the town of Andrews.

Notice of election to be published.

Manner of holding election.

SEC. 3. That said election shall be held and conducted by a registrar and two judges appointed by the board of trustees of Andrews school district under the general election laws of the state, not in conflict herewith; the expense of holding and conducting said election shall be paid by the treasurer of Andrews school district out of the special tax fund of said district.

Expenses to be paid from special tax fund.

Certificate of election.

SEC. 4. That certificate of election shall be signed and delivered by the registrar and judges, to the person or persons receiving the greater number of votes cast, who shall present said certificate to the board of education of Cherokee County at its regular meeting in April of the year in which election is held, and said board of education shall thereupon proceed to declare such person or persons duly elected as such trustee or trustees of Andrews school district for the term or terms expiring at said regular meeting, and certify same to the board of trustees of Andrews school district; and the person or persons receiving the greater number of votes cast for any vacancy or vacancies, who fails to present said certificate of election and indicates a willingness and intention to accept and serve as such trustee or trustees at said regular meeting in April then the said county board of education shall forthwith proceed to elect some other person or persons as trustee or trustees for said term so expiring at said meeting.

In event of failure of person or persons to qualify, vacancy or vacancies shall be filled by board of education.

Other vacancies, how filled.

SEC. 5. That whenever any vacancy occurs in said board of trustees, except by expiration of the term of office, the vacancy for the unexpired term of the member or members shall be filled by the remaining members of the said board of trustees, unless it be that all five members resign at one time; then, in that case the board of education of Cherokee County shall appoint a new board of trustees.

Appointment of new board.

Law of 1913 repealed.

SEC. 6. That chapter one hundred and fourteen, Private Laws of extra session, one thousand nine hundred and thirteen, is hereby repealed, and all other laws and clauses of laws in conflict with this act shall not be operative as to Andrews school district.

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

Ratified this the 17th day of February, A. D. 1919.

CHAPTER 27

AN ACT TO REGULATE THE APPOINTMENT AND DUTIES
OF COTTON WEAIGHER FOR THE TOWN OF DUNN IN
HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all cotton sold in bales in the town of Dunn, All baled cotton sold in Dunn to be weighed by a sworn cotton weigher, who shall give bond in the sum of one thousand dollars, payable to the State of North Carolina, to be approved by commissioners of the town of Dunn, for the faithful performance of his duties. sworn cotton weigher, who shall be bonded.

SEC. 2. That the cotton weigher provided for in this act shall receive as compensation fourteen cents for each bale of cotton weighed, to be paid one-half by the seller and one-half by the buyer. Weigher's fees.

SEC. 3. That the term of office of said cotton weigher shall be two years, beginning on the fifteenth day of August, one thousand nine hundred and nineteen: *Provided*, that the present cotton weigher, W. T. Royals, shall fill out the term of office to which he has already been elected and until his successor is elected and qualified: *Provided further*, that the board of commissioners of the town of Dunn may for cause remove any cotton weigher elected or appointed under this act, said board to be the sole judge of the sufficiency of such cause, and may appoint a successor, who shall temporarily discharge the duties of such office until a successor is elected by the joint action of the board of commissioners of the town of Dunn and the board of commissioners of Harnett County. Term of office. Present weigher to serve out unexpired term. Proviso: town commissioners may for cause remove weigher. Successor.

SEC. 4. That the board of commissioners of the town of Dunn shall at its first regular meeting in the month of July, one thousand nine hundred and nineteen, and biennially thereafter, elect a competent and discreet person as cotton weigher of and for the town of Dunn, which fact the mayor or clerk of the town of Dunn shall certify to the board of commissioners of Harnett County at its session to be held on the first Monday in August next thereafter, and ask its concurrence in said election; and upon such concurrence therein said person shall be duly elected cotton weigher of said town; and upon the failure of the board of commissioners of Harnett County to concur in the action of the board of commissioners of the town of Dunn, said board of commissioners of Harnett County shall certify said fact to the board of commissioners of the town of Dunn, and shall call a joint session of said two boards to be held at such time and place as the board of commissioners of said county shall designate, not later than the fifteenth day of August next thereafter, when Cotton weigher to be elected by town commissioners. County commissioners to concur. If they fail to concur, joint session of two boards shall be held to elect.

and where the said two boards shall jointly elect a discreet and competent person to fill said office.

Duties of weigher. SEC. 5. That it shall be the duty of said cotton weigher to keep separated the cotton belonging to each purchaser or buyer, so that the cotton owned by different purchasers or buyers will not become mixed on the cotton yard or cotton platform or platforms in said town; and it shall be his duty to keep a record of all cotton weighed, showing the name of the seller, the marks thereon, if any, by whom delivered on the yard if not so delivered by seller, and name of purchaser; to mark cotton as directed by buyers, to keep cotton in rows ready for shipment; and it shall also be his duty to assess and deduct just and proper weights on account of dampness, damage, or other excessive weights, bagging and ties, etc.

Assess and deduct proper weights for bagging, dampness, etc. Must keep record. SEC. 6. That the records of said officer when properly authenticated shall be evidence in any court, and said records shall be open to inspection to any person, upon requesting said officer to be allowed to do so.

Records evidence in court and open to inspection. 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 and effect from and after its ratification.

Ratified this the 18th day of February, A. D. 1919.

CHAPTER 28

AN ACT TO PERMIT THE USE OF EXCESS OF SINKING FUND IN THE PAYMENT OF EXISTING INDEBTEDNESS INCURRED IN BUILDING AND MAINTAINING SCHOOL IN LITTLETON SCHOOL DISTRICT, WARREN AND HALIFAX COUNTIES.

The General Assembly of North Carolina do enact:

Provision for payment of debt. SECTION 1. That for the purpose of paying off existing indebtedness incurred in building and for maintaining a school in Littleton school district of Warren and Halifax counties for the white race, that the board of trustees of said school district be, and they are hereby empowered to draw upon and pay out any unexpended balance which has now or may hereafter accrue from funds paid into the treasurer's office of Halifax County and into the treasurer's office of Warren County for the purpose of providing a fund to pay interest upon and to retire at maturity certain schoolhouse bonds of said district: *Provided*, that before using any part of said sinking fund of said Littleton school district the board of trustees of said district shall exhibit a

Trustees to draw upon unexpended balance. Proviso: no money to be expended until bonds and interest provided for.

sworn statement to the boards of county commissioners of the said counties of Halifax and Warren that a sufficient amount of said sinking fund has been set aside for the current year to pay interest and provide for the annual portion due on said bonds to retire the same at maturity.

SEC. 2. That all warrants upon the said excess sinking fund shall be drawn by the chairman of the board of trustees, attested by the secretary, and when approved by the county superintendent of public instruction of the county upon whose treasurer the warrant is drawn, shall be paid from any excess sinking fund of said district in the hands of said treasurer.

Warrants to be drawn by chairman board of trustees, attested by secretary and approved by superintendent of public instruction.

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

SEC. 4. This act shall be in force from and after its ratification. Ratified this the 19th day of February, A. D. 1919.

CHAPTER 29

AN ACT TO ENABLE THE HERTFORD GRADED SCHOOL DISTRICT TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of graded school trustees of Hertford, constituted a corporate body by an act of the General Assembly, chapter three hundred and thirty-six, Private Laws of one thousand nine hundred and five, shall be and are hereby authorized to issue bonds of the Hertford graded school district, established by said act and enlarged by chapter one hundred and seventy-seven of the Private Laws of one thousand nine hundred and fifteen, to an amount not exceeding fifteen thousand dollars (\$15,000) to be issued in denominations as may seem advisable to said board of trustees, to be payable or redeemable in thirty years from the date of issue, and to bear an interest rate not exceeding six per centum per annum. They shall have attached interest coupons payable annually at such time or times and at such place or places as may be deemed advisable by said board of trustees. And said bonds shall be made payable at such place or places as the board of trustees may determine. That said board of trustees shall issue said bonds at such time or times as shall be required to meet the expenditures herein provided for in section two of this act. Such bonds shall be valid when signed by the chairman and secretary of said board of trustees, and the coupons shall bear the facsimile signature of the secretary of said board of trustees.

Hertford school trustees authorized to issue bonds not to exceed \$15,000.

Maturity of bonds. Interest.

Issue in discretion of trustees.

Form of bonds.

Proceeds to be applied to building and other permanent improvements.

SEC. 2. That the proceeds arising from the sale of said bonds shall be expended by said board of trustees in providing by purchase or otherwise such additions to buildings and equipment, such school furniture and improvements to school property and grounds belonging to the graded school district as they, in their judgment, may deem needed from time to time.

No bonds to be sold at less than par.

SEC. 3. That none of these bonds shall be disposed of by sale, exchange, hypothecation or otherwise for a less price than their par value, nor shall they or the proceeds from them be used in other ways than that set out in section two of this act.

Taxes for payment of interest and to retire bonds to be levied in accordance with chapter 336 Private Laws of 1905.

SEC. 4. That all provisions as to taxation of said bonds and tenders of their coupons, the payment of the same and interest thereon, the taxes to be levied for their payment, together with the manner and method of levying and laying and collecting such taxes and the remuneration therefor, shall be the same as set out in sections five (5), six (6), and seven (7) of the act entitled "An act to establish graded schools in the town of Hertford and to issue bonds," chapter three hundred and thirty-six, Private Laws of North Carolina, for the year one thousand nine hundred and five.

Bond issue to be submitted to vote of the people.

SEC. 5. That the provisions of section one of this act and so much of section four as is contained in section six of the act establishing graded schools in the town of Hertford, chapter three hundred and thirty-six, Private Laws of North Carolina for the year one thousand nine hundred and five, shall be submitted to the qualified voters of said graded school district in accordance with the provisions and in the manner designated in section eight of said act of nineteen hundred and five: *Provided*, that in lieu of the word "For schools" and "Against schools" wherever they appear in said section, the words "For bonds" and "Against bonds" shall be used, the former to designate a vote for and the latter a vote against the issuance of bonds. And for the words "one thousand nine hundred and six" appearing in the last line of said section shall be substituted the words "one thousand nine hundred and twenty."

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

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 30

AN ACT TO AMEND THE CHARTER OF THE TOWN OF SELMA, JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three, chapter one hundred and eighty-^{Charter of Selma} six, Private Laws of one thousand nine hundred and eleven, be ^{amended.} stricken out and the following inserted in lieu thereof:

"SEC. 3. That on Tuesday after the first Monday in May, one ^{Election of four} thousand nine hundred and nine, and annually thereafter, there ^{commissioners} shall be elected by the duly qualified voters of the town of Selma, ^{provided for.} four town commissioners who shall duly qualify on the first ^{Time of} Monday following said election and shall hold office for a term ^{qualifying.} of one year thereafter or until their successors are duly elected and qualified. There shall be only one voting place for said ^{One voting place.} election, and said voting place shall be designated and prepared by the commissioners of said town for the purpose of holding said election."

SEC. 2. That section five of said act be amended by striking ^{Election made} out in line four the word "biennially" and inserting in lieu ^{annual instead} thereof the word "annually," and by striking out in line six ^{of biennial.} the word "two" and inserting in lieu thereof the word "one."

SEC. 3. That section seven of said act be amended by striking out all of the first sentence in said section and inserting in lieu thereof the following: "All persons now holding registration ^{New registrar to} books for wards one, two, three and four of said town shall ^{be appointed for} at once deliver said registration books to a registrar, to be ^{consolidated} appointed by the commissioners of said town, and said new ^{registration.} registrar shall register the names of all the qualified voters of said town in a new registration book to be known as the Consolidated Registration Book for the town of Selma.

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

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 31

AN ACT TO INCORPORATE MONOGRAM SPECIAL TAX SCHOOL DISTRICT, CATAWBA TOWNSHIP, CATAWBA COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That Monogram special tax school district, Catawba Township, Catawba County, North Carolina, which is described and bounded and includes the territory lying within the following boun-

- Limits defined. dary lines: Beginning at the mouth of Terrapin creek at Catawba River, lands of Mrs. Flora Beal, thence up said creek taking in all land on the north side of said creek to the Walter Rowe Mill place, crossing said creek taking in lands of Walter Rowe, E. M. Eyers, Rainey Rimmer, Burette Rimmer, R. S. Arndt, and N. C. Arndt to the Long Island-Smyrna public road, crossing public roads taking in lands of Mack Ballard, Gaither Martin, Mrs. J. N. Rone, thence to Buffalo Shoals public road, taking in the lands of Claude Kale, A. E. Kale, thence following said road to L. M. Robins', taking in all property on the south side of said road, then taking in lands of L. M. Robins, I. A. Litten, thence with the Ervin Mill road taking in lands of M. O. Stiles, J. G. Williams, D. A. Pope, Martha Byers, and J. T. Ervin to the state central highway, thence with the said highway taking in all lands on the south side of said highway, to the Catawba River at Buffalo Shoals bridge, thence down said Catawba River over lands of Long Island Cotton Mills, J. E. Crawford, Osborne Brown, Turner Mills Company, to the beginning, mouth of Terrapin Creek, be and the same is hereby incorporated under the name and style of Monogram Special Tax School District, Catawba County, North Carolina, and is hereafter to be known and styled as such.
- Territory incorporated as special school tax district. Board of trustees named. Sec. 2. That C. L. Plaster, Ray Clement and J. T. Ervin shall constitute its first board of trustees, and are hereby appointed for the period between the ratification of this act and the next general election, at which time their successors in office will be elected for a period of two years by the voters of the school district, on the same day that the members of the General Assembly of North Carolina are elected. The trustees are to have such power as is needed to manage the school, and the said trustees are hereby directed and authorized to collect such funds as may belong to said district or be due to said district.
- Successors to be elected. Powers and duties of board. Manner of supplying a vacancy. Sec. 3. Any vacancy occurring in the board of trustees from any cause, the successors to the said trustee or trustees shall be appointed by the remaining trustees for a period of time until the next general election, at the time members of the General Assembly are elected, when trustees shall at all times be elected by the people for a period of two years.
- Term of office. Sec. 4. The term of office of trustees elected by the people of the district shall be two years.
- 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 21st day of February, A. D. 1919.

CHAPTER 32

AN ACT TO ESTABLISH A HIGH SCHOOL IN WARRENTON SPECIAL TAX DISTRICT, WARREN COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That on the tenth day of June, 1919, under the rules and regulations of the General Election Law of North Carolina, there shall be held in Warrenton special tax district, in Warren County, North Carolina, an election for the establishment of a high school in said Warrenton special tax district for the purpose of preparing students for college or for the business of their choice, and that the present public school of said Warrenton special tax district shall be a constituent part of said high school if established.

Special election on establishment of high school ordered.

SEC. 2. That at said election, those favoring the establishment of said high school shall vote a ticket whereon shall be written or printed the words "For High School" and those opposing the establishment of said high school shall vote a ticket whereon shall be written or printed the words "Against High School." A majority of the votes cast shall decide the election.

Form of ballots.

SEC. 3. That for the support and maintainance of said high school, including the present public school in Warrenton special tax district, in addition to all taxes and appropriations now received by Warrenton special tax district from both state and county, and any addition to the appropriations on the part of either, there shall be annually levied by the board of county commissioners of Warren County, at the request of the board of trustees, as hereinafter constituted, a tax of not exceeding fifteen cents on each one hundred dollars worth of real and personal property in said Warrenton special tax district, and a tax of not exceeding forty-five cents on each poll in said district, and said taxes shall be collected at the same time and in the same manner as other taxes in said Warren County.

Levy of special tax authorized.

Rate of taxation.

Collection.

SEC. 4. That in addition to the present public school building in said district, the present Warrenton academy building, located on the Academy Square in Warrenton, North Carolina, may be used for public school work.

Warrenton Academy may be used for public school work.

SEC. 5. That there is hereby created a board of trustees of said high school, to be composed of the present board of trustees of Warrenton Academy, whose successors shall be elected or appointed in accordance with the charter of said Warrenton Academy of seventeen hundred and eighty-five and the deed of James Brehon, which deed is registered in the office of the register of deeds for said Warren County, and the three present school committeemen of said special tax district, whose successors

Board of trustees created.

Manner of election.

- shall be appointed according to the law under which they now hold. The said board of trustees, as thus constituted, and their successors in office shall constitute a body corporate under the name of "The Board of Trustees of Warrenton High School," and that the control of said high school, including the public school of Warrenton special tax district, shall be vested in said board of trustees of Warrenton high school.
- Body corporate.**
- Powers.**
- Admission of pupils to high school.**
- SEC. 6. That pupils from any township in said Warren County shall be admitted to said high school without the payment of tuition, provided they are fitted to do eighth grade work in the opinion of the principal of said high school and are recommended for admission by the principal of the school which they last attended.
- Upon petition of trustees county commissioners shall call election for bonds.**
- SEC. 7. That for the purpose of erecting suitable and commodious buildings upon the lot in the town of Warrenton, North Carolina, commonly known as the Academy Lot, and for the purpose of making other improvements, the board of county commissioners of said Warren County, upon presentation of a petition in writing signed by a majority of the members of the board of trustees of Warrenton high school, requesting said board of commissioners to submit to the qualified voters of Warrenton special tax district a proposition to issue bonds for the purposes named in this section for a definite amount, not to exceed twenty-five thousand dollars, at a maximum rate of interest, not to exceed six per cent, and to run for a period not to exceed twenty-five years, all to be named in said petition, shall, within thirty days after said petition has been presented, order an election to be held in said Warrenton special tax district, 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 Improvement Bonds" and those opposed to the proposition shall vote a ballot on which shall be written or printed the words "Against Improvement 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 general election laws of this state. The board of county commissioners of said Warren County shall, at the time of ordering any election under this act, appoint one registrar and two judges of election in said special tax district to hold such election. The books shall be kept open for the registration of voters for twenty days preceding the day of election. The board of county commissioners of said county may, if they deem it advisable, order a new registration by giving thirty days notice of such registration. Such election shall be held after
- Limit of bonds.**
- Interest.**
- Maturity.**
- Time of election.**
- Form of ballot.**
- Election officials.**
- New registration may be ordered.**
- Notice of election.**

thirty days notice thereof, specifying the amount of the proposed bond issue, rate of interest and period for which bonds shall run shall have been posted at the courthouse door of said Warren County and at three public places in said special tax district and published in four issues of some newspaper published in said county, and the returns thereof shall be made to the board of county commissioners, and returns recorded and the result declared by said board of commissioners as they may determine. If a majority of the qualified voters vote "For Improvement Bonds," then the said board of trustees of Warrenton high school 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. Said bonds shall be in denomination of not less than one hundred dollars and not exceeding one thousand dollars each. Said bonds shall be signed by the chairman of the said board of trustees and attested by the official seal of said board of trustees and the signature of the secretary of said board of trustees. And the chairman of the said board of trustees, under the direction of said board, shall sell the bonds so issued at not less than par value and for as much above par value as possible.

Publication
of notice.

Denomination
of bonds.

Bonds must not
be sold for less
than par.

SEC. 8. That the board of county commissioners of said Warren County, or other county authorities who may be 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 section, 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 said special tax district to pay the interest on the bonds issued, and shall also levy a sufficient tax to create a sinking fund to provide for the payment of said bonds at maturity. All such taxes shall be levied and collected annually under the same laws and regulations as shall be provided for levying and collecting other county taxes.

Special tax to pay
interest and
retire bonds.

SEC. 9. That the said board of trustees shall provide a record which shall be kept by their secretary, 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, and the amount received for said bond. Said board of trustees shall also cause to be kept a record of all proceedings, as well as a record of the bonds redeemed annually, if any shall be so redeemed and the bonds when redeemed and recorded shall be destroyed by fire in the presence of the said board of trustees, and that fact shall be recorded.

Record to be kept
of bond
purchasers.

Record of bonds
redeemed.

SEC. 10. That the funds derived from the sale of any bonds hereinbefore provided for and all taxes levied and collected under this act shall be turned over to the fiscal agent of said Warren

Funds from sale
of bonds turned
over to county
fiscal agent.

County, and a separate account of each fund shall be kept by said fiscal agent. But before any such funds shall be placed in said agent's hands, said agent shall execute a good and sufficient bond in the penal sum of fifty per cent more than the amount of money in his hands at any time, and for the faithful performance of such other duties as may devolve upon him as the custodian of said funds the said bond shall not be less than five thousand dollars and shall be approved by the said board of trustees, and shall be recorded and kept as bonds of county officers are required to be kept.

SEC. 11. The board of trustees of Warrenton High School may sue and be sued, plead and be impleaded, in any court of competent jurisdiction in this state touching the bonds issued under the provisions of this act, or any matter connected therewith.

Funds to be paid out on order of trustees. SEC. 12. All funds in the hands of the fiscal agent of said Warren County, coming to him under the provisions of this act, shall be paid out by said agent upon the order of the said board of trustees.

Proceeds of bonds to be used for building and equipment. SEC. 13. The funds derived from the sale of bonds under this act shall be used for the purpose of erecting suitable and commodious buildings, and equipping the same with water, light and sewerage as may by said board of trustees be deemed advisable: *Provided*, the money so expended shall be as far as possible used for permanent improvements only.

Proviso: must be used so far as possible for permanent improvements only. SEC. 14. That this act shall be in force from and after its ratification.

Ratified this the 21st day of February, A. D. 1919.

CHAPTER 33

AN ACT TO AMEND CHAPTER 267 OF THE PRIVATE LAWS OF 1891, INCORPORATING THE TOWN OF WHITEVILLE, COLUMBUS COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section thirty-one, chapter two hundred and sixty-seven, Private Acts of one thousand eight hundred and ninety-one, be and the same hereby is amended by striking out all of said section after the words "*Provided, however,*" and adding in lieu thereof the following: "That the taxes levied by them shall not exceed the amount provided for cities and towns in chapter seventy-three of section two thousand nine hundred and twenty-four of the Revisal of one thousand nine hundred and five."

Chapter 267,
Private Laws
1891, amended.

Limit of taxation
as prescribed by
section 2924 of
the Revisal.

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

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

Ratified this the 22d day of February, A. D. 1919.

CHAPTER 34

AN ACT TO AMEND CHAPTER 266, PRIVATE LAWS OF 1909, RELATING TO THE INDUSTRIAL TRAINING AND EDUCATIONAL SCHOOL, OF FAISON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter two hundred and sixty-six, Private Laws of one thousand nine hundred and nine, in its entirety be, and the same is hereby repealed.

Section 2, chapter 266, Private Laws 1909, repealed.

SEC. 2. That upon the death, resignation, removal or disqualification of either of said trustees, his or her place shall be filled by a joint committee composed of twelve members, six of whom shall be selected by the Kenansville Eastern Missionary Baptist Association at their regular meeting annually, and six of whom shall be selected by the Kenansville Eastern Missionary Baptist Sunday School Convention annually. And these two committees, so selected, shall in joint session select such trustees to fill any vacancy or vacancies which may occur from time to time in said board of trustees, and each of said trustees so selected by said joint committee shall serve for a term of three years, or until his successor is elected and qualified.

Selection of committee to appoint trustees. Baptist association and Baptist S. S. convention to select committees.

Trustees to serve three years.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 35

AN ACT TO AUTHORIZE THE "MOREHEAD CITY GRADED SCHOOL DISTRICT" TO ISSUE BONDS FOR THE PURPOSE OF ERECTING AND EQUIPPING A GRADED SCHOOL BUILDING, OR BUILDINGS, AT MOREHEAD CITY, NORTH CAROLINA.

WHEREAS, the General Assembly, at its session in one thousand nine hundred and five passed an act entitled "An act to establish graded schools in the town of Morehead City, Carteret County, North Carolina"; and

Preamble.

WHEREAS, section eleven of said act created and constituted a board of trustees, whose duty it is to establish, conduct and maintain said graded schools; and

WHEREAS, now the buildings and equipment, for the proper conduct of said schools, are inadequate and insufficient:

Now, therefore,

The General Assembly of North Carolina do enact:

Board of graded school trustees to issue bonds.

SECTION 1. That, for the purpose of raising moneys to build and equip graded school buildings, or building, for the Morehead City graded school district, created by the General Assembly of North Carolina at its session of one thousand nine hundred and five, the board of graded school trustees of Morehead City are hereby authorized and empowered to issue bonds of said district to the amount of fifty thousand dollars (\$50,000); said bonds to be made payable at such place within the United States as the said board of graded school trustees of Morehead City may designate, and at such time, not exceeding forty years, as said board may specify; said bonds shall bear interest not exceeding six per cent per annum, which interest shall be payable either annually or semiannually, as said trustees may determine and designate in said bonds. Said bonds shall be coupon bonds, and shall be in such denominations as shall be determined upon by said trustees, and the said trustees may provide therein for the registration of said bonds. Said bonds shall be signed in the name of the Morehead City Graded School District by the chairman of the graded school board of trustees, attested by the secretary of said board of trustees (the coupons bearing the lithographed signatures aforesaid), and shall have affixed thereto the corporate seal of said graded school district.

Amount of bonds \$50,000

Time and payment of bonds.
Interest not to exceed 6 per cent.

Coupon bonds in denominations as determined by trustees.

Bonds not to be sold for less than par and interest.
Proceeds not to be used for purposes other than specified.

SEC. 2. That said bonds shall not be sold for less than their par value, with interest accrued; and the proceeds of same shall not be used for any purpose other than the purpose mentioned and specified in this act.

Town commissioners to levy special tax to meet interest and provide sinking fund.

SEC. 3. That for the purpose of providing for the prompt payment of said bonds at their maturity, and the interest on the same as is matures and becomes due and payable, the board of commissioners of the town of Morehead City, North Carolina, shall annually, at the time of levying other taxes, levy and lay a special tax on all polls and property subject to taxation within the graded school district contained in the boundaries fixed by section one of chapter two hundred sixty-two of the acts (private) of the General Assembly of North Carolina, one thousand nine hundred and five, entitled "An Act to Establish Graded Schools in the Town of Morehead City, Carteret County, North Carolina," sufficient to meet the

annual, or semiannual, accruing interest on said bonds and to provide a sinking fund for the payment of the principal of said bonds at maturity. The taxes provided for in this section shall be collected by the tax collector of the town of Morehead City aforesaid, in usual course, as other taxes are collected, and shall be by him paid over to the treasurer of the board of graded school trustees of Morehead City, and shall be by said treasurer kept separate and apart from other funds applied exclusively to the purposes for which said taxes are collected. That the board of trustees aforesaid may require the treasurer aforesaid to give a good and sufficient bond in double the amount of any sum which he, or she, may, from time to time, have in hand—which bond may be increased or diminished, from time to time, as occasion may require.

Taxes to be collected by town tax collector, and paid to treasurer of graded school trustees.

Fund to be kept separate.

Treasurer may be required to give bond.

SEC. 4. That for the purpose of submitting to the qualified voters of the said Morehead City graded school district the question of issuing said bonds, and levying and collecting the taxes herein provided for, the board of commissioners of the town of Morehead City, North Carolina, upon petition of, at least, fifty qualified voters in said district, within thirty days after said petition shall be duly presented to said board of commissioners, shall order an election to be held in said district, and shall in such order appoint the time and place for holding the same; and said board of commissioners shall appoint a registrar and two judges of election thereat (which judges shall be of different political persuasion), and shall give thirty days notice of said election, in some newspaper published in said graded school district (if there be such; otherwise in some newspaper published in Carteret County, North Carolina); and a new registration shall thereat be ordered, such registration to begin on the third day after said election is ordered and to continue to twelve (noon) o'clock on the Saturday next preceding said election date. That in said election all persons residing within said district described in section one, chapter two hundred sixty-two, of the Acts of the General Assembly of North Carolina, session one thousand nine hundred and five, who shall at that time be entitled to vote for members of the General Assembly shall be entitled to vote in said election; *Provided*, such person, or persons, shall have duly registered as herein provided for said election; and only those persons residing within said district who shall register for said election as herein provided shall be deemed qualified voters within the purview of this act.

Provision made for election on bond issue.

Petition of 50 voters sufficient to call election.

Notice of election to be given.

New registration ordered.

Qualification of voters.

SEC. 5. That at said election those voting for said school building bonds and for the levying and collection of the taxes herein provided for, shall vote a written or printed ballot containing or bearing the words "For School Bonds," and

Form of ballot.

those voting against the issuance of said bonds and the levying and collecting of said taxes shall vote a written or printed ballot containing the words "Against School Bonds." That said election, except as herein especially provided, shall be held and conducted under the same rules and regulations as is now provided for the election of members of the General Assembly of North Carolina.

Election held under general law.

Registrar and judges to canvass votes and make returns.

SEC. 6. That the registrar and judges of election, at the close of said election day, shall canvass the votes and declare the result thereof, and shall make two returns thereof, one to the board of commissioners of the town of Morehead City, North Carolina, and one to the board of graded school trustees of Morehead City; and the board of commissioners of said Morehead City shall order said returns recorded in the official minute book of said town, and the board of trustees shall cause a copy thereof to be spread upon its official minutes.

Returns to be recorded in minute book.

If issue authorized by election, board of trustees to issue and sell bonds.

SEC. 7. That if at the election aforesaid a majority of the qualified votes cast, by the qualified voters (as herein prescribed) of the Morehead City graded school district, as fixed and defined herein by reference to section one, chapter two hundred sixty-two, acts one thousand nine hundred and five, shall be for school bonds, then the board of graded school trustees of Morehead City shall proceed to issue and sell said bonds, or so many thereof as may (from time to time, within six years from date of declaration of election's result) in the judgment and discretion of the said board of trustees, be necessary for the purpose hereinbefore recited and set forth.

Subsequent elections provided, in case bonds not voted.

SEC. 8. That if a majority of the votes cast at said election shall be against school bonds, then the board of commissioners of the town of Morehead City, North Carolina, shall upon another petition of at least fifty voters within the said Morehead City graded school district at any time after sixty days from the date of the former election and within five years from the date thereof, order another election, which election shall be held as herein provided; and, if at said election so held a majority of the qualified voters (as herein provided for said voters to be qualified) shall vote for school bonds, then the said election shall have the same force and effect as if no election had been previously held.

Act not to affect previous legislation.

SEC. 9. That nothing in this act shall be so construed as to repeal or adversely affect any clause or clauses of the act of the General Assembly, chapter two hundred sixty-two, session of one thousand nine hundred and five, entitled "An Act to Establish Graded Schools in the Town of Morehead City, Carteret County, North Carolina," but same shall be so construed only as to enlarge the powers of said board of graded school

trustees of Morehead City aforesaid to the especial purposes herein provided for and particularly set forth.

SEC. 10. That this act shall be in force and effect from and after its ratification.

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 36

AN ACT FOR THE RELIEF OF THE MAYOR AND BOARD OF ALDERMEN, CHIEF OF POLICE AND POLICEMEN OF THE CITY OF NEW BERN.

The General Assembly of North Carolina do enact:

SECTION 1. WHEREAS, by reason of the increased cost of living it became necessary in July, 1918, for the mayor and board of aldermen of the city of New Bern in order to retain competent police protection for the inhabitants of said city to agree to pay to the chief of police and policemen of said city each the sum of ten dollars per month from the first day of July, 1918, to the first day of July, 1919, in excess of the salaries specified by the charter of said city; now, therefore, it is enacted, that the mayor and board of aldermen, chief of police and policemen of said city be, and they hereby are, relieved of personal liability on account of the payment from said city's funds such excess.

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

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 37

AN ACT TO EXTEND THE PERIOD OF COMPULSORY EDUCATION IN THE CITY OF CHARLOTTE, FOR THE FULL SESSION OF THE CITY PUBLIC SCHOOLS EACH YEAR.

The General Assembly of North Carolina do enact:

SECTION 1. That every parent, guardian or other person in the city of Charlotte having charge or control of a child between the ages of eight and fourteen years shall cause such child to attend regularly some day school (public, private or parochial), in which at least the six common school branches of reading, spelling, writing, arithmetic, English, and geography are taught in daily sessions of not less than four hours per school day, for nine school months in each calendar year, or for the full session of the public schools of the city of Charlotte; or shall provide such child at home or elsewhere with such regular daily instruction.

Increased salary for police validated.

Children between 8 and 14 years to attend school of prescribed curriculum.

Substitute teaching to be approved by court.

tion during the usual school hours as shall be in the judgment of the court substantially equivalent in kind and amount to the instruction given the children of like age in the public schools of said city; *Provided*, that occasional absence from such attendance by any child between the ages of eight and fourteen years not amounting to more than two unexcused absences in four consecutive weeks shall not be unlawful.

Proviso:
occasional
absences
not unlawful.

Exception:
destitution
or incapacity,
or necessity of
child's labor.

SEC. 2. That no parent, guardian or other person having control of any such child shall be deemed or held guilty of violating this act, if it shall appear satisfactorily to the court that said parent or guardian or person having control of said child is not able through extreme destitution to provide or obtain in any way proper clothing for said child, or the said child is incapacitated, mentally or physically, to attend school for the whole period required, or any part thereof, or that the labor of said child is absolutely necessary for the support of its family: *Provided*, that when said child shall be provided with proper clothing by charity or otherwise, said child shall be subject to the provisions of this act.

Proviso: when
child clothed,
subject to
provisions of act.

School
commissioners
may purchase
books and supplies
for indigent
children.

SEC. 3. That the board of school commissioners of the city of Charlotte, may in its discretion set apart each year a sum not to exceed one per cent of the entire school funds of said city, which it may use in purchasing books and school supplies for indigent children, found by said commissioners to be unable to supply themselves with such books and material.

Attendance
officers may be
appointed
or removed.

Compensation
and duties of
attendance
officers.

SEC. 4. That the board of school commissioners of the city of Charlotte may appoint and remove at pleasure one or more attendance officers to enforce the provisions of this act, and shall fix the compensation and manner of performance of the duties of such attendance officer or officers, or assign to them such other duties as the commissioners may see fit to assign, and shall pay them from the public school funds of said city for their services.

Attendance
officers to serve
notice on parents
and guardians.

When in doubt as
to age, may
require evidence.

Right of entry
for enforcement
of act.

May require
attendance
certificate.

SEC. 5. That it shall be the duty of said attendance officer or officers as aforesaid to serve written or printed notices upon the parents, guardians or persons having charge or control of children as aforesaid, who violate the provisions of this act that prompt compliance therewith is required; said officer shall, when reasonable doubt exists as to the age of any child in said city, require a properly attested birth certificate, or an affidavit stating such child's age, date of birth and physical characteristics from the parent, guardian or other person having charge of such child; he shall have the right to visit and enter any office or factory or business house employing children as aforesaid, for the purpose of enforcing the provisions of this act; he shall have the right to require a properly attested certificate of the attendance of any child or children at any day school; he shall have power

to take all truants as aforesaid, and place them in some public school, unless the parents, guardians, or persons in charge and control of said children respectively, shall at once place them in some other day school, as aforesaid, and he may serve warrants for violation of this act and subpoenas for witnesses of the court and make all required arrests without further fee or compensation than that paid by the board of school commissioners as aforesaid, and shall carry into effect such other regulation as may lawfully be required by the said board of school commissioners.

May serve warrants and subpoenas, and make arrests.

SEC. 6. That it shall be the duty of the attendance officer or officers herein provided for, as soon as practicable after the beginning of the school term of each year of said city, or at any time thereafter when he shall discover any violation of this act to warn once with written or printed notice any parent, guardian, or person having charge or control of a child between the ages of eight and fourteen who shall violate any provision of this act, to place and keep said child in regular attendance at some day school within three days of the service of said written or printed notice of warning. Upon failure to comply with this act after a lapse of three days from the date of service of said notice of warning said parent, guardian, or person having charge or control of said child shall be deemed guilty of a misdemeanor and upon a conviction thereof shall pay a fine of not more than fifty dollars or be imprisoned for not more than thirty days; *Provided*, that the said sentence of fine or imprisonment may be suspended or remitted by the court, with or without payment of costs, at the discretion of the court, if the said child be immediately placed and kept in regular attendance in some day school, as aforesaid, and such fact of regular attendance shall be subsequently proven to the satisfaction of said court by a properly attested certificate of attendance from the superintendent or teacher of said school; *Provided further*, that every day any parent or guardian or other person shall wilfully and unlawfully keep such child from school after the expiration of three days from the service of such notice on such parent, guardian, or other person having control of said child shall constitute a new and separate offense.

Attendance officer to serve written notice on parent or guardian of child violating act.

Failure to comply with act after 3 days notice misdemeanor.

Punishment; court's discretion,

Proviso: every day parent or guardian violates act separate offense.

SEC. 7. That no child under fourteen years of age residing within the corporate limits of the city of Charlotte shall be employed in any factory, work house, mercantile establishment or in any other place or manner during the usual school hours in said city, unless the person employing him shall first procure a certificate from the superintendent or teacher of the school said child last attended stating that such child attended school for such current year for the period required by law, or has been excused from attendance, and it shall be the duty of said

No child under 14 to be employed during school hours.

Exception: certificate from superintendent or teacher.

superintendent or teacher to furnish such certificate upon application of the parent, guardian, or other person entitled to the same.

Owner of establishment employing child under 14 years guilty of misdemeanor.
Punishment.

SEC. 8. That every owner, superintendent or officer of any factory, work house, or mercantile establishment and any other person, who shall employ any child under fourteen years of age contrary to the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense in a sum not more than fifty dollars, or be imprisoned for not more than thirty days.

Teacher to keep record of children between 8 and 14 years.

SEC. 9. That an accurate record of the ages, residences and attendance of all children between eight and fourteen years of age, shall be kept by the teacher of every school, whether public, private, parochial or tutorial, within the city of Charlotte; such records shall at all times be open to the attendance officer or officers or other persons duly authorized by the board of school commissioners as aforesaid, and a wilful neglect or refusal to submit such records to the examination of such officer or officers shall be a misdemeanor, and any person upon conviction thereof shall be fined not more than fifty dollars or imprisoned for not more than thirty days for each offense.

Records open to attendance officers.

Refusal of teacher to submit records misdemeanor.

SEC. 10. That this act shall be in force from and after the first day of July, one thousand nine hundred and nineteen.

SEC. 11. That all laws in conflict herewith are hereby repealed to the extent of such conflict.

Ratified this the 24th day of February, A. D. 1919.

CHAPTER 38

AN ACT TO REPEAL CHAPTER 562, LAWS 1892, AND TO CREATE THE TARBORO SCHOOL BOARD.

The General Assembly of North Carolina do enact:

Chapter 562, Laws 1891, creating board, repealed.

SECTION 1. That chapter five hundred and sixty-two, Laws of one thousand eight hundred and ninety-one, be and the same is hereby amended.

Tarboro school board created.

SEC. 2. That C. B. Keech, J. E. Morrisette, Moses Heilbronner, Mrs. S. N. Clark, George Howard, and Mrs. Nina B. Powell are hereby created a body to be known and designated as "The Tarboro School Board" and by that name shall be a body corporate, and may sue and be sued, plead and be impleaded, adopt a common seal, contract and be contracted with, and pass all rules and regulations for its government, acquire by gift, purchase and devise, real and personal property, and have all the powers given other corporations by chapter twenty-one, Revisal of one thousand nine hundred and five. Said "The Tarboro School Board" shall

Body corporate.

Powers.

have the power to do all acts necessary for the maintenance of the graded schools in Tarboro for white children and the graded school in Princeville for colored children, and shall have supervision of all the schools in Township Number One, Edgecombe County, and the appointment, removal, compensation and control of all teachers in said schools.

SEC. 3. That C. B. Keech and J. E. Morrisette shall hold office until January first, one thousand nine hundred and twenty-one or until their successors are duly elected and qualified, that Moses Heilbronner and Mrs. S. N. Clark shall hold office until January first, one thousand nine hundred and twenty-three or until their successors are duly elected and qualified, and that George Howard and Mrs. Nina B. Powell shall hold office until January first, one thousand nine hundred and twenty-five, or until their successors are duly elected and qualified. Term of office.

SEC. 4. At the next general election for members of the General Assembly in one thousand nine hundred and twenty, there shall be elected by the voters of Number One Township, Edgecombe County, two members of the said school board who shall qualify as members of the said school board, and take office on the first day of January, one thousand nine hundred and twenty-one; and at each general election thereafter, there shall be elected two members of the said school board who shall qualify for said board and shall take office on the first day of January following their election. All members elected as provided hereinbefore shall hold office for a term of six years or until their successors are elected and qualified. In case any vacancy shall occur in the membership of said board, the same shall be filled at an election held by the remaining members, the member so elected to hold the unexpired term. Successors.

SEC. 5. That all funds now in hand, or that may hereafter be collected and apportioned for the public schools of said township, shall be paid over to said board, and all funds arising from taxation shall be expended as shall be just to both races, and all the schools of said township. Donations to the corporation shall be expended as directed by the donors. To control all public school funds of township.

SEC. 6. That the reports required by law shall be regularly made to the superintendent of public schools, and duplicate thereof filed with the corporation. Reports.

SEC. 7. That nothing in this act shall be construed to violate any contract made by or with "The Tarboro School Board" as heretofore existing under chapter five hundred and sixty-two, Laws of one thousand nine hundred and ninety-one. No contracts by or with former board violated.

SEC. 8. That this act shall be in force from and after the first Monday in March, one thousand nine hundred and nineteen.

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 39

AN ACT TO INCORPORATE THE TOWN OF SEVERN IN
NORTHAMPTON COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Severn incorporated. SECTION 1. That the town of Severn, in the county of Northampton, is hereby incorporated by the name and style of Severn.

Limits defined. SEC. 2. That the corporate limits of said town shall be a space of one thousand yards running north, south, east, and west from a point where the county road and the Roanoke and Tar River railroad intersect.

Officers. SEC. 3. That the officers of said corporation shall consist of a mayor, five commissioners and a constable.

Election ordered. SEC. 4. That the first election for mayor and commissioners shall be held the first Monday in May, one thousand nine hundred and nineteen; until the officers under said election qualify the following shall be the officers of said corporation upon qualifying

Temporary officials appointed. by giving the proper bonds and taking the prescribed oath: Mayor, Charles Simons; constable, W. E. Glover; commissioners, A. M. Fleetwood, J. J. White, D. W. Watson, W. H. Howell, and J. R. Taylor.

Taxation. SEC. 5. That the authority to tax real and personal estate and polls shall be governed by the law of the state applying to cities and towns.

Powers of commissioners. SEC. 6. That the commissioners of said town shall have the power to make any by-laws or regulations for the government of said town not inconsistent with the laws of North Carolina.

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

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 40

AN ACT TO PERMIT THE OFFICIAL PLAT OF THE TOWN
OF MOREHEAD CITY TO BE RECORDED AND COMPETENT
AS EVIDENCE IN THE SEVERAL COURTS OF THE STATE.

The General Assembly of North Carolina do enact:

Survey of Morehead City as prepared by civil engineer declared competent as evidence to establish boundaries of town and location of streets, lots and wharves therein. SECTION 1. That the plat and all blue prints of the survey of the town of Morehead City, as prepared by Raymond R. Eagle, civil engineer, from an actual survey by said civil engineer of the boundaries and lines, streets and sidewalks, docks, wharves and water frontage and of the several blocks and lots of said town of Morehead City, shall be admissible and competent as evidence in any of the courts of the State of North

Carolina to establish the corporate limits and boundaries of the town and the location of the several blocks and lots and streets of the subdivision of the said town and shall be conclusive evidence of boundaries and lines and location of the town, of the several blocks, lots, streets, sidewalks, wharves, docks and water frontage.

SEC. 2. That the said plat and the certified blue prints thereof shall be admissible and competent as evidence as a true copy of the official plan of the said town of Morehead City under the acts of incorporation and amendments thereto and in lieu of said official plan and shall hereafter be known as "The Official Plan of the town of Morehead City."

To be known as
"Official Plan."

SEC. 3. That any survey or measurement made for the purpose of establishing lines, boundaries and location of any of the said several blocks, lots, streets sidewalks, wharves, docks, and water frontage may be begun at any of the several concrete monuments erected by the said R. R. Eagle, civil engineer, in accordance with actual survey and measurement and shown on said plat. And such monuments shall be landmarks and true location and identity of the several corners and points thereby identified shall require no further proof.

Monuments
erected by
engineer
landmarks and
true location.

SEC. 4. That the original plat or any blue print properly certified by R. R. Eagle, civil engineer, shall be admitted to registration and recorded without further probate thereof and from and after date of such registration said record or any certified copy thereof shall be received as evidence as hereinbefore provided.

Certified
blueprints
admitted to
registration.

SEC. 5. This act shall take effect from and after its ratification.

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 41

AN ACT TO AMEND CHAPTER 161, PRIVATE LAWS OF NORTH CAROLINA, 1915, RELATIVE TO THE CLEMMONS FARM-LIFE AND HIGH SCHOOL.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and sixty-one, Private Laws of the General Assembly of North Carolina, one thousand nine hundred and fifteen, entitled, "An act to provide for the establishment and maintenance of a county farm-life school in connection with an additional preparatory and high school in the county of Forsyth, to be known as 'The Clemmons Farm-Life and High School,'" be and the same is hereby amended as follows:

Act establishing
farmlife school
in Forsyth
amended.

Establishment of school made discretionary.

In line one, section one, strike out the word "shall" and insert in lieu thereof the word "may"; in line one, section four, strike out the word "shall" and insert the word "may"; in section five, line two, strike out the word "shall" and insert in lieu thereof the word "may"; in section five, line ten, strike out the word "shall" and insert the word "may"; in section five, line fifteen, strike out the word "shall" and insert the word "may"; in section six, line thirteen, strike out the word "shall" and insert the word "may"; in section six, line eighteen, strike out the word "shall" and insert the word "may"; in section six, line twenty, strike out the word "shall" and insert the word "may"; in section seven, line two, strike out the word "shall" and insert the word "may."

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

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 42

AN ACT TO REGULATE MOTOR VEHICLES AND PUBLIC SERVICE CARS IN MARION, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Unlawful to operate motor vehicle in Marion without chauffeur's license.

SECTION 1. That it shall be unlawful for any person or persons, corporation or firm, to operate a motor vehicle of any description within the corporate limits of the town of Marion, or within a zone around the said town extending three miles in each direction from said corporate limits, without first having obtained a license as chauffeur to operate such vehicle from the mayor of the said town of Marion; no license shall be issued to any person who is not of good moral character; and no license shall be issued to any person until such person has satisfied the mayor of said town that he, or she, understands the mechanism of such motor vehicle and shall demonstrate his or her ability to operate such vehicle in a safe and scientific manner; such mayor shall collect as a fee for the issuance of such license the sum of two dollars.

Licensee must be of good character and proven ability to manage car.

Fee for issuance of license.

Unlawful to operate motor vehicle for hire without annual license.

SEC. 2. That it shall be unlawful for any person or persons, corporation or firm, within the corporate limits of the said town of Marion, or within a zone extending three miles in each direction from said corporate limits, to operate any motor vehicle, car, or truck, for hire, for the transportation of passengers or freight within the limits of the said town and the said zone of three miles around said town, without first obtaining from the board of aldermen of the said town, or its mayor, a license to so operate said motor vehicle, car, or truck

within said town and zone, and paying therefor an annual license charge of twenty-five dollars for each motor vehicle, car, or truck, so to be operated for hire, as aforesaid, together with a fee of one dollar to the said mayor for the issuance of the same.

SEC. 3. That whenever any person or persons, corporation or firm, shall apply to the said board of aldermen, or its mayor, for license to operate any motor vehicle, car or truck, under the provisions of the preceding section, such person shall file with said board of aldermen a schedule of fees which are proposed to be charged for the transportation of persons, or freight, within the said town and said zone, which schedule of fees shall be approved by the said board of aldermen, if found reasonable; and it shall be unlawful for any licensee, or agent of any licensee, to charge a greater amount, at any time, than is provided for in the schedule of fees so approved by the said board of aldermen.

SEC. 4. That every person or corporation violating the provisions of either of the foregoing sections shall, upon conviction, be fined, for the first offense, the sum of twenty dollars, and for the second offense, the sum of forty dollars, and shall forfeit and surrender his license to be cancelled by the mayor of said town; and the mayor of the said town of Marion is hereby given exclusive original jurisdiction to hear and determine all offenses arising under this act.

SEC. 5. That every person who shall be charged by law with the enforcement of the provisions of this act, and who shall fail or refuse to enforce the same, shall be guilty of a misdemeanor, and upon conviction shall be fined the sum of fifty dollars for each offense in which so failed to perform their duty in this respect.

SEC. 6. That the warrants of the mayor of the said town of Marion shall be valid within the three-mile zone around the said town, and the marshal of said town is hereby given the right to make arrests upon warrants issued by the mayor within the said zone.

SEC. 7. That this act shall be in force and effect twenty days after its ratification.

Ratified this the 25th day of February, A. D. 1919.

CHAPTER 43

AN ACT FOR THE RELIEF OF W. N. DAVIS, EX-SHERIFF OF GASTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Gaston County be, and they are hereby empowered, in their discretion, to pay to W. N. Davis, ex-sheriff of Gaston County, such sum or

Commissioners authorized to pay reasonable compensation for unpaid services.

sums of money as they may deem just and reasonable compensation for his services in collecting any and all taxes, during his term of office, as sheriff of Gaston County, and for which he has not heretofore received compensation therefor.

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 44

AN ACT TO AMEND CHAPTER 151, PRIVATE LAWS OF 1911,
BY EXTENDING THE CORPORATE LIMITS OF THE TOWN
OF MAURY, GREENE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and fifty-one, Private Laws of one thousand nine hundred and eleven, be amended by striking out the same and the following be inserted in lieu thereof:

SEC. 2. That the corporate limits of the town of Maury shall be as follows: Beginning at a point where the Snow Hill road and the northern line of the town of Maury intersects the East Carolina Railroad; thence in an easterly direction with said Snow Hill road and the old line of said town two hundred yards to old corner; thence same direction one hundred yards to a stake; thence a southerly course parallel with old line one thousand, one hundred yards to a stake; thence a westerly course parallel with old line six hundred yards to a stake; thence a northerly course parallel with old line one thousand one hundred yards to a stake on Snow Hill road; thence with said road one hundred yards to a stake; corner in old line; thence with old line two hundred yards to beginning."

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 45

AN ACT TO AUTHORIZE THE TRUSTEES OF THE GRADED
SCHOOLS OF GOLDSBORO TOWNSHIP TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of trustees of the graded schools of Goldsboro Township, Wayne County, is hereby authorized to issue coupon bonds from time to time not to exceed in the aggregate amount the sum of two hundred and fifty thousand dollars, and in

New limits
defined.

School trustees
authorized to
issue bonds
not to exceed
\$50,000.

denominations of one thousand dollars (\$1,000), or multiples thereof, bearing interest from the date of the issuance thereof at a ^{Interest.} rate not to exceed five per cent per annum, payable semiannually on the first day of January and the first day of July of each year, at such place as said board of trustees may designate, until said bonds are paid; that said bonds shall be made payable ^{Maturity.} at a time and place to be fixed by said board of trustees and named therein, not to be more than forty years from the date of the issuance thereof. The said bonds and their coupons shall ^{Form of bonds.} be numbered, and the bonds shall be signed by the chairman of said board and countersigned by its secretary, and have the corporate seal of said board affixed thereto, and the coupons thereto attached shall bear a facsimile of the signature of the chairman of said board. A record shall be kept of the said ^{Record of} bonds, showing the numbers and denominations thereof, and to ^{issuance, sale} whom sold, the dates of issuing thereof, and when the same shall ^{and other} mature, and the interest-bearing rate thereof, the amount received ^{reference data} from the sale thereof, and the date of the payment of the ^{to be kept.} proceeds into the treasury, and such other data in reference to the same as the said board may direct to be kept.

SEC. 2. That the bonds hereby authorized to be issued shall ^{No bonds to be} not be sold for less than their par value, and the said board ^{sold at less} of trustees shall not deliver said bonds, or any of them, to the ^{than par.} purchaser thereof until the purchase money shall be paid to the ^{No delivery until} treasurer of said board and his receipt to the purchaser produced ^{payment is made.} as evidence of such payment; and the treasurer of said board ^{Treasurer of board} shall receive all such moneys paid in the purchase of said bonds ^{custodian of} in his official capacity as treasurer of said board, and he and ^{funds.} the sureties on his official bond shall be liable to account for and pay over the same; and it shall be the duty of said board ^{Bond must be} of trustees to see that the bond of said treasurer shall at all ^{sufficient to} times be sufficient in amount and with satisfactory sureties to ^{provide against} provide against any loss of money arising from the sale of such ^{any loss from} bonds, and to that end may at any time require said treasurer ^{sale of bonds.} to renew his official bond in such sum and with satisfactory surety as they may require, and in default thereof to remove him from his office as treasurer.

SEC. 3. That the treasurer of said board of trustees shall ^{Proceeds of sale to} keep separate from all other moneys coming into his hands ^{be kept as} the moneys arising as proceeds from the sale of said bonds, and ^{separate fund.} the same shall be expended by said board of trustees in the ^{Purposes to which} erection of suitable new school buildings, in furnishing the ^{bond money may} same with necessary equipment and furnishings, and in repair- ^{be applied.} ing, furnishing and equipping old buildings for the accommoda- tion of the public schools of Goldsboro Township, and for such other school purposes as the trustees may order the same disbursed.

Compensation
of treasurer.

SEC. 4. That the board of trustees shall have power to fix the compensation of the treasurer for performing the duties conferred upon him by this act.

Sinking fund
must be provided.

SEC. 5. That it shall be the duty of said board of trustees to provide a sinking fund for the payment of the principal of said bonds at maturity, and for that purpose set apart each year from the taxes collected in, or moneys apportioned to Goldsboro Township for public schools a sum equal to at least one per cent of the principal of said bonds.

Interest must be
paid semi-
annually.

SEC. 6. That it shall be the duty of said board of trustees to provide each year for the payment semiannually of the interest on said bonds, and for that purpose to set apart each year from the taxes collected in or the moneys apportioned to Goldsboro Township for public schools a sum sufficient to pay the same.

Trustees may be
appointed for
sinking fund.

SEC. 7. The said board of trustees may, if in their opinion at any time it becomes necessary or advisable, appoint a trustee, whose duty it shall be to receive from the treasurer of said board of trustees the sum set apart for the purpose of paying the interest on said bonds and to create a sinking fund to pay the principal of said bonds at maturity, and the said board may prescribe the duties 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 said trustee to invest or loan the money coming into his hands for the purpose of creating a sinking fund in safe securities, but no such investment or loan shall be made without the consent and approval of the chairman of said board of trustees.

Compensation of
trustee and bond.

Duties of trustee.

Bond issue to be
submitted to
voters of township.

SEC. 8. That the question of issuing bonds shall be submitted to the qualified voters of Goldsboro Township from time to time for their ratification or rejection, at an election to be held in said township at such time as the board of commissioners of Wayne County shall appoint, said election to be called and a time therefor designated upon the written request of a majority of the board of trustees of said graded schools at any time within two years after the ratification of this act. The said election shall be advertised by the board of commissioners for thirty days prior to the day of election in one or more newspapers published in said township, and the said election shall be held, as near as may be, under the rules, regulations and directions existing for the election of members of the House of Representatives. At said election those who are in favor of issuing the said bonds shall vote "For School Bonds" and those who oppose shall vote "Against School Bonds" on a written or printed ballot. The number of ballots cast for and against said bonds shall be counted and the result of said election certified and returned to the register of deeds for Wayne County, who shall

Election to be
called within two
years after
ratification
of act.

Advertisement.

Conduct of
election.

Form of ballot.

Canvass of vote.

furnish to the chairman of said board of trustees a certified copy of said return, under seal, and also send a like copy of said return to the Secretary of State, which said Secretary shall file in his office. If at said election a majority of the qualified voters of said township shall vote "For School Bonds" then the said board of trustees shall proceed at once to issue and sell said bonds, or so many thereof as may be necessary, in the judgment and discretion of said board for the purposes aforesaid; and the board of county commissioners of said Wayne County shall levy and collect annually, in addition to the maximum tax now authorized to be levied and collected on all taxable property and polls in said Goldsboro Township for maintenance and support of the Goldsboro graded schools, such additional special tax on all taxable property and polls in said township for the purposes herein designated as the board of trustees of the Goldsboro graded schools shall certify to the said board of county commissioners to be necessary to pay the interest and provide for the sinking fund on said bonds not to exceed fourteen cents on the one hundred dollars (\$100) valuation of property and forty-two cents on the poll, and said special tax shall be levied and collected in the same manner and at the same time as other taxes of said county and township are levied and collected. The board of county commissioners for Wayne County shall order a new registration for said election.

Bonds to be issued when deemed advisable.

County commissioners to levy special tax in amount certified by school trustees as necessary.

Limitations on tax.

Collection.

New registration for election.

SEC. 9. That it is the purpose of this act to authorize the issue of the aggregate amount of bonds and to hold an election thereon at one time or to issue bonds and hold election thereon from time to time not to exceed the aggregate.

Purpose of act to authorize bond issue and hold election.

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 46

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE TOWN OF ENFIELD TO ISSUE BONDS FOR THE PURPOSE OF ESTABLISHING A SYSTEM OF WATERWORKS AND SEWERAGE.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of Enfield is hereby authorized and empowered to issue, to an amount not exceeding eighty-five thousand dollars, bonds in the name of the said town of Enfield, in such denomination and in such form as the said board of commissioners may

Town commissioners authorized to issue \$85,000 bonds for waterworks.

determine, with which to construct, build, erect, and maintain a system of waterworks and sewerage in said town of Enfield.

Maturity of bonds.

SEC. 2. That said bonds shall be made payable or redeemable at such place or places, and at such time or times, as may be determined by said board of commissioners, not exceeding thirty years from the date of said bonds.

Interest.

SEC. 3. That said bonds shall bear interest at a rate not exceeding 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 said board of commissioners.

How payable.

Bonds not to be sold at less than par, nor may proceeds be used for purposes other than waterworks and sewerage.

SEC. 4. 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 par value, nor shall said bonds or their proceeds be used for any other purposes than that of establishing a system of waterworks and sewerage in said town of Enfield and of purchasing, building, erecting, constructing, and maintaining the necessary lands, plants, machinery, rights and privileges, conduits, and mains, and other property and machinery necessary to the establishment of a modern waterworks and sewerage system in said town of Enfield; and said commissioners whenever necessary may acquire rights of way, easements, and such lands as may be necessary for the location of said waterworks and sewerage systems either within or without the said town of Enfield by condemnation, as is now or may hereafter be provided by law for condemnation of lands and rights of way for railroad companies: *Provided*, that nothing herein shall prevent the condemnation of said lands by any other method provided by law or by the charter of said town of Enfield.

Eminent domain.

Proviso: Nothing in act shall prevent condemnation by other lawful methods.

Bond issue to be submitted to people at election called by commissioners.

SEC. 5. That said bonds shall not be issued until authorized by a majority of the qualified voters of said town of Enfield at an election to be held on a date to be designated by the board of commissioners of the town of Enfield at any time after the ratification of this act, at which election those favoring the issuing of said bonds for said purposes shall vote a written or printed ballot containing the words "For Waterworks and Sewerage Bonds" and those opposing it a like ballot containing the words "Against Waterworks and Sewerage Bonds"; and it shall be the duty of said board of commissioners to give notice of the time, place, and purposes of such election for five consecutive weeks in some newspaper published in the said town of Enfield; that such election shall otherwise be held in like manner and under the same rules and regulations as far as the same are pertinent and applicable as the elections are held in the town of Enfield for the election of municipal officers; and the said board of commissioners may or may not, as they may determine,

Form of ballot.

Notice of election.

Conduct of election.

order a new registration of the voters of said town of Enfield for said election.

SEC. 6. That, if the powers hereby conferred and hereinbefore provided for shall be exercised, and a majority of the qualified voters of said town of Enfield shall vote "For Waterworks and Sewerage Bonds," then said board of commissioners shall issue said bonds, not exceeding said amount of eighty-five thousand dollars, which said bonds shall be signed by the mayor and attested by the clerk of the board of commissioners and sealed with the corporate seal of said town of Enfield; and the signature of the said mayor and the said clerk of the board of commissioners of the town of Enfield may be printed or lithographed on the coupons attached to said bonds, and the said bonds and their coupons shall become exempt from taxation in the said town of Enfield until they shall become due and tender of payment shall have been made; but nothing herein shall exempt said bonds or their coupons from taxation by the Enfield graded school district; and the said coupons shall be receivable in payment of taxes levied by said town of Enfield or any other debt due said town of Enfield.

Form of bonds.
Exempt from taxation by town, but not from taxation by graded school district.
Coupons receivable for town taxes.

SEC. 7. That, for the purpose of providing for the payment of said bonds and the coupons as they shall become due and payable, the said board of commissioners of the said town of Enfield is hereby authorized and empowered to levy and cause to be collected, annually, as other municipal taxes are collected, a tax not exceeding sixty cents on the one hundred dollars valuation of real and personal property, and not exceeding one dollar and eighty cents on all taxable polls in said town of Enfield; and said board of commissioners of said town of Enfield may provide a sinking fund by setting aside such portion of the foregoing levy each year as may be necessary to pay off said principal at its maturity; or said board of commissioners may take up one or more bonds annually as said board may elect; and under said levy the constitutional equation between property and poll shall be observed, and said taxes so collected shall not be used for any other purpose than those set out in section four hereof, but the said board of commissioners shall have the right to use any other funds which may come into their hands, by taxation or otherwise, for the purposes set out in section four hereof or for the purpose of paying the bonds and interest coupons herein provided for.

For payment of interest and bonds a special tax of 60 cents on \$100 and \$1.80 on poll is authorized.
Sinking fund may be created.
Or bonds may be retired annually.
Equation between property and poll to be preserved; special tax must be used for purpose specified.
Other funds may be used to pay bonds.

SEC. 8. That if, at the first election held under the provisions of this act, a majority of the qualified voters of the town of Enfield shall not vote "For Waterworks and Sewerage Bonds," then and in that event the board of commissioners of the said town of Enfield, at any time thereafter, not oftener than once in each twelve months, as they may deem fit, and by their own

Other elections provided for, if first is unsuccessful.

motion, may, or upon the petition of one-fifth of the qualified voters of said town of Enfield, shall again submit the same question to the qualified voters of said town of Enfield on the same notice and terms as required for said first election; and if a majority of the qualified voters of said town of Enfield shall, at any of the said elections, vote "For Waterworks and Sewerage Bonds," then this act and all the provisions thereof shall be and remain in full force and effect and shall have the same force and effect as if no previous election had been held.

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

Ratified this the 26th day of February, A. D. 1919.

CHAPTER 47

AN ACT TO PERMIT SCHOOL DISTRICT NUMBER ONE, IN TOWNSHIP NUMBER ONE, MADISON COUNTY, NORTH CAROLINA, TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of education of Madison County be, and it is hereby authorized and empowered to issue bonds on the behalf of school district Number One, in Township Number One, in said county, the amount of said bonds not to exceed the sum of fifteen thousand dollars (\$15,000), and to bear interest at not exceeding six per cent. Said bonds shall be serial bonds and shall mature in serial installments of five hundred dollars (\$500) in each year. The said bonds to be in such form and such denominations, and payable at such place as the said board of education may determine. Said bonds to be signed by the chairman and by the clerk or secretary of said board of education.

SEC. 2. That the proceeds derived from the sale of said bonds shall be used for the purpose of paying the indebtedness incurred on account of the new school building recently erected in said school districts.

SEC. 3. That said bonds shall not be issued until authorized by a majority of the qualified voters of said school district at an election to be held therein as herein provided.

SEC. 4. That when the board of education shall in writing signed by a majority of said board, present to the board of county commissioners of Madison County, a written request to call an election to authorize the bonds herein mentioned, it shall then be the mandatory duty of said board of county commissioners to call an election at its first regular meeting after the filing of said written request. The said board of

Act effective when majority vote for bonds.

Board of education authorized to issue bonds for school district No. 1.

Bonds not to exceed \$15,000. Interest not over 6 per cent. Serial bonds; to mature \$500 each year.

Proceeds to pay indebtedness on school building.

Bonds not to be issued until voted on.

Commissioners to call election upon petition of majority of board of education.

Election to be held under general laws.

county commissioners shall call said election to be held under the general election laws and they shall order a new registration for said school district, and shall give thirty days notice of said election at the courthouse door in Madison County and at three other public places in said school district and shall designate the polling place or places and shall appoint the necessary registrars and judges to conduct said election. At said election all those in said school district who are in favor of the issuance of said bonds shall vote a ballot upon which shall be written or printed the words "For School Bonds" and those who are opposed to the issuance of said bonds shall vote a ballot upon which shall be written or printed the words, "Against School Bonds."

New registration and notice required.

Commissioners to appoint registrars and judges.

Form of ballots.

SEC. 5. In the event a majority of the qualified voters of said school district authorizes the bonds herein mentioned, it shall then be the duty of the board of county commissioners of said county to levy and collect annually in said school district, a special tax upon all taxable property in said district of sufficient rate and amount to pay the interest on said bonds as it becomes due, and the principal thereof at maturity.

If bonds voted, commissioners to levy special tax.

SEC. 6. That the board of education of Madison County shall sell said bonds at either public or private sale in such manner as they may in their discretion determine.

Board of education to sell bonds in discretion.

SEC. 7. That all laws and parts of laws in conflict with the provisions of 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 28th day of February, A. D. 1919.

CHAPTER 48

AN ACT TO AMEND THE CHARTER OF THE TOWN OF NEWTON, SO AS TO INCREASE THE TAX FOR SCHOOL PURPOSES IN NEWTON GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That section one hundred and twenty-four, of chapter thirty-nine of the Private Laws of one thousand nine hundred and seven, as amended by chapter two hundred and forty, Public-Local Laws, one thousand nine hundred and eleven, be amended so as to read as follows:

Chapter 39, Private Laws 1907, amended.

"SEC. 124. If a majority of the qualified voters shall vote for school bonds, then the board of aldermen of Newton shall at the time of levying municipal taxes next after such election, and annually thereafter, levy a tax on all persons and property subject to taxation, within the limits of said graded school

If school bonds are voted aldermen to levy tax.

Tax rate not to exceed 50 cents on property and \$1.50 on poll.

Application of tax collected.

Excess of tax over interest and sinking fund to be used for schools.

Section 1 of act to be submitted to voters.

Form of ballot.

Act effective when approved by majority of voters.

Manner of holding election prescribed.

district, of not exceeding fifty cents on the one hundred dollars (\$100) assessed valuation of property and not exceeding one dollar and fifty cents on each taxable poll, and the said tax when levied and collected shall be applied by the board of school trustees as follows: (1) to pay the interest accruing semiannually on school bonds outstanding; (2) set apart and invest a sufficient sum annually to provide a sinking fund to pay the principal of said bonds at maturity; and (3) the balance to be used for the benefit of the schools of said district, at such times and in such manner as the board of trustees may deem best. Interest on said bonds shall be paid to the treasurer of the town of Newton."

SEC. 2. That section one of this act shall be submitted to the qualified voters of Newton graded school district, at the next annual election for school trustees in said district, to be held the first Monday in May, one thousand nine hundred and nineteen, when those voters approving said section shall vote a ballot with the words "For School Tax" thereon, and those opposed shall vote a ballot with the words "Against School Tax" thereon. Said section may, in like manner, be submitted to the voters in said district at any regular annual election thereafter. Whenever a majority of the qualified voters of Newton graded school district shall have voted "For School Tax," then section one of this act shall be in full force and effect, and the board of aldermen of the town of Newton shall levy such tax thereunder for the current year, and annually thereafter, in such amount as the school trustees shall annually certify as being necessary for the purposes specified in said section. Until a majority of the qualified voters in said district shall vote "For School Tax" said section one shall be and remain inoperative and of no effect.

SEC. 3. That any election, at which section one is submitted for the approval of the qualified voters of said district, shall be held in the same manner and under the same regulations, and the votes counted and returns made and result declared under the same rules and regulations, as may be in force and governing municipal elections in the town of Newton and in Newton graded school district at the time such election shall be held.

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

Ratified this the 28th day of February, A. D. 1919.

CHAPTER 49

AN ACT TO AMEND CHAPTER 135 OF PRIVATE LAWS OF NORTH CAROLINA AT ITS REGULAR SESSION FOR THE YEAR 1905, IT BEING "AN ACT TO INCORPORATE THE TOWN OF ANDREWS IN CHEROKEE COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and thirty-five of Private Laws of North Carolina for the session of one thousand nine hundred and five be and the same is amended as follows: In line three of section three strike out the words "two years" and insert in lieu thereof the words "one year." In line three of section six of said chapter strike out the words "two years" and insert in lieu thereof the words "one year." In lines two and three of section nine of said chapter strike out the words "two years" and insert in lieu thereof the words "one year." Strike out the word "June" in line five of section thirty-two of said chapter and insert in lieu thereof the word "April" and in line six of said section strike out the word "July" and insert in lieu thereof the word "May."

Annual registration provided.

Election to be held annually instead of biennially.

Notice for tax listing to be given in April.

Returns to be made in May.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 50

AN ACT TO AMEND THE CHARTER OF THE TOWN OF LEXINGTON, AND EXTEND THE CORPORATE LIMITS OF THE SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter fourteen, Private Laws of North Carolina, session one thousand nine hundred and seven, be amended, and that the corporate limits of the town of Lexington, shall be that territory embraced within the following boundaries, to wit: Beginning at the junction of the Raleigh Road with the Greensboro Road on the south side of the Raleigh Road; thence along the Raleigh Road on the south side of South thirty degrees, east nineteen chains, south forty-nine and one-half degrees, east nine and one-half chains; south sixty-nine degrees, east fourteen chains; south thirty degrees, east eight chains; on south side of the Raleigh Road to west side of the bridge over the North Carolina Railroad; thence following on west side of said railroad, north sixty-three degrees, east seventeen and seventeen one-hundredths chains to a stake; thence

Chapter 14, Private Laws 1907, amended.

Corporate limits set out.

crossing the said railroad south six degrees, west thirteen and one-half chains to Hackney Avenue; thence south fifty degrees, west fifty-four and one-tenth chains to a point in the middle of Center Street near an old stable on south side of said street; thence south eighty-eight degrees, west forty-six chains to a stake; thence south fifty-six degrees, west twenty-eight and one-half chains to a point in the center of Cotton Grove Road near railroad crossing; thence due south fifteen and seven-tenths chains to a stake; thence south nine and one-half degrees, west thirty-one and one-half chains on west side of Cotton Grove Road to a stake in the intersection of the old Linwood Road with the Cotton Grove Road; thence North twenty-eight degrees, west thirty-three chains to a stake located sixty feet south of the southeast corner of the Dakota Cotton Mill building; thence north five degrees, west fifty-two and one-half chains to a stake on the west side of the Winston-Salem Southbound Railway near a big curve; thence up the west side of said railway track, north twenty-one degrees, east nineteen and one-half chains to a stone located on west side of railway track, and on the north side of Mocksville Avenue; thence with said right of way north nineteen degrees east sixty chains to a stone at the right of way of said railroad on the west side; thence south eighty-five degrees east forty-three chains ninety links to a stone on the east side of the Salem Road near where the road goes to the negro graveyard; thence north fifteen degrees, east with southeast side of said Salem Road ten and twenty-five one-hundredths chains to the northeast side of Sixth Street, near Fowler place; thence north fifty-two and one-half degrees, east two and fifty one-hundredths chains to a stake; thence south thirty-eight degrees east thirty and fifty one-hundredths chains to the beginning.

New territory to be added to adjacent wards.

SEC. 2. That the new territory annexed to the corporate limits of Lexington in the boundaries set out in section one shall become part of the wards to which same may be adjacent.

School commissioners and board of education to make contracts for school facilities.

SEC. 3. That the school commissioners of Lexington, and the board of education of Davidson County are authorized and empowered to make such arrangements and agreements, and contracts as in their opinion may seem best for providing school facilities for those children of school age that live outside the present corporate limits of Lexington, and within the territory annexed to said town by this act, and such provisions may be continued from year to year as long as said boards deem necessary for the interest of the children of said territory, and the said provisions may authorize schools for said children to be provided outside of the corporate limits of the town.

Commissioners to provide for public utilities.

SEC. 4. That the board of commissioners of Lexington shall have power and authority to make such arrangements, agreements, and provisions they may deem best for improving and

maintaining the streets, lights, water, and public order in the territory annexed to the town by this act, and to continue such provisions as long as they deem for the best interest of the said annexed territory.

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 3d day of March, A. D. 1919.

CHAPTER 51

AN ACT TO AMEND CHAPTER 20 OF THE PUBLIC-LOCAL LAWS, EXTRA SESSION OF 1913, IN REGARD TO PROSECUTING ATTORNEY FOR THE TOWN OF SPENCER, ROWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter twenty of the Public-Local Laws of the State of North Carolina, Extra Session one thousand nine hundred and thirteen be amended as follows: Chapter 20,
Public-Local Laws
extra session
1913, amended.

In line eight on page twenty-eight be changed as follows: after the word "be" in said line insert the following "appointed by the board of aldermen of the said town at their first regular meeting after their election and installation" instead of the words appearing as follows "elected by the qualified voters of said town in the same manner as is now provided by law for the election of the town officers." City attorney to
be appointed
instead of elected.

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 3d day of March, A. D. 1919.

CHAPTER 52

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:

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 the time that the regular municipal election is held in the city of Statesville in May, one thousand Election to be held
for bonds for
school buildings.

nine hundred and nineteen, or 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 one hundred thousand dollars, for the purpose of erecting an additional building or buildings, providing additional room for the graded schools of the city of Statesville, and paying for repairs and improvements already made. 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 one thousand nine hundred and five and the amendments thereto except that said election may be held at a time other than that prescribed for the holding of the regular municipal election as above provided. 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 and one-half per centum per annum. The principal of said bonds shall be payable at the expiration of thirty years from the date thereof. Said bonds and coupons shall be signed by the mayor of the city of Statesville and countersigned by the clerk and treasurer of said city, and the official seal of said city shall be attached to each bond: *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 schools, and shall be expended by the said school committee only for the following purposes to wit: To pay for the heating plant installed in the school building located in the third ward in the city of Statesville, to pay for the repairs and improvements made or to be made in or on the school buildings located in the first and third wards of the city of Statesville and to better equip same, to erect an additional school building or buildings for the white children of the city of Statesville, and to erect a school building for the negro children of the city of Statesville.

Provisions for conducting election.

Ballots.

Election may be held any time.

City authorities to issue bonds, if election carries.

Denomination and interest rate.

Bonds to run 30 years.

Form and authentication.

Bonds not to be sold for less than par.

Limitation of purposes for which money may be spent.

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 3d day of March, A. D. 1919.

CHAPTER 53

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE STREETS OF THE TOWN OF FARMVILLE, AND AUTHORIZING THE BOARD OF COMMISSIONERS OF SAID TOWN TO SELL BONDS FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of improving and paving the streets of the town of Farmville, as authorized by chapter fifty-six of Public Laws of one thousand nine hundred and fifteen, the board of commissioners of said town is hereby authorized, empowered and directed to issue bonds of the said town to an amount not exceeding one hundred and fifty thousand dollars (\$150,000), in denominations not exceeding one thousand dollars (\$1,000), bearing interest from the date thereof not exceeding the rate of six per cent per annum, with interest coupons attached, payable annually 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 a way, and the principal thereof shall be redeemable at such time, not exceeding thirty years from the date of their issue, as the board of commissioners of said town may determine; said bonds and coupons shall be signed by the mayor of said town and countersigned by the clerk of said board of commissioners, and said bonds shall have upon them the seal of the said town and shall be styled "Street Improvement Bonds."

Bond issue for street improvement authorized.
Denomination, form and rate of interest fixed.
Redeemable at option of commissioners.
Authentication.

SEC. 2. That the commissioners of said town shall levy annually at the time the tax levy for general municipal purposes is made a special tax on all property subject to taxation in said town in addition to the levy already authorized a tax not to exceed twenty cents on the one hundred dollars valuation of all property in said town and sixty cents on each poll to pay the annual interest on said one hundred and fifty thousand dollars worth of municipal bonds and to provide a sinking fund sufficient with the assessments to be collected from the abutting property owners as hereinafter provided, to pay off and discharge said bonds at maturity; said special tax to be collected and accounted for in the same manner as other city taxes are collected and accounted for.

Commissioners to levy special tax.
20 cents on property; 60 cents on poll.
Tax collected and accounted for as other city taxes.

Manner of improvement set out.

SEC. 3. That the streets mentioned in section one of this act shall be paved with concrete, sheet asphalt or bitulithic, as said commissioners shall determine will be for the best interest of said town.

Bonds not to be sold for less than par.

SEC. 4. That none of the bonds issued by authority of this act shall be disposed of by sale, exchange, or otherwise for a less price than their face value; when said bonds are sold the moneys arising from the sale thereof shall be turned over to the treasurer of said town, who shall disburse said moneys only for the purpose set out in this act.

Proceeds to be used for street purposes only.

Abutting property owners to pay two-thirds of cost.

SEC. 5. That two-thirds of the costs of paving said streets mentioned in this act shall be paid by abutting property owners and the same shall constitute a lien on abutting property, one-third the cost to be paid by the property owners on one side of the street and one-third by such property owners on the other side of the street as provided in chapter fifty-six of the Public Laws of one thousand nine hundred and fifteen, the same to be paid in ten equal annual installments with six per cent interest, the same to be paid to the tax collector of the town of Farmville and turned over to the treasurer of said town and kept by him and invested as a sinking fund to be applied on the payment of said bonds when they fall due. The abutting property owners on said streets may pay their assessments in full at any time before maturity, with accrued interest.

Property owners' share to be paid in installments.

Treasurer to invest installments as sinking fund.

Property owners may anticipate installments.

Bonds to be valid obligations.

SEC. 6. That the bonds authorized by this act shall constitute the full, direct and valid obligations of the said town of Farmville, and the resolution for same by the said board of commissioners of the town of Farmville shall be made, published and advertised, and the bonds shall be sold in accordance with the provisions of the "Municipal Finance Act of one thousand nine hundred and seventeen."

Bonds sold in accordance with the Municipal Finance Act.

Conflicting clauses of Municipal Finance Act not to apply.

SEC. 7. That all clauses of the "Municipal Finance Act of one thousand nine hundred and seventeen" in conflict with the provisions of this act are hereby declared not to apply to this act.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 54

AN ACT TO AMEND CHAPTER 158, PRIVATE LAWS OF 1903, RELATING TO THE CORPORATE LIMITS OF THE TOWN OF AHOSSKIE IN HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of the Private Laws of one thousand nine hundred and three, chapter one hundred and fifty-eight be stricken out and the following be inserted in lieu thereof:

Chapter 158,
Private Laws
1903, amended.

"SEC. 2. That the corporate limits of the town shall be as follows, to wit: Beginning at a stob on the Atlantic Coast Line Railroad, eight hundred and seventy feet south of Church Street; thence north 50 degrees and 25 minutes west 2073.4 feet; thence north 8 degrees and 10 minutes west 1063 feet; thence north 39 degrees and 35 minutes east 2200 feet; thence south 71 degrees and 9 minutes east 1710 feet; thence south 50 degrees and 25 minutes east 2248 feet; thence south 1 degree and 40 minutes east 3670 feet; thence south 39 degrees and 35 minutes west 750 feet; thence north 50 degrees and 25 minutes west 3417.5 feet to the first station."

Calls and distances of corporate line.

SEC. 2. That section twenty-four of said chapter one hundred and fifty-eight, Private Laws of nineteen hundred and three be stricken out and the following inserted in lieu thereof:

"SEC. 24. That the commissioners shall have the power not oftener than once a year to impose, levy and collect a tax upon all real and personal property within the corporate limits of the town and upon all polls and other subjects of taxation taxed by the General Assembly for public purposes, not exceeding fifty—cents on the one hundred dollars valuation of property and one dollar and fifty—cents on each poll, the constitutional equation between property and poll being always observed."

Commissioners to levy tax not exceeding 50 cents on property and \$1.50 on poll.

SEC. 3. That the board of town commissioners shall have the power to appoint a board of appraisers and assessors who shall have the power to fix a tax value on all taxable property in the town, real and personal, and to raise or lower the value so as to equalize the tax value on property, and for such purposes, said board shall meet at the mayor's office or some other place designated by them, from ten o'clock A. M. to and until four o'clock P. M., on the first Monday in June of each year, beginning the first Monday in June, nineteen hundred and nineteen, and revise said tax list and hear all complaints of taxpayers, or their agents, as to the overvalue or undervalue of property, the reduction or remission of taxes or any other complaint pertaining to the levy and collection of taxes, and to take such action as they may deem proper and just. The sittings of the said appraisers and assessors may be continued by them from day to day until the said tax list has been completed and revised, which when done the clerk of their boards shall have two copies thereof prepared and shall deliver same to the said board of commissioners at their regular meeting on the first Monday night in July of each year.

Tax assessors to be appointed.

To revise tax list and hear complaints.

Revised tax list to be furnished commissioners.

SEC. 4. That it shall be unlawful for any person, firm or corporation to erect any structure which would be in the line of any street of said town if extended, and any person, firm or corporation violating or attempting to violate the provisions of this act shall be guilty of a misdemeanor and upon conviction

Structures in line of street extension prohibited.

Violation misdemeanor.

Punishment.

shall be fined within the discretion of the court, and further, the said board of town commissioners shall have the power to remove said obstruction at the expense of the owner, unless he consents to remove same within thirty days from the time notified by said board of commissioners.

Previous laws continued in effect.

SEC. 5. That all laws and clauses of laws heretofore constituting the charter of the town of Ahoskie and affecting the government thereof are continued in full force and effect, unless in direct conflict with the provisions of this act.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 55

AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE TOWN OF COATS TO CONVEY CERTAIN REAL ESTATE LOCATED WITHIN THAT TOWN AND DESIGNATED ON THE OFFICIAL MAP AS A CERTAIN PART OF DOOLEY STREET.

Preamble.

WHEREAS, in the early history of the town of Coats, an official map of said town was caused to be registered in the office of the register of deeds of Harnett County in which a certain part of Dooley Street of said town was indicated as dedicated to the public, and

WHEREAS, the said town of Coats, through its legally constituted officers, has never actually accepted said part of Dooley Street, it being that part of Dooley Street extending from the right of way of the Durham & Southern Railroad Company to McKinley Street, and

WHEREAS, with the knowledge and acquiescence of the officers and citizens of said town, numerous persons owning lands adjoining said right of way and street have for years occupied, used, and improved said part of Dooley Street to the great benefit and advantage of the town of Coats, and it is deemed wise that any question as to the title of said lands should be definitely settled:

Now, therefore,

The General Assembly of North Carolina do enact:

Town commissioners authorized to convey part of Dooley Street to bona fide occupants.

SECTION 1. That the board of commissioners for the town of Coats be and they are hereby authorized and empowered, in their discretion, to cause the property or any part thereof designated on the official map of the town of Coats as that part of Dooley Street extending from the Durham & Southern Railroad

Company right of way to McKinley Street, to be conveyed to the bona fide occupants and claimants thereof by deed of said town executed in the name of the town of Coats by its mayor, attested by its clerk and sealed with its common or corporate seal and acknowledged as provided by law for acknowledgment of deeds of corporations.

SEC. 2. That the effect of any such deed shall be to vest in the grantee all the rights, title, interest, estate, and easement of the town of Coats and the public in the lands therein described. Grantee vested with town's title.

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

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 56

AN ACT TO INCORPORATE THE WINTON GRADED SCHOOL DISTRICT, HERTFORD COUNTY, AND PROVIDE FOR BOND ISSUE.

The General Assembly of North Carolina do enact:

SECTION 1. That the following described territory lying and being in Hertford County, Winton Township, bounded as follows, to wit: Beginning on Potecasi Creek at the mouth of Mill Creek or Elm Swamp, thence up said Elm Swamp its various courses to the public road leading from Union to Winton at a bridge near George Collins' home, thence down said road towards Winton to the original Oak Villa farm line, thence leave the road to the south and follow said Oak Villa farm line to the old Moore farm line, thence along the said Moore farm line to the public road from Winton to Cofield, thence along the line between the Moore farm now owned by H. C. Faison and the old Jesse Downs' farm to the head of the Jack Hare mill pond, thence down said mill pond to Hare's mill, thence the mill race to Chowan River, thence up the Chowan River to mouth of the Meherrin River, thence up Meherrin River to mouth of the Potecasi Creeek, thence up Potecasi Creek to mouth of Mill Creek or Elm Swamp at the beginning, be incorporated into and established as a special tax school district and to be known as "Winton Graded School District." Limits defined.

SEC. 2. The following named persons and their successors in office shall constitute the board of trustees for said school district, to wit: H. C. Faison, W. D. Boone, J. A. Shaw, W. H. Lassiter, E. L. Banks, and J. D. Beale, who shall hold office from the date of the election hereinafter provided and until their Board of trustees appointed.

Term of office. successors are elected and qualified. The term of office of the first two above-named shall expire in six years, the term of office of the next two above named in four years, and the last two above named in two years. Whenever the term of office of any class shall expire, as above provided, their successors shall be elected for a term of six years by the qualified voters of the Winton graded school district, at an election to be held in conjunction with and on the same date of and under the same rules and regulations governing elections for mayor and aldermen of the town of Winton in said district. All vacancies on said board shall be filled by the remaining members thereof until the next general election as herein provided.

Board a body corporate. SEC. 3. That the said board of trustees hereby created and their successors in office shall be a body politic and incorporate by the name and style of "Board of Trustees of Winton Graded School District," and by that name shall be capable of receiving gifts and grants, purchasing and holding real estate and personal property, selling and mortgaging and transferring the same, and of prosecuting and defending suits for or against the corporation hereby created.

Powers. SEC. 4. That said board of trustees shall have power to employ all teachers and select all officers necessary for the management of said school, and shall have the power, upon such terms as may seem just, to allow children outside of said territory to attend such school.

Treasurer to be elected. SEC. 5. That said board of trustees shall annually elect a treasurer, who may or may not be a member of said board, who shall have charge of all public school funds and all public school money derived from the state and county for the benefit of said school district together with the money arising from any special tax; and said treasurer shall report to said board monthly, or as he may be required, all receipts and disbursements and vouchers. The money so received by said treasurer shall be held by him to be disbursed only upon the order of said board signed by its chairman and countersigned by its secretary. The said treasurer shall furnish annually to said board a statement in writing of his receipts and disbursements of said school money, properly endorsed and approved by the chairman and secretary of said board. The said treasurer shall receive such compensation, not to exceed fifty dollars annually, as may be agreed upon, and required to give such a bond as may be fixed by said board in an amount sufficient to secure all school money which may at any time come into his hands.

Duties. Compensation. SEC. 6. That the said board of trustees herein provided for shall be authorized and are hereby empowered to issue and sell bonds of said Winton graded school district to an amount

Trustees authorized to issue \$25,000 six per cent 30-year bonds.

not exceeding twenty-five thousand dollars (\$25,000), of such denominations and such proportions as said board may deem advisable, bearing interest from date thereof at a rate not exceeding six per cent per annum, with interest coupons attached and payable annually, said bonds to be of such form and tenor and transferable in such way and the interest thereof payable or redeemable at such time or times, not exceeding thirty years from the date thereof, as the board may determine.

SEC. 7. That the proceeds arising from the sale of said bonds or such part thereof as may be necessary shall be expended by said board in providing, by purchase or otherwise, a suitable site and erecting such a building or buildings thereon as may be required and in furnishing the same with school furniture and other necessary equipments for school purposes in said district. Proceeds to provide site and building, furniture and equipment.

SEC. 8. That none of said bonds shall be disposed of by sale, exchange, hypothecation or otherwise, for less than their par value, nor shall said bonds nor their proceeds be used for any other purpose than that declared in section seven of this act. No bonds to be sold at less than par.

SEC. 9. That no person serving as trustee for said Winton graded school district shall receive any compensation for such service. No compensation to be paid trustees.

SEC. 10. That the said board of trustees herein named shall within ninety days from the ratification of this act, submit to the qualified voters of said district the question of issuing bonds and levying additional school tax. The said trustees shall give thirty days notice of said election by notices posted in four public places in said district. Said board of trustees shall select three of the qualified voters of said district, one of whom they shall appoint registrar and the other two poll holders, to hold said election, and these three shall hold said election and shall be governed in their acts in all particulars 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 printed or written the words "For Bond Issue and Additional Special Tax" or "Against Bond Issue and Special Tax," and the result of the 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 courthouse in Winton in said district; that, if a majority of the qualified voters of said district shall vote at said election "For Bond Issue and Additional Special Tax," it shall be the duty of the board of county commissioners of Hertford County, at their annual meeting for levying state and county taxes next after the passage of this act, one thousand nine hundred and nineteen and annually thereafter, to levy, in addition to all appropriations made, general and special taxes levied for any school funds in any manner Bond issue to be submitted within 90 days. Notice of election. Manner of holding. Form of ballot. Levy of special tax.

- Rate of taxation. whatsoever now accruing to the territory described in section one hereof, a special tax not to exceed fifty cents on the one hundred dollars valuation of all taxable property of said school district and not to exceed one dollar and fifty cents upon each taxable poll. The tax so levied shall be collected as other state and county taxes are collected, and at the time the county taxes are due and collected, and the said collector shall be subject to the same laws governing the collection and settlement of state and county taxes, and shall be subject to the same penalties prescribed by said laws, and shall give a good and sufficient bond to secure all taxes collected, said bond to be approved by the county commissioners, and shall receive as compensation for his services the same fees as are allowed by law for the collection of state and county taxes. Said tax shall be promptly paid over, as collected, to the treasurer herein provided for.
- Collection. **SEC. 11.** That it shall be the duty of the board of 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 for said school district a sum to equal at least four per cent of the principal of said bonds, which shall be kept securely invested or loaned out on first mortgage on real estate worth not less than double the amount of the loan. And it shall be the further duty of said board of trustees to provide for the payment annually of the interest on said bonds, and for that purpose to set apart each year from the taxes collected for said district a sum sufficient therefor.
- Collector to give bond. **SEC. 12.** That all public school funds derived from the state and county and heretofore accruing to the territory described in section one hereof, together with the amounts coming from the additional special tax above provided for, shall be paid by the proper officers to the board of trustees herein provided for, and shall by them be used for the benefit of the schools of said district.
- Compensation. **SEC. 13.** That chapter two hundred and thirty-seven of the Private Laws of one thousand nine hundred and five be and the same is hereby repealed.
- Sinking fund for bonds must be provided. **SEC. 14.** That all acts and deeds of the corporation created under and by chapter two hundred and thirty-seven of the Private Laws of one thousand nine hundred and five be and the same are hereby validated.
- Amount yearly set apart. **SEC. 15.** That no taxes levied or other funds paid for the benefit of the public schools in the territory described in section one of this act are to be in anywise affected by the provisions of this act, and the special tax herein provided for is to be in addition thereto.
- Investment. **SEC. 16.** That chapter two hundred and thirty-seven of the Private Laws of one thousand nine hundred and five be and the same is hereby repealed.
- Payment of interest. **SEC. 17.** That chapter two hundred and thirty-seven of the Private Laws of one thousand nine hundred and five be and the same is hereby repealed.
- Trustees guardians of all school funds. **SEC. 18.** That chapter two hundred and thirty-seven of the Private Laws of one thousand nine hundred and five be and the same is hereby repealed.
- Chapter 237, Private Laws of 1905, repealed. **SEC. 19.** That chapter two hundred and thirty-seven of the Private Laws of one thousand nine hundred and five be and the same is hereby repealed.
- Acts of corporation under Chapter 237, Private Laws 1905, validated. **SEC. 20.** That chapter two hundred and thirty-seven of the Private Laws of one thousand nine hundred and five be and the same is hereby repealed.
- No other school taxes to be affected by act. **SEC. 21.** That chapter two hundred and thirty-seven of the Private Laws of one thousand nine hundred and five be and the same is hereby repealed.

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 from and after its ratification.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 57

AN ACT TO AMEND AND CONSOLIDATE THE CHARTER OF THE TOWN OF WAXHAW, UNION COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the inhabitants of the town of Waxhaw, ^{Name of Waxhaw given to territory within town.} Union County, North Carolina, living within the limits herein-
after described shall be and continue as they have heretofore been, a body politic and corporate, and hereafter the corporation shall bear the name of the town of Waxhaw, and under such ^{Corporate powers.} name and style is hereby invested with title to all property, real and personal, which now belongs to the town of Waxhaw under any other name or names heretofore used, and by this name may acquire and hold for the purpose of its government. welfare and improvement, all such estates as may be devised, bequeathed or conveyed to it; and it may sell, dispose of and invest the same as shall be deemed advisable by the proper authorities of the corporation when said sale or investment is made in accordance with the laws of the State of North Carolina. It may also adopt a common seal, sue and be sued, contract and be contracted with and generally to do any and all acts necessary for the welfare of its inhabitants and the preservation of the property of the citizens residing within its limits.

SEC. 2. That the corporate limits of the said town of Waxhaw, ^{Limits defined.} North Carolina, shall embrace the following territory, to wit: Beginning at Ben Price's northwestern chimney and running thence S. 33¾ W. 49 chains to a pile of stones; thence S. 2½ E. 21.50 chains to an iron pen by a white oak, 20 links distant from said white oak and 32 links from a chimney; thence N. 84½ E. 72 chains to an iron stake; thence N. 27½ E. 25 chains crossing the Seaboard Air Line Railway to a pile of stones; thence N. 21 E. 15.63 chains to a large stone and iron stake; thence N. 47 W. 26.58 chains to a stone on Sandy Ridge township line; thence N. 88½ W. 30.50 chains to the beginning point.

SEC. 3. That all of the powers and privileges conferred by the general law of the State of North Carolina on municipalities shall be and is hereby conferred upon the town of Waxhaw and ^{General law governing municipalities made applicable.}

- Government. the administration of the government of said town shall be exercised and vested in a principal officer styled the mayor and five commissioners who shall be designated as the town council, the said mayor and commissioners to be elected biennially, and at the times provided for and in the same manner as is prescribed by the general laws of the state for electing officers for municipalities.
- Other officials and manner of selection. SEC. 4. The said commissioners shall have the power and it shall be their duty to elect a chief of police, a tax collector, a clerk to the board and treasurer and such additional officers as shall be deemed necessary for the proper protection of the citizens and the property of the town or the carrying on and looking after the interest and welfare of the town. One person may hold any number of said positions and the secretary, treasurer and clerk of the town may be chosen from the board of commissioners or from the citizens of the town.
- Qualification of mayor and commissioners. SEC. 5. That the board of commissioners and mayor shall be elected from the citizens of the town of Waxhaw irrespective of what portion of the town they may reside in.
- Oath taken by all officers. SEC. 6. That all the officers elected or appointed shall, before entering upon the discharge of his duties, take the oath prescribed by the general law and execute such bond as is prescribed by the board of commissioners.
- Salaries of mayor and commissioners. SEC. 7. That the board of commissioners shall fix the salary of the mayor not to exceed fifty dollars per year to be paid out of the town treasury and shall also fix their own salaries not to exceed twenty-five dollars per year, and in case a vacancy shall occur in the office of mayor or the board of commissioners, the board of commissioners shall fill said vacancy until the next general election of officers for said town.
- Vacancy in office of mayor.
- Mayor a presiding officer with vote in case of tie. SEC. 8. The mayor shall preside at all meetings of the board of commissioners, and in case an equal division of the votes of the commissioners on any subject to be decided by them shall cast the deciding vote, but otherwise shall have no vote in passing on any matter before them. In the absence of the mayor it shall be the duty of the board of commissioners to select one of their number to preside over their meetings, who shall be designated mayor pro tem.
- Powers of board of commissioners. SEC. 9. The board shall meet at such time and place as they may see fit, and shall have power to make and provide for the execution thereof, such ordinances, by-laws, rules and regulations for the good government of the town, the health and security of its citizens, the protection of their property and rights as they may deem proper and necessary for such purposes, not inconsistent with the laws of the state.
- Limit of municipal tax. SEC. 10. The board of commissioners may annually levy and cause to be collected for municipal purposes a tax not exceeding

one dollar on the one hundred dollars, and three dollars on each poll on all persons and property within the corporation, which may be liable to taxation for state and county purposes.

SEC. 11. That the board of commissioners shall have power to lay out, open and name any street or streets within the corporate limits of said town whenever by them deemed necessary, and shall have power to widen, enlarge, change the grade of, extend or discontinue any street or streets or any part thereof within the corporate limits and shall have full power and authority for the purposes herein expressed to condemn, appropriate or use any land or lands within said town upon making reasonable compensation to the owner or owners thereof, and in case the owner or owners of any land which shall be condemned, appropriated or used under the provisions of this act, and the board of commissioners shall fail to agree upon the compensation for such land, the matter shall be settled by arbitrators, who shall be freeholders and residents of said town, and shall be chosen by the parties, one by the commissioners and the other by the owner of said land, and in case the owner of such land shall fail or refuse, upon notice given, to choose such arbitrator, then the mayor of said town shall select one in his stead, and in case the two chosen as aforesaid cannot agree, they shall select an umpire whose duty it shall be to examine the land to be condemned and ascertain the damages sustained and the benefit accruing to the owner in consequence of the change, and the award of the arbitrators and umpire, or any two of them, shall be conclusive of the rights of the parties, and shall vest in the town of Waxhaw the right to use the land for the purpose herein specified; and all damages agreed upon by the parties or is awarded by the arbitrators in case of disagreement, shall be paid from the town treasury as other liabilities; *Provided*, that either party may appeal to the Superior Court, as now provided by law.

Commissioners given control of streets.

Eminent domain.

Settlement of damages.

If owner refuses, mayor may choose arbitrator.

Umpire.

Award.

Proviso: right of appeal secured.

SEC. 12. That should it be decided that any of the other provisions of this act are unconstitutional and invalid, it is the intention of this General Assembly that section two of this act shall not thereby be affected, but shall remain in full force and effect.

Section 2 not affected by unconstitutionality of others.

SEC. 13. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 14. That this act shall be in full force and effect from and after December thirty-first, one thousand nine hundred and nineteen.

Act effective Dec. 31, 1919.

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 58

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF BLACK CREEK, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Limits extended.

SECTION 1. That section four of chapter one hundred and four, of the Private Laws of one thousand eight hundred and seventy be, and the same is hereby amended by striking out the words "one-half" in the second line of the said section, and inserting in lieu thereof the words "three-fourths"; and by striking out the words "one-fourth" in line four of said section and inserting in lieu thereof the words "three-eighths."

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 59

AN ACT TO VALIDATE THE ISSUANCE OF BONDS FOR THE PURPOSE OF BUILDING, REBUILDING AND REPAIRING SCHOOLHOUSES AND FURNISHING THE SAME WITH SUITABLE EQUIPMENT IN CALYPSO SPECIAL TAX DISTRICT IN DUPLIN COUNTY.

PREAMBLE

Preamble.

WHEREAS, on the seventh day of January, one thousand nine hundred and eighteen, a petition was filed by the board of education of Duplin County, with the board of County commissioners of said county, praying that an election be ordered in Calypso special tax district, Duplin County, to ascertain whether or not the voters in said district were in favor of issuing bonds in the sum of \$16,000 for the purpose of building, rebuilding and repairing schoolhouses and furnishing the same with suitable equipment; and

WHEREAS, in consequence of said petition, the board of county commissioners ordered an election to be held on the twenty-sixth day of February, one thousand nine hundred and eighteen, under the rules and regulations governing elections in special tax districts, as provided by section four thousand one hundred and fifteen of the Revisal of one thousand nine hundred and five and under chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen; and

WHEREAS, pursuant to the order of the board of county commissioners aforesaid, an election was held in said Calypso special

tax district, after notice of election published as required by law, and with a new registration of the voters of said district on the twenty-sixth day of February, one thousand nine hundred and eighteen, when, under the new registration, there were ninety-two duly qualified electors and at which election seventy-seven ballots were cast for "Schoolhouse Bonds" and no ballots were cast "Against Schoolhouse Bonds," which said election was in all respects regularly held and conducted in compliance with the provisions of the statutes, under which it had been ordered; and

WHEREAS, upon a canvass and return of the result of said election, as required by law, it was ordered by the board of county commissioners of Duplin County, in regular session at Kenansville, on the first Monday in April, one thousand nine hundred and eighteen, that a majority of the qualified voters of the said Calypso special tax district had declared in favor of the issuance of the bonds, as provided in the former order of the board; and

WHEREAS, the board of county commissioners ordered said bonds to be issued, bearing date May first, one thousand nine hundred and eighteen, payable serially on the first day of May of each year, one thousand nine hundred and nineteen to one thousand nine hundred and thirty-eight inclusive, none of said bonds running for more than twenty years from their date, and ordered levied a tax of thirty cents on the one hundred dollars valuation of real and personal property and ninety cents on each taxable poll, to be levied annually for the purpose of paying the interest and retiring the principal thereof at maturity, said order directing the signing of the bonds and their delivery to the board of education, of Duplin County, as provided by chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen aforesaid; and

WHEREAS, the said board of education of Duplin County advertised the said bonds to be sold on the fifth of August, one thousand nine hundred and eighteen, at twelve o'clock noon, and which bonds were sold on said date at a price above par; and

WHEREAS, upon inspection of the Record, it was found that in reporting the results of said election, the registrar and poll holders had failed to report that a new registration was had, as required by the statute, though as a matter of fact, such registration was duly held; and

WHEREAS, it was found upon investigation, that the notice of sale to bond buyers was not published a full period of thirty days, as required by chapter one hundred and forty-seven and one hundred and seventy-four of the Public Laws of one thousand nine hundred and seventeen, but was published regularly in each issue of the Duplin Record, a paper published in Duplin

County, beginning with the issue of July eighteenth, prior to the sale on August fifth, at which time the bid to the party declared to be purchaser, was, as hereinbefore cited, above par, and is in all respects satisfactory and was accepted by the board of education; and

WHEREAS, by a provision of chapter fifty-five of the Laws of one thousand nine hundred and fifteen, aforesaid, the bonds authorized to be issued thereunder by the county commissioners, were to be retired both as to principal and interest by the creation of a sinking fund, with the money collected from a tax as in said law provided, and does not explicitly provide for the periodical maturities of the bonds as ordered and authorized by the board of county commissioners of Duplin County, as aforesaid, and authorized the investment of the sinking fund in any solvent bank on interest at four per cent; and

WHEREAS, the board of county commissioners of Duplin County are uncertain as to their authority to issue bonds maturing periodically and to pay the same out of the sinking fund to be created, as they become due:

Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the bonds of the Calypso special tax district of Duplin County heretofore authorized to be issued, be and the same are hereby in all respects ratified, approved and confirmed, and are hereby declared to constitute valid and binding obligations of the said county of Duplin on behalf of the said Calypso special tax district.

SEC. 2. That the sale of the said bonds by the board of education of Duplin County, as recited in the preamble to this act, is hereby in all respects ratified, approved and confirmed, and the board of county commissioners of Duplin County are hereby authorized, directed and required to issue the said bonds as originally provided by the board of commissioners and recited in the preamble of this act, and deliver the same to the board of education of Duplin County for delivery to the purchaser.

SEC. 3. That the proceedings and all actions heretofore had by the representatives of Duplin County and of Calypso special tax district, relating to the issuance, advertisement and sale of said bonds be and the same are hereby in all respects ratified, validated and approved.

SEC. 4. That this act shall become effective from and after its ratification.

Ratified this the 3d day of March, A. D. 1919.

Bonds ratified
and validated.

Sale of bonds
approved.

All other actions
relating to bonds
validated.

CHAPTER 60

AN ACT TO AMEND CHAPTER 97 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION 1909, AND PROVIDE FOR THE ELECTION OF THE TRUSTEES OF THE ENFIELD GRADED SCHOOLS BY VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section two, chapter ninety-seven, of the Private Laws of North Carolina, session one thousand nine hundred and nine, be stricken out and the following inserted in lieu thereof: "That at the general election to be held in one thousand nine hundred and twenty, and at the general election every four years thereafter, there shall be elected by the voters of Enfield graded school district seven electors, residents of said graded school district, as trustees, who, when elected, shall constitute "The Board of School Trustees of Enfield," as provided in section two, chapter eighty-five, of the Private Laws of North Carolina, session one thousand nine hundred and one; and said electors shall hold their office as such trustees until their successors are elected and qualified, and shall be vested with all the powers conferred on said "The Board of School Trustees of Enfield" by chapter eighty-five of the Private Laws of one thousand nine hundred and one, and the amendments thereto.

Trustees to be elected every four years.

SEC. 2. That the present board of school trustees of Enfield shall hold their office as such trustees until their successors are elected, as provided in section one hereof, and qualified.

Present trustees to serve until successors are chosen.

SEC. 3. That at said election of said trustees every voter residing within the boundaries of the Enfield graded school district and entitled to vote at the general election shall be entitled to vote for said trustees.

Qualification of voters.

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 3d day of March, A. D. 1919.

CHAPTER 61

AN ACT TO PROVIDE FOR AN ELECTION TO REPEAL THE INCORPORATION OF THE TOWN OF MARBLE, CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That upon written petition submitted to the board of county commissioners of Cherokee County within six months after the next general election, there shall be called an election to be called upon petition of one-fifth of voters.

months after the ratification of this act and signed by one-fifth of the qualified voters of the town of Marble, Cherokee County, requesting an election to determine whether or not the charter of said town shall be repealed, the said board of county commissioners shall order an election to be held in the town of Marble at some time not earlier than thirty days after the date of said order.

Conduct of election.

SEC. 2. That said election shall be held and conducted in the same manner and under the same requirements of law as are now in force or hereafter prescribed by law for holding elections for members of the General Assembly; *Provided*, that the said board of county commissioners shall appoint registrars of election and judges of election. The votes shall be counted at the close of the polls and the return of said election made to the said board of county commissioners at its first regular meeting next following the election, and the 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.

Repeal of charter.

SEC. 3. That if the majority of the votes cast shall be in favor of repealing the charter of the town of Marble then the same, being chapter seventeen of the Private Laws of one thousand, nine hundred and eleven, shall be repealed as of the date of the declaration by the board of county commissioners of the result of the vote.

Collection of taxes and debts.

SEC. 4. That all taxes and debts then due to the town of Marble, Cherokee County, shall be collected by the proper officials who may retain from such collections such fees as may be allowed by law, and said collections shall be deposited in the treasury of said town. All debts of said town shall be paid out of the public funds of said town and all funds remaining in the treasury after the payment of said debts shall be turned over to the Marble school district.

Payment of debts.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 62

AN ACT TO AUTHORIZE THE TOWN OF AHOSKIE, IN HERTFORD COUNTY, TO ISSUE BONDS AND TO LEVY A SPECIAL TAX FOR WATERWORKS.

The General Assembly of North Carolina do enact:

Limit of bonds.

SECTION 1. That the board of commissioners of the town of Ahoskie is hereby authorized and empowered to issue bonds in

the name of the town of Ahoskie, in such denominations and forms as it may determine, to an amount not exceeding fifty thousand dollars, payable at such time or times and at such place or places as the said board of commissioners may prescribe; *Provided*, that the time of payment of such bonds shall not be ^{Maturity.} more than forty years from that date.

SEC. 2. That the said bonds shall bear interest at no greater ^{Rate of interest.} rate than six per centum per annum and the interest shall be payable annually or semiannually as the board of commissioners may prescribe, and said bonds shall in no case be sold, hypothecated or otherwise disposed of for less than their par value. ^{Not to be sold at less than par.}

SEC. 3. That the said bonds shall be signed by the mayor, ^{Form of bonds.} attested by the town clerk and sealed by the corporate seal of the town, and shall have interest coupons attached thereto, and the coupons shall be receivable in payment of town taxes. That ^{Commissioners directed to levy tax for sinking fund.} for the purpose of paying said bonds at maturity and said coupons as they become due, it shall be the duty of the board of commissioners, and they are hereby empowered to do so, to levy and collect each year a sufficient special tax upon all subjects of taxation which are now or may hereafter be embraced in the subjects of taxation upon the charter of said town, and at the time and in the manner as other taxes are collected under said charter; *Provided*, that the total rate of taxation allowed for ^{Limit of tax rate.}

the special purposes set forth in this act shall not exceed seventy-five cents on each one hundred dollars valuation of property and two dollars and twenty-five cents on each poll; *Provided further*, that the taxes collected under this act shall be used exclusively for the purpose of paying said bonds and interest coupons as they may become due, and it shall be the duty of the ^{Report of cancellation.} town treasurer as said coupons are taken up and paid off to cancel the same and to report not less than twice a year to the board of commissioners the number and amounts of the coupons cancelled.

SEC. 4. That the board of commissioners shall not issue said ^{Bond issue to be submitted to voters.} bonds, nor any of them, nor levy and collect said tax until they shall have been authorized and empowered to do so by a majority of the qualified voters of said town at an election to be held at such time as the board may appoint, of which election notice shall be given not less than twenty days in some newspaper published in said town; and at such election those favoring the issue of said bonds and the levy and collection of the tax for the payment of said bonds and coupons shall vote a ballot upon which is written or printed the words "For Bonds for ^{Form of ballot.} Waterworks," and those opposing same shall vote a written or printed ballot containing the words "Against Bonds, for Waterworks." Said election shall be held under the same rules ^{Conduct of election.} and regulations as elections for mayor and other town officials:

New registration. *Provided*, that the board of commissioners may in its discretion order a new registration of voters: *Provided further*, that a failure of the voters to ratify this act in any election held as aforesaid shall not prevent the board of town commissioners in its discretion to cause a subsequent election to be held for the same purpose: *Provided further*, that in any call for an election to be held under this act the board of commissioners shall specify the amount of bonds to be issued, and it shall be unlawful for said board to issue any bonds in excess of the amount so specified.

Subsequent elections.

Purpose to which proceeds may be applied. SEC. 5. That the said bonds and the proceeds arising from the sale of the same shall be used by the board of commissioners, first, for the constructing, completing and operating and equipping a system of waterworks and sewerage, and then if any surplus moneys remain the said board of commissioners may use same for such other improvements in said town as they may deem necessary and proper: *Provided*, that the purchasers of said bonds shall in no respect be held responsible for the application of said bonds.

Act effective when ratified by voters. SEC. 6. That said commissioners are hereby invested with full power to put this act in effect when the same shall have been adopted by a vote of a majority of the qualified voters of said town as hereinbefore mentioned and provided for.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 63

AN ACT TO AUTHORIZE THE TOWN OF AHOSKIE, IN HERTFORD COUNTY, TO ISSUE BONDS AND TO LEVY A SPECIAL TAX FOR STREET PAVING.

The General Assembly of North Carolina do enact:

Limit of bonds. SECTION 1. That the board of commissioners of the town of Ahoskie is hereby authorized and empowered to issue bonds in the name of the town of Ahoskie, in such denominations and forms as it may determine, to an amount not exceeding fifty thousand dollars, payable at such time or times and at such place or places as the said board of commissioners may prescribe: *Provided*, that the time of payment of such bonds shall not be more than forty years from that date.

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

Rate of interest.

Terms of sale.

SEC. 3. That the said bonds shall be signed by the mayor, Form of bonds. attested by the town clerk and sealed by the corporate seal of the town, and shall have interest coupons attached thereto, and the coupons shall be receivable in payment of town taxes. That Commissioners directed to levy tax for sinking fund. for the purpose of paying said bonds at maturity and said coupons as they become due, it shall be the duty of the board of commissioners, and they are hereby empowered to do so, to levy and collect each year a sufficient special tax upon all subjects of taxation which are now or may hereafter be embraced in the subjects of taxation upon the charter of said town, and at the time and in the manner as other taxes are collected under said charter: *Provided*, that the total rate of taxation allowed for the Limit of tax rate. special purposes set forth in this act shall not exceed seventy-five cents on each one hundred dollars valuation of property and two dollars and twenty-five cents on each poll: *Provided further*, that the taxes collected under this act shall be used exclusively for the purpose of paying said bonds and interest coupons as they may become due, and it shall be the duty of the town treasurer as said Report of cancellation. coupons are taken up and paid off to cancel the same and to report not less than twice a year to the board of commissioners the number and amounts of the coupons cancelled.

SEC. 4. That the board of commissioners shall not issue said Bond issue to be submitted to voters. bonds, nor any of them, nor levy and collect said tax until they shall have been authorized and empowered to do so by a majority of the qualified voters of said town at an election to be held at such time as the board may appoint, of which election notice shall be given not less than twenty days in some newspaper published in said town; and at such election those favoring the issue of said bonds and the levy and collection of the tax for the payment of said bonds and coupons shall vote a ballot upon which is written or printed the words "For Bonds for Paving," Form of ballot. and those opposing same shall vote a written or printed ballot containing the words "Against Bonds for Paving." Said election shall be held under the same rules and regulations as elections for mayor and other town officials: *Provided*, that the board of New registration. commissioners may in its discretion order a new registration of voters; *Provided further*, that a failure of the voters to ratify this act in any election held as aforesaid shall not prevent the board of town commissioners in its discretion to cause a subsequent election to be held for the same purpose: Subsequent elections. *Provided further*, that in any call for an election to be held under this act the board of commissioners shall specify the amount of bonds to be issued, and it shall be unlawful for said board to issue any bonds in excess of the amount so specified.

SEC. 5. That the said bonds and the proceeds arising from the Purposes to which proceeds may be applied. sale of same shall be used by the board of commissioners, first, for street paving and then if any surplus moneys remain the

said board of commissioners may use same for such other improvements in said town as they may deem necessary and proper: *Provided*, that the purchasers of said bonds shall in no respect be held responsible for the application of said bonds.

Act to be made effective when ratified by people.

SEC. 6. That said commissioners are hereby invested with full power to put this act in effect when the same shall have been adopted by a vote of a majority of the qualified voters of said town as hereinbefore mentioned and provided for.

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

Ratified this the 3d day of February, A. D. 1919.

CHAPTER 64

AN ACT TO EMPOWER THE COMMISSIONERS OF THE TOWN OF HERTFORD TO SELL THE WATER, SEWERAGE AND ELECTRIC LIGHT SYSTEM AND ICE PLANT BELONGING TO SAID TOWN.

The General Assembly of North Carolina do enact:

Authority given for sale.

SECTION 1. That the commissioners of the town of Hertford be and they are hereby authorized and empowered to sell the water, sewerage, and electric light system and the ice plant belonging to the town of Hertford under the plans hereinafter set out.

Consideration of offers.

SEC. 2. That whenever an office to purchase the water, sewerage and electric light system, and the ice plant is made to the commissioners of the town of Hertford, and the said commissioners deem the sale for the best interest of the town, the said commissioners shall cause the said offer in detail, together with the terms of sale and the franchise to go with same, to be published in some newspaper published in the county for a period of thirty days of four successive weeks, and a copy of same to be posted at the courthouse door and three other public conspicuous places in said town, which said notice shall also contain a notice to the citizens of the town of the right to object to said sale or ask a vote of the people on same.

Advertisement.

Completion of sale.

SEC. 3. If at the expiration of thirty days no protest or demand for a vote is made by twenty-five citizens of the town then the said commissioners of the town of Hertford may complete the sale upon the terms and conditions set out in the notice; if, however, as many as twenty-five of the citizens of the said town shall object or demand the vote of the people, which demand shall be in writing and filed with the mayor, then the said commissioners shall not have the right to make the sale without first submitting the question of sale to the

Submission of question to voters.

qualified voters of said town at an election to be held not later than sixty days after the first regular meeting of the commissioners of the said town, after the demand for an election is filed.

SEC. 4. Any election called hereunder shall be held under the same rules and laws governing any election for mayor and commissioners of said town, and due and full notice of the time, place, and the question to be voted on shall be given. Conduct of election.

SEC. 5. At any election held hereunder all those voters in favor of the proposed sale shall cast a ballot containing the words "For sale of plants" and those opposed to said sale shall cast a ballot containing the words "Against sale of plants." If the majority of qualified votes cast at any election held hereunder shall be in favor of the proposed sale then the said commissioners shall have the right to complete the sale on the terms and conditions voted on; if a majority of the votes cast at any election held hereunder be against the sale of the plants, then the said commissioners shall not have the right to complete the sale; if the proposal for sale is voted down at any election hereunder, then no other election shall be held within twelve calendar months thereafter, and no proposal for the sale of said plant shall be considered by the said commissioners sooner than ten calendar months thereafter. No election within twelve months of unsuccessful election.

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

Ratified this the 3d day of March, A. D. 1919.

CHAPTER 65

AN ACT TO AUTHORIZE THE TOWN OF MARS HILL, NORTH CAROLINA, TO ESTABLISH A WATER AND SEWERAGE, LIGHT AND POWER SYSTEM AND LAY OUT, BUILD AND IMPROVE STREETS AND SIDEWALKS.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor and board of aldermen of the town of Mars Hill, North Carolina, are hereby authorized and empowered to lay out, construct and put in operation and maintain same, a system of waterworks and sewerage in said town, and own and operate same as a municipal enterprise for the purpose of furnishing water for the residents of said town, and for the purpose of sewerage. Town authorities empowered to construct water-works and sewerage system.

SEC. 2. That in order to facilitate the creating and establishing the waterworks and sewerage system mentioned in paragraph one, the said mayor and board of aldermen shall have the right to condemn any land that may be necessary for the use and operation of said system and to empty the sewerage into Gabriel's Eminent domain.

Creek, at any place or places that may be necessary for the operation of said sewerage system.

Water rent to be fixed at reasonable price.

SEC. 3. That said mayor and board of aldermen of the town of Mars Hill, North Carolina, are hereby authorized and empowered to fix the water rent at a reasonable price which shall be paid by the citizens and residents of said town to the corporation, and the said mayor and board of aldermen are hereby authorized and empowered, and it shall be their duty to force citizens and residents of the said town to connect their buildings with the sewerage system in such a way as to get the full benefit of the sewerage system whenever it shall have appeared to the said mayor and board, on account of sanitary conditions, to be for the best interest of the residents of said town and promote better sanitary conditions in the town.

Duty of town to force connection.

Town authorities empowered to construct streets and sidewalks.

SEC. 4. That the said mayor and board of aldermen are hereby authorized and empowered to lay out and construct and improve streets and sidewalks in the said town and condemn lands necessary for the construction of streets or sidewalks under the laws providing for such condemnation, and shall have authority and the power to assess and apportion the cost of the construction of any street or sidewalk constructed, repaired or improved between the town and the lot or lots abutting thereon, and may assess one-fourth of the cost against each abutting property holder and the remainder against the town, that is to say, may assess one-half the cost on the lots abutting and one-half upon the town. The amount of the assessments against the abutting lots of the streets or sidewalks so improved as herein provided being estimated and ascertained by the board of aldermen and mayor, shall be a lien on such lots and shall be entered upon the minutes of the records of said board and if the same is not paid within ninety days after notice to the owner, or his agent, the treasurer of the said board shall issue execution against said lot or lots directed to a policeman of the town who shall advertise the said lots under such rules and regulations as are now and may hereafter be provided by the ordinances of the said town for the sale of real estate for taxes, and shall sell the same and convey the property as other lands sold for taxes.

Assessment of owners of abutting property.

Assessment a lien on property.

Sale of lots under execution.

Appeal from assessment.

SEC. 5. That any person whose land has been assessed as provided above, who is dissatisfied with the assessment shall file his petition before the mayor of said town within thirty days after the notice to him of the said assessment, setting forth his grounds of objection, and the mayor shall hear the same and render his judgment thereon from which judgment either the petitioner or the board of aldermen may appeal to the Superior Court in the same way and manner as appeals are allowed from justice of the peace, and the trial in the Superior Court shall be de novo.

SEC. 6. That the said mayor and board of aldermen of the town of Mars Hill shall have full power and authority to buy, conduct and operate an electric light plant or system, and furnish lights for the streets, public buildings, and lights and power to its citizens and residents if the said board deemed it proper, and shall have power and right to do all and anything necessary to carry out and complete such system and may condemn property under the rules provided in this bill for the condemnation of property for other purposes, etc., and put a reasonable price for the use of said lights to its residents.

Town authorities empowered to build or buy and to operate lighting system.

SEC. 7. That for the purpose of carrying out the provisions of this bill the mayor and board of aldermen of the town of Mars Hill shall have the right to levy a special tax for that purpose on the property of said town and on the polls of the citizens which levy shall be in addition to the powers and authority already possessed by the said town.

Special tax levy authorized.

SEC. 8. That the said mayor and board of aldermen of said town in order to create and establish either a water and sewerage system, or lay out, create and improve streets and sidewalks, or establish a light and power system, may issue bonds to run not longer than the period of ten years, and not to a greater amount than ten thousand dollars (\$10,000), nor a higher rate of interest than six per cent interest, payable annually or semi-annually, and sell same at not less than par after advertising the sale in some reliable newspaper calculated to give public notice of not less than thirty days, and apply the proceeds to the construction of such enterprises.

Bond issue not to exceed \$10,000 authorized.

SEC. 9. The said mayor and board of aldermen are hereby authorized and empowered to enter into a contract with any individual or individuals, or corporations to construct, establish and maintain a water and sewerage system or a light and power system, or both, as is provided in this bill for the construction of same, which person, company, or corporation shall have the same power to own and maintain the system when constructed for the period of years mentioned in the contract, and receive the benefits and emoluments of same with all powers of construction, maintenance and the enforcement of the use of the same as the said town of Mars Hill would have if it had constructed and owned the same, and it would be the duty of the said town to assist in the enforcement of the provisions relating to the use by the said residents of the town, that is, to assist private owners in enforcing the regulations provided in this bill.

May contract for water and sewerage or lighting system.

Enforcement of regulations.

SEC. 10. That the said mayor and board of aldermen shall have right and power to contract or employ the construction of the said water and sewerage system, or the light and power system, or the laying out, establishing and improving the streets and sidewalks of said town, and pledge the faith of the said town for payment of same.

To pledge faith of town for payment.

Vested with full powers.

SEC. 11. That the said mayor and board of aldermen shall have power and right to do all and anything necessary to empower and enable them to construct and operate any of the enterprises mentioned in this act.

SEC. 12. That the provisions and powers mentioned will not prevent or hinder the said mayor and board of aldermen or take away from them any general or special laws that would enable them to construct and maintain the enterprises mentioned herein.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 66

AN ACT TO AMEND CHAPTER 267, OF THE PRIVATE ACTS OF 1891, INCORPORATING THE TOWN OF WHITEVILLE, COLUMBUS COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Elections to be held biennially.

SECTION 1. That section three, chapter two hundred and sixty-seven, Private Acts of one thousand eight hundred and ninety-one, be and the same hereby is amended by striking out the word "annually" in line three of said section and inserting in lieu thereof the word "biennially."

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

SEC. 3. That this act shall take effect from and after the first day of June, one thousand nine hundred and nineteen.

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 67

AN ACT TO REPEAL CHAPTER 69 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION OF 1913.

The General Assembly of North Carolina do enact:

Act creating police court for Waynesville repealed.

SECTION 1. That all of chapter sixty-nine, Private Laws of North Carolina, session of one thousand nine hundred and thirteen, is hereby repealed.

SEC. 2. This act shall be in full force and effect from and after the first day of May, one thousand nine hundred and nineteen.

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 68

AN ACT TO AMEND CHAPTER 219 OF THE PRIVATE LAWS OF NORTH CAROLINA OF THE SESSION OF THE GENERAL ASSEMBLY OF 1907, RELATIVE TO TRUSTEES OF ABERDEEN GRADED SCHOOL

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter two hundred and nineteen of the Private Laws of the General Assembly of one thousand nine hundred and seven, be and is hereby repealed and the following substituted in lieu thereof: "On the third Tuesday in March, one thousand nine hundred and nineteen, six trustees shall be elected for the Aberdeen graded school district, by the qualified voters thereof; two for the term of three years; two for the term of two years, and two for the term of one year; and as these terms of office expire, their successors shall be elected for terms of three years each, at an election to be held in said graded school district annually on Tuesday after the first Monday in May. All such elections shall be held under the laws, rules and regulations governing state, county, and municipal elections."

Election of trustees provided for.

Terms of office.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 69

AN ACT TO AUTHORIZE THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF CLAYTON TO SELL A TRACT OF LAND BELONGING TO SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor and board of commissioners of the town of Clayton be and they are hereby authorized and empowered to sell to the highest bidder that tract of land containing six and four-tenths acres, conveyed by C. W. Horne and others to the town of Clayton, by deed dated August eleventh, one thousand nine hundred and fifteen; said tract of land is known as a part of the W. B. Penny land.

Land described.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 70

AN ACT TO AMEND CHAPTER 343, PUBLIC-LOCAL LAWS OF 1911, RELATING TO RECORDER'S COURT OF PLYMOUTH, WASHINGTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section eight of chapter three hundred and forty-three of the Public-Local Laws of one thousand nine hundred and eleven by striking out subsections (a) and (b) of said section.

Recorder's Court abolished.

SEC. 2. Amend said chapter by striking out section fourteen.

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

Powers of mayor restored.

SEC. 4. That all the powers and duties of the mayor of the town of Plymouth in force and existing prior to the enactment of chapter three hundred and forty-three of the Public-Local Laws of one thousand nine hundred and eleven, are hereby restored.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 71

AN ACT TO ENFORCE THE BETTER OBSERVANCE OF SUNDAY IN THE TOWN OF GOLDSTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Unlawful to engage in business on Sunday.

SECTION 1. That it shall be unlawful for any person, firm, or corporation, whether tradesmen, artificer, planter, laborer, merchant, storekeeper or druggist, including soft-drink stands, to sell, offer to sell, or keep his place of business open for the purpose of sale, or in any way engage in trade or traffic, or in the ordinary calling of business vocations on Sunday in the town of Goldston, North Carolina, works of necessity and charity alone excepted, which are to include the selling of medicine for the sick, administering to the necessities of those burying their dead, feeding the hungry where preparations on the previous day could not be made for reasons which are construed to mean providential hindrances.

Exceptions.

Penalty.

SEC. 2. That any person so offending, individually, or as the agent of any firm or corporation, 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 act are hereby repealed.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 72

AN ACT TO VALIDATE CERTAIN ACTS OF THE TRUSTEES AND OTHER OFFICERS OF GUILFORD COLLEGE.

WHEREAS, the General Assembly of North Carolina in the year Preamble. one thousand eight hundred and eighty-nine passed an act, being chapter eighteen of the laws of that session, entitled "An act to amend chapter forty-five of the laws of one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-four, entitled 'An act to incorporate the trustees of New Garden Boarding School in the county of Guilford'; and

WHEREAS, the said General Assembly in one thousand nine hundred and five passed "An act amendatory to the charter of Guilford College" being chapter one hundred and twenty-seven of the laws of that session; and

WHEREAS, said chapter forty-five of the acts of one thousand eight hundred and thirty-three and one thousand eight hundred and thirty-four hereinbefore referred to had expired by limitation before the said acts of one thousand eight hundred and eighty-nine and of one thousand nine hundred and five amending the same were passed; and

WHEREAS, notwithstanding the premises, the trustees and other officials of said institution have, pursuant to the said act of one thousand eight hundred and thirty-three and one thousand eight hundred and thirty-four and the two acts above referred to amendatory thereof, continued to do and perform certain acts necessary and proper to be done by them in order to conduct the business of the said college:

The General Assembly of North Carolina do enact:

SECTION 1. That the official acts of the trustees and other officers of "The trustees of New Garden Boarding School in the county of Guilford," now Guilford College, done pursuant to chapter forty-five of the acts of one thousand eight hundred and thirty-three and one thousand eight hundred and thirty-four above referred to, and pursuant to chapter eighteen of the acts of one thousand eight hundred and eighty-nine above referred to, and done pursuant to chapter one hundred and twenty-seven of the acts of one thousand nine hundred and five above referred to,

Official acts of trustees at New Garden Boarding School ratified and validated.

be and the same are hereby ratified, confirmed and validated and declared to be valid, effectual and binding to the same extent as if the said chapter forty-five of the acts of one thousand eight hundred and thirty-three and one thousand eight hundred and thirty-four had not expired by limitation when the said amendatory acts were passed.

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 73

AN ACT TO AMEND SECTION 9 OF CHAPTER 146 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION 1897, PROVIDING FOR THE ELECTION OF THE MAYOR OF THE TOWN OF ENFIELD BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

Chapter 146,
Private Laws
1897, amended to
provide for
election of mayor.

SECTION 1. That section nine of chapter one hundred and forty-six, Private Laws of North Carolina, session one thousand eight hundred and ninety-seven, be and the same is hereby amended by striking out all of said section down to and including the word "qualifies," and inserting in lieu thereof, the following, "that at the time provided for the election of the commissioners of said town, there shall be elected by the voters thereof a mayor, who shall hold this office for the term of two years, and until his successor is elected and qualifies."

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

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

Ratified this the 4th day of March, A. D. 1919.

CHAPTER 74

AN ACT TO INCORPORATE THE BURKEMONT TURNPIKE COMPANY.

The General Assembly of North Carolina do enact:

Corporation
created.

SECTION 1. That A. M. Kistler, J. M. Mull, W. C. Ervin, I. T. Avery, and Joel Walker and such other persons as may hereafter be associated with them by the purchase of stock in the corporation hereby created, are hereby created a body politic and corporate under the name of "Burkemont Turnpike Company," and

Succession.

by that name shall have succession for sixty (60) years, may sue and be sued, adopt and use a common seal and have and enjoy all and singular the rights and powers conferred upon corporations by chapter twenty-one of the Revisal of one thousand nine hundred and five and the acts amendatory thereof.

Rights and powers.

SEC. 2. That said corporation is authorized and empowered to build, construct, maintain, and operate a turnpike toll road from a point on the Morganton and Rutherford road in Burke County at or within one-fourth mile of the point where the present Burkemont road connects with said highway, and thence across Burkemont Mountain and through Michael's Gap and to or within one-half mile of Horse Mountain Gap, on the road leading up South Fork River through Horse Mountain Gap, and to charge, collect and receive tolls for use and travel thereon from all persons using such turnpike to an amount not exceeding the following rates: For two-horse team or two-mule team or two-ox team fifty cents, and for each additional horse, mule or ox in any team ten cents; for one horse, mule or ox team thirty cents; one horse and rider fifteen cents; loose horse or cattle five cents each; sheep and hogs three cents; traction engines ten cents per horse power; automobiles, two passenger, fifty cents; five passenger, sixty cents; seven passenger seventy-five cents: *Provided*, the said company shall not interfere with any public road now in existence or that may hereafter be created.

Corporation authorized to build and operate turnpike toll road.

To collect tolls.

Rates specified.

Proviso: Not to interfere with public road.

SEC. 3. The company is authorized to erect a toll gate at one or more convenient places along said road, and at such gates may demand and receive the toll authorized by this act.

Toll gates.

SEC. 4. Any person who shall use any part of said road without paying the fare or toll due and payable for such use demanded by any agent or employee of the company at the established toll gate on said road, shall be guilty of a misdemeanor and upon conviction shall pay a fine of five dollars (\$5.00) or may be imprisoned for not more than ten days.

Use of road without payment a misdemeanor.

Penalty.

SEC. 5. Any person who shall in any manner injure or obstruct the road of said company or any bridge, toll gate or toll house connected therewith, besides being liable for damages in a civil action, shall be guilty of a misdemeanor, and on conviction thereof shall be fined or imprisoned or both, in the discretion of the court.

Injury to road a misdemeanor.

SEC. 6. That whenever any lands may be required for said turnpike, either for a roadway or for toll houses or other appurtenances thereto, and an agreement cannot be made with the owner or owners of such land, the company or owners may, in writing, apply to the clerk of the Superior Court of Burke County to cause the damage of such owner, if any, to be assessed by three disinterested referees, one to be chosen by the owner, one by the corporation, and one by the clerk of the court for the

Acquisition of land when agreement cannot be made with owner.

county wherein the land lies if either party or both shall fail to appoint after five days notice of the application to the clerk, then the clerk shall appoint instead. The referee so appointed, being duly notified by the clerk, shall, being first duly sworn by some person authorized to administer oaths, to act impartially, lay off a right of way thirty (30) feet in width or less as the company may elect, and also if required by the company, shall lay off a suitable site or sites for a toll house, and assess the damages, if any, to the owners of the land, taking into consideration any benefits or advantages to accrue to such owner from the making of such road, and return their award in writing within ten days to said clerk, and such award of such referees or any two of them, when returned, shall become a judgment of the Superior Court of said county, on which execution may issue as other judgments of the Superior Court, if the amount is not paid by said company within ten days after notice of such return. If either party is dissatisfied with the award of the referees, they may appeal to the Superior Court as in other cases of appeal. So soon, however, as an award is returned by a majority of such referees as aforesaid, whether there is an appeal or not, the company may enter upon the lands referred to in such award and use them for erecting such turnpike road or erecting toll houses, as the case may be. Except as above the procedure and condemnation cases shall be as provided in the general laws of the state.

Right of way.

Site or sites.
Assessment of
damages.

Execution of
judgment.

Appeal from
award.

Capital stock of
corporation.

SEC. 7. The capital stock of said corporation shall be fifteen thousand dollars (\$15,000), to be divided into six hundred (600) shares of twenty-five dollars (\$25.00) each; but said corporation may organize and commence business when fifty (50) shares of like par value shall have been subscribed for.

Payment of
subscriptions to
stock.

SEC. 8. The board of directors may make the payments of subscriptions to the capital stock, payable in such manner and amounts, and at such time or times as may be agreed upon with the subscribers. They are authorized to receive such payment either in cash or labor, materials, services, stocks, bonds, real or personal property, or other thing of value, and the valuation thereof agreed upon by a majority of the board of directors, shall in the absence of fraud or collusion be conclusive as to the same, and stock delivered to the value so fixed shall be fully paid and nonassessable.

Authority given
for issuance of
bonds.

SEC. 9. The company is authorized and empowered to issue its bonds, notes or other evidences of debt, to any amount necessary to the construction and upkeep of its turnpike and appurtenances, and the purchase of property necessary to its business and the development thereof, as in the judgment of the board of directors may be requisite. For the purpose of securing the payment of any such bonds, notes or other obligations or evidences of debt and the interest thereon, the said

Securing pay-
ment.

board of directors are authorized and empowered to make, execute, and deliver any deed of trust, mortgage or other instrument of security, upon all or any part of the property of the company, real or personal, or the income and revenues of the company, from whatever source derived. The bonds, notes or other evidences of debt may be issued in such denominations, for such a term of years at such a rate of interest as the board of directors may determine, and may sell and dispose of such securities at such prices as may be by said board of directors fixed and agreed upon.

Bonds, interest on sale, etc.

SEC. 10. The principal office and place of business of the company shall be in the town of Morganton, Burke County; but the stockholders at any regular meeting may change the principal office to some other place in Burke County.

Principal office.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 75

AN ACT TO AUTHORIZE THE TOWN OF HAMLET TO ISSUE BONDS FOR THE PURPOSE OF ERECTING A BUILDING OR BUILDINGS FOR THE PUBLIC SCHOOLS.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be the duty of the mayor and board of aldermen or board of commissioners of the town of Hamlet, Richmond County, to order an election to be held in the said town of Hamlet, which by section five, chapter two hundred and thirty-two. Public Laws of one thousand nine hundred and three was constituted a public school district, at such time, not later than six months after the ratification of this act, as the said board of aldermen or board of commissioners may designate, to determine the question: Shall the town of Hamlet, Richmond county, issue bonds of the said town in the amount of seventy-five thousand dollars to provide a fund for the erection and equipment of a building or buildings for the accommodation of the public schools of the town of Hamlet, and shall said town levy taxes sufficient to retire said bonds? The said board of aldermen or board of commissioners shall, at least thirty days preceding such election, give public notice of such election by publication in one or more newspapers having circulation in said town, and by posting in at least three public places in said town.

Town authorities directed to call election on school-house bonds.

Notice of election.

SEC. 2. That the said election shall be held and conducted in the same manner and under the same requirements of law

Conduct of election.

- as are now in force or may hereafter be prescribed by law for holding elections for municipal officers of the said town; *Provided*, that prior to said election there shall be a new registration of all qualified voters residing in said town, and for this purpose the board of aldermen or board of 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.
- New registration.
- Form of ballot. SEC. 3. That at said election the ballot tendered and cast shall have written or printed thereon "For school bonds and taxes" or "Against school bonds and taxes" and all qualified electors in favor of this issue of bonds and the levy of a special tax to retire same shall vote a ticket upon which shall be written or printed the words "For school bonds and taxes" and all qualified electors who may oppose the issue of bonds and levy of said tax shall vote a ticket on which shall be written or printed the words "Against school bonds and taxes." The votes cast at this election shall be counted at the close of the polls and the return of the said election made to the said board of aldermen or board of commissioners at its first regular meeting next following the election, and the said board shall canvass, tabulate and declare the result of the election, which shall be recorded in the minutes of the board, and no other recording and declaration of the result of said election shall be necessary.
- Canvass of votes.
- Limit of bonds. SEC. 4. That if a majority of the qualified voters of the said town shall vote "For school bonds and taxes," then the board of aldermen or board of commissioners of said town shall prepare bonds of the said town to the amount of seventy-five thousand dollars and in such denominations as the said board may determine, which bonds shall bear a rate of interest not to exceed six per cent per annum, and the principal of said bonds shall be payable or redeemable at such time not to exceed thirty years from the date of issue as the said board of aldermen or board of commissioners may determine. That the said bonds shall be signed by the mayor or by the chairman of the board of aldermen or board of commissioners, countersigned by the clerk of the said board, and shall have upon them the official seal of the said town.
- Interest.
- Maturity.
- Sale. SEC. 5. That upon the preparation, signing and execution of said bonds the said board of aldermen or board of commissioners shall deliver same to the treasurer of said town, who shall sell said bonds at such time and in such manner as the said board may direct: *Provided*, that none of the said bonds may be sold for less than their par value and, *Provided further*, that none of the said bonds or of the proceeds from the said bonds shall be used for any purpose other than as herein specified. The proceeds arising from the sale of said bonds shall be deposited
- None to be sold at less than par.
- Proceeds a separate fund.

with the treasurer of the said town of Hamlet, shall be kept separate from all other funds of said town and shall be paid out only upon the order of the public school committee of the said town.

SEC. 6. It shall be the duty of the board of aldermen or board of commissioners of the town of Hamlet to require the said treasurer to execute an official bond conditioned upon the faithful performance of his duties imposed herein and payable to the State of North Carolina for the use of the said board in the usual manner and in such amount as the said board shall direct. ^{Treasurer to give bond.}

SEC. 7. That the proceeds arising from the sale of the said bonds shall be expended by the public school committee of the town of Hamlet for the erection in said town and the equipment of a suitable building or buildings for the accommodation of the public schools of the town of Hamlet. The said public school committee is hereby authorized to determine the number and location of buildings to be erected with the proceeds of the said bonds. ^{Expenditure of proceeds.}

SEC. 8. That if, in the election ordered in this act, the majority of the votes cast shall have been "For school bonds and taxes" and the said bonds shall have been issued and sold, the board of aldermen or board of commissioners of the town of Hamlet is hereby authorized and directed to levy annually upon the property and polls of the said town of Hamlet a special tax sufficient to provide for the payment of the interest on such bonds, and to create a sinking fund sufficient to retire such bonds at their maturity: *Provided*, that in all taxes levied under the authorization in this section the constitutional equation between taxes on property and taxes on polls shall be observed. The aforesaid tax shall be levied and collected as the other taxes of the town of Hamlet are levied and collected, and shall be turned over to the treasurer of the town of Hamlet, and kept by him as a separate fund to be applied to the purposes mentioned in this section, and to no other purposes. ^{Levy of special tax for sinking fund.} ^{Collection of taxes.}

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

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 76

AN ACT TO ALLOW THE BOARD OF ALDERMEN OF THE TOWN OF GREENVILLE IN PITT COUNTY TO REMOVE CERTAIN GRAVES IN SAID TOWN.

The General Assembly of North Carolina do enact:

Removal of graves and bodies authorized.

SECTION 1. That the board of aldermen of the town of Greenville shall have the power and the authority, and they are hereby authorized to remove any and all graves in the town of Greenville, Pitt County, North Carolina, and to remove the bodies, bones or dust, with the stones and monuments erected thereto, from said graves to some other graveyard or cemetery in Pitt County, the site and location to be designated and provided by the said board of aldermen.

Not indictable under sections 3672, 3680 or 3681 of Revisal of 1905.

SEC. 2. No officers of the town of Greenville, nor shall any member of the board of aldermen nor shall any one acting under the authority of the said board be indictable under section three thousand six hundred seventy-two, three thousand six hundred and eighty, or three thousand six hundred and eighty-one of the Revisal of North Carolina of one thousand nine hundred and five, because of any act done under this act.

Tombstones to be preserved.

SEC. 3. Whenever there shall be a monument or gravestone over any body and the body shall be removed the said board of aldermen shall cause such monument or gravestone to be replaced over the grave into which the body shall be reburied.

Cherry Hill Cemetery exempted.

SEC. 4. That the provisions of this act shall not apply to what is known as Cherry Hill Cemetery.

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 5th day of March, A. D. 1919.

CHAPTER 77

AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF THE TOWN OF HOOKERTON IN GREENE COUNTY TO REMOVE CERTAIN GRAVES FROM SAID TOWN.

The General Assembly of North Carolina do enact:

Graves in line of public improvements may be removed.

SECTION 1. That the board of commissioners of the town of Hookertown in Greene County shall have the power and authority and they are hereby authorized to remove any and all graves from said town, and to remove the bones or dust from said graves wherever such graves are in the line or path of any street or

other contemplated improvement of the said town, to some other graveyard or yards in the county of Greene.

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

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 78

AN ACT TO AUTHORIZE THE TOWN OF AURORA TO ISSUE BONDS FOR STREET IMPROVEMENT AND THE ENLARGEMENT OF ITS ELECTRIC LIGHT PLANT.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of Aurora is hereby authorized and empowered to issue coupon bonds to an amount not to exceed fifty thousand (\$50,000) dollars, for the paving, grading and improving of the streets and sidewalks of the town of Aurora, and for the enlargement, extension and improvement of the electric light plant and system of the town of Aurora; that the said bonds shall be negotiable coupon bonds, payable to bearer, in denominations of one thousand (\$1,000) dollars each, to be numbered serially, and to become due and payable as to principal in thirty (30) years from the date of issue, and the interest to be payable in semiannual installments, at the rate of six per cent per annum, and said bonds shall be in such form as may be prescribed by the said board of commissioners, and shall be signed by the mayor and treasurer of the town of Aurora, with the seal of the town thereto affixed, and shall be payable at such place or places, and at such bank as the said board of commissioners may determine, and shall be dated on such date as said board of commissioners may determine; that the said bonds shall have attached thereto coupons for such interest, signed by the treasurer of the town of Aurora; *Provided, however,* that a facsimile of the signature of the treasurer of the said town may be printed, engraved or lithographed on said coupons.

SEC. 2. That the said bonds, hereby authorized to be issued, shall not be disposed of either by sale, hypothecation, or otherwise, for less than their face or par value, and the mayor of said town shall not deliver the said bonds or any of them to the purchaser thereof until the purchase money thereof shall be paid to the treasurer of the said town shall receive all such moneys paid in the purchase of the bonds, in his official capacity as treasurer of said town, and he and the sureties on his official bond

Limit of bonds.

Form of bonds.

Maturity.

Interest.

Not to be sold at less than par.

Treasurer to give bond.

shall be liable to account for and pay over the same according to law, and the bond of the said treasurer shall at all times be sufficient in amount, and with satisfactory surety or sureties, to secure the faithful performance of his duties; that the proceeds from the sale of said bonds shall be kept by said treasurer separate and apart from all other moneys in his hands, and shall be used only for the purposes set forth in this act; *Provided, however,* that the purchaser or purchasers of said bonds shall not be bound to see to the application of the purchase money to such purposes.

Proceeds a separate fund.

Commissioners directed to levy special tax for sinking fund.

SEC. 3. That for the purpose of paying the interest on said bonds, and of providing a sinking fund for the ultimate payment of the said bonds, the board of commissioners shall annually, at the time of levying other taxes, levy and assess on all real and personal property subject to taxation within said town of Aurora, a special tax and a poll tax sufficient to pay the interest maturing in the succeeding year, and to provide a sinking fund for the redemption or payment of said bonds at maturity, the special tax not to exceed one hundred cents on each one hundred dollars worth of property, and the constitutional equation between property and poll to be preserved.

Limit of tax rate.

Trustee may be appointed to handle sinking fund.

SEC. 4. That the board of commissioners of the town of Aurora may, if in their opinion, at any time, it becomes necessary or advisable, appoint a trustee, whose duty 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 commissioners may prescribe the duties 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 said trustee, or of the treasurer, if no trustee be appointed, 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 county of Beaufort, or in the bonds issued under this act; *Provided, however,* that no such investment or loan be made without the consent and approval of the said board of commissioners.

Duties of custodian of sinking fund.

SEC. 5. That the special taxes thus levied and collected shall be held and appropriated for the payment of said coupons, as they shall severally become due, and for the creation of a sinking fund, and for no other purpose whatsoever.

SEC. 6. That all laws and clauses of laws in conflict with this act are hereby repealed in so far as they conflict herewith and no further.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 79

AN ACT TO AUTHORIZE THE COMMITTEEMEN OF FREE SCHOOL DISTRICT NUMBER ONE IN ASHE COUNTY TO CONTRACT WITH THE TRUSTEES FOR THE JEFFERSON SCHOOL AND TO PERMIT SAID FREE SCHOOL TO BE TAUGHT IN CONNECTION WITH THE JEFFERSON SCHOOL.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be lawful for the free school committeemen of free school district number one in Ashe County to contract with the trustees for the Jefferson school in Jefferson, North Carolina, and to make such arrangements with said trustees for the Jefferson school as the majority of said free school committeemen may deem best for the said free school district and the general educational welfare of the children of said free school district.

Authority given
for making of
contract.

SEC. 2. That it shall be lawful for said free school to be taught in the buildings of the Jefferson school and in connection therewith.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed in so far as they affect said free school district number one in Ashe County.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 80

AN ACT TO REPEAL THE CHARTER OF THE TOWN OF HIDDENITE, ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and sixty-eight of the Private Laws of North Carolina of one thousand nine hundred and thirteen be and the same is hereby repealed. That the money now on hand in the officials of said town shall be turned over to the treasurer of the county of Alexander for road purposes.

Town moneys to
go to county road
fund.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 81

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF LINCOLNTON GRADED SCHOOLS TO LEVY A TAX TO PAY INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Limit of tax rate.

SECTION 1. That the board of trustees of the Lincolnton graded schools in the county of Lincoln be and the same are hereby authorized and empowered to levy annually so long as it may be necessary, a tax not to exceed twenty cents on the one hundred (\$100) dollars property valuation and sixty cents (60c) on the poll for the purpose of paying certain indebtedness incurred in conducting the said Lincolnton graded schools.

Collection of taxes.

SEC. 2. That the said tax shall be levied at the same time that other taxes of the town of Lincolnton are levied and shall be collected by the proper tax collecting authority and disbursed as other school funds by the said board of trustees.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 82

AN ACT TO ALLOW THE TOWN OF SELMA TO ISSUE BONDS FOR THE PURPOSE OF BUILDING AND REPAIRING STREETS AND INSTALLING SEWERAGE SYSTEM FOR SAID TOWN.

The General Assembly of North Carolina do enact:

Limit of bonds.

SECTION 1. That for the purpose of raising money to build and improve the streets and install a general sewerage system for the said town, the board of aldermen of the town of Selma, be and the same are hereby authorized to issue coupon bonds, not to exceed in amount the sum of one hundred thousand dollars, and in denominations of not less than twenty-five dollars (\$25), nor

Rate of interest.

more than one thousand dollars (\$1,000), bearing interest from date of bonds at a rate not to exceed six per centum per annum, and payable semiannually on the first day of January and the first day of July each year, until said bonds are paid; that said bonds shall be made payable at the time to be fixed by said aldermen and named therein, not to be less than five years nor more than thirty years from date thereof; *Provided, however,*

Maturity.

that the said board of aldermen of the town of Selma may divide 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 cou-

pons shall be numbered and the bonds shall be signed by the mayor of the town of Selma and countersigned by the clerk of the board of aldermen of said town, and the corporate seal of said town affixed thereto; and the coupons thereto attached shall bear the facsimile signature of the mayor of said town, engraved or lithographed thereon; that a record shall be kept of bonds, showing the numbers and the denominations thereof; to whom sold, the dates of the issuing thereof, when the same will mature, and the interest-bearing rate thereof, the amount received from sale of same, and the date of paying the proceeds into the treasury of said town, and such other data in relation to the same as the board of aldermen may direct to be kept. Both the principal and interest of said bonds may be made payable in gold coin of the United States of the present standard of weight and fineness.

Record to be kept.

Payment in gold may be required.

SEC. 2. That the bonds hereby authorized to be issued shall not be sold for less than their face value and the mayor of the town 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 town and the receipt to the purchaser produced before the mayor as evidence of such payment; and the treasurer of the town shall receive all such moneys paid in the purchase of bonds in his official capacity as treasurer, 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 said town of Selma; and it shall be the duty of the board of aldermen of the said town of Selma to see to it that the bond of said treasurer shall at all times be sufficient in amount and with satisfactory sureties to provide against any loss of money arising from the sale of said bonds, and to that end they may at any time require 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 his office as treasurer.

Terms of sale.

Treasurer custodian of proceeds.

Bond of treasurer.

SEC. 3. That said bonds shall be sold at public or private sale as the board of aldermen of said town may determine, for not less than their par value and accrued interest and the proceeds from the sale of said bonds, including any premium received upon the sale thereof, shall be applied only to the payment of the improvements, either or both, authorized in this act, and the purchaser of said bonds shall not be bound to see to the application of the purchase money thereof to said purpose or purposes.

Sale public or private.

SEC. 4. That the treasurer of the town of Selma 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 Selma for either or all of the following

Proceeds a separate fund.

Purposes to which proceeds may be applied.

Submission to voters.

Notice of election.

Form of ballot.

Canvass of returns.

Certification of result.

If vote is against bonds act is nullified.

Resolutions of aldermen.

purposes, to wit: opening, building, improving, and repairing the streets and the sidewalks of the town of Selma, and installing a sewerage system for said town, and building sewer disposal plant: *Provided, however,* this act shall be submitted to the qualified voters of said town of Selma for their ratification or rejection, at an election to be held in said town at such time as the board of aldermen may appoint within four years from the ratification of this act. The said election shall be advertised by the said board of aldermen of the said town of Selma for thirty days prior to the day of election, in one or more newspapers published in said town, and the said election shall be held under the supervision of inspectors and pollholders or judges of election appointed by said board of aldermen, and the returns of the result of said election be made and certified in like manner as all other elections in said town, and in like manner the returns of said election and the result thereof be canvassed by the said board of aldermen and the result declared. At the said election those in favor of issuing said bonds shall vote "For Improvements," and those who are opposed shall vote "Against Improvements" on written or printed ballots; that the number of ballots cast for and against said bonds and deposited in the ballot boxes provided for that purpose shall be counted and the result of said election certified and returned to the said board of aldermen of the town of Selma; and the same, when canvassed and declared as aforesaid, shall be certified under the hand of the mayor of said town and the clerk of the said board of aldermen and the corporate seal of the said town, to the Secretary of State, which said certificate of result of said election shall be filed by the secretary of state in his office. If at said election a majority of the qualified voters of the town of Selma shall not vote "For Improvement," then this act shall thereafter be of no force and effect; but if at said election a majority of the qualified voters of the town of Selma shall vote "For Improvements," then the said board of aldermen shall proceed at once to issue and sell said bonds, or as many thereof as shall be necessary, in the judgment and discretion of said body corporate, for either or all of the purposes aforesaid.

SEC. 5. That the resolution of the board of aldermen of said town determining the form and class of said bonds and such other resolutions as may be necessary relative to their issue may be introduced and passed at the same meeting of said board, which meeting may be either a regular or special meeting of the board of aldermen, by a majority vote of all the aldermen present at said meeting. No other or further proceedings except as herein provided shall be necessary for the issue of said bonds and all bonds issued in accordance with the provisions of this act shall be valid, legal and binding obligations of the said town.

SEC. 6. That the board of aldermen of said town is hereby required to levy and collect, in addition to all other taxes in said town, a tax upon all taxable property and polls of the said town of Selma sufficient to pay the interest on the bonds issued under the act as the same becomes due, and also on or before the time when the principal of the bonds becomes due to levy and collect a further special tax to pay the same or to provide for the payment thereof. The tax so levied upon the taxable property in said town shall be an ad valorem tax, and the tax upon the polls and property shall be in proportion required by the constitution of this State. Said special tax shall be levied and collected at the same time as other taxes upon the property and the polls of said town.

Levy of special tax for sinking fund.

Collection.

SEC. 7. That any and all proceedings of said board of aldermen in advertising for proposals of purchase said issue of bonds, and in accepting the highest bid therefor, be and the same are hereby duly authorized.

Advertisement authorized.

SEC. 8. The board of aldermen of the town of Selma may, in their opinion at any time it becomes necessary or advisable, appoint a trustee, whose duty it shall be to receive from the tax collector of the said town of Selma all taxes 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 trustee to invest or lend the money coming into his hands for the purpose of creating a sinking fund in safe securities and upon real estate situated in the town of Selma: *Provided, however,* that no such investment or loan shall be made without the consent and approval of said body corporate hereinbefore referred to.

Trustee for sinking fund may be appointed.

Bond of trustee.

Duties.

Proviso: Approval of aldermen to be secured.

SEC. 9. That this act shall be in full force from and after its ratification; and all laws and parts of laws inconsistent with the same are hereby repealed so far as the same are inconsistent therewith.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 83

AN ACT TO INCORPORATE THE TOWN OF BURNSVILLE IN YANCEY COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Burnsville, in Yancey county, be and the same is hereby incorporated by the name and style of

Subject to provisions of Revisal relating to towns.

Burnsville, and shall be subject to all the provisions contained in chapter seventy-three, volume one, Revisal of North Carolina of one thousand, nine hundred and five and other general laws which are now or may hereafter be enacted for the organization and government of cities and towns in North Carolina.

Limits defined.

SEC. 2. That the town limits shall be as follows: All that area included within lines starting at a stone at a point three-quarters of a mile due east from the center of the Burns statue now in the public square; thence due north three-quarters of a mile; thence due west one and one-half miles; thence due south one and one-half miles; thence due east one and one-half miles; thence due north three-quarters of a mile to the point of beginning.

Officers.

SEC. 3. That the officers of the said incorporation shall consist of a mayor and five commissioners, regular and special policemen, clerk and treasurer and such other officers of the town as the commissioners may elect. The following named persons shall fill the offices of mayor and commissioners from their qualification until the first Monday in May, one thousand nine hundred and nineteen and until their successors are elected and qualified, to wit: J. A. Watson, mayor, and J. E. Evans, W. B. Wray, C. C. Carraway, J. L. Williams, and M. C. Honeycutt, commissioners.

Appointments.

Succession.

SEC. 4. That the officers of the said incorporation shall succeed themselves in case no election shall be held at the appointed time to be specified hereafter.

Appointive officers.

SEC. 5. That the clerk, treasurer and regular policemen shall be appointed by the town commissioners and special policemen by the mayor.

Commissioners authorized to levy taxes.

SEC. 6. That the commissioners shall have the right to levy a tax or taxes on all the real and personal property of the citizens or inhabitants of said town and have the right to levy a poll tax on the male inhabitants of said town who are twenty-one years or more of age up to the age of fifty years. Said taxes on the real and personal property shall not exceed the sum of fifty cents on the one hundred dollars (\$100) property valuation, and said poll tax shall not exceed one and one-half dollars (\$1.50), and the said commissioners shall have the power to tax all shows and levy any special taxes provided by law, and the moneys collected from the said taxes shall be applied to the current expenses of the said town for street improvement, repairing and public buildings, and for other purposes as are deemed best in the discretion of the said commissioners.

Limit of tax rate.

Application of proceeds.

Elections to be held annually.

SEC. 7. That an election shall be held in the said town on the first Saturday in May, one thousand nine hundred and nineteen and annually thereafter for the purpose of electing a mayor and five commissioners, the same to be held under the laws of North Carolina regulating the elections in cities and towns.

SEC. 8. That the mayor and commissioners shall form a council and make public and enforce such ordinances for the government of said town as in their judgment may be necessary. Ordinances.

SEC. 9. That the said commissioners shall have the right of eminent domain in the said town for the purpose of laying off streets, erection of necessary buildings and for other necessary improvements. Eminent domain.

SEC. 10. That the officers provided for in this act shall qualify within ten days from its ratification before a justice of peace or clerk of the Superior Court and all officers hereafter elected shall qualify in like manner. Qualifying of officers.

SEC. 11. The mayor herein named shall call an election to be held on the first Saturday of May, one thousand nine hundred and nineteen, at which time the voters within the said town of Burnsville shall express their will whether they desire to retain this charter for the said town of Burnsville. At the said election the qualified voters shall cast a ballot on which shall be written or printed the words "For City Charter" or a ballot upon which shall be written or printed the words "Against City Charter," and if, at the said election, a majority of the votes cast shall be in favor of the said charter then this act shall remain in full force and effect; and if a majority of the votes cast on said election shall be against said charter then this act shall be null and void, and the organization of the town herein provided for shall cease. Mayor to call election on charter. Form of ballot.

SEC. 12. That all laws and parts of laws, particularly any charter of the town of Burnsville that may have been heretofore enacted, are hereby repealed.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 84

AN ACT AMENDING CHAPTER 195, PRIVATE LAWS 1917, FOR THE RELIEF OF M. C. STANLEY FOR INJURIES SUSTAINED WHILE GRATUITOUSLY AIDING THE PASQUOTANK HIGHWAY COMMISSION.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-five, Private Laws session of one thousand nine hundred and seventeen, be amended by striking out the word "two" in line three of section one, and inserting in lieu thereof the word "four." Payment continued for four instead of two years.

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

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 85

AN ACT TO AUTHORIZE THE TOWN OF ROCKINGHAM TO
ISSUE BONDS FOR THE PURPOSE OF ERECTING A BUILD-
ING OR BUILDINGS FOR THE PUBLIC SCHOOLS.

The General Assembly of North Carolina do enact:

Town authorities
directed to call
an election.

SECTION 1. It shall be the duty of the mayor and board of aldermen or board of commissioners of the town of Rockingham, Richmond County, to order an election to be held in the said town of Rockingham, which by section one, chapter one hundred and forty-one, Private Laws of one thousand nine hundred and one is constituted a public school district, at such time, not later than six months after the ratification of this act, as the said board of aldermen or board of commissioners may designate, to determine the question: Shall the town of Rockingham, Richmond County, issue bonds of the said town in the amount of seventy-five thousand dollars (\$75,000) to provide a fund for the erection and equipment of a building or buildings for the accommodation of the public schools of the town of Rockingham, and shall said town levy taxes sufficient to retire said bonds? The said board of aldermen or board of commissioners shall, at least thirty days preceding such election, give public notice of such election by publication in one or more newspapers having circulation in said town, and by posting in at least three public places in said town.

Limit of bonds.

Notice of election.

SEC. 2. 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 municipal officers of the said town: *Provided*, that prior to said election there shall be a new registration of all qualified voters residing in said town, and for this purpose the board of aldermen or board of 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.

New registration.

Form of ballot.

SEC. 3. That at said election the ballot tendered and cast shall have written or printed thereon "For school bonds and taxes" or "Against school bonds and taxes," and all qualified electors in favor of this issue of bonds and the levy of a special tax to retire same shall vote a ticket upon which shall be written or printed the words "For school bonds and taxes," and all qualified electors who may oppose the issue of bonds and levy of said tax shall vote a ticket on which shall be written or printed the words "Against school bonds and taxes." The votes cast at this election shall be counted at the close of the polls and the return of the said election made to the said board of aldermen or board of commissioners at its first regular meeting next following the election, and the said board shall canvass, tabulate and declare the result of

Canvass of
returns.

the election, which shall be recorded in the minutes of the board, and no other recording and declaration of the result of said election shall be necessary.

SEC. 4. That if a majority of the qualified voters of the said town shall vote "For school bonds and taxes," then the board of aldermen or board of commissioners of said town shall prepare bonds of the said town to the amount of seventy-five thousand dollars (\$75,000) and in such denominations as the said board may determine, which bonds shall bear a rate of interest not to exceed six per cent per annum and the principal of said bonds shall be payable or redeemable at such time not to exceed thirty years from the date of issue as the said board of aldermen or board of commissioners may determine. That the said bonds shall be signed by the mayor or by the chairman of the board of aldermen or board of commissioners; countersigned by the clerk of the said board and shall have upon them the official seal of the said town.

SEC. 5. That upon the preparation, signing and execution of said bonds the said board of aldermen or board of commissioners shall deliver same to the treasurer of said town, who shall sell bonds at such times and in such manner as the said board may direct: *Provided*, that none of the said bonds may be sold for less than their par value, and: *Provided further*, that none of the said bonds or of the proceeds from the said bonds shall be used for any purpose other than as herein specified. The proceeds arising from the sale of said bonds shall be deposited with the treasurer of the said town of Rockingham, shall be kept separate from all other funds of said town and shall be paid out only upon the order of the board of trustees of the public schools of the said town.

SEC. 6. It shall be the duty of the board of aldermen or board of commissioners of the town of Rockingham to require the said treasurer to execute an official bond conditioned upon the faithful performance of his duties imposed herein and payable to the State of North Carolina for the use of the said board in the usual manner and in such amount as the said board shall direct.

SEC. 7. That the proceeds arising from the sale of the said bonds shall be expended by the board of trustees of the public schools of the said town for the erection in said town and the equipment of a suitable building or buildings for the accommodation of the public schools of the town of Rockingham. The said board of trustees of the public schools of the town of Rockingham is hereby authorized to determine the number and location of buildings to be erected with the proceeds of the said bonds.

SEC. 8. That if, in the election ordered in this act, the majority of the votes cast shall have been "For school bonds and taxes" and the said bonds shall have been issued and sold, the board of

Rate of interest.
Maturity.

Terms of sale.

Proviso: To be applied to purposes specified.
Proceeds as separate fund.

Treasurer required to give bond.

Expenditure of proceeds.

Levy of special tax for sinking fund.

aldermen or board of commissioners of the town of Rockingham is hereby authorized and directed to levy annually upon the property and polls of the said town of Rockingham a special tax sufficient to provide for the payment of the interest on such bonds, and to create a sinking fund sufficient to retire such bonds at their maturity: *Provided*, that on all taxes levied under the authorization in this section the constitutional equation between taxes on property and taxes on polls shall be observed. The aforesaid tax shall be levied and collected as the other taxes of the town of Rockingham are levied and collected and shall be turned over to the treasurer of the town of Rockingham and kept by him as a separate fund to be applied to the purposes mentioned in this section and to no other purposes.

Proviso: Constitutional equation observed.

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

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 5th day of March, A. D. 1919.

CHAPTER 86

AN ACT TO EXTEND THE BOUNDARY OF THE CITY OF NEW BERN AND ENLARGE THE FOURTH AND FIFTH WARDS IN SAID CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That the boundary of the city of New Bern be and the same hereby is extended so as to include therein the territory bounded and described as follows, viz.: Beginning at a point in the channel of Neuse River, said point being the northeastern corner of the present boundary of said city, and running thence with the channel of said river to a point where the southern line of North Avenue, as shown on the map of the city of New Bern, its subdivisions and additions, compiled by Raymond Eagle, C.E., in the year one thousand nine hundred and thirteen, extended, will intersect said channel; thence southwestwardly with the southern line of said North Avenue extended and with the southern line of said North Avenue to the eastern line of National Avenue; thence southeastwardly with the eastern line of National Avenue, to a point where the southern line of the property of Thomas Daniels extended will intersect the eastern boundary line of said National Avenue; thence with the southern line of said Thomas Daniels property extended and with the southern line of said Thomas Daniels property, as shown on said map, southwestwardly to the right of way of the Atlantic and North Carolina Railway Company; thence northwestwardly with the north-

Limits of extension defined.

ern boundary of said right of way to the east prong of Jack Smith's Creek; thence southwardly with said east prong of said creek to the northeast corner of lot number one hundred and ninety-six in the plan of Larksville as shown on said map; thence northwestwardly with the northern boundary of Larksville to the northwestern corner of Larksville; thence southwardly with the western boundary of Larksville to Garfield Street; thence eastwardly with Garfield Street and the line of Garfield Street extended to the old canal; thence southwardly with said canal to the western boundary of Elm View as shown on said map; thence southwestwardly with the western boundary of Elm View to Neuse Road; thence eastwardly with Neuse Road to the present boundary line of New Bern; thence southwardly with the present boundary of New Bern to Rhem's Avenue; thence westwardly with Rhem's Avenue to Seventh Street in Ghent as shown on said map; thence southwardly with Seventh Street to the southern boundary line of Park Avenue; thence eastwardly with the southern boundary line of Park Avenue to the eastern boundary line of Rhem Street as shown on said map; thence southwardly with the eastern boundary line of Rhem Street and the eastern line of Rhem Street extended to Lawson's Creek; thence eastwardly with said Lawson's Creek to the present boundary of New Bern; thence with the present western and northern boundaries of New Bern to the place of beginning.

SEC. 2. That such portion of said territory hereby included in said city as may be north of the right of way of said Atlantic and North Carolina Railroad Company shall be a part of the fifth ward and the remainder shall be a part of the fourth ward in said city; and all the territory hereby included in said city shall be and the same hereby is in all respects made a part of said city. Divided between
wards.

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

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 87

AN ACT TO AUTHORIZE THE TOWN OF PITTSBORO TO ISSUE BONDS FOR WORKING THE STREETS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of Pittsboro, North Carolina, is hereby authorized to issue coupon bonds not to exceed in amount the sum of twenty thousand dollars (\$20,000) and not to exceed fifty thousand dollars (\$50,000) Limit of bonds.

- Rate of interest. in such denominations as the said board of commissioners of the said town shall prescribe, the same to bear interest from date at a rate not to exceed six per cent per annum, payable semiannually on the first day of January and the first day of July of each year at such place as said board of commissioners 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 the said board of commissioners and named therein, not to run less than twenty nor more than thirty years from the 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 town of Pittsboro and the corporate seal of the said town affixed thereto, and the said bonds and their coupons shall be exempt from city taxation until they have become due and the coupon shall be received in the payment of said taxes. A record shall be kept by the said board of said bonds showing the number and denominations thereof, to whom sold, the date of issuing thereof and when the same shall mature, and the interest-bearing rate thereof, the amount received from the sale of the 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.
- Maturity.
- Bonds exempt from city taxes until due.
- Record of bonds.
- Sale of bonds and disposition of proceeds.
- Commissioners directed to levy special tax for sinking fund.
- SEC. 2. That the board of town commissioners of Pittsboro shall proceed at once to issue and sell said bonds, the proceeds thereof to be used in the laying out and making permanent streets in the said town of Pittsboro, and for this purpose they are authorized and directed to employ a competent contractor for the purpose of so laying out and making said streets, and also for his aid and assistance, a competent civil engineer to aid and assist him in so doing.
- 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 for the said board of commissioners to levy annually a sufficient special tax upon all subjects of taxation under the general law in the manner and at the same time as other taxes are levied under the charter of said town, and under the general law, and to create a sinking fund for the prompt payment of the interest due on said bonds and for their retirement of the said bonds when they become due.
- SEC. 4. This act shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 88

AN ACT TO FIX THE BOUNDARIES OF THE NEW BERN
GRADED SCHOOL DISTRICT, CRAVEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the boundaries of the graded school district of the city of New Bern, North Carolina, from and after April thirtieth, one thousand nine hundred and nineteen, shall be the same and coincide with the present boundaries of the city of New Bern, as extended by the General Assembly of one thousand nine hundred and nineteen, and all territory lying outside of said city limits as extended, shall not be included in said graded school district.

Boundaries to coincide with those of city of New Bern.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed so far as this act is concerned.

SEC. 3. This act shall be in force on and after April thirtieth, one thousand nine hundred and nineteen.

Ratified this the 6th day of March A. D. 1919.

CHAPTER 89

AN ACT TO AMEND CHAPTER 140 OF THE PRIVATE LAWS
OF 1917, ENTITLED "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 chapter one hundred and forty, section one, of the Private Laws of North Carolina of one thousand nine hundred and seventeen, entitled "An act to authorize the school committee of Raleigh Township to submit the question to the vote of the said township of issuing one hundred thousand dollars (\$100,000), in bonds for school building" ratified on the twenty-third day of February, one thousand nine hundred and seventeen, be amended by striking out in lines six and seven of said section all after the words "Wake County" in line six, and before the word "in" of line seven of said section, the words "issue one hundred thousand dollars" and insert in lieu thereof the words "issue two hundred and fifty thousand dollars," so that the said section of said act will read when amended, as follows:

Limit of bonds authorized by act of 1917 increased from \$100,000 to \$250,000.

"SECTION 1. That upon the written request of a majority of the school committee of Raleigh Township, the board of county commissioners of Wake County shall order an election to be held

New section.

in said township, at such time and place as may be specified by said school committee, to determine the question 'Shall the school committee of Raleigh Township, Wake County, issue two hundred and fifty 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 additions to existing public school buildings in the said township.'

Notice of election.

That the said board of county commissioners shall, not less than thirty days preceding the said election, give notice of said election and the purpose thereof by publication in one or more newspapers published in said county, and at such other places and in such other manner as may be determined upon by it."

SEC. 2. That section four of said chapter one hundred and forty of the said Private Laws of North Carolina of one thousand nine hundred and seventeen, ratified on the twenty-third day of February, one thousand nine hundred and seventeen, be amended by striking out in line seven of said section, all after the word "exceed" and before the word "which" in said section, the words "one hundred thousand dollars" and insert in lieu thereof the words "two hundred and fifty thousand dollars," so that the said section four of said act will read when amended, as follows:

"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 usual form, in denominations not exceeding one thousand dollars and not less than one hundred dollars, and the total amount not to exceed two hundred and fifty 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 issue, as said board of county commissioners of Wake County may determine upon. That said bonds shall be signed by the school committee of Raleigh Township, Wake County, in its name, by its chairman, and attested by the secretary of said committee, who shall attach the seal of said school committee to each of said bonds. Said bonds shall be styled 'Bonds to aid in the construction and equipment of new public school buildings and in additions to existing public school buildings in Raleigh Township, Wake County, North Carolina.'"

Rate of interest.

Maturity.

SEC. 3. That section eight of said chapter one hundred and forty of the said Private Laws of North Carolina of one thousand nine hundred and seventeen, ratified on the twenty-third day of February, one thousand nine hundred and seventeen, be

amended by striking out in lines four, five and six of said section all after the word "exceeding" in line four down to the words "Wake County" in line six, the words "four cents on the hundred dollars of property and twelve cents on the poll in Raleigh Township" and insert in lieu thereof the words "six cents on the hundred dollars of property and eighteen cents on the poll in Raleigh Township," so that the said section eight of said act will read when amended as follows:

"SEC. 8. That when said bonds shall have been issued the board of county commissioners of Wake County shall levy annually on the first day of June or whenever it shall make the annual levy of taxes in each year, a special tax not exceeding six cents on the hundred dollars of property and eighteen cents on the poll in Raleigh Township, Wake County, to provide for the payment of the interest upon said bonds and create a sinking fund sufficient to meet the payment of said bonds at their maturity. The taxes so levied shall be collected as other taxes and shall be kept by the chairman of the school committee as a separate fund and applied, first, to the payment of the interest upon said bonds, and 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 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 bonds as the school committee of Raleigh Township, Wake County, shall direct for the safekeeping 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."

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 90

AN ACT TO AMEND CHAPTER 214 OF THE PRIVATE LAWS OF 1909 RELATING TO THE GRADED SCHOOLS OF BEAUFORT, CARTERET COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter two hundred and fourteen of the Private Laws of one thousand nine hundred and nine, be, and the same is hereby amended by striking out the words

Limit of tax rate increased.

Tax for sinking fund.

Sinking fund commissioner.

Bond required.

Reports.

“thirty cents” in line ten and “ninety cents” in line eleven and inserting in lieu thereof the words “forty cents” and “one dollar and twenty cents” in lines ten and eleven respectively.

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

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 91

AN ACT TO AMEND CHAPTER 317, PRIVATE LAWS OF 1913, AND TO AMEND THE CHARTER OF THE TOWN OF HAZELWOOD IN HAYWOOD COUNTY, BY EXTENDING THE CORPORATE LIMITS.

The General Assembly of North Carolina do enact:

Charter amended.

SECTION 1. That section two of chapter three hundred and seventeen of the Private Laws of one thousand nine hundred and thirteen establishing the corporate limits of the town of Hazelwood in Haywood County be and the same is hereby amended so as to include within the corporate limits of said town the property described as follows:

Limits of town defined.

Beginning at a stake at the corner of W. H. Coles yard on the north side line of Main Street and one thousand five hundred sixty feet from the center of the Southern Railroad Company's main line where it crosses the north side line of Main Street, which said stake stands in the present corporate line, and running thence south fifty-nine degrees west, sixty-six feet to the northwest corner of Main and Virginia Avenue; thence with the west side line of Virginia Avenue in a southerly direction one thousand eight hundred thirty-five feet to the corner of the public road and Virginia Avenue; thence down the east side line of the public road eighteen feet to the center of a branch; thence with the branch nine hundred ninety-two feet to the east side line of the public road, Prevost's corner; thence with the north side line of the public road north eighty-five degrees thirty minutes west, one thousand one hundred ninety-three feet to a stake near James Long's store; thence with the northeast side line of the public road north 30 degrees west, one hundred seven feet; thence north fifteen degrees west one hundred seventy-seven feet; thence north thirty-one degrees west, two hundred forty feet to a stake in the present corporation line.

New resident eligible to vote.

SEC. 2. That any person not heretofore a resident of the town of Hazlewood, but made a resident by this act, shall be eligible

to vote or be mayor or commissioner of said town from and after the ratification of this act.

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. 1919.

CHAPTER 92

AN ACT AMENDING CHAPTER 96 OF THE PUBLIC LAWS OF 1899 AND AMENDMENTS THERETO, RELATING TO THE KINSTON GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter ninety-six of the Public Laws of one thousand eight hundred and ninety-nine, creating and establishing the Kinston graded school district, and chapter two hundred twenty-five of the Private Laws of one thousand nine hundred and fifteen, enlarging the boundaries of the Kinston graded school district, and all other amendments to the above mentioned chapters, be amended to read as follows:

SEC. 2. That the geographic boundaries of the said district shall remain as constituted under the acts above referred to until further amended by legislative enactment. Boundaries to remain.

SEC. 3. That for the purpose of administering the schools of the Kinston graded school district as now constituted and as herein provided, there shall be a board of trustees composed of seven members, who shall be elected by the board of aldermen of the city of Kinston from any part of the Kinston graded school district. That the present board of trustees shall hold office until their successors are elected by board of aldermen of city of Kinston, which election shall be held within ninety days from date of ratification of this act, and the newly elected trustees shall assume the duties of their office within fifteen days after their election. That said new board shall be divided into seven classes. Aldermen to elect seven trustees.

The term of office of the first class shall expire on the thirty-first day of December, one thousand nine hundred and nineteen; the second, third, fourth, fifth, sixth, and seventh classes to expire one, two, three, four, five, and six years, respectively, thereafter. Election within 90 days from ratification of act.

That thereafter their successors shall hold office for a period of seven years, and shall be elected by the board of aldermen of the city of Kinston in any of their regular meetings held before the month of November of each year immediately preceding the date upon which newly elected trustee shall assume the duty of his office, which duties he shall assume the first day of January immediately following his election. That any vacancy occurring Terms of new trustees.

Successors.

Assumption of duties.

in said board shall be filled for the unexpired term by appointment by the board of trustees.

Quorum.

That four members of said board shall constitute a quorum, and at least a quorum shall be necessary for the purpose of transacting business of any nature whatsoever.

Meetings of trustees.

That the said board shall hold regular or called meetings as often as they may deem necessary, for the transaction of any business relating to the public schools of the said district and shall at the regular meeting held during the month of May of each year, reorganize and elect its necessary officers for the ensuing year.

Board a body corporate and politic.

That the said board shall in the name of the board of trustees of the Kinston graded school district, be possessed of corporate powers, may sue and be sued, acquire by purchase or otherwise, and hold property, both real and personal, for school purposes as provided in this act, may lease or sell real and personal property, may receive bequests and donations, may condemn property needed for educational purposes and may perform all necessary corporate acts required under this charter.

Further powers.

May employ superintendents, principals, teachers, supervisors, or other necessary employes for the schools of said district, for such length of time and at such compensation as said board of trustees shall deem advisable, and order paid their salaries, if possessed of certificates as required by rules of said board of trustees, or may discharge or dismiss any of said officers, teachers or employees, at any time they may deem proper.

Control of schools.

Shall have exclusive control and title to all schools and school property of the said Kinston graded school district, with power to care for, insure, repair, lease or rent any of said property, and said board is fully authorized and empowered to build and equip such buildings as may be necessary for carrying out the provisions of this act.

Equalization of facilities.

May provide and maintain a separate system of schools, with separate buildings for the white and colored races, respectively, within said district, so as to equalize school facilities between the two races upon just and equitable principles.

Libraries, playgrounds, special instruction, etc.

May provide and maintain school libraries, evening schools, playgrounds; may promote physical culture and athletics, vocational schools, special instructions or schools for delinquent or defective children, or for such forms of instruction in industrial education, agriculture or household economics as they may deem necessary. Said board of trustees may also unite with the Lenoir County board of education for the joint establishment and maintenance of any such instruction or school, and upon such terms as may be agreed upon between them, not inconsistent with the provisions of this act.

May prepare an annual budget of expenses each year as hereinafter provided. They shall appoint a treasurer of the said board from among their number, or otherwise, in their discretion, and such treasurer may be either an individual or corporation, and prescribe his or its duties, fix his or its compensation and cause said treasurer to fix bond with good security at double the amount of such funds as said treasurer may reasonably have on hand at any time during his or its term of office as a result of such appointment.

May appoint treasurer, fix compensation, prescribe duties.

It shall also be lawful for the said board of trustees, in its discretion, to receive into the public schools of the said district upon such terms as it may think reasonable, any children of the school age who may reside beyond the limits of the said district.

Pupils from outside district.

May make any and all such rules and regulations as it may deem necessary for the proper and efficient administration of the said schools, as herein provided.

SEC. 4. May cause to be prepared and printed in sufficient quantities to meet the reasonable demands for such, an annual report addressed to the people of the district and covering the condition, progress and needs of the schools; recent results accomplished; the work of special school maintained, and containing full and accurate statistical and financial statements, with such interpretations of the same as may deem desirable. When printed, in addition to such general distribution as may seem wise, two copies of such report shall be filed with the city clerk for his use and that of the board of aldermen; one copy shall be sent to each public library in said district, and to each newspaper in the county; one copy sent to each city board of education in the state; five copies sent to the State Department of Public Instruction, and three copies sent to the United States Commissioner of Education.

Annual report.

Filing of report.

SEC. 5. That it shall be the duty of the board of aldermen of the city of Kinston to provide for the payment to the treasurer of Kinston graded school district all moneys collected by the city treasurer under the act of one thousand eight hundred and ninety-nine, and amendments thereto, including this act, upon demand of the said board of trustees at any time after same is paid to the said city treasurer, and it shall be the duty of the county treasurer of Lenoir County, upon demand of the board of trustees, to pay to the treasurer of the said district all school moneys coming into his hands to which the Kinston graded school district may be entitled under this act, to be used for the purpose of carrying out the provisions of this act.

Treasurer custodian of all funds.

SEC. 6. That for the proper administration of the provisions of this act said board of trustees of the Kinston school district is hereby authorized and empowered to levy and cause to be col-

Special tax levy authorized.

Limit of tax rate. lected annually by the city tax collector, not to exceed thirty-three and one-third cents on the one hundred dollars valuation of property, and one dollar on each poll on all property and polls of the said Kinston graded school district: *Provided*, that the valuation of property shall be the same as that assessed for county and state purposes, and collectible by city treasurer in like manner as are taxes for other municipal purposes and said taxes shall be collected and paid over to the treasurer of the Kinston graded school district, as hereinbefore provided.

Assessment and collection.

School census. SEC. 7. That the said board of trustees of the Kinston graded school district shall cause to be made annually on or before the first day of June of each year, an accurate school census of all children of school age within the limits of the said district, and upon the census so taken shall be based the apportionments to the said district its proper share of the school funds.

Apportionment of funds. SEC. 8. That the county board of education of Lenoir County in apportioning the school funds of the said county shall ascertain and determine the amount of the funds to be used each year for the Kinston graded school district, as is provided by law.

Trustees authorized to call election on additional tax for free text-books. SEC. 9. That said board of trustees is hereby further authorized under this act to call an election in the said district as herein provided, for the purpose of ascertaining the will of the people of the said Kinston graded school district, as to whether or not said trustees shall levy an additional tax, not to exceed thirty cents on the one hundred dollars property valuation and ninety cents on the poll, of said district; amount of such levy to be named at time of advertising said election; for the purpose of purchasing either privately or publicly—textbooks and other school supplies which shall be distributed to children of said district for use in said schools free of charge, upon such regulations as the board of trustees may prescribe, but that said books shall remain the property of said district, and upon completion of the studies contained in said books, same shall be surrendered to the school authorities who shall make full report to the said trustees relative to the condition and disposal of said books, which shall be properly sterilized, and redistributed to the other children needing same as their course of study indicates.

Redistribution of books. SEC. 10. That for the purpose of financing the public schools of the Kinston graded school district, as provided in this act, or for permanent building improvements, or modern equipment, or paying any current or outstanding indebtedness, the said board of trustees of Kinston graded school district are further authorized and empowered to call an election, not oftener than one time per year for any one purpose, by the people of the said district to determine whether or not bonds shall be issued or whether additional taxes shall be levied and collected from the taxable property and polls of said district, in an amount to be

Trustees authorized to call election on bond issue.

Amount discretionary.

designated by the board of trustees in the advertisement of said election. That none of said bonds shall be sold, hypothecated or disposed of in any way for less than par value. Not to be sold at less than par.

SEC. 11. That any election called under this chapter shall be advertised for thirty days prior to the day of election in some newspaper published in Kinston, and also notice thereof posted at the courthouse door in Lenoir County thirty days preceding such election. Notice of election.

SEC. 12. That said board is hereby authorized and empowered to cause a new registration for any of such elections and to appoint registrars, pollholders and such other officers necessary under the general law for the proper conduct of such election. New registration.

SEC. 13. That at such election those qualified voters favoring the issuing of said bonds or the levy of such tax in amounts as shall then be designated by the board of trustees of the Kinston graded school district for any purpose or purposes herein authorized, or for the purpose of retiring bonds issued under the provisions of this act, and paying interest on such bonds, shall vote a ballot with the following words written or printed thereon: (If for bonds), "For School Bonds." (If for tax as provided herein), "For Special Tax." Form of ballot.

SEC. 14. Those qualified voters not approving the issue of bonds as provided herein, or special tax as provided herein, shall vote a ballot with the following words written or printed thereon: (If against bond issue), "Against School Bonds;" (If against special tax) "Against Special Tax."

SEC. 15. Said election shall be held in all respects as near as practical in the manner prescribed for general elections under the statute. Conduct of elections.

SEC. 16. The original returns of said election shall be made by the election officers, or one of their number appointed by said election officer for the purpose, to the board of trustees of said district, and said board of trustees shall within three days after said election canvass the returns and declare the results of said election, and said results shall be inscribed upon the records of said district, also of the city of Kinston. Canvass of returns.

SEC. 17. If at said election herein provided for a majority of the qualified voters of said district shall vote "For School Funds" or "For Special Tax," as the case may be, then said bonds, if election is for bond issue, shall be issued and sold as herein provided; and if "For Special Tax" election, then said tax shall be levied and collected as provided in this act.

SEC. 18. It is further provided that if any other election shall be held in the city of Kinston on the same day of any election herein provided for that the same election officer holding said election may be appointed to hold and may hold and conduct such election as provided by this act. May be held coincident with other elections.

Subsequent elections.

SEC. 19. That if at said election the majority of qualified voters shall fail to vote for said bond issue, or said special tax, as the case may be, then the said trustees may, in their discretion, at any time after one year order another election on said question therein provided for, to be held in the same manner as hereinbefore provided, after advertising same as herein set out and at any of such elections the ballots shall be as hereinbefore set out, and if at any of such elections a majority of the qualified voters of said district shall vote in favor of said bond issue or special tax, as the case may be, then said bonds shall be issued as is provided for under the terms of this act or the tax levied as hereinbefore provided, as the case may be, and in either event the said funds so created shall be applied to the purpose shown in advertisement of said election as hereinbefore provided and no other.

Part of chapter 96, laws of 1899, not conflicting, remains effective.

SEC. 20. That all provisions of chapter ninety-six of the laws of one thousand eight hundred and ninety-nine and amendments thereto not inconsistent or conflicting with the provisions of this act shall remain in full force and effect.

SEC. 21. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 22. This act shall be in effect from and after its ratification.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 93

AN ACT TO AMEND THE CHARTER OF THE TOWN OF TAYLORSVILLE.

The General Assembly of North Carolina do enact:

Construction of sidewalks authorized.

SECTION 1. The commissioners of the town of Taylorsville may cause sidewalks and curbing of concrete or other approved material to be laid on the sides of any street of said town, in the manner hereinafter provided.

Sidewalks continuous.

SEC. 2. Sidewalks and curbing constructed under this act on any street shall be continuous from one intersection of the street to another, and not less than one block shall be ordered constructed by the commissioners at one time.

Motion to lay sidewalks requires two-thirds vote of commissioners.

SEC. 3. When it is deemed advisable by the commissioners to have sidewalks or curbing laid on the side of any street in Taylorsville, a motion or resolution to that effect, stating the location, shall be made at a regular meeting of the board of commissioners of said town and must be carried by a two-thirds vote

of said commissioners at two successive regular meetings. Notice Notice.
of passage of order, as provided for above, to be posted at town
hall door within five days of its first passage.

SEC. 4. The width, material, grades, and manner of construct- Specifications
ing of said sidewalks and curbing shall be within the discretion of controlled by
the said commissioners, and when any sidewalk shall have been commissioners.
constructed otherwise than under the supervision of said town,
the said commissioners may, if they deem it necessary, cause
the same to be taken up and reconstructed in the manner required.

SEC. 5. As soon as the cost of constructing all sidewalks and Assessment
curbing under each order provided for in this act shall be deter- against property
mined, the board of commissioners shall assess not more than owners.
one-half of said cost against the owners of property abutting
thereon, in proportion to the number of feet of frontage owned
by each, and the said assessment shall constitute a lien on said
property and shall be collected in the same manner as is pro-
vided by law for the collection of taxes.

SEC. 6. No sidewalk shall be constructed under the provisions Grade lines.
of this act until grade lines have been established by a compe-
tent engineer on the street on which same is to be constructed.

SEC. 7. This act shall be in force from and after its ratification.
Ratified this the 6th day of March A. D. 1919.

CHAPTER 94

AN ACT TO INCORPORATE THE TOWN OF POWELLSVILLE, IN BERTIE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Powellsville, in the county of Powellsville
Bertie, be and the same is hereby incorporated and created a created body
body politic by the name and style of "The Town of Powells- politic.
ville," and may sue and be sued, plead and be impleaded, pur-
chase, hold and receive by conveyance, gift or devise all such
real and personal property as may be desirable for town purposes
and for its proper government, and may from time to time sell
and dispose of the same and reinvest the proceeds as may be
deemed advisable by the proper authorities of the town.

SEC. 2. The corporate limits of the town shall be as follows, Limits defined
to wit: "Beginning on the public road that leads from Powells-
ville to Stoney Creek at the fork of the public road that leads
to Center Grove church; thence a northeasterly course a straight
line to the northeast corner of the M. L. Holley lot; thence
along the line of the M. L. Holley lot to the public road that
leads from Powellsville to Pitch-landing; thence a straight line
a southeasterly course to the northeast corner of the Powells-

ville colored school lot; thence along the line of the Fowellsville colored school lot to the intersection of the Rayner public road and the public road that leads from Powellsville to Cole-raine; thence along the Rayner public road one hundred yards; thence a westernly course a straight line to the new mill site on the Wellington and Fowellsville railroad; thence a westernly course a straight line to the southwest corner of the J. W. Hollomon lot; thence along the line of the J. W. Hollomon lot to the public road that leads from Powellsville to Cabin Hill; thence a northernly course a straight line to the place of beginning."

Officers.

SEC. 3. That the officers of said town shall consist of a mayor, three commissioners and a constable, and such other police officers as the commissioners of the town may deem advisable to elect or appoint; and said commissioners may elect or appoint a secretary and treasurer both of which offices may be combined in one and the same person.

Elections to be held annually.

SEC. 4. That on the first Monday in May, one thousand nine hundred and nineteen, and annually thereafter, there shall be an election held in said town for mayor, three commissioners and a constable, which elections shall be held under the same penalties, rules and regulations as are now, or may hereafter be prescribed by law for electing officers for cities and towns.

Appointments made of officers to hold until successors are elected.

SEC. 5. That until their successors shall be elected and qualified as herein provided, the following persons shall be and are hereby constituted the officers of said town, to wit: Mayor, S. W. McKeel; commissioners, J. E. R. Perry, W. S. Tayloe, and C. R. Overton; constable, J. W. Hollomon; and said officers shall be and are hereby vested with and conferred upon all the duties, powers, rights, and privileges which are now, or may hereafter be granted, vested in and conferred upon such officers of towns and incorporated villages by the laws of North Carolina relating to incorporated towns and villages.

Powellsville subject to provisions general laws.

SEC. 6. That the said town of Powellsville shall have and is hereby granted all the benefits, rights, powers, and privileges of and be subject to all the provisions of the general laws of this state, now in force or which may hereafter be enacted, for the government of incorporated towns and villages, not inconsistent with the provisions of this act.

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 the 6th day of March, A. D. 1919.

CHAPTER 95

AN ACT TO ESTABLISH NEWPORT GRADED SCHOOL DISTRICT IN CARTERET COUNTY

The General Assembly of North Carolina do enact:

SECTION 1. That all the territory included within the following boundaries, to wit: Beginning at the mouth of Black Creek, running with said creek to Craven County line, west with said line to a point north of Little Deep Creek, thence south to Delane's south line, thence eastwardly with said line to the corner of Trinity Land Company's west line, thence southwardly with the various courses of Deep Creek northwardly to W. B. Garner's north line, with said line to Central Highway, with highway to T. F. Mann's Road, with said road and various courses of T. F. Mann's line to L. I. Moore's line, with the said line to Delane's line, thence to E. H. Hill's south line, eastwardly with said line to T. F. Mann's line, with said line to G. M. Mann's line, with various courses of said line to Delane's line, thence north to Craven County line, with said county line westwardly to Newport Township line, south with said line to J. A. Bryan's south line, eastwardly with said line to the head of Shoe Branch, with said Shoe Branch to T. F. Mann's south line, with said line to N. P. Garner's line, with said line to F. E. Mason's east line, with said line to W. H. Garner's line, with said line to A. E. Gray's east line, thence with said line to Newport River, thence with Newport River to P. H. Garner's east line, with said line to the public road, with the public road to P. H. Garner's west line, thence with said line to Newport River, thence with Newport River west to W. W. Robert's west line, with said line a southwardly course to the head of Cedar Swamp, thence southwardly to the head of Hull Swamp, down said swamp to Lee Murdock's north line, with said line to Central Highway, to A. B. Willis's line, eastwardly with said line to James line, with said line to H. G. Gray's west line, with said line to Snow Swamp, down said swamp to Newport River, thence down said river to the beginning, shall be and is hereby constituted a public school district, and shall be known as Newport graded school district.

Limits of district defined.

SEC. 2. That A. L. Wilson, G. M. Mann, D. N. McCain, W. B. Garner, and P. P. Garner shall be and are hereby constituted trustees of the public schools of the Newport graded school district, and shall serve until their successors are appointed and qualified as herein provided. The successors of the first three named shall be elected or appointed by the board of commissioners for the town of Newport at the first regular meeting of said board of commissioners in the month of June, one thousand nine

Trustees appointed.

Successors.

hundred and nineteen, for a term of two years, and the successors of the last two named shall be elected or appointed at the same time, for a term of three years, and that the board of commissioners of the said town of Newport shall appoint or elect successors for the trustees herein provided for at the expiration of the term for which they are appointed or elected and that all vacancies in the board of trustees shall be filled by the said board of commissioners of the town of Newport.

Vacancies.

Trustees a body corporate.

SEC. 3. That the said trustees in section two, and their successors shall be and are hereby constituted a body corporate, by the name and style of "Trustees of Newport Graded School" 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 trustees 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.

Powers.

General duties.

SEC. 4. 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 funds 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*, donation and income for benefit of any special school shall be so applied.

Special duties.

SEC. 5. That said school trustees 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 privilege of said schools until reinstated by authority of said trustees; shall employ and fix the compensation of all teachers and officers of such schools; may require examination of all teachers and may dismiss teachers; 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 said schools, and the management of the school property in the said district.

Census.

Pupils from outside district.

SEC. 6. That said trustees may admit pupils residing outside the limits of said district, or those under or over the public school age, upon such terms as the trustees may deem reasonable, and may erect, repair, alter, and improve the school build-

Improvement of property.

ings and grounds, and may purchase furniture, equipment and appliances, including fixtures for heating, lighting, water supply, sewerage, etc.

SEC. 7. That said 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 bond in such sum as the trustees may require. The school authorities of special-tax district number thirty-five, Newport Township, as at present constituted, shall carry on the schools in said district until the trustees shall organize under this act.

Organization of trustees.

SEC. 8. That as soon as said trustees shall have organized and the treasurer elected by them shall have given an approved bond, the treasurer of the county school fund shall pay over to the treasurer of said board of trustees all school funds then in his hands belonging to said special-tax school district number thirty-five or the Newport public school district, and shall in like manner pay over all such funds as shall hereafter come into his hands for the use and benefit of said district. That any bank or trust company doing business in the town of Newport may be named as treasurer by the said board of trustees and need not be required to give bond: *Provided*, that the treasurer of said board of trustees of Newport graded school district shall not receive any commission or fees for handling any of the school funds of said district.

Treasurer custodian of funds.

Provide: No compensation.

SEC. 9. That all taxes levied and collected in said district for the use and benefit of said schools under authority of this act shall be paid over to the treasurer of said district by the tax collector or sheriff for the benefit of the public schools in said district.

Sheriff to pay over taxes.

SEC. 10. 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 Newport graded school district, and the title thereto shall vest in the trustees of Newport graded school, and all real estate belonging to the public schools in said limits shall be conveyed to said trustees by the proper county authorities holding title to the same, and said trustees may, in their discretion, sell any of said property and apply the proceeds as they may deem best for the schools and school property of said district.

Title to property vests in trustees.

SEC. 11. That the county board of education of Carteret County is authorized and directed to pay to the treasurer of said graded school district out of the county school funds, any balance therefore apportioned to the schools in special-tax school district number thirty-five, or appropriated to said district for building or other purposes, which has not been paid to or drawn from the county treasurer by said special-tax district, and such

County board of education directed to pay any unpaid balance to district.

apportionment and appropriation by the county board of education are declared to be valid and legal in all respects.

SEC. 12. That all laws and parts of laws in conflict with this act are hereby repealed so far as the same applies to the Newport graded school district.

SEC. 13. This act shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 96

AN ACT ALLOWING THE MAYOR AND COMMISSIONERS OF THE TOWN OF NORWOOD, STANLY COUNTY, TO REMOVE CERTAIN BODIES FROM PRIVATE CEMETERIES TO THE TOWN CEMETERY.

The General Assembly of North Carolina do enact:

Removal of
bodies authorized.

SECTION 1. That the mayor and town commissioners of the town of Norwood be allowed to remove the bodies buried in the lots adjoining the Methodist parsonage lot, and also those buried on the Presbyterian church lot, in the town of Norwood, Stanly County, and rebury the same in the town cemetery, properly replacing such marks of identification as exist at the present time.

Town authorities
not indictable.

SEC. 2. Neither the mayor, commissioners of the town of Norwood, or any person acting under their orders, shall be indictable or convicted of an offense, by reason of the disturbing or the removal of any dead body, or by reason of the doing of any other act, authorized by this act.

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 97

AN ACT TO AMEND SECTION 1, CHAPTER 33, PUBLIC-LOCAL LAWS, EXTRA SESSION 1913, RELATIVE TO IMPROVEMENT OF SIDEWALKS IN THE TOWN OF TRENTON.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. In the first and second lines of section one of said act, strike out the following: "Lying on Jones Street between Cherry and Market Street"; and in the third line of said section, add letter "s," making the word "street" plural; and in

the tenth line of same section, strike out the following: "on Jones Street"; and in lines fourteen and fifteen of same section, strike out "two-thirds" and add in lieu thereof the words "three-fourths," so that section one when amended shall read as follows:

"That the land in the town of Trenton, abutting on sidewalks and streets, shall be liable to a special assessment for the improvement and pavement of sidewalks upon which said lands may abut. The improvement to be by grading, curbing, paving or in such manner and of such character as the commissioners of said town may determine; and to that end the commissioners of the said town are hereby authorized and empowered from time to time to designate such sidewalks or parts of such sidewalks as they may elect to improve and pave such sidewalks or parts of such sidewalks so designated in such a manner as they may see fit and assess the lands abutting thereon for the payment of the cost of the improvement made by them: *Provided*, the assessment shall not be more than three-fourths of the cost of the improvement of paving the sidewalks."

Abutting property liable to assessment for sidewalks and streets.

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

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 98

AN ACT TO AMEND THE CHARTER OF THE TOWN OF GREENVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That each member of the board of aldermen of the town of Greenville shall be paid for his services in attending the regular monthly meetings of the board of aldermen, as provided for in the charter of said town, the sum of five dollars for each regular meeting: *Provided*, that any alderman failing to be present at the time of calling the board to order at any regular meeting, or who shall fail to remain present until adjournment, shall have no pay for such meeting.

Aldermen to be paid for attending meetings.

SEC. 2. That the mayor pro tem, in addition to the amount which he shall be paid for his services as alderman under the provisions of the foregoing section, shall be paid the sum of fifty dollars per year, to be paid quarterly.

Mayor pro tem to receive \$50 per annum additional.

SEC. 3. That all laws in conflict with the foregoing sections are hereby repealed.

SEC. 4. That this act shall be in full force and effect from and after July the first, one thousand nine hundred and nineteen.

Ratified this the 6th day of March A. D. 1919.

CHAPTER 99

AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEVILLE BY AMENDING SECTION 38 OF CHAPTER 49 OF THE PRIVATE LAWS OF 1915.

The General Assembly of North Carolina do enact:

Mayor's salary increased to \$4,000, commissioners to \$3,600 each.

SECTION 1. That section thirty-eight of chapter forty-nine of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the words "three thousand" in line four thereof, and inserting in lieu thereof the words "four thousand," and by striking out the words "two thousand five" in line five thereof and inserting in lieu thereof the words "three thousand six."

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

SEC. 3. That this act shall be in force and effect from and after the third Monday in May, one thousand nine hundred and nineteen.

Ratified this the 6th day of March, A. D. 1919.

CHAPTER 100

AN ACT TO INCORPORATE WEDINGTON INDUSTRIAL INSTITUTE.

The General Assembly of North Carolina do enact:

Board created body politic and corporate.

SECTION 1. This is to certify that the Board of Trustees of Wedington Academy, constituting a corporation, under and by virtue of the authority of deeds of trust from the trustees of the Western North Carolina Conference, dated May thirtieth, nineteen hundred and four, second deed, May thirtieth, nineteen hundred and four, third June twenty-eighth, nineteen hundred and four, trustees for the Methodist Episcopal Church, South, shall be and continue a body politic and corporate, and henceforth the corporation shall bear the name and title of "Wedington Industrial Institute." and under such name and title is hereby invested with all property and rights of property which now belong to said board of trustees or under any other name or names heretofore used, and by this name may acquire and hold all such property as may be devised, bequeathed, or conveyed to it, and further, may use all the authority, privileges and possessions that said corporation exercised under its former title and name, and shall be subject to all legal liabilities now outstanding against the said board of trustees.

SEC. 2. That from and after the granting of this certificate of incorporation the terms of office of the present trustees shall become immediately vacant, and H. H. Jordan, T. F. Marr, W. S. Blakney, J. A. Bell, E. C. Grigg, W. L. Hemby, J. M. Niven, W. D. Hawfield, L. C. Kimball, and R. B. Redwine, and their successors in office shall at once constitute the board of trustees of Wedington Industrial Institute, and the said corporation, under said name and style, shall hold all property and investments and assets of every character which now belong to said corporation or which may hereafter come into its possession, in trust for the Methodist Episcopal Church, South; and said trustees shall in the administration of their trust act as agents for said church, and it shall be subject to the control and direction of the Western North Carolina Conference, or its successors in authority in the territory in which Wedington Industrial Institute is located, and if upon investigation at any time it shall be deemed wise to remove any member or members of the board of trustees, the said North Carolina Conference (Western) shall have power, by a majority vote of its members to remove from office any such trustee or trustees and to elect their successors as hereinafter provided.

Trustees appointed.

Subject to control of conference.

Conference may remove trustees.

SEC. 3. That the term of office of each and every trustee who is named in section two of this charter shall expire at the time of the election of his successor by the session of the Western North Carolina Conference of the Methodist Episcopal Church, South, which shall be held in the year one thousand nine hundred and seventeen, and the said successors shall be not less than nine nor more than twelve in number, and that they shall be elected by the said Western North Carolina Conference of the Methodist Episcopal Church, South, in the following manner: The required number of suitable persons shall be nominated by the board of trustees of Wedington Industrial Institute, and these nominations shall be incorporated in the report of the Conference Board of Education, and shall be submitted to the conference with that report for final election or rejection by said conference of the persons whose election is proposed. The full term of office of a trustee shall be three years, and the order of election of trustees shall be so arranged that three shall be elected at each annual session of said Conference. In the first election of trustees under the provisions and by the authority of this charter three trustees shall be elected for a term of one year, three shall be elected for a term of two years, and three for a term of three years, and the term of each of these groups shall expire when their successors shall have been elected by said conference, and each succeeding year after the year one thousand nine hundred and seventeen the said conference shall elect three trustees for a term of three years, as successors of those

Term of office.

Successors.

Nomination.

Election.

Vacancies.

whose terms have expired, and from time to time the said conference shall fill by election, as herein provided for, any vacancies which may occur on the board of trustees from death, resignation or from any other cause. If at any time said board of trustees shall recommend to said conference for election and confirmation any persons which are not approved by said conference, said conference shall recommend to the board of trustees persons deemed suitable to fill the places of those so rejected, and if at any time the said trustees shall fail to recommend persons that are deemed suitable and satisfactory to the said Western North Carolina Conference, the said conference shall have the power and authority to elect such persons as it shall deem fit to fill said vacancies, and if at any time the said board of trustees shall wilfully and contumaciously refuse to carry out the wishes of the said conference, the said conference shall have authority to appoint a commission to carry into effect its wishes in the management and control of said school, and the action of said commission shall be as if done by said board of trustees and shall be binding on said corporation.

Acquisition of property by corporation.

SEC. 4. That the said corporation is authorized to acquire and receive by gift, purchase, devise, conveyance or otherwise, real and personal property, and to hold and administer the same by said trustees and their successors in office, for the use and benefit of the said Wedington Industrial Institute, in accordance with the terms of any such gift, devise, will or conveyance, to a value not exceeding the sum of five hundred thousand dollars.

Corporation authorized to conduct educational institutions.

SEC. 5. That the said corporation is authorized and empowered by this charter to conduct an educational institution of high grade, for men and women, at Wedington, North Carolina, to be known as "Wedington Industrial Institute," and in connection with said institution for literary instruction, may maintain and conduct courses in domestic art and science, agriculture, stock raising and any other industrial training the governing body may deem wise and expedient, said institution to be held and administered by said board of trustees, in trust for the Methodist Episcopal Church, South, and under the control and direction of the Western North Carolina Conference of said church.

Supervision and management.

SEC. 6. That the said board of trustees shall be charged with the supervision and management of said institution, subject to the limitations herein imposed and subject to their relation to Methodist Episcopal Church, South, and subject to the direction and control of the Western North Carolina Conference and said church as representatives of said church.

Rules and regulations.

SEC. 7. That the said board of trustees shall have power to make rules, regulations and by-laws not incompatible with the intent of the provisions of this trust, and not inconsistent with the laws and Constitution of the State of North Carolina and

of the United States. The said trustees shall fix a time and Faculty. place for holding their annual and other meetings and shall elect a faculty for said school, and shall elect annually from the members of the board of trustees an executive committee of five members, which committee shall have the same power and shall perform the same duties as the trustees, when the said trustees are not in session. The president of the school shall be ex-officio a member of the executive committee.

SEC. 8. That seven members shall constitute a quorum at any Quorum. regular or called meeting for the transaction of any business that shall come before them, and it shall be the duty of said trustees to fix the salaries of all teachers and to make all contracts and Salaries of teachers. agreements for the management of said corporation.

SEC. 9. That the faculty and trustees of Wedington Indus. Rights and trial Institute shall have all the rights and privileges enjoyed privileges. by colleges and other schools of this State.

SEC. 10. This act shall be in full force and effect after ratification.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 101

AN ACT TO REGULATE SALES ON SUNDAY IN THE CITY OF WASHINGTON.

The General Assembly of North Carolina do enact:

SECTION 1. No person, firm or corporation in Beaufort County shall expose for sale, sell or offer for sale on Sunday, any goods, Unlawful to sell or offer merchandise for sale. wares, or merchandise within one mile of the corporate limits of the city of Washington; 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, Proviso: Ex-ceptions. or to restaurants or cafes furnishing meals to actual guests, where the same are not otherwise prohibited by law from keeping open on Sunday: *Provided further*, that drug stores may be kept open for the sale of goods to be used for medical or surgical purposes: *Provided further*, that ice dealers and dairies Proviso: Further exceptions. 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 the publication and sale of newspapers, or the sale of gasoline.

SEC. 2. That for the purpose of enforcing this act, the police Policemen's powers extended. officers of the city of Washington, as well as the sheriff of Beaufort County are empowered and authorized to make arrests within one mile of the corporate limits for any violation of this act.

Aldermen may rescind present closing ordinance.

SEC. 3. That this act shall not be construed to prohibit the board of aldermen of the city of Washington from rescinding and repealing the Sunday closing ordinance now in effect in said city, and in the event said ordinance is repealed this act shall not take effect within the corporate limits of said city.

Violation a misdemeanor.

SEC. 4. That any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the court.

Act to be approved by aldermen.

Proviso: Aldermen may repeal it afterward.

SEC. 5. That this act shall not become effective until it has been duly approved by the board of aldermen of the city of Washington: *Provided*, that nothing in this section shall be construed to prohibit said board of aldermen from repealing same after it has been put in effect by them.

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

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 102

AN ACT TO AMEND OR EXTEND THE CORPORATE LIMITS OF THE TOWN OF HOOKERTON, GREENE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the corporate limits of the town of Hookerton, Greene County, North Carolina, be and the same is hereby amended or extended as follows:

Limits of extension defined.

Beginning at south corner of corporate limits of said town of Hookerton, at stake on Fifth Street or Kinston Public Road and running with and along said public road south to the intersection of said Kinston Road and proposed Patrick Street, thence along and with said proposed Patrick Street, south eighty-six degrees thirty-five minutes east nine hundred and ninety feet, to a stake on ditch, thence with said ditch north twenty-two degrees, ten minutes east six hundred and fifty-five feet to a stake with elm pointers, thence south eighty-six degrees thirty-five minutes east seven hundred and forty-four feet to a stake on ditch leading to Spring Branch, thence down the various courses of said ditch and branch as follows: North sixteen degrees, forty-five minutes east three hundred and fifty-four feet, to enter line of Hookerton and Grifton Public Road north six degrees, twenty minutes east six hundred and eighty feet

to Cemetery Branch, the corporate limit of the town of Hookerton according to the old charter.

SEC. 2. That all laws and parts 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. 1919.

CHAPTER 103

AN ACT TO AMEND CHAPTER 435 OF THE PRIVATE LAWS OF 1913, ENTITLED "AN ACT TO REVISE, AMEND AND CONSOLIDATE THE CHARTER OF THE TOWN OF BEAUFORT, CARTERET COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and thirty-five, Private Laws one thousand nine hundred and thirteen, be, and the same is, hereby amended, by striking out all of section three. Section dividing city into wards repealed.

SEC. 2. That chapter four hundred and thirty-five, Private Laws one thousand nine hundred and thirteen be, and the same is hereby amended by striking out in line three, section four, the word "six" and inserting in lieu thereof the word "five"; amend further by striking out in section four all of said section after the word "election" in line six thereof. Residence qualification for office made five months.

SEC. 3. That section five be, and the same is hereby amended, by striking out the word "year" in line two, and inserting in lieu thereof the words "two years," and by striking out the word "six" in line three and inserting in lieu thereof the word "five." Amend further by inserting after the word "elected" in line three and before the word "mayor" the words "by the qualified voters of said town." Amend further by striking out all of said section five after the word "Beaufort" in line four and before the word "the" in line seven. Amend further by striking out the words "mayor and" in line eight, and by striking out the word "six" in line eight and inserting in lieu thereof the word "five." Elections to be held biennially.
Commissioners reduced to five.
May.
Government vested in commissioners.

SEC. 4. That section six be, and the same is hereby amended by striking out all of said section after the word "prescribed" in line nine. Made to conform with abolition of wards.

SEC. 5. That section eight be, and the same is hereby amended by striking out the words "one from each ward" in line five, and the word "and" in line six.

SEC. 6. That section nine be and the same is hereby amended by striking out in line twenty the words "six months" and inserting in lieu thereof the words "ninety days." Residence requirement for voters.

Provisions for voting by wards repealed.

SEC. 7. That section ten be and the same is hereby amended by striking out in line five the words "boxes for each ward" and inserting in lieu thereof the words "box for commissioners."

SEC. 8. Amend section ten-a by striking out all the words in said section after the word "them" in line four.

SEC. 9. Amend section eleven by inserting after the word "person" and before the word "for" in line seven the words "or persons"; and further amend by striking out the word "commissioner" in line eight and inserting in lieu thereof the word "commissioners"; and further amend by striking out in said section all words after the word "device" in lines nine and ten.

SEC. 10. Amend by striking out in section twelve, line four, the words "for their respective wards."

How mayor may forfeit his office.

SEC. 11. Amend section eighteen by inserting after the word "office" in line four and before the word "the" in line four the words "by reason of intoxication, voluntary absence, or other wilful cause; or if he shall absent himself from, or fail to attend, any regular or special meeting of the board of commissioners, either because of any reason personal to himself or by agreement, express or implied, with any commissioner or commissioners, or if he shall procure or attempt to procure any commissioner not to attend such meeting, either for the purpose of preventing a quorum or for any other reason." Further amend by adding at the end of said section eighteen, after the word "duties" the words "*Provided further*, that said board of commissioners may, in their discretion, elect or choose as mayor pro tempore, or as mayor, upon the happenings of any of the conditions herein prescribed, any qualified elector of said town of Beaufort."

Mayor pro tempore.

Forfeit for failure to qualify \$200

SEC. 12. Amend section nineteen by striking out in line four the words "twenty-five" and inserting in lieu thereof the words "two hundred."

Commissioners authorized to employ town manager.

SEC. 13. Amend section twenty-seven by adding at the end of said section, after the word "same" the following: "And said commissioners shall have full power and authority to appoint, or select a town superintendent, or manager, to prescribe his duties, and fix his compensation: *Provided*, such compensation shall not exceed eighteen hundred dollars per year or one hundred fifty dollars per month, for a full time, experienced, trained man; such appointee to hold office as may be prescribed in time by said commissioners, and subject to removal by said commissioners at any time, in their discretion."

Compensation.

SEC. 14. Amend section eighty-eight by striking out of said section all words after the word "same" at the end of line seven.

SEC. 15. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 104

AN ACT TO AUTHORIZE A SPECIAL TAX LEVY FOR KINSTON GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

WHEREAS, during the current school year, one thousand nine hundred and eighteen, and one thousand nine hundred and nineteen, it has appeared that the income derived or to be derived to the Kinston graded schools as now authorized from all taxes and sources, is not sufficient to meet the necessary expenses of the said school for said current expenses, and further, that each total income to said Kinston graded school will not in the future be sufficient for the needs of the said schools in said Kinston school district in the State, and

WHEREAS, in order to continue the said schools for the current session certain individuals of the school district have become personally liable for such funds to complete the said current term in anticipation of a proposed additional special tax in said district to meet the present and future needs of said schools;

Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Lenoir County is hereby directed upon request or petition by the trustees of the Kinston graded schools to order an election to be held to ascertain the will of the people of the said Kinston graded school district, whether there shall be levied an additional special tax, not to exceed thirty (30) cents on the one hundred dollar (\$100) valuation of property and not to exceed ninety (90) cents on the polls, on all of the property and polls liable for taxation in said Kinston school district, for the purpose of supplementing the school funds and meeting all and every necessary expense and need of said district and especially including the purpose of paying any part or accumulated indebtedness of the said school district, and of refunding or saving harmless any individuals on account of funds paid, advanced or for which they may have become liable in order to meet the expenses of operating the said graded schools of Kinston graded school dis-

Preamble.

County commissioners directed to call election upon petition of trustees of district.

Limit of tax rate.

Purpose of tax.

trict during the current year of one thousand nine hundred and eighteen and one thousand nine hundred and nineteen, and otherwise, and further for the purpose of meeting all expenses properly incident upon the successful operation and running of the Kinston graded schools under the authority of the trustees thereof, as now, or as in the future may be provided for according to law.

Conduct of election.

SEC. 2. Said election shall be conducted, held, reported and recorded in said district under the laws governing general elections as near as may be. That at said election those who are in favor of the levy and collection of the said tax shall vote a ballot upon which shall be printed or written the words "For special tax," and those who are opposed shall vote a ballot on which shall be written or printed the words "Against special tax." In case a majority of the qualified voters at said election are in favor of said tax the same shall be annually levied and collected in the same manner as is now prescribed by law for the levy and collection of other taxes of said Kinston graded school district and shall be paid over to the treasurer of the said Kinston graded school district or other officer now or in the future authorized to hold said funds for the benefit of the said graded schools as herein set forth.

Form of ballot.

Levy and collection of tax.

Subsequent elections.

SEC. 3. That in case a majority of the qualified voters at said election cast ballots against special tax, then and in that event the board of county commissioners of Lenoir County are hereby authorized upon petition of the trustees of the Kinston graded school to order another election for the same purpose as herein set forth at any time thereafter, said election to be held in the same manner and under the same provisions as the election provided for in this act: *Provided, however,* that a second election shall not be called in less than one year from the first election herein authorized.

New registration.

SEC. 4. The board of county commissioners of Lenoir County may, in its discretion, order a new registration of the voters of said Kinston graded school district for any election authorized under this act.

Disposition of proceeds.

SEC. 5. That said special tax provided for by this act shall be applied in all manner and respect as set forth in section one of this act, and if there should be any surplus, the same shall be used for the purpose of supplementing the fund now derived from all other sources for the general operation, maintaining an upkeep of the said schools of said district.

SEC. 6. That this act shall in nowise affect or interfere with the present authorized levies and collections made for school purposes in said district, but shall be in addition thereto.

SEC. 7. That all laws and clauses of laws, general or special, 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 7th day of March, A. D. 1919.

CHAPTER 105

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CHAPEL HILL AS CONTAINED IN PRIVATE LAWS OF NORTH CAROLINA, SESSION 1899, CHAPTER 283.

The General Assembly of North Carolina do enact:

SECTION 1. That section fifty-four of Private Laws of one thousand eight hundred and ninety-nine, chapter two hundred and eighty-three, be, and the same is hereby amended by adding at the end of section fifty-four the words: "That all taxes paid before the first day of December shall be subject to a discount of one per cent. That to all taxes remaining unpaid the first day of January and paid before the first day of February shall be added a penalty of one per cent. That to all taxes remaining unpaid the first of February and paid before the first day of March shall be added a penalty of two per cent. That to all taxes remaining unpaid the first of March and paid before the first day of April shall be added a penalty of three per cent. That to all taxes remaining unpaid the first of April paid before the first day of May shall be added a penalty of four per cent."

Discount for taxes paid before December.

Penalty for taxes unpaid after February 1.

SEC. 2. That section fifty-five of the Private Laws of one thousand eight hundred and ninety-nine, chapter two hundred and eighty-three, be, and the same is hereby amended by adding at the end of section fifty-five the words: "Taxes and fees for sewer connections and for sanitary services are hereby declared a lien against the property served, and the tax collector shall have power to collect the same by distress and sale, as provided herein for the collection of property tax."

Taxes and fees for sewer connections lien on property.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 106

AN ACT TO AMEND CHAPTER 718 OF THE PUBLIC LAWS OF 1903, RELATING TO THE GRADED SCHOOL IN THE TOWN OF COLUMBIA.

The General Assembly of North Carolina do enact:

SECTION 1. That section five, chapter seven hundred and eighteen of the Public Laws of one thousand nine hundred and three be and the same is hereby repealed and the following is enacted in lieu thereof:

Trustees to be elected biennially

"SEC. 5. That the board of trustees shall consist of three members to be elected by a popular vote of the qualified voters of the town of Columbia at their regular biennial election held in May. That the term of office of the said trustees shall be for two years and no longer. That in case of resignation, death or vacancy by other cause upon the said board, the same shall be filled by the county board of education, who shall appoint a successor."

SEC. 2. That section six of chapter seven hundred and eighteen of the Public Laws of one thousand nine hundred and three be and the same is hereby repealed and the following enacted in lieu thereof:

Guided by course of study prescribed.

"SEC. 6. The trustees provided for in section five shall be guided by the course of study provided by the state for said school, and it shall be amenable to the said school law as regards the employment of teachers and administering finances."

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. 1919.

CHAPTER 107

AN ACT FOR THE RELIEF OF J. SARA COLLIS, A PUBLIC SCHOOL TEACHER OF MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county superintendent of Mitchell County be and he is hereby authorized to countersign the voucher and the treasurer is required to pay J. Sara Collis, a public school teacher in Mitchell County any balance shown to be due her, as evidenced by her voucher signed by at least a majority of the committee of the district in which she taught during the year one thousand nine hundred and eighteen. Such payment

Payment of balance due directed.

to be made out of any funds now due or which may hereafter become due said district.

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. 1919.

CHAPTER 108

AN ACT TO ALLOW THE BOARD OF ALDERMEN OF THE TOWN OF SPRING HOPE TO ISSUE BONDS FOR WATERWORKS, SEWERAGE AND STREET IMPROVEMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen of the town of Spring Hope is hereby authorized and empowered to issue to an amount not to exceed twenty-five thousand dollars bonds to establish and operate a system of sewerage; to an amount not to exceed fifty thousand dollars bonds to establish and operate a system of waterworks, and bonds not to exceed twenty thousand dollars to grade, pave and otherwise improve the streets in, of and for the said town. That all of the said bonds are to be in the name of said town and to be of such denominations and in such form as the board of aldermen of said town may determine. Limit of bonds.

SEC. 2. That said bonds shall be payable and redeemable at such place or places and at such time or times as may be determined by the said board of aldermen, the maturity, however, not to exceed forty (40) years from the issue thereof. Maturity.

SEC. 3. That said bonds shall bear interest at a rate not to exceed six per cent per annum from their date, with interest coupons attached, payable semiannually, at such place or places as may be deemed advisable by the said board of aldermen. Interest.

SEC. 4. 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 par value, nor shall said bonds or their proceeds be used for any other purpose than those declared in section one of this act. Terms of sale.
Application of proceeds.

SEC. 5. That for the purpose of providing for the payment of said principal and coupons as the same shall become due, the said board of aldermen 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 thirty 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 ninety cents on all taxable polls in said town; Levy of special tax for sinking fund.
Limit of tax rate.

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 aldermen of said town to set apart such a proportion of the 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 plant for said town, and improvement of the streets.

Proceeds a separate fund.

Construction and maintenance of waterworks system authorized.

SEC. 6. That the board of aldermen of said town shall have authority to establish, construct, and purchase and equip, operate and at all times to maintain such system of waterworks and sewerage in or 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 purposes, and hold such real estate and personal property and to acquire all such rights and privileges as may be deemed right to enable them to build, erect, equip, establish, and operate and maintain such system of waterworks and sewerage in such manner as to secure the full benefit thereof to said town and to its customers within or near said town.

Authority may be exercised at any time within 18 months.

SEC. 7. That the authority herein granted to the board of aldermen of the town of Spring Hope to issue the bonds herein described may be exercised in pursuance of a resolution duly passed by the said board within eighteen months of the ratification of this act, but nothing herein contained shall render issuance of said bonds mandatory upon the said board.

SEC. 8. 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. 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. 1919.

CHAPTER 109

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

The General Assembly of North Carolina do enact:

Jurisdiction of mayor or recorder extended.

SECTION 1. That for the purpose of the enforcement of law and police control, the jurisdiction of the mayor of the city of Kinston, or the recorder, if a recorder's court shall be established embracing the city of Kinston within its jurisdiction,

shall extend to and embrace all adjacent territory outside the city limits lying within a mile and a half in every direction from the city boundaries; and the governing body of the city having authority to enact ordinances for the municipality shall have and is hereby given the authority to enact and pass such and all ordinances as in the judgment and discretion of the governing body may be necessary for policing said territory and for the suppression of nuisances and preserving law and order therein, as fully and completely and to the same extent as if the said territory within a mile and a half of the city boundaries in every direction were within the city limits.

City ordinances effective within such limits.

SEC. 2. That there shall be five (5) wards in the city of Kinston, the boundaries thereof to be as follows:

City divided into five wards.

First ward—All territory within the city limits which lies west of Mitchell Street.

Second ward—All territory lying east of Mitchell Street and west of Queen Street.

Third ward—All territory lying east of Queen Street and west of Independent Street.

Fourth ward—All territory lying east of Independent Street and west of Tiffany Street running northwardly as far as Tower Hill Road and west and north of Tower Hill Road.

Fifth ward—All territory lying east and south of Tiffany Street and Tower Hill Road.

SEC. 3. That there shall be a voting or polling place in each ward for the voters thereof, the voting place to be designated by the board of aldermen of the city, and that the registration of voters shall be conducted under such rules and regulations as shall be prescribed by the board of aldermen, and the return of elections and the declaration of the result of elections shall be under such rules and regulations as shall be established by the board of aldermen: *Provided*, such rules and regulations in respect to the registration of voters and the return of election and declaration of the result of elections shall not be inconsistent with the provisions of the general laws of the state.

Voting places.

Registration.

Returns.

Proviso: Rules not to be inconsistent with general laws.

SEC. 4. That the governing body of the city shall consist of a mayor and a board of aldermen consisting of ten (10) members, two (2) from each ward.

Governing body.

SEC. 5. That no member of the board of aldermen shall be eligible to hold any commissioner, superintendency or other position under the city during his term of office.

Alderman to hold only one office.

SEC. 6. That the utilities and properties of the city shall be operated, conducted and managed by an appointee or such appointees as the board of aldermen shall from time to time determine, such appointee or appointees to be subject to such rules and regulations as the board of aldermen may from time to time prescribe.

Properties of city subject to rules of aldermen.

Election of mayor. SEC. 7. That the mayor shall be elected by the voters of the city at large, and that the votes cast for mayor shall be at the same time and places in the respective wards as may be prescribed for the election of aldermen and that the board of aldermen shall have the right to enact such appropriate ordinances as may be necessary to make effective this provision.

Duties of mayor. SEC. 8. That it shall be the duty of the mayor to preside over the meetings of the board of aldermen; and he shall have the right to cast the deciding vote in the event of a tie in the vote of the aldermen, and not otherwise.

To report monthly to aldermen on city's business. SEC. 9. That the mayor shall have general supervision over, together with the exercise of the power and authority reposed in him by the board of aldermen in respect to all the employees of the board of aldermen and the performance of their duties. The mayor shall keep himself informed as to the city's business and monthly make a report to the board of aldermen in respect to the business of the city and its several employees, for such action from time to time as the board of aldermen shall deem proper, accompanying his report with such recommendations, if any, as he may deem advisable.

Police, election and control of. SEC. 10. That the police of the city shall be elected by the board of aldermen, and they shall be, under such rules and regulations as the board of aldermen may prescribe, subject to the direction and control of the mayor: *Provided, however,* that in the event of the establishment of a recorder's court embracing the city of Kinston within its jurisdiction, the control of the police shall be under the recorder to the extent prescribed by the general law of the state, and where not prescribed by the general law of the state, then the police shall be under the direction and control of the mayor or the recorder in accordance with such rules, regulations and ordinances as shall be established and enacted by the board of aldermen.

Salary of mayor. SEC. 11. That the salary of the mayor shall be fixed by the board of aldermen, the amount not to exceed one thousand dollars per annum, and that the members of the board of aldermen shall receive no salary or compensation for their services: *Provided, however,* that if a recorder's court shall not be established embracing the city of Kinston, thereby leaving to the mayor the trial of violations of ordinances of the city and other violations of law, then in that event the mayor, in lieu of fees allowed by law, shall receive an additional salary to that herebefore specified in this section in an amount to be fixed by the board of aldermen, not in excess of one thousand dollars per annum; and that such fees as would otherwise be taxed in favor of the mayor as a trial court shall be collected and turned over and paid to the city treasurer, to be disbursed under the direction of the board of aldermen.

Proviso: Subject to recorder's control as prescribed by general law.

No salary paid aldermen.

Proviso: Mayor to receive fees if recorder's court is not established.

SEC. 12. That the board of aldermen shall have power and authority to enact ordinances prohibiting the renting of property for unlawful or immoral purposes, and by appropriate ordinances to prohibit the owner of property from allowing or permitting his property to be occupied for unlawful or immoral purposes; that the board of aldermen shall have the right to enact appropriate ordinances for the prevention of the use of property within the city limits or within a mile and a half of the boundaries thereof for unlawful or immoral purposes; and by appropriate ordinances to prohibit any person from conducting, inhabiting, frequenting or maintaining a house or property of any nature wherein unlawful, immoral or lewd acts are committed, the said board of aldermen being hereby clothed with authority to enact such ordinances, not inconsistent with the general law of the state, as may be necessary for the inhibition and suppression of the use of houses or places conducted or maintained for unlawful or immoral purposes.

Aldermen may prohibit use of property for immoral purposes.

Clothed with authority to suppress places used for immoral purposes.

SEC. 13. That the board of aldermen shall have the right and power to acquire, by purchase, gift, donation, or condemnation, for the use of the city, such property, or such interest therein, within the corporate limits of the city or within one and one-half miles of the corporate limits of the city, as the said board may by appropriate resolution declare to be necessary to the public use for public administrative buildings, public hospitals, public parks and civic adornment, public monuments, public libraries, cemeteries, public playgrounds, and public wharfs and docks, and to lay out, establish, manage, control, conduct, and maintain the same, the control and management of such public hospitals, public parks, public libraries, and public wharfs and docks as may be acquired to be either under the control and management of the city through such agents and employees as the board of aldermen may appoint, or by such lessee or lessees as the board of aldermen may determine; the power of condemnation to be exercised as prescribed in the charter of the city of Kinston and amendments thereto in respect to condemnation proceedings to acquire property for the purposes specified in said charter.

Acquisition of property for use of city.

Condemnation, control and maintenance of such property.

Exercise of power of condemnation.

SEC. 14. That the charter of the city of Kinston and all amendments thereto not inconsistent with the provisions of this act shall be and continue in full force and effect, and that all laws and clauses of laws inconsistent with this act are hereby repealed.

Such of charter not inconsistent continued in force.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 110

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

The General Assembly of North Carolina do enact:

Limits lessened.

SECTION 1. That chapter one hundred and ninety-seven of the Private Laws of one thousand eight hundred and ninety-five be, and the same is hereby amended by striking out the words "one-half mile" in line three of section two of said act, and substituting in lieu thereof the words "one-fourth mile."

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 111

AN ACT TO ESTABLISH A GRADED SCHOOL AT WAKE FOREST AND TO PROVIDE SPECIAL TAX AND BONDS THEREFOR.

The General Assembly of North Carolina do enact:

Chapter 376,
private laws of
1913, amended.

SECTION 1. That chapter three hundred and seventy-six of the Private Laws of nineteen hundred and thirteen, entitled "An act to incorporate Wake Forest Graded School District, Wake Forest Township, Wake County, North Carolina" be and the same is hereby amended by striking out sections three, four and five thereof and inserting in lieu of same the following:

Board of trustees
to be elected.

"SEC. 3. The management and control of the public schools in said district shall be vested in a board of trustees consisting of five residents of said district who shall be chosen by the voters of said district at elections to be held as hereinafter provided for a term of six years and until their successors shall have been elected and qualified.

Term of office.

Board a body
corporate.

"SEC. 4. 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 Trustees of Wake Forest Graded School" and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise; hold, exchange, sell, and convey the same, and exercise such rights and privileges as are incident to other corporations of like nature.

Vested with
exclusive control of
schools.

"SEC. 5. It shall be the duty of the said board of trustees to establish and maintain a system of public schools for the children of school age resident in said district. It shall have exclusive

control of such schools, prescribe rules and regulations for their conduct, employ, fix the compensation, and dismiss the officers and teachers therein, and exercise all powers that may be needful for the proper and successful operation thereof; it may provide for admitting pupils over twenty-one years of age and from outside districts upon such terms as it may deem proper; may elect a superintendent and delegate to him such powers as may be needed for a proper supervision of the schools; shall make annual reports of the operation of the schools to the county board of education of Wake County and as may be required by the State Superintendent of Public Instruction.

Admission of special pupils.

Superintendent.

Reports.

SEC. 6. The board of trustees shall prescribe such rules as may be deemed necessary for the despatch of business and shall elect annually a chairman and a secretary and prescribe the duties of each. It may elect a treasurer or it may designate one or more banks in the district who shall act as such, and such treasurer or treasurers shall handle all funds belonging to the district, shall pay them out only on warrants signed by the chairman and secretary, and shall make such reports and give such bond as may be required by the board of trustees.

Organization of board.

Handling of funds.

SEC. 7. The said board of trustees shall be and are hereby authorized and empowered to borrow money for and to issue bonds of said graded school district to an amount not exceeding twenty-five thousand dollars, the bonds to be of such denomination as may be deemed advisable, bearing interest from date thereof at a rate not exceeding six per centum per annum, with interest coupons attached, payable semiannually, at such time or times and 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 time or times not exceeding thirty years from date thereof, and at such place or places as said board of trustees may determine.

Authorized to borrow money and to issue bonds.

Limit of bonds.

Interest.

Maturity.

The proceeds arising from the sale thereof shall be expended by said board of trustees in providing such school buildings as may be required and in furnishing and equipping the same, and for no other purpose: *Provided*, that the bonds may be issued at such time or times, and in such amount or amounts, within the limit prescribed, as may be required to meet the expenditures above provided for.

Application of proceeds.

Proviso: Date of issue discretionary.

SEC. 8. That for the purpose of providing for the payment of said bonds and the interest thereon and of providing funds for defraying the expenses of the public schools provided for in this act supplementary to the amounts that may be apportioned to said district by the state and county, the board of county commissioners of Wake County shall annually and at the time of levying the county taxes levy and lay a special tax on all per-

County commissioners directed to levy special tax for sinking fund and expenses.

sons and property subject to taxation within the limits of said district of not to exceed fifty cents on the one hundred dollars assessed valuation of property and not more than one dollar and fifty cents on the poll, the rate of tax so levied within the limits prescribed to be determined by the recommendation made by the board of trustees of said graded school. Said taxes shall be collected by the sheriff of Wake County at the time and in the manner and with the same power and authority that the county taxes are collected and said taxes shall be paid over to the treasurer of said board of trustees as the same are collected and within thirty days of such collection.

SEC. 9. Out of the taxes so collected it shall be the duty of the said board of trustees, first, to pay any interest accrued on bonds outstanding; next, to provide and set aside as a sinking fund such amount as may be necessary to be able to pay said bonds at their maturity, and to use the remainder for the maintenance of the public schools in said district.

SEC. 10. The provisions of this act shall be submitted to the qualified voters of said district at an election to be held on Monday, the fifth day of May, nineteen hundred and nineteen, in the town of Wake Forest. For said election the board of county commissioners of Wake County shall appoint a registrar and two pollholders and a new registration shall be required. At least twenty days prior to such election the registrar shall post at the post office in the town of Wake Forest a notice in which shall be stated the date of the election, the days on which the registration book will be open, the polling place, which shall have been fixed by him, and that the purpose of said election is for the establishment of a graded school in said district, the issuance of bonds and the levy of a special tax. No other notice or advertisement shall be necessary. The registration book shall be kept open as provided in section twenty-nine hundred and fifty-two of the Revisal of nineteen hundred and five. At said election voters favoring the approval of this act, the issuance of bonds and levy of special tax shall cast ballots on which is written or printed "For Graded School"; those opposed shall cast ballots on which is written or printed "Against Graded School." The registrar and pollholders shall canvass and count the votes cast and shall declare the result of the election and shall make a report thereof to the board of county commissioners of Wake County. No other canvass or report shall be required. Such report shall be entered on the record of the said county commissioners and after thirty days from such enrollment the facts stated in such report shall not be open to attack but shall be deemed and held conclusive.

In all respects other than matters herein specified, said election shall be conducted as is provided for elections in towns by chapter seventy-three of Revisal of nineteen hundred and five.

SEC. 11. If at said election a majority of the qualified shall cast ballots "For Graded Schools," then all the provisions of this act shall be in full force and effect, the special tax of fifteen cents heretofore levied in said district for school purposes shall no longer be levied or collected, and chapter four hundred and fifteen of the Private Laws of nineteen hundred and thirteen authorizing a special tax in said district and the issuance of bonds shall be deemed and held repealed from and after the date of said election.

If election carries, former special tax is repealed.

But if a majority of the qualified voters of said district do not vote "For Graded School," then none of the provisions of this act shall go into effect and the special tax for schools heretofore levied shall continue to be levied and said chapter four hundred and fifteen of Private Laws of nineteen hundred and thirteen shall be and remain in full force and effect.

If election fails, special tax shall continue in force.

SEC. 12. At the election provided for in section ten of this act, each voter shall vote for five persons as members of the board of trustees, and the five persons receiving the greatest number of votes shall be declared elected and shall constitute the said board of trustees. Two of these shall hold for six years, two for four years, and one for two years, all terms to expire on the thirtieth day of May. The length of the term for which each is to serve shall be determined by lot in such manner as said board of trustees may agree and the result thereof shall be entered on the minutes of said board.

Election of trustees.

Term of office.

Determined by lot.

SEC. 13. On the first Monday in May of alternate years thereafter, successors shall be elected for a term of six years to those whose term is about to expire. The registrar and pollholders for same shall be appointed by the said board of trustees, the result thereof shall be reported to said board, and in all other respects the elections shall be conducted as provided in chapter seventy-three of the Revisal of nineteen hundred and five. Vacancies occurring in the membership of the board shall be filled for the unexpired term by the remaining members.

Successors.

Election under direction of trustees.

SEC. 14. The said graded school district shall be entitled to receive from the state and county for the public schools in said district the same amounts for maintenance and buildings as such public schools would be entitled to receive if they were being operated under the general laws of the state and all such funds shall be paid over to the treasurer of the said board of trustees. And all balances and funds of whatever kind belonging to or held to the credit of the district as heretofore constituted, including taxes collected under the provisions of chapter four hundred and fifteen, Private Laws of nineteen hundred and thirteen, shall upon demand from said board of trustees be paid to the treasurer of said board: *Provided*, that nothing herein contained shall release said district from any liability heretofore contracted, and for

District entitled to share from general fund.

Treasurer custodian all funds.

Proviso: District liable for all obligations heretofore made.

such, if any exist, the district as incorporated by this act shall continue and remain liable.

SEC. 15. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 112

AN ACT TO AMEND CHAPTER 424, LAWS OF 1887, RELATIVE TO REIDSVILLE SCHOOL DISTRICT, ROCKINGHAM COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter four hundred and twenty-four, laws of one thousand eight hundred and eighty-seven be and the same is hereby repealed, and the following is substituted in lieu thereof the same to be known as "section three," as follows:

That the school committee of said district shall consist of six members to be appointed by the board of commissioners of the town of Reidsville. That said school committee is hereby divided into three classes of two each. The term of office of the first class shall begin on the first Tuesday in June, one thousand nine hundred and nineteen, and shall continue for two years, and the term of office of the second class shall begin on said date and continue for a term of four years, and the term of office of the third class shall begin on said date and continue for a term of six years: *Provided*, that at the expiration of the term of each class the board of commissioners of the town of Reidsville shall elect their successors for a term of six years and shall thereafter elect the successors of all three classes as herein provided for a term of six years each. Said election to be made by the board of commissioners of the town of Reidsville at their meeting in June of each year when any of said terms shall expire.

Whenever any vacancy occurs in said committee during the term of office of any member of said board the board of commissioners of the town of Reidsville shall immediately thereafter elect a successor.

That the office of each of the members of said committee of said school district at present holding office as such committee is hereby declared vacant and the following persons are designated as the school committee of the Reidsville school district, Rockingham County, North Carolina: W. S. Somers and J. B. Pipkin, who shall hold office until the meeting of the board of

Committee numbering six appointed by commissioners of town of Reidsville.
Term of office.

Successors.

Time of election.

Vacancies.

Commissioners appoint to succeed old board.

To hold until June, 1919.

commissioners of the town of Reidsville in June one thousand nine hundred and nineteen, when said board shall elect their successors for a term of six years. Scott Fillman and Manton Oliver are hereby designated as members of said board to hold office until the regular meeting of the board of commissioners of the town of Reidsville held in June one thousand nine hundred and twenty-one, when said board shall elect their successors in office for a term of six years. Mrs. Agnes Jones Williams and Mrs. Dora B. Mills are hereby designated as members of said school committee to hold office until the regular meeting of the board of commissioners of the town of Reidsville held in June one thousand nine hundred and twenty-three, at which time said board shall elect their successors in office for a term of six years. That the persons named herein as the school committee of Reidsville school district shall constitute the said school committee of said district immediately upon ratification of this act and they shall at once enter upon the duties of their said office.

To hold until
June, 1921.

To hold until
June, 1923.

SEC. 2. That all laws or clauses of law 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. 1919.

CHAPTER 113

AN ACT TO AMEND THE CHARTER OF THE TOWN OF TRENTON, NORTH CAROLINA, BEING CHAPTER 174, PRIVATE LAWS OF 1911.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter one hundred and seventy-four, Private Laws of one thousand nine hundred and eleven, be amended as follows: Strike out all the words in said section after the word "than" in line seven of said section and insert in lieu thereof the following: Sixty cents on the one hundred dollars worth of property and one dollar and eight cents on each taxable poll"; so that section seven will read when amended as follows:

"That in order to raise funds to defray the necessary expenses incident to the government of said town, the board of commissioners may annually levy and collect the following taxes: On all real and personal property within the corporate limits of said town, including money on hand, solvent credits and all subjects of taxation upon which an ad valorem tax is or may be imposed by the General Assembly, not more than sixty cents on the one

Limit of tax rate
increased.

hundred dollars worth of property, and one dollar and eight cents on each taxable poll.”

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 114

AN ACT TO FIX THE COMPENSATION OF THE MAYOR OF WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Mayor's salary
\$3,500 per
annum.

SECTION 1. That the mayor of the city of Wilmington, North Carolina, shall receive as compensation for his services the sum of three thousand five hundred dollars per annum, payable monthly.

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 7th day of March, A. D. 1919.

CHAPTER 115

AN ACT INCORPORATING THE GRADED SCHOOL DISTRICT OF THE CITY OF GASTONIA, NORTH CAROLINA, AND PRESCRIBING THE POWERS AND DUTIES OF THE BOARD OF SCHOOL COMMISSIONERS THEREOF.

The General Assembly of North Carolina do enact:

District created.

SECTION 1. That all the territory embraced within the corporate limits of the city of Gastonia, Gaston County, North Carolina, shall be and the same is hereby created and continued as a school district for white and colored children, to be known as Gastonia graded school district.

Board of seven to
be elected
biennially.

SEC. 2. That a board of seven school commissioners shall be elected biennially, at the regular municipal election when the mayor and the board of aldermen of said city shall be elected, under the same rules and regulations as may be provided for the election of the aldermen of said city, and said school commissioners shall hold office until the next regular election and until their successors are elected and qualified.

Board a body
corporate.

SEC. 3. That said board of school commissioners and its successors shall be and they are hereby constituted a body corporate by the name and style of “The Board of School Commissioners of

Gastonia Graded School District," 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 property, hold and 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.

SEC. 4. That said board of school commissioners shall establish graded public schools for the white and colored children for said graded school district, and shall appropriate and use the funds derived from special taxes or other sources, in such manner as it may deem best for both races.

SEC. 5. That said board of school commissioners shall have exclusive control of all public schools in said city, free from the supervision and control of the mayor and board of aldermen of the city of Gastonia, or other constituted city authorities as may hereafter have charge of the city affairs, under and by virtue of any laws which may be hereafter adopted, and all property, both real and personal, and funds, now or hereafter belonging to the public schools of said city, or used for school purposes, while said graded schools shall be operated, shall be vested in, and controlled by the said board of school commissioners and its successors, and the same shall be held by them in trust for the said graded school; they shall prescribe the qualifications, employ and fix the compensation of all officers and teachers of such schools, and other employees necessary to the proper operation of said schools, and shall cause to be taken, in accordance with the general laws of the state, an accurate census of the school population of said city, and shall exercise such other power as may be necessary for the successful control and operation of said schools: *Provided*, that in the event that said graded schools shall at any time be discontinued, or said graded school district abolished, all of said property held by the said board of school commissioners, shall revert to and belong to the said city of Gastonia.

SEC. 6. That within ten days after each biennial election of said board of school commissioners, said board shall hold a meeting and elect from among their number a chairman, a treasurer, and a secretary: *Provided*, that one person may act as both secretary and treasurer. It shall be the duty of the chairman to preside at all meetings and generally to see that all orders of the said board are carried out. The secretary shall keep an accurate record of all meetings, and the acts and orders of said board, and the treasurer shall receive and hold all school funds coming into his hands and disburse the same, from time to time, as may be directed by the said board, and shall make monthly reports to said board of all receipts and disbursements by him during the preceding month. The said board shall

Apportionment of funds between races.

Vested with exclusive control of schools.

Charged with employment of teachers, taking census of schools and exercise of other powers necessary for successful operation.

Proviso: If district be abolished, property reverts to city.

Organization of board.

Duties of chairman.

Of secretary.

Treasurer.

Treasurer to give bond.

require the said treasurer to give such bond as they may deem necessary for the sufficient protection of said school funds or other property entrusted to his care.

City aldermen to levy tax for maintenance of schools.

SEC. 7. That it shall be the duty of the board of aldermen of the city of Gastonia, to levy annually, a tax of not more than fifty cents on the one hundred dollars valuation of all real estate and personal property, actually or in contemplation of law, situated within the corporate limits of the said city of Gastonia for the support and maintenance of the public graded schools in said district; the amount to be levied each year by said board of aldermen, to be determined by the said board of school commissioners, and reported or certified to said board of aldermen, before the first day of June of each year; and the amount so determined and certified by said board of school commissioners shall be levied by the said board of aldermen, and the taxes so levied shall be collected by the city tax collector and accounted for as other taxes, but shall be paid over to the treasurer of said board of commissioners as collected. Said board of aldermen is hereby given full power and authority to levy said tax upon said property and all power and authority heretofore given them to collect such tax is hereby continued in said board of aldermen.

Amount of levy determined by commissioners.

Collection.

Authority for levy and collection.

Treasurer custodian of all funds.

SEC. 8. That all funds apportioned to said district by the county board of education from the state and county, or other school funds, and all funds derived from the levy of the said special tax collected under the provisions of this act, or previous acts or laws, shall be turned over to the treasurer of said board of school commissioners and shall be apportioned and used under the direction of said board of school commissioners for the support and maintenance of all the public schools in said graded school district, and all moneys paid out by said treasurer shall be upon order of school commissioners, signed by the chairman and secretary thereof.

Act not to interfere with previous statutes authorizing special tax.

SEC. 9. That this act shall not have the effect of repealing or in any wise interfering with any statute, or statutes, now in force, authorizing the levy and collection of any special tax for the benefit of the public schools of said graded school district, but the same shall remain in full force and effect, and the taxes arising therefrom shall be paid over to the treasurer of said board of school commissioners for the support and maintenance of said graded schools, as herein provided for.

Vacancies on board.

SEC. 10. The said board of school commissioners shall have the power to fill all vacancies occurring on said board, by appointment.

Laws made to conform.

SEC. 11. That all laws and parts of laws in conflict with any of the provisions of this act are hereby repealed, and sections sixty-two and sixty-four of chapter one hundred and ninety-nine

of the Private Laws of one thousand nine hundred and thirteen, in so far as they may conflict with any of the provisions of this act are hereby repealed, but it is herein expressly provided that the power conferred, by said act, upon the board of aldermen of the city of Gastonia to levy a tax of not exceeding thirty cents on the one hundred dollars valuation of real and personal property, and also that portion of said act constituting the territory within the corporate limits of the city of Gastonia a graded school district with the right, as such, to receive its proportion of the general school fund, from the county board of education, are hereby continued in full force and effect.

Expressly provided that power to levy former special tax is continued.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 116

AN ACT TO PROVIDE FOR THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF GREENSBORO.

The General Assembly of North Carolina do enact:

SECTION 1. That, whenever in the judgment of the governing board of the city of Greensboro, it appears desirable and for the best interest of said city to enlarge or extend the corporate limits thereof, and it also appears to said board that such extension is for the best interest of the citizens of the territory proposed to be annexed, then the said governing board may call an election to determine whether or not such territory shall be annexed to said city.

Election to be called by governing board when deemed advisable.

SEC. 2. That such election shall be called by ordinance, which ordinance shall be introduced at least one week before its final passage, and when called up one week after its introduction, may then be amended and adopted, or it may be amended and adopted at any subsequent meeting. Said ordinance shall (a) describe with reasonable certainty the territory proposed to be annexed to the city; (b) provide that the matter of annexation of such territory shall be submitted to the vote of the qualified voters of said city and the territory proposed to be annexed voting together; (c) provide for a new or special registration of voters for said election; (d) designate the precincts and voting places for such election; (e) name the registrars and the judges of election; (f) and make all other necessary provision for the holding and conducting of such election, the canvassing of the returns, and the declaration of the result. Said ordinance shall be published in one or more newspapers of said city once a week

Notice of election.

Contents of notice.

Publication.

Proviso: Only one election under act.

for four weeks prior to said election: *Provided*, that only one election shall be held under this act.

Form of ballot.

SEC. 3. That at any such election those voters who favor extending the city limits as provided by the ordinance calling such election shall vote ballots on which shall be written or printed the words, "For Extension"; and those opposed shall vote ballots on which shall be written or printed, "Against Extension." If at any such election a majority of the qualified votes shall be "For Extension," then from and after the date of such election the territory described in the ordinance calling such election shall be a part of the corporate territory of said city; and such territory and its citizens and property shall be subject to all the laws, ordinances, and regulations in force in said city, and shall also be entitled to the same privileges and benefits as other parts of said city.

Duty of governing board to call election upon petition of 25 per cent of voters in adjacent territory.

SEC. 4. That when twenty-five per cent (25%) of the qualified voters of any territory adjacent to the said city of Greensboro shall petition the governing board of said city to call an election to determine whether or not the territory in which the petitioners live, which territory shall be described in the petition, shall be annexed to said city, it shall be the duty of the governing board to call an election as provided in this act: *Provided, however*, that such governing board may, in its discretion, refuse to call an election if the territory described in such petition is less than one-fourth of a square mile in area.

Proviso: Call discretionary when territory is less than $\frac{1}{4}$ square mile.

Provision of school facilities for children in annexed districts.

SEC. 5. That in the event that the extension of the corporate limits of the city of Greensboro, as hereinbefore provided, receives a majority of the votes cast, then the board of education of the city of Greensboro, and the board of education of Guilford County, are authorized and empowered to make such arrangements, agreements and contracts, as in their opinion may seem best, for providing school facilities for those children of school age that live in school districts outside the present limits of said city, and within districts that are included, wholly or partially, in the new limits of said city, and such arrangements and provisions may be continued from year to year as long as it shall, in the opinion of said boards, seem necessary or for the best interest of the children in such territory. Said boards of education are also authorized and empowered to consider and adjust the bonded indebtedness and transfer of property to the city of school districts wholly or partially included within the new limits of said city (and wholly outside the old city limits); and to this end they may by agreement determine what portion of the bonded indebtedness of any district shall be assumed by the city of Greensboro, and what portion shall be assumed by the part of any such district not embraced in the new limits of said

Adjustment of bonded indebtedness.

city; and any agreement entered into in relation to said bonded indebtedness or transfer of property shall be in writing and shall be submitted by said boards to the board of county commissioners of Guilford County and the governing board of the city of Greensboro, and when ratified by the two boards last named shall become binding upon said city and upon the portion of any district outside the new limits of said city; and thereafter any part of the principal or interest of said bonds so assumed by the city of Greensboro shall be paid by said city as the same falls due; while the portions of said bond issues and interest as are assumed by parts of districts outside of the new city limits shall be paid from school funds of said parts of districts, respectively: *Provided, however*, that if said school boards cannot agree upon an adjustment and division of liability as to any of said bonded indebtedness or the amount to be paid on account of the transfer of any school property to said city, or if any agreement as to such matters shall not be approved by the county commissioners or city governing board, then, in any such event, the questions and matter in controversy shall be submitted to arbitration, the county school board choosing one arbitrator, the city board of education another arbitrator, and a third arbitrator being chosen by the two arbitrators first named, all of said arbitrators to be disinterested citizens of North Carolina, residing outside of the county of Guilford and owning no property in said county. Said arbitrators as soon as possible after being chosen, shall meet in the city of Greensboro, after notice to said boards of education, and hear the evidence with regard to the controversy submitted to them, and render to each of said boards their decision in writing, which shall be a final adjudication of such controversy.

Agreements to be submitted in writing to county commissioners and to city authorities for ratification.

Proviso: Arbitration in case of failure to agree on adjustment.

Final adjudication.

SEC. 6. That if said city limits are extended as in this act provided, there shall be levied and collected in the territory annexed to said city, the same school tax (and the same tax for other purposes) that is collected in the old limits of said city; but no local tax for schools shall be levied in such territory except such as are levied in the whole of said city: *Provided*, that nothing herein shall be construed to prevent the levy and collection by the county of Guilford of any special tax or local school tax theretofore authorized in such portions of any school districts as are not embraced in the new limits of said city.

Levy of school tax in annexed territory.

Proviso: Collection of county special tax not interfered with.

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 7th day of March, A. D. 1919.

CHAPTER 117

AN ACT TO AMEND CHAPTER 701, PUBLIC-LOCAL AND PRIVATE LAWS, SESSION 1917, RELATIVE TO THE ADJUSTMENT OF CASES BY THE MAYOR OF FAYETTEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and one, Public-Local and Private Laws of one thousand nine hundred and seventeen, be amended by striking out all of sections one, two and three and inserting in lieu thereof the following:

Mayor authorized to try violation of health laws.

"SECTION 1. That it shall be lawful for the mayor of the city of Fayetteville to hear, try, adjust, and dispose of any case against any defendant charged with a violation with any health, traffic, or other city ordinance of the city of Fayetteville, Cumberland County, or statute.

Fees of municipal court officers.

"SEC. 2. That the respective officers of the municipal court of Fayetteville shall be entitled to the same amount of fees as are now allowed by law in the recorder's court of Cumberland County.

City attorney's duties and salary.

"SEC. 3. That the city attorney of the city of Fayetteville shall be required to appear and prosecute criminal cases in the municipal court at a salary to be fixed by the board of aldermen."

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 118

AN ACT TO PROHIBIT THE SALE OF COCA COLA, PEPSI COLA, CHERRO COLA AND OTHER SOFT DRINKS WITHIN HALF A MILE OF MOUNT GOULD LANDING AND PICNIC GROUNDS ON CHOWAN RIVER IN BERTIE COUNTY ON THE DAY OF THE ANNUAL FARMERS UNION OR FARMERS ALLIANCE PICNIC HELD THERE.

The General Assembly of North Carolina do enact:

Unlawful to sell soft drinks or ice cream within limits on date specified.

SECTION 1. That it shall be unlawful to sell, barter or otherwise dispose of for gain any coca cola, pepsicola, cherro cola, cider, ginger ale, lemon soda, sarsaparilla soda or any kind of soft drink, bottled or unbottled, lemonade, or ice cream, whether from fountains or otherwise, within half a mile of the Mount Gould picnic grounds now owned by Bertie County Farmers Alliance, or Bertie County Farmers Union, on the Chowan River

in Bertie County, North Carolina, between the hours of sunrise and sunset of any day on which the Farmers Alliance annual picnic, or the Farmers Union annual picnic, is held thereat:

Provided, that this act shall not apply to those persons who may sell such articles and drinks under the authority and direction of those persons having in charge said annual picnic and appointed by said Bertie County Farmers Alliance, or Bertie County Farmers Union, and who sell such drinks and articles for the support of said annual picnic, the grounds and buildings when erected thereon.

Proviso: Does not apply to articles sold under authority of picnic management.

SEC. 2. That it shall be unlawful for any person to be drunk or disorderly, or to give away or otherwise dispose of intoxicating liquors, or to drink intoxicating liquors, within half a mile of said picnic grounds on the day of said annual picnic.

Unlawful to be drunk, drink or aid others to drink in prescribed territory on that date.

SEC. 3. That any person or persons violating either or 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.

Violation a misdemeanor.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 119

AN ACT TO AMEND CHAPTER 13 OF THE PRIVATE LAWS OF NORTH CAROLINA, EXTRA SESSION 1908.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter thirteen of the private acts of one thousand nine hundred and eight, extra session, be and the same is hereby amended by adding at the end thereof the following:

“That the mayor and councilmen of the city of Wilmington are hereby authorized and empowered to sell at auction to the highest bidder for cash any and all real estate owned by it outside the city of Wilmington, including the old encampment ground on Wrightsville Sound or any part thereof after advertisement according to the law governing the sale of land under a judgment, which advertisement shall contain a complete description of the property together with the names of all adjoining landowners.”

City authorities authorized to sell real estate owned by city outside of its limits.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 120

AN ACT TO AMEND THE CHARTER OF THE GRADED SCHOOLS OF THE TOWN OF ROANOKE RAPIDS.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter one hundred and sixty-eight of Private Laws of North Carolina, session nineteen hundred and seventeen, as amended by the several laws amendatory thereof, be and the same is hereby repealed and the following enacted as a substitute therefor:

Limits of district defined.

"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 Tilgham'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. Simmon's 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 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."

Town's powers of taxation extended throughout school 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 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.

In elections under act outlying territory deemed town ward.

Trustees authorized to issue bonds not to exceed \$125,000.

"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 one hundred and twenty-five thousand dollars, of such denomina-

tion 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.

Interest.

Proviso: Date of issue discretionary.

“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.

Application of proceeds.

“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.

Terms of sale.

“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 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 of 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.

Exempt from town tax until due.

“SEC. 7. That for a 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 beginning 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 seventy-five cents on the one hundred dollars assessed valuation of property, and not more than two dollars and twenty-five cents on each taxable poll.

Levy of special tax for maintenance of schools and to provide sinking fund directed.

Limit of tax 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

Collection.

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.

“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 particular tax, and said board of 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 trust of the facts therein recited: *Provided further*, that if

Treasurer of board custodian.

Treasurer to give bond.

Expenditure of funds.

Submission to voters.

Notice of election.

Form of ballot.

Proviso: Enrollment of record.

Proviso: Subsequent elections.

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.

"SEC. 10. S. F. Patterson, C. A. Wyche, W. D. Tillery, J. A. Moore, H. L. Bell, 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, and 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.

Trustees appointed.

Terms of office.

Vacancies.

Successors.

Proviso: Office of trustee not to disqualify for other office.

"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 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.

Board a body corporate.

"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 be applied as directed by the donors.

Apportionment of funds between the races.

"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 and qualifications and fix the compensation of

Trustees vested with exclusive control.

- School census. 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.
- Proviso: County board and county superintendent to exercise no authority.
- Proviso: Subject to public school law.
- Treasurer of board custodian of all funds. "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.
- Title to property vests in trustees.
- Incidental fees. "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.
- Proviso: Application.
- Election of superintendent. "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.
- Curriculum of studies. "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 textbooks for said graded schools and to admit pupils residing without the limits of said district, upon such terms as said board of trustees may deem just and reasonable.
- Share of county school fund. "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.

"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.

Mayor's or recorder's court fines to go to school fund.

"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 a nine 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.

Board may require nine months attendance for children within limits compulsory attendance law.

"SEC. 21. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 7th day of March, A. D. 1919.

CHAPTER 121

AN ACT TO IMPROVE THE TOWN OF BAKERSVILLE, MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the public road commissioners of Mitchell County be, and they are hereby authorized, empowered and required to construct such concrete sidewalks in the town of Bakersville as are actually necessary for the convenience of the citizens of the town: *Provided*, that in the event the said commissioners shall fail to comply with the provisions of this act prior to the first day of July, one thousand nine hundred and nineteen, the county commissioners shall immediately thereafter proceed to build the said sidewalks as required by this act: "*Provided*, that the cost of construction of such sidewalks in the town built during the year one thousand nine hundred and eighteen, as well as those hereafter built, shall be borne as herein set out, and that the owner of any such abutting property failing or refusing to pay one-half of such cost the same shall become a lien upon each and every such property, each cost of construction shall be ascertained by the commissioners upon an itemized verified report filed before the commissioners by the constituted road authorities of the county."

Road commissioners authorized to construct sidewalks.

County commissioners to build them if road commissioners do not.

Assessments on abutting property a lien.

May use road
fund.

SEC. 2. That the commissioners shall, for the construction of the said sidewalks herein provided, use so much of the public road fund of Bakersville Township as may be necessary to complete the work.

Property may be
condemned.

SEC. 3. That to enable them to carry out the provisions of this act, the commissioners are hereby authorized to condemn as provided by law, if it shall become necessary to do so, any abutting property, paying therefor one-half of the damages they may deem just and reasonable, the owners of such abutting property paying the other half.

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. 1919.

CHAPTER 122

AN ACT TO INDUCE THE PROMPT PAYMENT OF TAXES IN THE TOWN OF REIDSVILLE.

The General Assembly of North Carolina do enact:

Penalty of three
per cent on taxes
unpaid on first of
March.

SECTION 1. That each and every person, firm or corporation liable for municipal tax either general or special and failing to pay said taxes or any part thereof prior to the first day of March next after the same shall have become due, shall be liable to a penalty of three per cent of the amount of such delinquent taxes for each month or fraction of a month that such delinquent taxes or any part thereof remains unpaid thereafter. The amount of said penalty shall be added to the amount of unpaid taxes and shall be collected by the tax collector under the same authority and in the same manner as if said penalty was a part of the original tax. The tax collector shall keep an accurate account of all penalties collected under this act and they shall be paid into the general town fund: *Provided*, that this act shall apply only to the town of Reidsville.

Collection of
penalties.

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

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 123

AN ACT TO GRANT THE RIGHT AND PRIVILEGE TO VOTE
TO CERTAIN RESIDENTS OF THE TOWNS OF SNOW HILL
AND HOOKERTON, IN GREENE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That, in all municipal or town elections for the present year one thousand nine hundred and nineteen, there shall be extended and granted to all electors and qualified voters residing in the areas of territories incorporated into the towns of Snow Hill and Hookerton, in Greene County, by acts of the present General Assembly of North Carolina, the right and privilege to vote in their respective towns: *Provided*, their residence in said areas or territories shall have been of such duration as legally would have entitled them to such right and privilege had they been residents of their said respective towns for such duration of time.

Right granted.
Proviso: Legal residence.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 124

AN ACT TO AMEND CHAPTER 10 OF PRIVATE LAWS OF
1917 RELATIVE TO THE COLLECTION OF TAXES IN THE
TOWN OF THOMASVILLE, N. C.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter ten of the Private Laws of one thousand nine hundred seventeen be and the same is hereby amended by striking out all of said section after the word January in line twelve of said section, and by adding the following: Par on or before the first of February; add one-half per cent interest as a penalty on those remaining unpaid on or before the first of March; add one per cent interest on those remaining unpaid on or before the first of April; add one and one-half per cent interest on those remaining unpaid on the first of May next ensuing the laying of same, which said interest shall be a lien upon real and personal property and collected as other taxes.

Penalty for failure to pay taxes when due.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 125

AN ACT TO AUTHORIZE THE TOWN OF RUTHERFORDTON TO ISSUE BONDS IN EXCESS OF 10 PER CENT OF THE ASSESSED TAX VALUATION OF ITS PROPERTY, FOR WATERWORKS AND STREET IMPROVEMENTS.

The General Assembly of North Carolina do enact:

Limit of bonds.

SECTION 1. That the town of Rutherfordton, through its town council, is hereby authorized and empowered to issue bonds to an amount not exceeding thirty thousand dollars (\$30,000), for the purpose of adding to the water supply of said town, waterworks, and for general street improvement and street paving and is hereby authorized to levy and collect annually, a special tax for the payment of interest thereon and to create a sinking fund for the purpose of liquidating and paying off said bonds at maturity thereof.

Special tax for sinking fund.

Application of proceeds.

SEC. 2. That the proceeds arising from the sale of said bonds shall be turned over to the treasurer of said town of Rutherfordton to be paid out and disposed of by order of the town council of said town for the purposes specified in section one of this act.

Rate of interest.

SEC. 3. That said bonds shall be coupon bonds in denominations of not less than five hundred dollars (\$500) each, bearing interest from date of bonds at a rate not exceeding 6 per cent per annum, payable semiannually at such place as may be specified and provided for by the town council of the town of Rutherfordton, North Carolina, and that said bonds shall be made payable and become due at the expiration of such period as may be fixed by the town council of said town not to exceed thirty (30) years from date thereof. The said bonds and their coupons shall be numbered and the said bonds shall be signed by the mayor and countersigned by the clerk of the board of town council of said town and sealed with the corporate seal of said town and a record shall be kept of the same. The said bonds and their coupons shall be exempt from taxation by the said town and the purchaser of said bonds shall not be required to see that the purchase money of the same is applied to the purpose prescribed in this act.

Maturity.

Record to be kept.

Levy and collection of special tax for sinking fund made mandatory.

SEC. 4. In order to pay the interest on said bonds and for the purpose of creating a sinking fund for the liquidation of the same the town of Rutherfordton, through its board of town council, is hereby authorized and it shall be its duty, through said board, to annually compute and levy, at the time of levying other taxes of said town, a sufficient special tax upon all property, real and personal, and other objects of taxation which shall be returned or listed for general taxation in said town with which to regularly and promptly pay the interest on said bonds and

such sinking fund as the said town council may provide, and the said taxes shall be collected in the same manner and at the same time the other taxes of said town are collected and shall be paid over by the tax collector to the treasurer of said town. The said town council are authorized to provide a sinking fund sufficient to liquidate and pay off said bonds at maturity thereof which shall be and remain at all times a separate fund and be kept separate from all other moneys belonging to the said town.

SEC. 5. That the taxes levied and collected for the purposes specified herein shall not be used for any other purpose than that for which they were so levied and collected but the said town council shall have the right, in the event that they should create a sinking fund under the provisions of this act for the liquidation of said bonds at maturity, and annually invest the same or to loan the same in such way and manner that the said fund may earn a reasonable income to be added thereto for the purpose of paying off and discharging said bonds at maturity. The rate of interest and the manner of loaning and investing of said fund shall be left to the sound discretion of the said town council.

Taxes to be used only for purposes specified.

Investment of sinking fund.

SEC. 6. That the said town shall have the authority hereinbefore specified notwithstanding that said bonds when so issued may increase the indebtedness of said town to more than 10 per cent and notwithstanding that the indebtedness of the town already exceeds 10 per cent of the assessed valuation of the property of said town and the said authority hereinbefore granted may be exercised by said officers of said town without submitting said proposition to the voters of said town.

Town authorized to increase indebtedness beyond 10 per cent of assessed valuation.

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 126

AN ACT TO INCREASE THE ANNUAL TAXES LEVIED IN AID OF THE GRADED SCHOOLS OF MOUNT AIRY

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of Mount Airy shall and they are hereby authorized to submit to the qualified voters of the said town on or after June fifteenth, one thousand nine hundred and nineteen, the question whether there shall be an increase in the taxes annually levied for the support and maintenance of the schools in the said town as hereinafter provided.

Commissioners authorized to submit question of special tax.

SEC. 2. That at the time of the ordering of the election, the board of commissioners of the town of Mount Airy shall appoint

Conduct of election.

a resident of each of the wards or precincts in 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 appoint a successor in said wards to fill such positions; that notice of such election shall be made twenty days before the election and shall be published in one or more newspapers in the town of Mount Airy; said notice shall state the amount of the annual increase in the tax levy and the purposes for which the said increase shall be used. Upon request of the board of school commissioners of the town, the said board of town commissioners may in their discretion at the time of the ordering of the said election, require that there may be a new registration of the qualified voters for said election in said town; that the registrars named shall open the registration books for the purpose of registering the voters for twenty 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 registration books shall be kept open at some convenient place in each ward every day and on Saturday they shall be kept open at the voting precinct; that on the Saturday preceding the election there shall be no registration of voters, but the registrar and the voters in each ward shall meet at the polling precinct for the purpose of hearing and ordering any challenge that may be made by any voter than has registered; that challenges will be allowed to be made on the day of the election; that on the morning of the election the polls shall be opened at sunup and shall be closed at sundown; that immediately upon the closing of the polls the registrars and judges of the election shall publicly count the ballots cast and shall place the returns in a sealed envelope and deliver the same to the clerk of the Superior Court of Surry County, who shall declare the result to the mayor of the town of Mount Airy and the mayor shall immediately call together the board of commissioners of the town and submit to the board the returns so delivered to him and they shall announce the result of the said election and shall spread the same upon the record book of the town and any other record of said election shall not be necessary to be kept. That those favoring the increase of the annual tax rate shall vote on written or printed ballots with the words "For School Tax," those opposed to the annual increase tax shall vote on written or printed ballots with the words "Against School Tax," and if at such election the majority of the qualified voters of the said town shall vote ballots "For School Tax" written or printed thereon, then the said board of commissioners shall annually levy and have collected by the town authorities the increased tax levy under the same rules and regulations under

Notice.

New registration may be required.

Canvass of returns.

Record of result.

Form of ballot.

which other town taxes are levied and collected; that the annual increased taxes so levied shall not exceed fifteen cents on the one hundred dollars (\$100) valuation of property of all kinds upon which town taxes are levied, and forty-five cents (45c) on the poll. This increase to be considered as additional to the annual levy already provided for in acts of the General Assembly.

Limit of tax rate increase.

SEC. 3. That the increased annual taxes provided for in this act shall be applied exclusively to the supporting and maintaining of the schools of the town of Mount Airy.

Application of proceeds.

SEC. 4. That this registration and election shall not operate or be applied to any other election in the town except the one herein provided for.

One election only.

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

Ratified, this 8th day of March, A. D. 1919.

CHAPTER 127

AN ACT TO VOTE A SPECIAL TAX AND FOR THE ELECTION OF TRUSTEES IN THE NASHVILLE SCHOOL DISTRICT IN NASH COUNTY, NORTH CAROLINA

The General Assembly of North Carolina do enact:

SECTION 1. That the Nashville school district shall remain and continue to remain as now, and the boundaries of said district will be the same as provided in the petition and election held by said district by authority of section four thousand one hundred and fifteen of the Revisal of North Carolina Amendments thereto, and shall levy and collect the same rate of tax as has been heretofore levied and is now being collected, and continue to receive all funds collected from the said special tax heretofore voted and as allotted to said district by the board of education of Nash County, and the said funds and all taxes levied and collected for said district, shall be collected and paid to the school board as heretofore.

Boundaries of district to remain same and present taxes to remain in force.

SEC. 2. That B. G. Alford, George N. Bissette, Dr. J. T. Strickland, S. C. Griffin, F. S. Cooper, Mrs. S. F. Austin and Mrs. T. O. Coppedge are hereby appointed the board of trustees of said district and they shall hold office until January first, one thousand nine hundred and twenty-one, or until their successors are duly elected and qualified.

Trustees appointed.

SEC. 3. That on and after the first day of January, one thousand nine hundred and twenty-one, the board of trustees of Nashville school district shall consist of six members, three of whom shall be male and three female. And the next general election for members of the General Assembly held in one thousand nine

Half of board to be women.

Election.

- hundred and twenty there shall be elected by the qualified voters of the Nashville school district six members of said school board, three of whom shall be male and three female, who shall qualify as members of said board and take office. Two of the said members, one male and one female, shall be elected for a term of two years: two of the said members, one male and one female, shall be elected for a term of four years; and two of said members, one male and one female, shall be elected for a term of six years, all of whom shall hold office until their successors are elected and qualified. At each biennial election thereafter for members of the General Assembly two members of said school board, one male and one female, shall be elected for a term of six years. In case any vacancy shall occur in the membership of said board, the same shall be filled at an election held by the remaining members, the member so elected to hold the unexpired term.
- Terms of office.**
- Successors.**
- Vacancies.**
- Board to control expenditure of funds.**
- County commissioners to call election on special tax.**
- Limit of tax rate.**
- Application of proceeds.**
- Conduct of election.**
- Canvass of vote.**
- SEC. 4. That all funds now in hand or that may hereafter be collected and apportioned for the said public school for said Nashville school district shall be paid over to said board as heretofore, and all funds arising from taxation for said district shall be expended for the benefit of said school.
- SEC. 5. That the report of said board required by law shall be regularly made to the superintendent of public instruction.
- SEC. 6. That in the said Nashville school district, the board of county commissioners of Nash County shall call an election to be held in said district not later than the tenth day of May, one thousand nine hundred and nineteen, for the purpose of taking the sense of the voters of said district, upon the question of levying a special annual tax in addition to the special tax now levied, as provided in section four thousand one hundred and fifteen of chapter eighty-nine of the school law. Said additional annual tax to be provided for in a sum not less than ten cents (10c) nor more than thirty cents (30c) on the one hundred dollars (\$100) valuation on all property in said district, and not less than thirty cents (30c) and not more than ninety cents (90c) on the polls in said district. Said additional special annual tax fund to be used by said board of trustees for the purpose of employing necessary teachers, repairing, enlarging or equipping the said school building in Nashville school district, and also for necessary expenditures in the running of said school.
- SEC. 7. The board of county commissioners shall appoint a registrar and two pollholders, 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 law governing general elections as near as may be, and the registrar and pollholders shall canvass the vote case and declare the result, and shall duly certify the returns of same to the board of county commissioners, and the same shall be recorded in the records kept by the clerk

to the said board of county commissioners; the expense of holding said election shall be paid out of the general school fund of the said county.

SEC. 8. At such election those who are in favor of the levy and collection of the tax shall vote a ticket on which shall be printed or written the words "For special school tax," and those who oppose shall vote a ticket on which shall be printed or written the words "Against special school tax." In case the majority of the qualified voters at the said election are in favor of the tax, the same shall be annually levied and collected in the manner prescribed for the levy and collection of other taxes. Form of ballot.

SEC. 9. All money arising from the taxes levied under the provisions of this section shall upon collection be placed to the credit of the board of trustees of the Nashville school district for the use and benefit of the said Nashville school. Moneys credited to trustees.

SEC. 10. That if at the first election held under the provisions of this act a majority of the qualified voters of said school district shall not vote for a special school tax, then and in that event, the board of county commissioners of the county of Nash, at any time thereafter, not oftener than once in each twelve months, as they may deem fit, and by their own motion, may, or upon petition of one-fifth of the qualified voters of said school district, shall again submit the same question to the qualified voters of said school district as hereinbefore provided for by the first election, and if a majority of the qualified voters of said school district shall at any of said elections so called vote for special school tax, then this act and all provisions herein provided for shall be and remain in full force and effect, and shall have the same force and effect as if no previous election had been held. Subsequent elections.

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

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

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 128

AN ACT TO AUTHORIZE THE PLYMOUTH GRADED SCHOOL DISTRICT OF WASHINGTON COUNTY TO ISSUE BONDS FOR THE PURPOSE OF ERECTING A BUILDING FOR PUBLIC SCHOOLS.

The General Assembly of North Carolina do enact:

SECTION 1. That upon written petition signed by the majority of the trustees of the Plymouth graded school district, Washington County, requesting an election in said district on the sub- County commissioners directed to call election upon petition of trustees.

- ject of the bond issue described herein, it shall be the duty of the board of county commissioners of Washington County to order an election to be held in the Plymouth graded school district to determine the question: shall the Plymouth graded school district issue bonds of the said district in an amount not to exceed sixty thousand dollars (\$60,000) to provide a fund for the erection of a building for the accommodation of the public schools of the said district, and shall said district levy taxes sufficient to retire said bonds. The said board of county commissioners shall, at least thirty days preceding such election give public notice of such election by publication in one or more newspapers having circulation in said district, and by posting in at least three public places in said district.
- Limit of bonds.**
- Notice of election.**
- Conduct of election.** SEC. 2. That the said election shall be held and conducted in the same manner and under the same requirements of law as are now in force or may hereafter be prescribed by law for holding elections for members of the General Assembly: *Provided*, that prior to said election there shall be a new registration of all qualified voters residing in said district and for this purpose the board of county commissioners is hereby empowered and directed to prescribe such rules and regulations for the opening and closing of said registration books as it may seem fit and proper.
- New registration.**
- Form of ballot.** SEC. 3. That at said election the ballot tendered and cast shall have written or printed thereon "For school bonds and taxes," or "Against school bonds and taxes," and all qualified electors in favor of this issue of bonds and the levy of a special tax to retire same shall vote a ticket upon which shall be written or printed the words "For school bonds and taxes," and all qualified electors who may oppose the issue of bonds and levy of said tax shall vote a ticket on which shall be written or printed the words "Against school bonds and taxes." The votes cast at this election shall be counted at the close of the polls and the return of the said election made to the said board of commissioners at its first regular meeting next following the election, and the said board shall canvass, tabulate and declare the result of the election, which shall be recorded in the minutes of the board, and no other recording and declaration of the result of said election shall be necessary.
- Canvass of returns.**
- Rate of interest.** SEC. 4. That if a majority of the qualified voters of the said school district shall vote "For school bonds and taxes," then the board of trustees of said district shall prepare bonds of the said district to an amount not to exceed sixty thousand dollars (\$60,000.00) and in such denominations as the said board may determine, which bonds shall bear a rate of interest not to exceed six per cent per annum and the principal of said bonds shall be payable or redeemable at such time not to exceed thirty (30) years from the date of issue as said board of trustees may determine.
- Maturity.**

The said bonds shall be signed by the chairman of the said board, countersigned by the clerk of the said board and shall have upon them the seal of the said district.

SEC. 5. That upon the preparation, signing and execution of said bonds the said board of school trustees shall deliver the same to the treasurer of Washington County who shall sell said bonds at such times and in such manner as the said board of trustees may direct; *Provided*, that none of the said bonds may be sold for less than their par value and, *Provided further*, that none of said bonds or of the proceeds of said bonds shall be used for any purpose other than is herein specified. The proceeds arising from the sale of said bonds shall be deposited with the treasurer of Washington County, shall be kept separate from all other funds of said county, and shall be paid out only upon the order of the trustees of the Plymouth graded school district.

Terms of sale.

County treasurer
custodian of
funds.

SEC. 6. It shall be the duty of the treasurer of Washington County to execute an official bond conditioned upon the faithful performance of his duties imposed herein and payable to the State of North Carolina for the use of said school trustees in the usual manner and in such amount as the said school trustees shall require.

Treasurer re-
quired to give
bond.

SEC. 7. That the proceeds arising from the sale of said bonds shall be expended by the trustees of the Plymouth graded school district for the erection in said district of a suitable building for the accommodation of the public schools of the said district: *Provided further*, that the said trustees are hereby authorized to determine the site and location of such building, and *Provided further*, that the said trustees are hereby authorized to expend a part of said proceeds for the purchase of a site for said building should such expenditure be necessary.

Application of
proceeds.

Trustees to select
site of building.

SEC. 8. That if, in the election provided for in this act, the majority of the qualified voters of said district shall have voted "For school bonds and taxes," and the said bonds shall have been issued and sold, the board of county commissioners of Washington County is hereby authorized and directed to levy annually upon the property and polls of the said Plymouth graded school district a special tax sufficient to provide for the payment of the interest on such bonds and to create a sinking fund sufficient to retire such bonds at their maturity: *Provided*, that in all taxes levied under the authorization of this section the constitutional equation between taxes on property and taxes on polls shall be observed. The aforesaid tax shall be levied and collected as the other taxes of the county of Washington are levied and collected and shall be turned over to the treasurer of said county and kept by him as a separate fund to be applied to the purposes mentioned in this section and to no other purposes.

Special tax for
sinking fund.

Collection.

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

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 8th day of March, A. D. 1919.

CHAPTER 129

AN ACT TO AMEND CHAPTER 165 OF THE PRIVATE LAWS OF 1901, AMENDING THE CHARTER OF THE TOWN OF PARKTON, INCREASING ITS CORPORATE LIMITS.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That section six of chapter one hundred and sixty-five, of the Private Laws of North Carolina of the General Assembly of one thousand nine hundred and one, be and the same is hereby amended so as to read as follows: That the corporation limits of the town of Parkton, in Robeson County, shall be as follows:

Limits defined.

Beginning at a point twenty-one hundred feet at right angles from the center of the Atlantic Coast Line Railroad opposite the depot at Parkton, on the east side of said railroad, and running thence twenty-four hundred feet parallel with said railroad; thence at right angles across said railroad forty-two hundred feet, thence parallel with said railroad and first call reversed forty-eight hundred feet, thence across said railroad at right angles forty-two hundred feet, thence twenty-four hundred feet to the beginning, so as to make the corporation limits of said town forty-two hundred feet by forty-eight hundred feet.

Question of extension to be submitted to voters.

SEC. 2. Before, however, the limits of said town of Parkton shall be extended, the question of such extension shall be submitted to the qualified voters of said town and to those in the territory proposed to be incorporated in it at the next regular municipal election. Except as herein modified, said election shall be held as that for the election of officers of the town. The board of commissioners, after advertising said election and its time and place for thirty days at three public places in the town of Parkton, shall provide a separate box in which may be voted, written or printed ballots (for extension or against extension). If, at said election, a majority of votes cast of those in the town, as at present constituted, and of those in the territory proposed to be annexed, voting as a unit, shall be for extension, the judges of election shall declare the result and certify the same to the board of commissioners of the town, who shall enter it upon the records of the town. Thereupon this act shall become effective and the corporate limits of said town of Parkton shall be extended

Notice of election.

Certification of result.

as herein provided and described. If, however, a majority of the votes cast at such election shall not be for extension, then this act shall not take effect so as to extend the limits of said town.

The voters resident in the territory proposed to be annexed may register in the registration books of the town, but only that they may vote upon the question of extension in the box provided for such ballots. If, however, a majority of the votes cast shall be for extension, then such registration shall be as valid for all municipal elections thereafter held as that of voters in the original corporate limits.

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 10th day of March, A. D. 1919.

CHAPTER 130

AN ACT TO AMEND CHAPTER 12, OF THE PRIVATE LAWS OF 1917, RELATING TO ASSESSMENT FOR WATER LINE

The General Assembly of North Carolina do enact:

SECTION 1. That chapter twelve of the Private Laws of one thousand nine hundred and seventeen be amended as follows: By striking out in line four of section six between the word "any" in line four and the word "sewer" in line five of said section the words "water of" and in line ten of said section between the words "sewer" and "line" the words "or water."

SEC. 2. That section five of said chapter twelve, Private Laws of one thousand nine hundred and seventeen be amended by striking out between the word "sewer" in line seven of said section and the word "line" in line eight of said section the words "or water"; and that said section be further amended by striking out in line seventeen of said section between the words "sewer" and "line" the words "or water"; that said section be further amended by striking out in line twenty between the words "sewer" and "line" the words "or water"; that said section be further amended by striking out in line twenty-eight the words "or water" between the word "sewer" and "line."

SEC. 3. That section seven of chapter twelve of the Private Laws of one thousand nine hundred and seventeen be amended by striking out in line eight of said section seven between the word "sewer" and "line" the words "or water."

SEC. 4. That said chapter twelve of the Private Laws of one thousand nine hundred and seventeen be further amended by adding at the end of section seven of said act the following, which

Voters in territory it is proposed to annex.

Charter of town of Canton amended.

Right to assess abutting property for part of cost of water line revoked.

Assessments against abutting property owners for water lines declared null and void.

Discharged from liens.

shall be numbered section seven-a: That any and all assessments charged against the abutting property owners on any of the streets in the said town of Canton for the cost of laying down any water line or water mains under the provisions of said chapter twelve of the Private Laws of one thousand nine hundred and seventeen, and which said assessment has not been paid by said abutting property owner are hereby declared to be null and void and that the said property abutting on any such streets or alleys is hereby declared to be discharged from the lien or liens created under the provisions of said chapter twelve of Private Laws of one thousand nine hundred and seventeen, and any and all assessments or liens against any of the property of any abutting owner on any such street or streets are hereby declared null and void and entirely discharged any of the said abutting property owners.

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

SEC. 6. This act shall be in force from and after its ratification. Ratified this the 10th day of March, A. D. 1919.

CHAPTER 131

AN ACT TO EXCLUDE CERTAIN TERRITORY FROM THE GRIMESLAND SPECIAL SCHOOL TAX DISTRICT IN PITT COUNTY.

The General Assembly of North Carolina do enact:

Limits of excluded territory defined.

SECTION 1. That all of the territory included in the following boundary lines, to wit: Beginning at Chicod Creek at Mrs. J. D. Buck's and R. M. Elks' corner, running south with their line to the Grimes mill road; thence east with said road to J. W. Elks' and R. M. Elks' line; thence with their line north to Chicod Creek; thence with said creek to the beginning, be and the same is hereby excluded from the Grimesland special school tax district, being district number eight, Chicod Township, Pitt County.

Added to district No. 11.

SEC. 2. That the board of education of Pitt County be and it is hereby authorized to add the territory described in section one of this act to school district number eleven of Chicod Township, Pitt County.

SEC. 3. This act shall be in force and effect upon its ratification. Ratified this the 10th day of March, A. D. 1919.

CHAPTER 132**AN ACT TO PROHIBIT THE SALE OF WINES WITHIN TWO MILES OF THE TOWN OF OLD FORT**

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation, to sell any kinds of wines or intoxicating drinks of any kind whatsoever within two miles of the corporate limits of the town of Old Fort, in McDowell County: *Provided*, that this act shall not prevent the sale of wine for sacramental purposes to an officer of any church or religious organization.

SEC. 2. That any person who shall violate the provision of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 133**AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE MONROE GRADED SCHOOL DISTRICT TO ISSUE BONDS FOR SCHOOL PURPOSES.**

The General Assembly of North Carolina do enact:

SECTION 1. The board of trustees of the Monroe graded school district (which board was incorporated by chapter one hundred and forty-seven of the Public Laws of eighteen hundred and ninety-seven) is hereby authorized, upon the conditions and subject to the limitations and restrictions set forth in this act, to issue bonds in an aggregate principal amount not exceeding fifty thousand dollars, for the purpose of erecting, enlarging, altering and equipping school buildings, and acquiring land for school buildings, of the Monroe graded school district, or for any one or more of said purposes; and the board of county commissioners of Union County is hereby authorized, directed and required to levy annually a special tax ad valorem upon all taxable property in said graded school district for the purpose of paying the principal and interest of all bonds under this act, as such principal and interest become due, which special tax shall be in an amount sufficient for said purpose and in addition to all other taxes authorized to be levied by said board.

SEC. 2. The bonds hereby authorized shall not be issued, nor shall said special tax be levied, unless and until the question of

issuing such bonds and levying such tax shall be submitted to the qualified voters of said graded school district at a special election to be held for that purpose, and a majority of said qualified voters shall have voted in favor of issuing said bonds and levying said special tax, as required by section seven of article seven of the Constitution of North Carolina.

Election to be called on request of trustees.

Conduct of election.

New registration.

Question stated.

Form of ballot.

Canvass of returns.

Notice of result.

SEC. 3. Upon the request of said board of trustees, the board of county commissioners of Union County shall order a special election to be held in said graded school district at such time as said board of trustees may designate, for the purpose of voting upon the question of issuing bonds and levying a tax under this act. Said election shall be held under the supervision of said board of county commissioners, and, in all particulars other than those specifically provided for in this act shall be held and conducted, and the qualifications of voters at the election determined, as nearly as may be practicable in accordance with the general law relating to elections for members of the General Assembly. For said election there shall be a new registration of the qualified voters of said graded school district. Notice of the election shall be given by publication at least twice in some newspaper published in the city of Monroe, the first publication to be at least thirty days before the election. The question to be voted upon shall be stated in said notice as follows: "The question of issuing not exceeding \$50,000 of serial bonds of the Monroe graded school district and levying a sufficient annual tax to pay the same." The board of county commissioners of Union County shall appoint the registrars and judges of election for said election, and shall cause to be printed and distributed a sufficient number of ballots for use at the election. At said election the voters who are in favor of the issuance of said bonds and the levying of said special annual tax shall vote a ballot on which shall be written or printed the words "For bond issue"; and the voters who are opposed to the issuance of said bonds and the levying of said tax shall vote a ballot on which shall be written or printed the words "Against bond issue." At the close of the polls the election officers shall count the votes and make returns thereof to the board of county commissioners of Union County, which board shall, as soon as practicable after the election, judicially pass upon the returns and judicially determine and declare the result of said election, which determination shall be spread upon the minutes of said board. The returns shall be made in duplicate, one copy of which shall be delivered to the board of county commissioners of Union County as aforesaid, and the other filed with the clerk of the Superior Court of Union County. If said board of county commissioners shall cause a notice containing a brief statement of the result of said election as determined by said board to be published at least once in a news-

paper published in the city of Monroe, no right of action or defense founded upon any invalidity in said election shall be asserted, nor shall the validity of said election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the first publication of said notice: *Provided*, however, that a copy of this sentence shall be incorporated in said notice.

Validity of election not to be questioned after 30 days.

SEC. 4. The bonds authorized by this act may be issued as one issue or divided into two or more separate issues, and in either case may be issued all at one time or from time to time. Each issue shall so mature that the aggregate principal amount of the issue shall be payable in annual installments, beginning not more than three years after the date of the bonds of such issue and ending not more than thirty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously, the bonds of such issue outstanding at any one time shall mature as aforesaid.

Maturity of bonds.

SEC. 5. Said bonds shall be issued in the corporate name of said board of trustees or, at the option of the board of trustees, in the corporate name of said graded school district (if said graded school district, as well as said board, is a body corporate). The bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest, as the said board of trustees of said graded school district may determine, subject to the limitations and restrictions of this act. The bonds shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of said board of trustees and either the seal of said board of trustees or the seal of said graded school district shall be affixed to the bonds and attested by the secretary of said board of trustees; and the coupons of such bonds shall bear the printed or lithographed or engraved facsimile signature of said chairman who is in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

Rate of interest.

SEC. 6. Said bonds shall be sold by said board of trustees in the manner provided in the Municipal Finance Act (Chapter 133 of the Public Laws of 1917, as amended) for the sale of bonds of cities and towns. They shall not be sold for less than par and accrued interest.

Terms of sale.

Application of
proceeds.

SEC. 7. The proceeds of the sale of said bonds shall be placed in a separate fund and used only for the purposes for which the bonds were issued. The purchasers of the bonds shall not be bound to see to the application of the proceeds.

Collection of
taxes.

SEC. 8. The taxes provided for in section one of this act shall be collected by the sheriff of Union and paid over by him to the treasurer of said graded school district, to be applied solely to the payment of the principal and interest of said bonds.

Powers addi-
tional.

SEC. 9. The powers granted by this act are granted in addition to and not in substitution for existing powers of the board of trustees of said graded school district, and are not subject to any limitation or restriction contained in any other law.

SEC. 10. All laws and parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 134

AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN OF THE TOWN OF GREENVILLE TO ISSUE BONDS TO COMPLETE AND EQUIP THE WATER AND LIGHT PLANT OF SAID TOWN.

Preamble.

That whereas, the board of aldermen of the town of Greenville, pursuant to the provisions of the Municipal Finance Act of one thousand nine hundred and seventeen, has heretofore issued bonds in the sum of one hundred thousand dollars (\$100,000.00), for the purpose of reconstructing, rebuilding, and enlarging the municipal water plant and extending and building water mains and sewerage systems in said town, and whereas, the water and light commission of said town, under the powers vested in them by law, have employed engineers and have caused plans to be prepared for the reconstruction and rebuilding of said water plant, and the same is now in process of reconstruction, and whereas, on account of the high cost of material and labor the said amount of one hundred thousand dollars is not sufficient to complete said water plant, and whereas, the light plant of said town is in need of new equipment for its proper and economic operation, and whereas, there is needed the further sum of fifty thousand dollars (\$50,000) to properly complete and equip the said water and light plant, and whereas, the completion and equipment thereof is necessary to the welfare of said town, and whereas, the expenditure of fifty thousand dollars is a necessary

expense, without which the lives and property of the citizens of the town of Greenville will be endangered,

Now, therefore

The General Assembly of North Carolina do enact:

SECTION 1. That whenever a majority of the water and light commission of the town of Greenville shall file their request in writing with the board of aldermen of the town of Greenville requesting the said board to issue bonds in an amount not to exceed the sum of fifty thousand dollars, for the purpose of completing and equipping the water and light plant of said town, it shall be the duty of the board of aldermen of said town, and they are hereby authorized, empowered, and directed to issue bonds of the town of Greenville to be known as "Water bonds" in an amount not to exceed the sum of fifty thousand dollars, for the purpose of completing and equipping said water and light plant.

Aldermen to issue bonds upon petition of water and light commission.

Limit of bonds.

SEC. 2. That said bonds shall be serial bonds, of the denomination of one thousand dollars (\$1,000) each and shall be due and payable two each year until said issue shall have been paid in full, the first two of said bonds to be due and payable on the first day of July, one thousand nine hundred and twenty, and two on the first day of July in each year thereafter until the amount of said issue has been fully paid.

Maturity.

SEC. 3. That the said bonds shall be signed in the name of the town of Greenville by the mayor and treasurer of said town and attested by the clerk, and shall bear interest at a rate not exceeding six per centum per annum, payable semiannually at such place and time as said board of aldermen may fix, authority being conferred upon said board to determine the rate of interest within the limit aforesaid: *Provided, however,* said bonds shall not be sold for less than their par value.

Rate of interest.

Not to be sold for less than par.

SEC. 4. That the board of aldermen of the town of Greenville shall annually levy and collect at the same time and in the same manner that other taxes of said town are levied and collected, a tax *ad valorem* upon all the taxable property in the municipality, sufficient to pay the principal and interest of all bonds issued under this act, when such principal and interest shall become due, maintaining in the levying and collecting of said taxes the constitutional equation between property and poll.

Levy of special tax for sinking fund.

SEC. 5. That said bonds shall be sold by the board of aldermen of the town of Greenville at public auction, or upon sealed proposals at the mayor's office in said town, after due advertisement of said sale once a week for three weeks in some newspaper published in the town of Greenville, and in such other manner as the board may deem necessary to promote the sale of said bonds. And the board of aldermen shall have the power to require bidders for said bonds to deposit with the board at the

Sale of bonds.

Deposits by bidders.

time of their bid, two per centum of the amount of said issue, said deposit to be in cash or by certified check payable to the treasurer of the town of Greenville, which said check shall be acceptable to the board. And the board shall have the right and is vested with the power to reject any and all bids that may be made for said bonds. *Provided*, that said bonds shall in no event be sold for less than their par value: *Provided further*, that the board of aldermen shall be vested with power to offer said bonds for sale at public auction or by sealed proposals more than once and until they have secured a satisfactory price therefor.

Bonds may be offered until price is satisfactory.

Application of proceeds.

SEC. 6. Upon a sale of said bonds, the board of aldermen shall cause the proceeds thereof to be paid to the treasurer of the town of Greenville, who shall place the same to the credit of the water and light commission of the town of Greenville, and said money shall be used by said commission for the sole purpose of finishing, completing and equipping the said water and light plant of the town of Greenville. And the said commission shall render to the board of aldermen a full and detailed statement of all expenditures made by it of said fund.

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 full force and effect from and after its ratification.

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 135

AN ACT TO AMEND CHAPTER 301 OF THE PUBLIC LAWS OF 1907 RELATIVE TO SCHOOL DISTRICT NUMBER 7 IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and one of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended as follows: Strike out all after the word "to" in line six thereof down to the word "to" in line nine thereof, and insert in lieu thereof the following: "Its intersection with the Danville and Yanceyville public road, and thence with the Danville and Yanceyville public road."

Limits changed.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 136

AN ACT TO AMEND CHAPTER 204, PRIVATE LAWS 1905,
RELATING TO THE GRADED SCHOOL AT ROBERSON-
VILLE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section six (6), chapter two hundred and four, Private Laws of North Carolina, one thousand nine hundred and five, be and the same is hereby amended by striking out in lines six and seven thereof the words, "thirty-three and a third cents" and inserting in lieu thereof the words "fifty cents"; and by further adding in line eight (8), between the words "dollar" and "on" the words, "and fifty cents."

Limit of tax rate increased.

SEC. 2. That section eight (8) of said chapter be and the same is hereby amended by striking out in line three thereof the word "three," and inserting in lieu thereof the words, "twenty-five" and by further striking out in said line three, the figures "\$3,000" and inserting in lieu thereof the figures "\$25,000."

Limit of bonds which may be voted increased.

SEC. 3. That an election shall be called by the board of trustees of Robersonville graded school district within two years after the first day of March, one thousand nine hundred and nineteen, and such election shall be advertised, conducted and held under the rules and regulations set out in said chapter two hundred and four of the private laws, session one thousand nine hundred and five, and at such election all electors of said district who wish to vote for this amendment shall cast a ballot with the words "For New School Buildings" written thereon, and all electors wishing to vote against this amendment shall cast a ballot with the words "Against New School Buildings," written thereon and if a majority of all ballots cast at such election shall be "For New School Buildings" the said chapter two hundred and four of private laws of one thousand nine hundred and five shall be amended as in this act provided, and in case a majority of all ballots cast at such election shall be "Against New School Buildings" this act shall be null and void and of no effect

Election to be called.

Form of ballot.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 137

AN ACT TO AUTHORIZE AHOSKIE SCHOOL DISTRICT,
HERTFORD COUNTY, TO ISSUE \$15,000 IN BONDS FOR
SCHOOL PURPOSES.

The General Assembly of North Carolina do enact:

County commis-
sioners upon
petition of one-
fourth of free-
holders to order
election.

SECTION 1. It shall be the duty of the board of county commissioners of Hertford County upon receipt of a petition signed by one-fourth of the resident free holders in the Ahoskie school district, to order an election to be held in the Ahoskie school district, Hertford County, at such time, not later than six months after the presentation of said petition as the said board may designate, to determine the question: shall the Ahoskie school district, Hertford County, issue fifteen thousand dollars (\$15,000) in bonds of said district to provide a fund for the erection and repair of dormitories for the teachers in the schools of said Ahoskie district. The said board of county commissioners shall, at least thirty days preceding such election, give public notice of such election by publication in one or more newspapers having circulation in said district and by posting in at least three public places in said district.

Limit of bonds.

Notice of election.

Conduct of
election.

SEC. 2. That the said election shall be held and conducted in the same manner and under the same requirements of law as are now in force or may hereafter be prescribed by law for holding elections for members of the General Assembly: *Provided*, that there shall be a new registration of all of the qualified voters residing in said district, and for this purpose the said board of county commissioners is hereby empowered to prescribe such rules and regulations for the opening and closing of said registration books as it may see fit and proper: *Provided further*, that said board of county commissioners shall appoint registrars of election and judges of election, and the registration of voters, except as herein provided, and challenges of voters shall be conducted in the same manner as is now provided for the election of members of the General Assembly, or may hereafter be provided. That the votes shall be counted at the close of the polls and the return of said elections made to the said board of county commissioners at its first regular meeting next following the election, and said board of county commissioners shall canvass, tabulate, and declare the result of the election, which shall be recorded in the minutes of the board of county commissioners, and no other recording and declaration of the result of said election shall be necessary: *Provided further*, that the expenses of said election shall be borne by the said Ahoskie school district.

New registration.

Canvass of
returns.

Record of result.

Election expense.

Form of ballot.

SEC. 3. That at said election the ballot tendered and cast shall have written or printed upon same "For bonds for dormitories."

or "Against bonds for dormitories," and all qualified electors who favor this issue of bonds shall vote a ticket on which shall be written or printed the words "For bonds for dormitories," 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 bonds for dormitories."

SEC. 4. If a majority of the votes cast at said election shall be "For bonds for dormitories" the result shall be declared and recorded as provided hereinbefore and the board of county commissioners shall certify the said result to the board of trustees of the said school district; whereupon, it shall be the duty of the said board of trustees to prepare bonds to the amount of fifteen thousand dollars (\$15,000) in denominations of five hundred dollars (\$500) each, which bonds shall bear a rate of interest not to exceed six per cent per annum and the principal thereof shall be payable or redeemable at such time, not to exceed thirty years from the date of issue, as the said board of trustees may determine. That the said bonds shall be signed by the chairman of the board of trustees, countersigned by the clerk of said board and shall have upon them the seal of the said Ahoskie school district.

Issuance of bonds.
Rate of interest.
Maturity.

SEC. 5. That upon the preparation, signing and execution of said bonds the said board of trustees shall deliver same to the treasurer of the said board who shall sell such bonds at such times and in such manner as said board of trustees may direct. *Provided*, that none of said bonds may be sold for less than their face value; and *Provided further*, that none of said bonds shall be used for purposes other than those set forth by this act.

Manner and terms of sale.

SEC. 6. That the proceeds arising from the sale of said bonds shall be deposited with the treasurer of the board of trustees of Ahoskie school district and shall be kept separate from all other funds of said school district, and the said treasurer shall keep a separate account of same and shall execute an official bond conditioned upon the faithful performance of his duties and payable to the State of North Carolina, for the use of said board of trustees in the usual manner and in such amount as the said board of trustees shall direct.

Treasurer custodian of proceeds.
To give bond.

SEC. 7. That the proceeds arising from the sale of said bonds shall be expended by the board of trustees of the Ahoskie school district in the purchase or erection of a dormitory or dormitories for the teachers in the public schools of the said school district; and the said board of trustees shall be responsible for the proper expenditure of the same. The said board of trustees is hereby authorized to advertise for bids for the erection of dormitories and to contract with the lowest responsible bidder for the erection of said dormitories, requiring from him a satisfactory bond conditioned upon the faithful performance of his duties, and said

Application of proceeds.
Bond required of contractor.

board is further authorized to make such other contracts and expenditures as may be necessary to erect and equip said dormitories.

Special tax for sinking fund to be levied.

SEC. 8. That when said bonds are issued and sold, the board of county commissioners of Hertford County is hereby authorized and directed to levy annually upon the property and polls of the Ahoskie school district a special tax of not to exceed twenty cents on the one hundred dollars (\$100) valuation of property and sixty cents on the poll, to provide for the payment of the interest on such bonds and to create a sinking fund sufficient to retire such bonds at their maturity. The tax so levied shall be collected as other taxes and shall be turned over to the treasurer of the board of trustees of the Ahoskie school district and kept by him as a separate fund to be applied to the purposes mentioned in this section and to none other.

Collection.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 138

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

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and fifty-two, Private Laws of North Carolina, session 1899, be amended as follows:

Number of aldermen increased.

Amend section two of said chapter in line six by striking out the word "five" and insert in lieu thereof the word "six."

Strike out all of section three and insert in lieu thereof the following:

City divided into wards.

"Section three. The said city of Monroe shall be divided into five wards and all of that portion of the city of Monroe lying north of the Seaboard Air Line Railway's tracks shall be known and designated as the first ward, and all of that portion of the city of Monroe lying south of the Seaboard Air Line Railway's tracks and east of Hayne street and north of Windsor street to its intersection with the Wadesboro road; thence north of the Wadesboro road shall be known and designated as the second ward; and all that portion of the city of Monroe lying north of Windsor street and west of Hayne street shall be designated as the third ward and all that portion of the city of Monroe lying south of Windsor street and west of Hayne street shall be designated as the fourth ward, and all that portion of the city of Monroe lying south of Windsor street to its intersection with the Wadesboro

road; thence south of the Wadesboro road and east of Hayne street shall be designated as the fifth ward.

SEC. 2. That there shall be elected from the qualified voters of the city of Monroe one alderman from each of the foregoing wards and one alderman at large, and the said alderman at large shall also be mayor *pro tem*, and said alderman as mayor *pro tem* shall exercise all the duties of the mayor in his absence from the city or when he is physically unable to attend to the duties of mayor.

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

Ratified this the 10th day of March, A. D. 1919

CHAPTER 139

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE OLD TRAP 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:

SECTION 1. That for the purpose of erecting a public building in the Old Trap 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 (\$10,000), 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.

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.

SEC. 3. That the board of county commissioners of the county of Camden 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.

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.

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 levying a special tax as provided for in this act, the board of county commissioners of the said county of Camden,

New registration.

Form of ballot.

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" 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.

Special tax mandatory if bonds are voted.

SEC. 6. That the board of county commissioners of the said county of Camden, 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.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 140

AN ACT TO AMEND CHAPTER 42 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO PHILADELPHUS GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

Tax rate increased.

SECTION 1. That section one of chapter forty-two, of the Public-Local Laws of 1917, be amended by striking out the words "twenty-three cents" in line twenty of said section one, and inserting in lieu thereof the words "thirty-five cents"; and by striking out the words "sixty-nine cents" in line twenty-two of said section one, and inserting in lieu thereof one dollar and five cents.

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 10th day of March, A. D. 1919.

CHAPTER 141

AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON, N. C., RELATING TO THE BOUNDARIES OF SAID CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That the charter of the city of Wilmington be amended so as to eliminate from the corporate limits of the city the following described property:

Beginning on the northern edge of the Greenfield Lake at the southwest corner of the Greenfield Park tract, formerly the property of the Wilmington Suburban Corporation, and running thence in a northwesterly direction and with the southern line of said tract to a corner of said tract, thence with another line of said tract northwardly to the eastern edge of the Federal Point macadamized road and thence with the eastern line of said road to the bridge over the Greenfield mill race, thence eastwardly along the present boundary lines of the city of Wilmington to the beginning.

SEC. 2. That before this act shall become operative, it shall be submitted to the qualified voters of the city of Wilmington, North Carolina, at the next municipal election to be held in and for the city of Wilmington and those who favor said amendment shall cast their ballots upon white paper upon which shall be printed or written on their ballots "For the Amendment" and those against the amendment shall cast their ballot which shall be printed or written on white paper "Against the Amendment." The board of elections shall provide separate boxes and ballots necessary to carry out the provisions of this act. This election shall be held under the general rules and regulations prescribed in municipal elections.

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 passage. Ratified this the 10th day of March, A. D. 1919.

CHAPTER 142

AN ACT RELATING TO THE SCHOOLS OF GOLDSBORO TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of investigating an amended or new form of government for the graded schools of Goldsboro

Members
appointed.

Charged with
investigation of
school govern-
ment.

To draft new
form if found
desirable.

New form to be
submitted to
voters.

Expense.

township, Wayne County, there is hereby created a committee to be known as "The School Committee for Goldsboro Township." The following are hereby appointed and shall constitute said committee, to wit: the chairman of the board of education of Wayne County; the chairman of the board of trustees of the graded schools of Goldsboro township; G. C. Kornegay, Lionel Weil, George S. Dewey, Joe A. Parker, Paul Yelverton, A. H. Edgerton, W. D. Creech, Graves J. Smith, John R. Crawford and Thomas O'Berry.

SEC. 2. That said committee shall organize on or before July first, one thousand nine hundred and nineteen, and it shall be the duty of said committee to investigate the several forms of government of schools, and from time to time to hold public meetings in the city of Goldsboro for the purpose of discussing and determining whether or not to recommend the adoption of an amended or new form of government for the graded schools of Goldsboro Township. After such investigation and public discussion, and prior to the next session of the General Assembly of North Carolina, said committee shall draft or cause to be drafted, an amended or new form of government for said schools, if the said committee decides that an amended or new form of government for said schools would be desirable; any such form of government decided upon by said committee shall be submitted to the next General Assembly for enactment. Such new form of government for said schools, when passed by the General Assembly, shall be submitted to the qualified voters of Goldsboro Township at an election to be held in said township, within four months after the passage of such amended or new form of government of said schools by the General Assembly. The county board of education of Wayne County shall bear any reasonable expense incident to the promulgation and institution of any such government for said schools.

SEC. 3. All laws, clauses or parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 143

AN ACT TO INCORPORATE BIG BRANCH SCHOOL DISTRICT IN BARBECUE TOWNSHIP, HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Boundaries re-
main the same.

SECTION 1. That the boundaries of Big Branch school district shall remain as established by act of Legislature, chapter two

hundred and forty-three, Acts of one thousand nine hundred and fifteen, Private Laws of North Carolina.

SEC. 2. That a board of trustees for said school are hereby appointed whose terms of office and of their successors shall be as follows: D. A. Graham, who shall serve six years; R. A. Cameron, who shall serve four years; and John Darroch, who shall serve two years. Trustees appointed.

SEC. 3. That their successors shall be appointed by the county board of education upon the recommendation of a majority of the qualified voters of said school district: *Provided*, that the trustees herein appointed and their successors in office shall be subject to removal by the county board of education when in the opinion of said board it will be to the best interest of the schools. Successors.

SEC. 4. That the board of trustees herein appointed shall, within sixty days after the ratification of this act, meet and elect one of their number chairman and one as secretary and shall have charge of the school building and ground and to act in all matters concerning the best interest and advancement of the school. Organization.

SEC. 5. That the board of trustees shall be a body corporate known as "The Trustees of Big Branch School" and are empowered to receive any moneys by gift, appropriation, donation and grant for said school and may sell and transfer any property of the school so received when necessary: *Provided*, that nothing in this act shall convey to the trustees of said school any authority to dispose of or offer for sale the present school building and site, which title shall continue to vest in the county board of education. A body corporate. Powers.

SEC. 6. It shall be the duty of the school trustees to so provide the schools in their district and to this end shall have control of the special tax district fund and any other fund that may be available. But the apportionment and distribution to the Big Branch school of its *pro rata* share of the county and state public school fund, the employment and dismissal of teachers, the time when said school shall open and close, the fixing of teachers' salaries shall remain under control of the county board of education. Duties.

SEC. 7. The board of trustees shall keep all funds coming into their hands mentioned in section five of this act including the special school tax of thirty cents on the one hundred dollars worth of property and ninety cents on the poll which the county commissioners shall continue to levy and said board of trustees are required to render an annual statement of receipts and disbursements and post said statement at Big Branch School House. Board custodian district school funds.

SEC. 8. All laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 144

AN ACT TO AMEND AND SUPPLEMENT CHAPTER 101 OF THE PRIVATE LAWS OF 1903, RELATING TO TRYON GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and one of the Private Laws of one thousand nine hundred and three be, and the same is hereby amended and supplemented as follows:

School board of reduced membership to be elected.

That instead of five members, as provided in said chapter, the board of commissioners of Tryon graded school district shall be composed of three members, who shall be elected at the regular election to be held in and for said district the first Tuesday in May one thousand nine hundred and nineteen, and biennially thereafter, and shall hold office for the term of two years, or until their successors shall be chosen and qualify, said election to be held as provided by said chapter and amendments thereto.

Term of office.

Special tax to be submitted to voters.

SEC. 2. That at said election on the first Tuesday in May, one thousand nine hundred and nineteen, the board of commissioners of said Tryon graded school district shall submit to the qualified voters of said district the question of levying a special tax, in addition to the tax heretofore authorized, not to exceed fifty cents on every one hundred dollars worth of taxable property and one dollar and fifty cents on each taxable poll, the equality between property and poll to be observed, for the purpose of supplementing the school funds of said district and to create a sinking fund to pay the interest on and retire the bonds of said school district, now outstanding, at maturity. At said election those voting for said tax shall vote a ballot on which shall be written or printed the words "For Special Tax" and those voting against said tax shall vote a ballot on which shall be written or printed the words "Against Special Tax," and if a majority of the votes cast at said election shall be for said special tax the board of commissioners of said district shall annually thereafter, at the same time other taxes are levied in and for said district, levy a sufficient tax for school purposes, which tax shall not exceed fifty cents on every one hundred dollars worth of taxable property and one dollar and fifty cents on each taxable poll in addition to the tax heretofore authorized, and out of said tax they shall pay the interest on said bonds, as it falls due, and shall set aside annually a sufficient fund, as a sinking fund, to retire all of the outstanding bonds of

Limit of tax.

Purposes of tax.

Form of ballot.

Application of proceeds.

said district, as they mature, and they shall use the remainder of said tax for the maintenance of the schools of said district. Said board of school commissioners shall for at least thirty days preceding said election give notice by posting notice of said election, setting forth therein the purpose of same and the amount of special tax to be authorized, at the voting place and postoffice in said district and by publishing said notice for at least four weeks immediately preceding said election in a newspaper published in Polk County. The registrar and judges of election shall be those appointed to hold the election for school commissioners for said district and for the municipal officers for the town of Tryon, and said election shall be held and the return and canvass made as is provided for the election of school commissioners for said district. The board of school commissioners may require a new registration for said election if they shall so order.

Notice of election.

Conduct of election.

Canvass.

New registration.

SEC. 3. That the board of commissioners of said graded school district shall annually appoint a tax collector to collect the taxes for said school district and shall require of him a sufficient bond for the faithful discharge of his duties, and may pay said tax collector a commission not to exceed five per cent of the tax collected.

Collection of taxes.

SEC. 4. All vacancies on the board of school commissioners shall be filled by appointment of the remaining members of said board and such appointees shall hold office until the next regular election or until their successors shall be chosen and qualify.

Vacancies on board.

SEC. 5. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed. But this act shall not have the effect of creating a vacancy in the present board of commissioners for said district, but they shall hold office until their successors are chosen and qualify.

Present board to hold over.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 145

AN ACT TO AMEND CHAPTER 351, PRIVATE LAWS OF 1905, RELATING TO THE TRUSTEES OF LAKE LANDING GRADED SCHOOL, HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and fifty-one of the Private Laws of one thousand nine hundred and five as amended by chapter three hundred and twenty-four of the Private Laws of one thousand nine hundred eleven be, and the same is hereby

Law amended.

amended by striking out the whole of section two of said chapter as amended and inserting in lieu thereof the following.

Trustees to be elected.

“SEC. 2. That the trustees for the school in the said district shall hereafter be selected from among the qualified voters of the said school district by a vote of the qualified voters of said school district at the general election to be held in Hyde County in one thousand nine hundred and twenty, and biennially thereafter. Said board shall consist of three members, who shall be elected for a term of two years each: *Provided*, in the event of a vacancy by death, resignation or otherwise before the expiration of the entire term of office said vacancy shall be filled by the county board of education: *Provided further*, that the present board of trustees shall continue in office until the next general election to be held for Hyde County in one thousand nine hundred and twenty: *Provided further*, that it shall be the duty of the board of county commissioners of Hyde County to provide for said election at the same time and under the same rules and regulations as is provided for county and township officers.”

Term of office.

Vacancies.

Present board to hold over until election.

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 146

AN ACT TO AUTHORIZE THE CITY OF STATESVILLE TO CALL AN ELECTION FOR THE PURPOSE OF VOTING BONDS TO PROVIDE FUNDS FOR THE PURCHASE OF A GAS PLANT.

Preamble.

WHEREAS, the board of aldermen of the city of Statesville, as individuals, bought and took over the gas plant in the city of Statesville, owned and operated by the Statesville Gas Light and Fuel Company, paying therefor the sum of twenty-two thousand five hundred dollars; and whereas said purchase was made for the purpose of saving the franchise for the city of Statesville if the voters of said city should determine by ballot that said gas plant should be owned and operated by said city; and whereas it will be necessary to hold an election for the purpose of determining the wishes of said city. Therefore—

The General Assembly of North Carolina do enact:

Election to be called to ratify act.

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 the time for holding the regular municipal election in May, one thousand nine hundred and nineteen, or

at such other 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 amounts 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 purchasing the property formerly belonging to the Statesville Gas Light and Fuel Company. 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 Purchase of Gas Plant" thereon, and those opposed shall vote a written or printed ticket with the words "Against Purchase of Gas Plant" thereon. The election herein provided for shall be held under the rules and regulations provided and presented in chapter seventy-three of the Revisal of nineteen hundred and five and the amendments thereto except that said election may be held at the time of the municipal election or at such other time as the mayor and board of aldermen may determine as hereinbefore provided. If a majority of the qualified voters of the city of Statesville shall vote "For Purchase of Gas Plant" then the mayor and board of aldermen of the city of Statesville shall issue serial 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 of not exceeding five and one-half per cent per annum. The principal of said bonds shall be payable as follows:

Bonds to be submitted.

Limit of bonds.

Conduct of election.

Interest on bonds.

Maturity.

- Two thousand five hundred dollars one year after date,
- Two thousand five hundred dollars two years after date,
- Two thousand five hundred dollars three years after date,
- Two thousand five hundred dollars four years after date,
- Two thousand five hundred dollars five years after date,
- Two thousand five hundred dollars six years after date,
- Two thousand five hundred dollars seven years after date,
- Two thousand five hundred dollars eight years after date,
- Two thousand five hundred dollars nine years after date,
- Two thousand five hundred dollars ten years after date.

Said bonds and coupons shall be signed by the mayor of the city of Statesville and countersigned by the clerk and treasurer of said city and the official seal of said city shall be attached to each bond: *Provided, however,* that if ordered by the board of aldermen the facsimile of said signatures may be placed on said coupons instead of the actual signatures. The said bonds shall not be sold for less than par.

Not to be sold for less than par.

SEC. 2. The money arising from the sale of said bonds shall be placed to the credit of the city of Statesville and shall be expended by said city for the purchasing of said gas plant

Application of proceeds.

formerly belonging to the Statesville Gas Light and Fuel Company, the sum to be paid therefor being the sum of twenty-two thousand five hundred dollars. The remainder of the money arising from said sale shall be used to pay for necessary improvements made on said gas plant.

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 10th day of March, A. D. 1919.

CHAPTER 147

AN ACT TO AUTHORIZE THE SCHOOL COMMITTEE OF REIDSVILLE SCHOOL DISTRICT, REIDSVILLE, NORTH CAROLINA, TO ISSUE BONDS FOR SCHOOL PURPOSES.

The General Assembly of North Carolina do enact:

Bonds authorized.

SECTION 1. The "School Committee of Reidsville School District, Reidsville, North Carolina" (which committee was incorporated by chapter four hundred and twenty-four of the Laws of eighteen hundred and eighty-seven) is hereby authorized, upon the conditions and subject to the limitations and restrictions set forth in this act, to issue bonds in an aggregate principal amount not exceeding seventy-five thousand dollars, for the purpose of erecting, enlarging, altering and equipping school buildings, and acquiring land for school buildings for the Reidsville school district, or for any one or more of said purposes; and the board of county commissioners of Rockingham County is hereby authorized, directed and required to levy annually a special tax *ad valorem* upon all taxable property in said school district for the purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest becomes due, which special tax shall be in an amount sufficient for said purpose and in addition to all other taxes authorized to be levied by said board.

Limit and purpose of bonds.

Special tax for sinking fund.

Question of issuance to be submitted to voters.

SEC. 2. The bonds hereby authorized shall not be issued, nor shall said special tax be levied, unless and until the question of issuing such bonds and levying such tax shall be submitted to the qualified voters of said school district at a special election to be held for that purpose, and a majority of said qualified voters shall have voted in favor of issuing said bonds and levying said special tax, as required by section seven of article seven of the constitution of North Carolina.

Election called upon request of school board.

SEC. 3. Upon the request of said school committee, the board of commissioners of the town of Reidsville shall order a special

election to be held in said school district at such time as said school committee may designate, for the purpose of voting upon the question of issuing bonds and levying a tax under this act. Said election shall be held under the supervision of the board of commissioners of said town, and, in all particulars other than those specifically provided for in this act, shall be held and conducted, and the qualifications of voters at the election determined, as nearly as may be practicable in accordance with the law relating to elections for municipal officers in the town of Reidsville. For said election there shall be a new registration of the qualified voters of said school district. Notice of the election shall be given by publication at least twice in some newspaper published in the town of Reidsville, the first publication to be at least thirty days before the election. The question to be voted upon shall be stated in said notice as follows: "The question of issuing not exceeding seventy-five thousand dollars of serial bonds of the Reidsville school district and levying a sufficient annual tax to pay the same." The board of commissioners of the town of Reidsville shall appoint the registrars and judges of election for said election, and shall cause to be printed and distributed a sufficient number of ballots for use at the election. At said election the voters who are in favor of the issuance of said bonds and the levying of said special annual tax shall vote a ballot on which shall be written or printed the words "For Bond Issue"; and the voters who are opposed to the issuance of said bonds and the levying of said tax shall vote a ballot on which shall be written or printed the words "Against Bond Issue." At the close of the polls the election officers shall count the votes and make returns thereof to the board of commissioners of said town, which board shall, as soon as practicable after the election, judicially pass upon the returns and judicially determine and declare the result of said election, which determination shall be spread upon the minutes of said board. The returns shall be made in duplicate, one copy of which shall be delivered to the board of commissioners of the town of Reidsville as aforesaid, and the other filed with the registrars of deeds of Rockingham County. If the board of commissioners of the town of Reidsville shall cause a notice containing a brief statement of the result of said election as determined by said board to be published at least once in a newspaper published in said town, no right of action or defense founded upon any invalidity in said election shall be asserted, nor shall the validity of said election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the first publication of said notice: *Provided, however,* that a copy of this sentence shall be incorporated in said notice.

Conduct of election.

New registration Notice.

Question stated.

Form of ballot.

Canvass of vote.

Certification of result.

SEC. 4. The bonds authorized by this act may be issued as one issue or divided into two or more separate issues, and in either

Maturity of
bonds.

case may be issued all at one time or from time to time. Each issue shall so mature that the aggregate principal amount of the issue shall be payable in annual installments, beginning not more than three years after the date of the bonds of such issue and ending not more than thirty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously, the bonds of such issue outstanding at any one time shall mature as aforesaid.

Rate of interest.

SEC. 5. Said bonds shall be issued in the corporate name of said school committee or, at the option of the school committee, in the corporate name of said school district (if said school district, as well as said board, is a body corporate). The bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest, as the said school committee may determine, subject to the limitations and restrictions of this act. The bonds shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the school committee of the Reidsville school district, Reidsville, North Carolina, and either the seal of the said school committee or the seal of said school district shall be affixed to the bonds and attested by the secretary of said school committee; and the coupons of such bonds shall bear the printed or lithographed or engraved facsimile signature of said chairman who is in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

Sale of bonds.

SEC. 6. Said bonds shall be sold in the manner provided in the Municipal Finance act (chapter one hundred and thirty-eight of the Public Laws of one thousand nine hundred and seventeen, as amended) for the sale of bonds of cities and towns. They shall not be sold for less than par and accrued interest.

Proceeds a
separate fund.

SEC. 7. The proceeds of the sale of said bonds shall be placed in a separate fund and used only for the purposes for which the bonds were issued. At least twenty-five thousand dollars of such proceeds shall be expended upon schools for the colored race. The purchasers of the bonds shall not be bound to see to the application of the proceeds.

Collection of
taxes.

SEC. 8. The taxes provided for in section one of this act shall be collected by the sheriff of Rockingham County and paid over by him to the treasurer of said Reidsville school district, to be

applied solely to the payment of the principal and interest of said bonds.

SEC. 9. The powers granted by this act are granted in addition to and not in substitution for existing powers of the school committee of Reidsville School District, Reidsville, North Carolina, and are not subject to any limitation or restriction contained in any other law. Powers additional.

SEC. 10. All laws and parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 148

AN ACT TO INCORPORATE THE TOWN OF TEACHEYS IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Teachey, in Duplin County, be and the same is hereby incorporated by the name and style of the town of Teachey, and shall be subject to all the provisions contained in chapter seventy-three of the Revisal of one thousand nine hundred and five, of North Carolina, not inconsistent with this act. Town incorporated under provisions of Revisal.

SEC. 2. That the corporate limits of said town shall be one thousand six hundred yards square, with the Masonic Lodge lot in the center. Limits defined.

SEC. 3. That the officers of said corporation shall consist of a mayor, five commissioners and a marshal, and the following named persons shall fill said offices until the first Monday in May, one thousand nine hundred and nineteen, or until their successors are elected and qualified, viz.: Mayor, J. D. Teachey; commissioners, H. P. Ennis, J. D. Mallard, W. B. Dail, J. C. McMillan, Jr., and T. V. Rivenbark. Town government.
Mayor and commissioners appointed.

SEC. 4. There shall be an election held for officers mentioned in this act on the first Monday in May, one thousand nine hundred and thirteen, and each succeeding year thereafter, under the same restrictions that county and state elections are held, and all citizens within said corporation who have resided twelve months in the state and ninety days within the corporate limits previous to the day of election shall be entitled to vote at said election. Elections to be held annually.
Qualifications of voters.

SEC. 5. That it shall be the duty of the persons elected officers of said corporation to go before some justice of the peace of said county within five days after their election and take the oath prescribed by law for such officers. Officers to take oath.

Fines.

SEC. 6. That all fines collected for the violation of any of the town ordinances shall be paid into the town treasury for the benefit of said town.

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

SEC. 8. This act shall be in force from and after its ratification. Ratified this the 10th day of March, A. D. 1919.

CHAPTER 149

AN ACT TO AMEND CHAPTER 343 OF THE PRIVATE LAWS OF 1907, RELATING TO THE CHARTER OF THE TOWN OF LUMBERTON AND MAKING THE SAME APPLICABLE TO THE TOWN OF FAIRMONT, N. C.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and forty-three of the Private Laws of one thousand nine hundred and seven be amended by adding at the end of section thirty-one of said chapter the following: "That all the provisions of section thirty-one shall apply to the town of Fairmont, North Carolina, and all primary elections in said town of Fairmont shall be conducted in accordance with the provisions of said section thirty-one; and wherever in said section thirty-one there occurs the words 'The Town of Lumberton,' there shall be added immediately following the words 'and the Town of Fairmont.'"

Provisions of Lumberton primary law made apply to Fairmont.

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 10th day of March, A. D. 1919.

CHAPTER 150

AN ACT RELATING TO THE COLLECTION OF ASSESSMENTS FOR PAVING LEVIED AGAINST LAND BY THE CITY OF KINSTON.

Preamble.

WHEREAS, the city of Kinston under and by virtue of chapter two hundred and two of the Private Laws of one thousand nine hundred and thirteen, paved certain of its streets and, as provided in the said act, did levy assessments against the property abutting upon the streets so paved, which assessments are all as specifically set forth in a certain resolution adopted finally by the city council of the city of Kinston at the regular meeting in

March, one thousand nine hundred and eighteen, being March fourth, one thousand nine hundred and eighteen, and the said assessments so levied matured in three equal installments, the first three months from the date of the levy, the second six months from the date of the levy, and the third nine months from the date of the levy, all as provided in the said act; and

WHEREAS, the city of Kinston found it more advantageous to sell the said bonds representing the amounts so assessed against the land maturing in ten installments, one each year, and the bonds representing the said amounts assessed as aforesaid have been heretofore so sold and delivered by the city of Kinston, and the city desires now that the owners of the said property may have the privilege of availing themselves of paying the amounts assessed as aforesaid in ten annual installments substantially as the said bonds representing the said assessments to be collected by the city were sold, and now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the city of Kinston is hereby authorized and empowered to extend time of payment to the owners of the lands for the paving assessments referred to in the preamble of this act, and to divide the total amount of assessments into ten equal payments, one of which payments shall be due on the fourth day of March, one thousand nine hundred and nineteen, and on the fourth day of March of each year until the full amount of principal and interest is paid, and the owners of the lands assessed for paving under chapter two hundred and two, Private Laws of one thousand nine hundred and thirteen and acts amendatory thereof recited in the preamble of this act, shall have the right to either pay the assessments in full as now due under the provisions of said act, or to avail themselves of the privileges of this act by executing their several notes for one-tenth of the amount of said assessments with interest thereon as prescribed in chapter two hundred and two of the Private Laws of one thousand nine hundred and thirteen, and the said notes, if so executed, shall have the lien of the said assessments as prescribed in said act and the said city of Kinston, in case of default of payment of said notes, shall have all the powers, rights and authority to collect the same as the said city of Kinston has to enforce the payments of said assessments under the provisions of said act of chapter two hundred and two of the Private Laws of one thousand nine hundred and thirteen and acts amendatory thereof, and the said assessments upon the property assessed under said act for paving purposes shall continue to be a lien upon said property as prescribed in said act until all the said notes with interest thereon are fully paid, and the proceeds received from the collection or payment of said notes for said assessments, shall be used exclusively for the purpose of paying the bonds of

City authorized to extend time of paying paving assessments.

Payment under chapter 202, private laws 1913.

Notes to bear interest.

Notes to have lien.

Assessments continue a lien until notes are paid.

the city of Kinston issued and sold under the provision of said acts for paving purposes.

Act confers additional privilege.

SEC. 2. That this act shall in no way repeal the rights, powers and authority now existing under which the city of Kinston is authorized to collect any part of the assessment so levied, but shall be deemed an additional privilege extended to the abutting property owners, whose property has been assessed, if the said property owners avail themselves of the provisions of this act.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 151

AN ACT TO REPEAL CHAPTER 330 OF THE PRIVATE LAWS OF 1899, INCORPORATING THE TOWN OF MINT HILL IN MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

Charter of Mint Hill repealed.

SECTION 1. That chapter three hundred and thirty of the Private Laws of one thousand eight hundred and ninety-nine and all acts amendatory thereof be and the same are hereby repealed.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 152

AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Certain property excluded.

SECTION 1. That the charter of the city of Wilmington be amended so as to eliminate from the corporate limits of the city the following described property:

Limits of excluded territory defined.

Beginning at a point on the southern bank of Smith's Creek, where the Atlantic Coast Line Railway Company's right of way intersects the Southern bank of the said Smith's Creek, and running thence southwardly along the eastern line of said right of way to where it intersects the northern line of the right of way of the Wilmington, New Bern and Norfolk Branch of the Atlantic Coast Line Railway Company, and running thence eastwardly and along the north line of said right of way of the Wilmington, New Bern and Norfolk Railway Company Branch of the Atlantic

Coast Line Railway Company, to the center of the run of Greene's Mill Creek, where said right of way crosses said creek, and thence with the meanders of the run of said creek northwardly, to Smith's Creek, thence in northwestwardly direction to the eastern line of the right of way of the Atlantic Coast Line Railway Company, the point of the beginning.

SEC. 2. That before this act shall become operative, it shall be submitted to the qualified voters of the city of Wilmington, North Carolina, at the next municipal election to be held in and for the city of Wilmington and those who favor said amendment shall cast their ballots upon white paper upon which shall be printed or written on their ballots "For the Amendment" and those against the amendment shall cast their ballot which shall be printed or written on white paper "Against the Amendment." The board of elections shall provide separate boxes, and ballots necessary to carry out the provisions of this act.

Question to be submitted to voters.

Conduct of election.

This election shall be held under the general rules and regulations prescribed in municipal elections.

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 passage. Ratified this the 10th day of March, A. D. 1919.

CHAPTER 153

AN ACT TO PROVIDE FOR THE ELECTION OF THE CITY ATTORNEY OF THE CITY OF WILMINGTON AND FIX THE SALARY FOR SAID OFFICE.

The General Assembly of North Carolina do enact:

SECTION 1. That at the next election for city officials of the city of Wilmington to be held in May, one thousand nine hundred and nineteen, and biennially thereafter the qualified voters of the said city of Wilmington shall by ballot select the city attorney, and nominations for the said office shall be held in the same manner as nominations for the city officers, under the same rules, regulations and requirements as apply to the nomination and election of other officers of the said city of Wilmington.

City attorney to be elected biennially.

SEC. 2. The salary of the said city attorney of the city of Wilmington shall be fixed by the city council of the said city at not less than two thousand dollars nor more than three thousand dollars per annum, payable in monthly installments.

Salary of attorney.

SEC. 3. The said attorney so elected is hereby authorized and empowered to appoint an assistant city attorney to perform the same duties and receive the same compensation as the present assistant city attorney.

Assistant attorney.

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 154

AN ACT TO AMEND CHAPTER 75 OF THE PRIVATE LAWS OF 1911, RELATING TO THE CHARTER OF THE CITY OF WILMINGTON.

The General Assembly of North Carolina do enact:

Superintendent of streets placed under civil service.

SECTION 1. That J. H. Holton, superintendent of streets in and for the city of Wilmington, is hereby placed under the civil service established for said city by chapter seventy-five of the Private Laws of one thousand nine hundred and eleven and acts amendatory thereof: *Provided*, that the said J. H. Holton shall retain the office of superintendent of streets in and for the city of Wilmington unless removed for cause as defined in chapter seventy-five of the Private Laws of one thousand nine hundred and eleven.

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

Ratified this the 10th day of March A. D. 1919.

CHAPTER 155

AN ACT TO AMEND CHAPTER 342 OF THE PRIVATE LAWS OF 1907 RELATING TO THE ELECTION OF MEMBERS OF THE SCHOOL BOARD OF THE CITY OF CHARLOTTE.

The General Assembly of North Carolina do enact:

School board of reduced number to be elected.

SECTION 1. That section one hundred and ninety-four of chapter three hundred and forty-two of the Private Laws of one thousand nine hundred and seven be and the same is hereby amended by triking out the words and figures "seventeen (17)" in lines two and three and inserting the words and figures "seven (7)" in lieu thereof, and after the word "elected" in line three inserting the words "by the city-at-large" so that the said section one hundred and ninety-four shall now read as follows:

Term of office.

"SEC. 194. That said system of public schools shall be under the control of a board of school commissioners composed of seven members, who shall be elected by the city-at-large biennially at the general election held for mayor and other city officers and shall hold office for two years and until their successors are duly elected and qualified, and shall serve without compensation. Any

Vacancies.

vacancy in said board of school commissioners shall be filled by an election held by said board, and the person so elected shall hold office for the unexpired term."

SEC. 2. That a special election be and the same is hereby authorized and directed to be called on the twenty-first day of April, one thousand nine hundred and nineteen by the proper governing body of the city of Charlotte in the county of Mecklenburg for the purpose of voting upon the question of reducing the number of members of the school board of the said city and electing the said members-at-large. That the said election shall be held under the same rules and regulations and with the same machinery as is now provided by law for the holding of elections in the said city. Election ordered for April 21 1919.

SEC. 3. At the said election two ballot boxes shall be provided on one of which shall be placed a label containing the words "For Reduction of Membership of school board," and on the other shall be placed a label "Against Reduction of Membership of school board." All persons shall be qualified to vote in the said election whose names appear on the regular registration books of the preceding city election, or who have become legally qualified to vote since the said election. Form of ballot.

SEC. 4. At the said election those persons favoring the reduction of the number of members of the school board shall cast a ballot on which shall be written or printed the words "For reduction of number of members of school board from seventeen to seven, and for election at large of the said members." Those persons opposed to the reduction of the number of members of the said board shall cast a ballot on which shall be written or printed the words "Against reduction in number of members of school board from seventeen to seven, and election at large." If a majority of the votes cast shall be in favor of the proposed reduction then section one of this act shall be in full force and effect; if a majority of the votes cast at said election shall be against the reduction of members of the said school board then section one of this act shall not become effective. Qualification of voters.

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

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

Ratified this the 10th of March, A. D. 1919.

CHAPTER 156

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF HOOKERTON.

The General Assembly of North Carolina do enact:

SECTION 1. That the present boundaries of the corporate limits of the town of Hookerton shall be extended so as to embrace and include within the corporate limits of said town the following additional territory, to wit:

Beginning at the southwest corner of Church and Sixth streets in the town of Hookerton; thence it runs with said Sixth street produced in a southwest course to Green street; thence with Green street in a northwest course to the back line of the Atlantic Coast Realty property, Seventh street produced; thence with the line of said Atlantic Coast Realty property Seventh street produced in the southwest course of Patrick street, produced; thence with the south edge of said Patrick street south eighty-six degrees and thirty-five minutes east six hundred and seventy-six feet to the center line of said Fifth street; thence south eighty-six degrees and thirty-five minutes east nine hundred and ninety-nine feet to a stake on a ditch and one foot to the south of a small pine; thence with said ditch north twenty-two degrees and ten minutes east six hundred and fifty-five feet to a stake with elm pointers; thence south eighty-six degrees and thirty-five minutes east seven hundred and forty-four feet to a ditch leading into Spring Branch; then down the various courses of said ditch and branch as follows, viz.: north sixteen degrees and forty-five minutes east three hundred and fifty-four feet to center line of Hookerton and Grifton public road; north six degrees and twenty minutes east six hundred and eighty feet to Cemetery Branch the line of the town of Hookerton according to the old charter.

SEC. 2. *Provided*, that the citizens residing in said territory above described, the real property embraced in said description and the personal property being thereon which are or lies to the west of said Fifth street shall not be liable for any municipal or town tax to the said town of Hookerton, either on polls or property of whatsoever kind until after the first day of January nineteen hundred and twenty-one.

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

Ratified this the 10th day of March, A. D. 1919.

Limits of additional territory defined.

Citizens of annexed territory not liable for municipal tax until January 1, 1921.

CHAPTER 157

AN ACT TO AMEND CHAPTER 349 OF THE PRIVATE LAWS OF 1915 RELATING TO THE FIREMEN'S PENSION FUND FOR THE CITY OF WILMINGTON, N. C.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and forty-nine of the Private Laws of one thousand nine hundred and fifteen be and the same are amended as follows: By adding after the word "roll" and before the word "any" in line ten of subsection two of section seven the following: "*Provided*, that any member of the said fire department who has served with the said department for a period of not less than twenty consecutive years may have the privilege, upon his own application without such medical examination, of retiring and shall receive from the pension fund during his life a pension of not less than one-half of the compensation allowed to such member as his salary in the department at the date of such retirement." Twenty years service entitles fireman to retirement.

By striking out subsection four of section seven and inserting the following in lieu thereof: "In case any member of the said fire department dies the board of trustees shall pay to the beneficiary the sum of two hundred dollars (\$200.00) from any funds in this act provided toward the funeral expenses of such deceased member." Death benefit.

By adding after subsection five in section seven the following subsections: "(6.) In case of the death of any member of the said fire department whose widow shall be entitled to a pension the said pension shall be paid to her only so long as she remains the widow of the said deceased member of the said fire department." "(7.) If any member of the said fire department shall become disabled as a fireman at any time, regardless of service, and is retired by the board of trustees because of such disability, he shall receive not less than one-half of the compensation received at the time of such retirement." Widow to receive pension only so long as widow. Retirement for disability.

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 10th day of March A. D. 1919.

CHAPTER 158

AN ACT TO CORRECT AN ERROR IN HOUSE BILL 722, SENATE BILL 781, RATIFIED ON MARCH 3, 1919, RELATING TO CORPORATE LIMITS OF THE TOWN OF AHOSKIE.

The General Assembly of North Carolina do enact:

Section four amended.

SECTION 1. That section four of House Bill seven hundred twenty-two, Senate Bill seven hundred eighty-one, ratified March third, one thousand nine hundred and nineteen, entitled, "An act to amend chapter one hundred fifty-eight, Private Laws of nineteen hundred and three, relating to the corporate limits of the town of Ahoskie, in Hertford County," be and the same is hereby amended by inserting in line one of said section after the word "that" and before the word "it" the following: "without the written permission of the board of commissioners of said town."

SEC. 2. That all laws or clauses of laws in so far as they are inconsistent 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 10th day of March, A. D. 1919.

CHAPTER 159

AN ACT TO AMEND CHAPTER 184 OF THE PRIVATE LAWS OF 1915, RELATING TO ELECTIONS IN THE CITY OF WILMINGTON.

The General Assembly of North Carolina do enact:

Nomination of candidates.

SECTION 1. That chapter one hundred and eighty-four of the Private Laws of one thousand nine hundred and fifteen be and the same is amended by striking out the word "on" in line three of section nine and inserting in lieu thereof the following: "not earlier than sixty days nor later than" so that the first sentence of the said section nine shall read as follows: "Candidates for the office of mayor or councilmen at the first election hereunder, and biennially thereafter, shall be nominated at the primary election, which shall be held not earlier than sixty days nor later than the second Tuesday preceding such general election in May."

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

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

Ratified this the 10th day of March, A. D. 1919.

CHAPTER 160

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SNOW HILL.

The General Assembly of North Carolina do enact:

SECTION 1. That the present boundaries of the corporate limits of the town of Snow Hill shall be extended so as to embrace and include within the corporate limits of said town the following additional territory, to wit:

Beginning at Long Branch at the Red Hill road crossing runs north forty-nine and three-fourths west with the said road one hundred and ninety-six feet; thence north thirty-nine and three-fourths west the said road three hundred and four feet; thence north fifty-six west one thousand four hundred and fifty feet, to Jordan and Marshburn upper corner; thence south thirty-four and one-half west eight hundred and eighty feet to a small branch; thence down said small branch to Long Branch; thence down Long Branch to M. W. Warren's and J. G. Anderson corner; thence south thirty-four and three-fourths east one thousand six hundred and ninety-nine feet to the southeast corner the Oettinger land; thence north sixty-seven and one-half east six hundred and thirty feet with the Oettinger and Sugg line to a stake on the Snow Hill and Kinston road the Clayton Sugg corner; thence south eighty-one and three-fourths east four hundred and twenty-seven feet to the southeast corner of the railroad company's property; thence with their line north seventy-two and one-fourth east four hundred and twenty-nine feet to the northeast corner of said railroad company's property; thence north thirteen and one-fourth west four hundred and twenty-nine feet to an iron stake in line of said railroad company's property; thence north twenty-two west one thousand four hundred and twenty-nine feet to a stake in field; thence north twenty-eight east one thousand one hundred and eighty-six feet to Contentnea Creek; thence up the various courses of said branch of said branch to the beginning.

Limits of additional territory defined.

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 161

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SNOW HILL.

The General Assembly of North Carolina do enact:

SECTION 1. That the present boundaries of the corporate limits of the town of Snow Hill shall be extended so as to embrace and include within the corporate limits of said town the following additional territory, to wit:

Limits of additional territory defined.

Beginning at Long Branch at the Red Hill crossing runs north forty-nine and three-fourths west with said road one hundred and ninety-six feet; thence north thirty-nine and three-fourths west with road three hundred and four feet; thence north fifty-six west one thousand four hundred and fifty feet to Jordan and Marshburn upper corner; thence south thirty-four and one-half west six hundred feet to a stake; thence in a southeasterly course and parallel with the first three callings back to said Long Branch; thence down the run of same to the M. W. Warren and J. G. Anderson corner on said branch; thence south thirty-four and three-fourths east to the end of a street plotted on the Oettinger land, about one hundred and fifty feet to the east of the G. A. Jones residence lot, thence along said street, as plotted, in a northeasterly direction to the Snow Hill-Kinston Road, Kinston street, thence in a northerly course with said road or street to the northern edge of Dobbs street, the street between the late S. C. Sugg home and the late R. D. Britt home, thence with the northern edge of same in a northeasterly course to the Carolina Railway right of way, thence continuing said course to the eastern side of said right of way; thence in a southerly course with said eastern side of said right of way to the southeast corner of the plat of land on which is situated the Snow Hill Electric Light Plant, thence with line of same to the northeast corner of same; thence with the eastern line of same to the northeast corner of the Herring gin lot; thence with the eastern line of same to the northwest corner of same; thence in a southeast course with line of same back to said right of way; thence with the eastern side of said right of way to Contentnea Creek, thence up said creek to the mouth of Long Branch; thence up the various courses of said Long Branch to the beginning.

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 162

AN ACT TO AMEND CHAPTER 148 OF THE PRIVATE LAWS OF 1915, RELATING TO THE CHARTER OF THE CITY OF WILMINGTON.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter one hundred and forty-eight of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by adding at the end of section three and before section three and a half the following subdivisions: Charter amended.

“Seventh Ward.

“The seventh ward shall include all of the territory of said city lying south of Greenfield mill race or creek.” Seventh ward created.

SEC. 2. That the said seventh ward shall be entitled to one member on the council of the city of Wilmington, who shall be nominated and elected as is provided by law for other councilmen, and the said city councilman shall be elected for a term of four years and have all the rights, powers and privileges as other councilmen. Entitled to one councilman.

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 11th day of March, A. D. 1919.

CHAPTER 163

AN ACT TO EXTEND THE PERIOD OF COMPULSORY EDUCATION IN THE CITY OF WINSTON-SALEM, FOR THE FULL SESSION OF CITY PUBLIC SCHOOLS EACH YEAR.

The General Assembly of North Carolina do enact:

SECTION 1. That every parent, guardian or other person in the city of Winston-Salem having charge or control of a child between the ages of eight and fourteen years shall cause such child to attend regularly some day school (public, private or parochial), in which at least the six common school branches of reading, spelling writing, arithmetic, English and geography are taught in daily session of not less than four hours per school day, for nine school months in each calendar year, or for the full session of the public schools of the city of Winston-Salem; or shall provide such child at home or elsewhere with such regular daily instruction during the usual school hours as shall be in the judgment of the court substantially equivalent in kind and amount to Parent or guardian required to keep children 8 to 14 in school for full session.

the instruction given the children of like age in the public schools of said city: *Provided*, that occasional absence from such attendance by any child between the ages of eight and fourteen years not amounting to more than two unexcused absences in four consecutive weeks shall not be unlawful.

Proviso: Occasional absence.

Exemption by reason of poverty.

SEC. 2. That no parent, guardian or other person having control of any such child shall be deemed or held guilty of violating this act, if it shall appear satisfactorily to the court that said parent or guardian or person having control of said child is not able through extreme destitution to provide or obtain in any way proper clothing for said child, or the said child is incapacitated, mentally or physically, to attend school for the whole period required, or any part thereof, or that the labor of said child is absolutely necessary for the support of its family: *Provided*, that when said child shall be provided with proper clothing by charity or otherwise said child shall be subject to the provisions of this act.

Board may buy books for indigent children.

SEC. 3. That the board of school commissioners of the city of Winston-Salem, may in its discretion set apart each year a sum not to exceed one per cent of the entire school funds of said city, which it may use in purchasing books and school supplies for indigent children, found by said commissioners to be unable to supply themselves with such books and material.

Attendance officers.

SEC. 4. That the board of school commissioners of the city of Winston Salem may appoint and remove at pleasure one or more attendance officers to enforce the provisions of this act, and shall fix the compensation and manner of performance of the duties of such attendance officer or officers, or assign to them such other duties as the commissioners may see fit to assign, and shall pay them from the public school funds of said city for their services.

Duties of attendants and officers.

SEC. 5. That it shall be the duty of said attendance officer or officers as aforesaid to serve written or printed notices upon the parents, guardians or persons having charge or control of children as aforesaid, who violate the provisions of this act that prompt compliance therewith is required; said officer shall, when reasonable doubt exists as to the age of any child in said city, require a properly attested birth certificate, or an affidavit stating such child's age, date of birth and physical characteristics from the parent, guardian or other person having charge of such child; he shall have the right to visit and enter any office or factory or business house employing children as aforesaid, for the purpose of enforcing the provisions of this act; he shall have the right to require a properly attested certificate of the attendance of any child or children at any day school; he shall have power to take all truants as aforesaid, and place them in some public school, unless the parents, guardians, or persons in charge and control of said children respectively, shall at once place them in some other day school as aforesaid, and he may serve warrants for violations of this act and subpoenas for witnesses of the court and

May serve warrants and subpoenas.

make all required arrests without further fee or compensation than that paid by the board of school commissioners as aforesaid, and shall carry into effect such other regulation as may lawfully be required by the said board of school commissioners.

SEC. 6. That it shall be the duty of the attendance office or officers herein provided for, as soon as practicable after the beginning of the school term of each year of said city, or at any time thereafter when he shall discover any violation of this act to warn once with written or printed notice any parent, guardian or person having charge or control of a child between the ages of eight and fourteen who shall violate any provision of this act, to place and keep said child in regular attendance at some day school within three days of the service of said written or printed notice of warning. Upon failure to comply with this act after a lapse of three days from the date of service of said notice of warning said parent, guardian, or person having charge or control of said child shall be deemed guilty of a misdemeanor and upon a conviction thereof shall pay a fine of not more than fifty dollars or be imprisoned for not more than thirty days: *Provided*, that the said sentence of fine or imprisonment may be suspended or remitted by the court, with or without payment of costs, at the discretion of the court, if the said child be immediately placed and kept in regular attendance in some day school, as aforesaid, and such fact of regular attendance shall be subsequently proved to the satisfaction of said court by a properly attested certificate of attendance from the superintendent or teacher of said school: *Provided further*, that every day any parent or guardian or other person shall willfully and unlawfully keep such child from school after the expiration of three days from the service of such notice on such parent, guardian or other person having control of said child shall constitute a new and separate offense.

Warning to be sent to parents or guardians.

Failure to comply with act after notice misdemeanor.

Penalty.

Proviso: Punishment may be remitted upon compliance with act.

Proviso: Each day child is kept out after notice is separate offense.

SEC. 7. That an accurate record of the ages, residences and attendance of all children between eight and fourteen years of age, shall be kept by the teacher of every school whether public, private, parochial or tutorial, within the city of Winston-Salem; such records shall at all times be open to the attendance officer or officers or other persons duly authorized by the board of school commissioners as aforesaid, and a willful neglect or refusal to submit such records to the examination of such officer or officers shall be a misdemeanor, and any person upon conviction thereof shall be fined not more than fifty dollars or imprisoned for not more than thirty days for each offense.

Teachers to keep accurate record children 8 to 14.

Refusal to submit record to examination a misdemeanor.

SEC. 8. That this act shall be in force from and after the first day of July, one thousand nine hundred and nineteen.

Act effective July 1, 1919.

SEC. 9. That all laws in conflict herewith are hereby repealed to the extent of such conflict.

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 164

AN ACT TO APPOINT TRUSTEES OF THE POLICE PENSION FUND OF WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

C. P. Bolles
appointed trustee
for six years.

SECTION 1. That C. P. Bolles is hereby appointed a trustee of the police pension fund of Wilmington, North Carolina, as created by chapter fifty-five of the Private Laws of one thousand nine hundred and fifteen and shall serve for a term of six years.

W. F. Jones trustee
for two years.

SEC. 2. That W. F. Jones is hereby appointed a trustee of the police pension fund of Wilmington, North Carolina, to fill the vacancy caused by the expiration of the term of C. C. Cashwell, which term is hereby declared to have terminated and is at an end; and the said W. F. Jones shall serve for a term of two years.

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 11th day of March, A. D. 1919.

CHAPTER 165

AN ACT TO AMEND THE CHARTER OF THE CITY OF STATESVILLE, SAME BEING CHAPTER 243 OF THE PRIVATE LAWS OF 1911, REGARDING THE COLLECTION OF TAXES IN SAID CITY.

The General Assembly of North Carolina do enact:

Penalty for taxes
unpaid by
February 1.

SECTION 1. That chapter two hundred and forty-three of the Private Laws passed by the General Assembly of North Carolina at its session in the year one thousand nine hundred and eleven be and the same is hereby amended as follows: Add at the end of section twenty-one of said chapter two hundred and forty-three the following: "If said taxes are not paid by the first day of February after same becomes due, then there shall be added to said taxes one-half of one per cent, and an additional one-half of one per cent shall be added to the taxes due and unpaid upon the first day of each month following said first day of February."

Does not apply to
1918 taxes.

SEC. 2. That this amendment shall not apply to the taxes due said city for the year one thousand nine hundred and eighteen.

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

Ratified this the 11th day of March, A. D. 1919.

CHAPTER 166

AN ACT TO CORRECT AN ERROR IN HOUSE BILL 722, SENATE BILL 781, RATIFIED ON MARCH 3, 1919, RELATING TO CORPORATE LIMITS OF THE TOWN OF AHOSKIE.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of House bill seven hundred and twenty-two, Senate bill seven hundred and eighty-one, ratified March third, one thousand nine hundred and nineteen, entitled, "An act to amend chapter one hundred and fifty-eight, Private Laws of nineteen hundred and three, relating to the corporate limits of the town of Ahoskie in Hertford County," be and the same is hereby stricken out and repealed. Section four
repealed.

SEC. 2. That all laws or clauses of laws in so far as they are inconsistent 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 11th day of March, A. D. 1919.

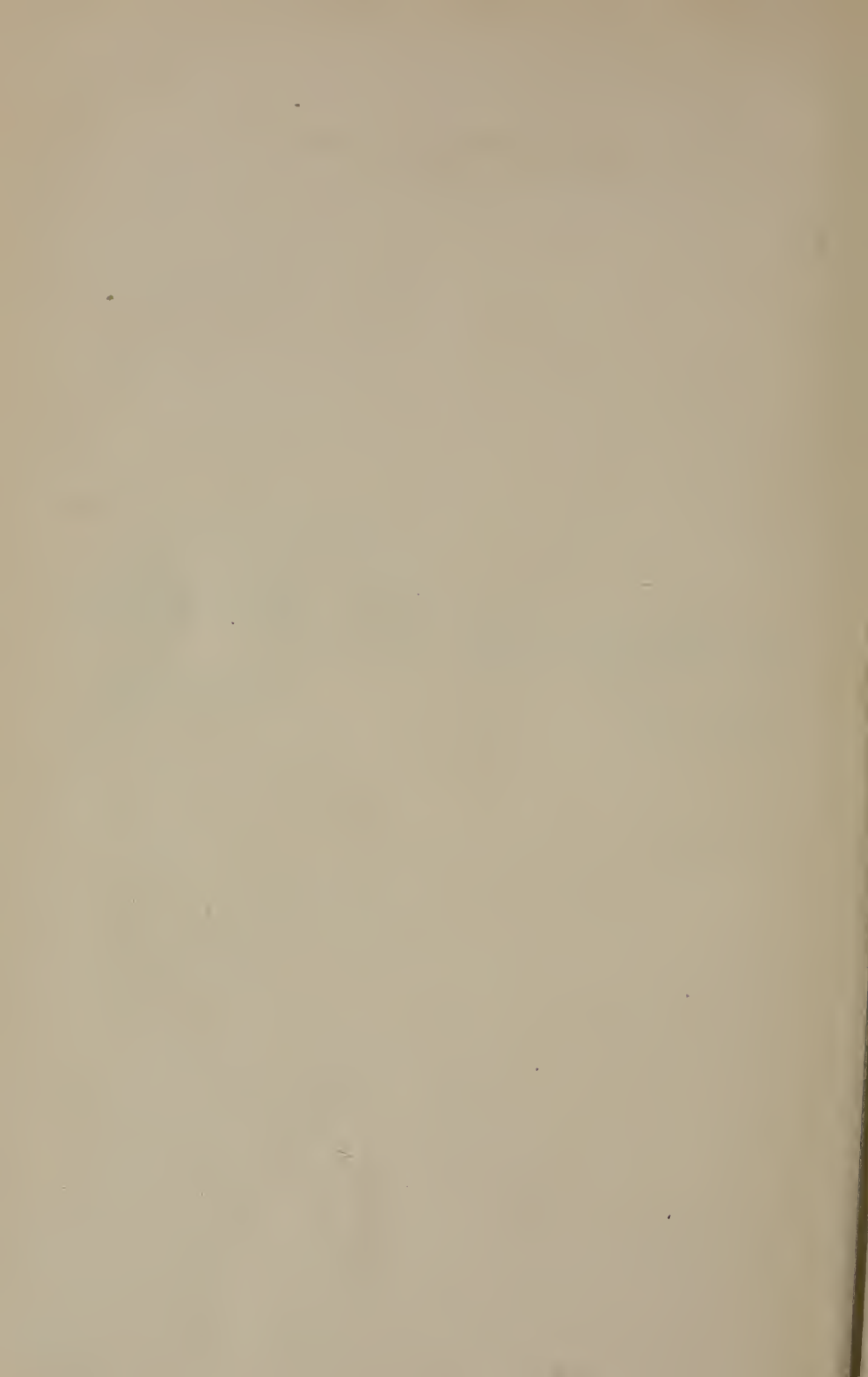
STATE NORTH CAROLINA,
OFFICE OF SECRETARY OF STATE.

RALEIGH, May 1, 1919.

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

[Official Seal]

J. BRYAN GRIMES,
Secretary of State.



INDEX TO PRIVATE LAWS

A	PAGE
Aberdeen, graded school trustees.....	91
Ahoskie, see Cities and Towns.	
Albemarle, see Cities and Towns.	
Andrews, amend charter of.....	63
Asheville, see Cities and Towns.	
Aurora, street and light bonds.....	101
B	
Bakersville, to improve.....	167
Beaufort, see Cities and Towns.	
Big Lick, to repeal charter of.....	6
Black Creek, to extend limits of.....	78
Bonds:	
Ahoskie, Hertford County, for waterworks.....	82
for streets	84
Ahoskie School District, Hertford County.....	188
Aurora, town of, for streets and lights.....	101
Calypso Special Tax District, Duplin County, for schools.....	79
Enfield, town of, for waterworks and sewerage.....	57
Farmville, for street improvements.....	67
Goldsboro Township Graded School District, general purposes.....	54
Greenville, for water and lights.....	184
Hamlet, town of, for public school buildings.....	97
Hertford Graded School District, to issue.....	33
Madison County School District No. 1, No. 1 Township.....	60
Marion, town of, to fund debt.....	7
Mars Hill, water, sewerage, light and power plant.....	87
Monroe Graded School District	181
Morehead City Graded School District, buildings.....	41
Old Trap School District, for building.....	191
Oxford Graded School District, for school buildings.....	26
Pittsboro, for streets	113
Plymouth Graded School District, for buildings.....	175
Raleigh, for school buildings	115
Reidsville, for schools	200
Robersonville, for graded school	107
Rocky Mount Graded School District, for schools.....	19
Rutherfordton, town, of, for waterworks and street improvements..	170
Selma, streets and sewerage	104
Spring Hope, for waterworks, sewerage and streets.....	143
Statesville, for gas plant.....	198
for school buildings	65

Bonds— <i>Continued.</i>	PAGE
Wake Forest, Wake County, for graded schools.....	148
Warrenton Special Tax District, for high school.....	37
Winton Graded School District, Hertford County.....	71
Burnsville, to incorporate.....	107

C

Cemeteries:	
in town of Norwood, removal of bodies from.....	130
Canton, water line relative to.....	179
Cherryville, amend charter of.....	4
Charlotte, see Cities and Towns.	
Churches:	
Edgar Long Memorial Church, trustees to remove graves.....	6
Cities and towns:	
Aberdeen Graded School, trustees of.....	91
Ahoskie, amend charter relative to limits of.....	68
bonds for schools	188
bonds and special tax for street paving.....	84
bonds and special tax for waterworks.....	82
to correct error in bill amending charter of.....	212
correct error in act amending charter.....	219
Andrews, to amend charter of	63
Asheville, amend charter	132
Aurora, to issue bonds for streets and lights.....	101
Bakersville, to improve	167
Beaufort, amend and consolidate charter.....	137
tax for graded schools increased	117
Big Lick, town of, to repeal charter	6
Black Creek, to extend limits of.....	78
Burnsville, to incorporate	107
Canton, water line, relative to assessments for.....	179
Cherryville, town of, to amend charter.....	4
Chapel Hill, amend charter	141
Charlotte, compulsory education, to extend period of.....	45
school board, membership of	208
Clayton, commissioners of, to sell land.....	91
Coats, authorize conveyance certain part of Dooley Street.....	70
Columbia graded schools, amend law.....	142
Concord, amend charter	16
to relieve commissioners	13
Dunn cotton weigher, appointment and duties of.....	31
Durham, repeal certain sections of charter.....	13
Elizabeth City Water and Power Company, to build dam.....	8
Enfield, graded school trustees to be elected.....	81
provide election of mayor by people.....	94
town of, to issue waterworks and sewerage bonds.....	57

Cities and towns—*Continued.*

	PAGE
Fairmont, to amend charter of.....	204
Farmville, bond issue for street improvements.....	67
Fayetteville, adjustment of cases by mayor.....	160
Gastonia Graded School District, to incorporate.....	154
Greenville, bonds for water and light plant.....	184
Goldsboro, relative to school government.....	193
Goldsboro Township Graded School District, to issue bonds.....	54
Goldston, to enforce observance of Sunday.....	92
Greensboro, extension of corporate limits.....	157
Greenville, aldermen to remove graves.....	100
amend charter of.....	131
Hamlet, to issue bonds for public school buildings.....	97
Hayesville, fix corporate limits.....	14
Hazelwood, amend charter.....	118
Hertford, water and light system and ice plant, to authorize sale of	86
school bond issue.....	33
Hiddenite, to repeal charter of.....	103
Hookerton, amend charter of.....	210
extend corporate limits.....	136
remove graves from.....	100
Iron Station, to repeal law incorporating.....	8
to incorporate.....	17
Kinston, amend charter of.....	144
amend law relative to graded school district.....	119
paving assessments, collection of.....	204
special tax for schools.....	139
Lexington, to amend charter of.....	63
Lincolnton, special tax for school debt.....	104
Lumberton Graded School, to levy special tax for.....	10
Marble, provide election for repeal of charter.....	81
Marion, to issue bonds to fund debt.....	7
to regulate use of motor vehicles and public service cars.....	52
Mars Hill, to establish public utilities.....	87
Maury, to extend corporate limits.....	54
Mint Hill, repeal charter of.....	206
Monroe, amend charter of.....	190
to issue bonds for schools.....	181
Morehead City, official plat to be recorded.....	50
school bonds.....	41
Mount Airy graded schools, to increase taxes for.....	171
New Bern, to enlarge boundaries of.....	112
fix boundaries graded school district.....	115
Mayor and aldermen, relief of.....	45
Newton, to increase school tax.....	61
Norwood, to remove bodies from private cemeteries.....	130

Cities and towns—*Continued.*

	PAGE
Old Fort, to prohibit sale of wines within two miles of.....	181
Oxford Graded School District, to vote bonds for school buildings..	26
Parkton, amend charter and extend limits.....	178
Peachland, amend charter of	148
Pittsboro, bond issue for working streets.....	113
Plymouth, amend law relative to recorder's courts.....	92
Plymouth Graded School District, to issue bonds for school buildings	175
Powellsville, to incorporate.....	125
Raleigh, bond issue for schools	115
Reidsville, bonds for schools	200
to induce prompt payment of taxes in.....	168
Robersonville, relative to graded schools.....	187
Rockingham, bond issue for school buildings.....	110
Rocky Mount Graded School District to issue bonds.....	19
Roper, special tax for	18
Rutherfordton, amend charter.....	14
issue bonds for waterworks and street improvements.....	170
Selma, amend charter of	35
street and sewerage bonds	104
Severn, to incorporate town of.....	50
Shelby, to repeal law relative to cotton weigher for.....	5
Spencer, amend law relative to prosecuting attorney of.....	65
Snow Hill, corporate limits extended.....	214
extend limits of	213
Snow Hill and Hookerton, right of citizens to vote.....	169
Spring Hope, bonds for waterworks, sewerage and streets.....	143
amend law establishing graded schools.....	9
Statesville, amend charter of	218
bonds for gas plant	198
school bond election authorized.....	65
Tarboro school board, to create.....	48
Taylorsville, to amend charter	124
Teacheys, to incorporate town of.....	203
Thomasville, amend law relative to collection of taxes.....	169
Trenton, amend charter of.....	153
amend law relative to sidewalks.....	130
Tryon, election of graded school commissioners.....	196
Washington, to regulate Sunday sales.....	135
Waxhaw, to amend charter of.....	75
Waynesville, police court abolished.....	90
Whiteville, amend charter of	40
amend charter of	90
Wilmington, amend charter of	193
amend charter of.....	206
amend charter relating to superintendent of streets.....	208
amend charter of.....	215

Cities and towns— <i>Continued.</i>	PAGE
Wilmington, city attorney, election and salary of.....	207
firemen's pension fund, relative to	211
fix compensation of mayor	154
relative to elections in	212
to sell real estate	161
trustees of police pension fund	218
Winston-Salem, extend period compulsory education.....	215
Clayton, commissioners to sell land.....	208
Coats, see Cities and Towns.	
Columbia, to amend graded school law.....	142
Compulsory education:	
extend period of in Charlotte.....	45
extend period of in Winston-Salem.....	215
Concord, see Cities and Towns.	
Counties:	
Ashe, Free School District No. 1, teaching of	103
Bertie, Mount Gould Landing and picnic grounds, prohibit sales of certain commodities on.....	160
Burke, Burkemont Turnpike Company, to incorporate.....	94
Carteret, Newport Graded School District, to establish.....	127
No. 7 School District, boundaries of.....	186
Catawba Monogram Special Tax School District, to incorporate.....	35
Cherokee, Andrews Graded School District, election of trustees....	29
Davie, Farmington Special School District, amend law relative to..	15
Duplin, Calypso Special Tax District school bonds.....	79
Forsyth, Clemmons Farm Life School, law relating to amended....	51
Gaston, Davis, W. N., for relief of.....	53
Halifax, Littleton School District, permit use excess of sinking fund	32
Roanoke Rapids graded schools, amend charter.....	162
Harnett, Big Branch School District, to incorporate.....	194
Henderson, Stoney Mountain Company, to move remains of Walter Sigmon	5
Hertford, Winton Graded School District, to incorporate and pro- vide for bonds.....	71
Hyde, Lake Landing School District, trustees of.....	197
Macon, Ellijay Township, to repeal law establishing school dis- trict in	4
Madison, School District No. 1, Township No. 1, permit to issue bonds	60
Mitchell, Cillie, Sarah J., for relief of.....	142
Montgomery, Poole, J. M., for relief of.....	9
Pasquotank, dam	8
Stanly, M. C., relief of.....	109
Perquimans, Hertford Graded School District amend law and enlarge	24

Counties—*Continued.*

	PAGE
Pitt, Grimesland Special School Tax District, exclude certain territory from	180
Robeson, Philadelphus Graded School District, amend law relative to	192
Rockingham, Reidsville School District, law amended	152
Wake, graded school, to establish at Wake Forest	148
Utley, W. F., to discharge trust in school matter	22
Warren, Littleton School District, to permit use excess of sinking fund	32
Warrenton Special Tax District, to establish high school in....	37

D

Dunn, cotton weigher, relative to	31
Durham, see Cities and Towns.	

E

Elizabeth City Water and Power Company to build dam	82
Enfield, see Cities and Towns.	

F

Fairmont, amend charter of	204
Faison Training School, amend law relative to	41
Fayetteville, adjustment of cases by mayor	160

G

Gastonia Graded School District to incorporate	154
Greenville, see Cities and Towns.	
Goldsboro, see Cities and Towns.	
Goldston, to enforce Sunday observance	71
Greenville, see Cities and Towns.	
Guilford College, to validate acts of trustees	93

H

Hamlet, see Cities and Towns.	
Hayesville, see Cities and Towns.	
Hazelwood, amend charter	118
Hiddenite, see Cities and Towns.	
Hookerton, see Cities and Towns.	

I

Iron Station, see Cities and Towns.	
-------------------------------------	--

K

Kinston, see Cities and Towns.	
--------------------------------	--

L

Laws amended:	PAGE
1887, ch. 424.....	152
1891, ch. 267, Private.....	40
1891, ch. 267, Private.....	90
1895, ch. 197, Private.....	148
1897, ch. 146, Private.....	94
1899, ch. 235.....	13
1899, ch. 283, Private.....	141
1901, ch. 165, Private.....	178
1903, ch. 158, Private.....	68
1905, ch. 135, Private.....	63
1905, ch. 204, Private.....	187
1905, ch. 351, Private.....	197
1907, ch. 219, Private.....	91
1907, ch. 342, Private.....	208
1907, ch. 343, Private.....	204
1908, Extra Session, ch. 13, Private.....	161
1909, ch. 97, Private.....	81
1909, ch. 214, Private.....	117
1911, ch. 151.....	54
1911, ch. 174, Private.....	153
1913, ch. 253, Private.....	14
1913, ch. 317, Private.....	118
1913, ch. 376, Private.....	148
1913, ch. 435, Private.....	137
1913, ch. 449, Private.....	16
1915, ch. 49, Private.....	132
1915, ch. 148, Private.....	215
1915, ch. 161.....	51
1915, ch. 177.....	24
1915, ch. 184, Private.....	212
1915, ch. 225, Private.....	119
1915, ch. 349, Private.....	211
1917, ch. 1, Private.....	15
1917, ch. 10, Private.....	169
1917, ch. 12, Private.....	179
1917, ch. 140, Private.....	115
Laws repealed:	
1881, ch. 276, Laws.....	5
1891, ch. 56.....	48
1899, ch. 330, Private.....	206
1905, ch. 237, Private.....	71
1909, ch. 143, Private.....	8
1913, ch. 69, Private.....	90
1917, ch. 27, Private.....	4
Lexington, amend charter of.....	63

Lincolnton, see Cities and Towns.	PAGE
Lumberton, see Cities and Towns.	

M

Marble, see Cities and Towns.	
Marion, see Cities and Towns.	
Mars Hill, see Cities and Towns.	
Maury, see Cities and Towns.	
Mint Hill, repeal charter of.....	206
Monroe, see Cities and Towns.	
Morehead City, see Cities and Towns.	
Mount Airy, see Cities and Towns.	

N

New Bern, see Cities and Towns.	
Newton, see Cities and Towns.	
Norwood, to remove bodies in private cemeteries.....	130

O

Old Fort, to prohibit sale of wine.....	181
Osborne, F. M., and Z. L., for relief of.....	3
Oxford, see Cities and Towns.	

P

Parkton, see Cities and Towns.	
Peachland, see Cities and Towns.	
Pittsboro, see Cities and Towns.	
Plymouth, see Cities and Towns.	
Powellsville, see Cities and Towns.	

R

Raleigh, see Cities and Towns.	
Reidsville, see Cities and Towns.	
Road, Burkemont Turnpike Company, to incorporate.....	94
Robersonville, see Cities and Towns.	
Roper, see Cities and Towns.	
Rutherfordton, see Cities and Towns.	

S

Sales, on Sunday, to regulate.....	135
Schools:	
Aberdeen Graded School, trustees of.....	91
Ahoskie district, Hertford County, bonds for.....	188
Andrews School District, election of trustees.....	29
Apex, town of, sale of property.....	22

Schools—Continued.

	PAGE
Beaufort Graded School tax increased.....	117
Big Branch School District, Harnett County, to incorporate.....	194
bond issue by District No. 1, Township No. 1, Madison County.....	60
Calypso, Duplin County, to validate bonds for buildings.....	79
Clemmons Farm Life and High School, amend law relative to....	51
Columbia Graded School, amend law relative to.....	142
compulsory education, extend period of in Charlotte.....	45
Ellijay Township, repeal law establishing school district in.....	4
Enfield Graded School Trustees, provide for election of.....	81
Faison Industrial School, amend law relative to.....	41
Farmington Special School District, amend law relative to.....	15
Free School District No. 1, Ashe County, teaching of.....	103
Gastonia Graded School District, to incorporate.....	154
Goldsboro Township Graded School District, to issue bonds.....	54
relative to government of.....	103
Grimesland district, relating to boundaries of.....	180
Guilford College, to validate acts of trustees.....	93
Hertford Graded School District, amend law and enlarge.....	24
to issue bonds.....	33
high school, to establish in Warrenton Special Tax District.....	37
Kinston Graded School District, amend law relative to.....	119
special tax for.....	139
Lake Landing District, Hyde County, trustees of.....	197
Lincolnton Graded School District, special for debt.....	104
Littleton School District, use of excess funds.....	32
Lumberton Graded School District, special tax for.....	10
Monogram Special Tax School District, to incorporate.....	35
Monroe Graded School District, bonds for school purposes.....	181
Morehead City Graded School District, issue bonds.....	41
Mount Airy Graded Schools, to increase taxes for.....	171
Nashville Township, Nash County, special tax for.....	173
New Bern Graded School District, boundaries of.....	115
Newport Graded School District, Carteret County, to establish....	127
Newton Graded School District to increase tax.....	61
Old Trap District, bonds for building.....	191
Oxford Graded School District, bonds for buildings.....	36
Philadelphus Graded School District, amend law relative to.....	192
Plymouth Graded School District, issue bonds for buildings.....	175
Raleigh, bond issue for.....	115
Reidsville, bonds for.....	200
Reidsville School District law amended.....	152
Roanoke Rapids Graded School District, amend charter.....	162
Robersonville, bonds for graded school.....	187
Rockingham, bond issue for buildings.....	110
Rocky Mount Graded School District, to issue bonds.....	19
Spring Hope, amend law establishing graded schools.....	9

Schools—*Continued.*

	PAGE
Tarboro School Board, to create.....	48
Tryon Graded School, amend law relative to.....	196
Wake Forest, Wake County, bonds for graded school.....	148
Weddington Industrial Institute, to incorporate.....	132
Winston-Salem, period compulsory education extended.....	215
Winton Graded School District incorporated and bond issue provided for	71
Selma, see Cities and Towns.	
Severn, see Cities and Towns.	
Shelby, see Cities and Towns.	
Special taxes:	
Ahoskie, Hertford County, for street bonds	84
for waterworks bonds	82
Aurora, town of, for street and light bonds.....	101
Beaufort, Carteret County, graded school rate increased.....	117
Enfield, town of, for waterworks and sewerage bonds.....	57
Farmville, for bonds for street improvement.....	67
Gastonia Graded School District.....	154
Goldsboro Township Graded School District, general purposes.....	54
Greenville, for water and light bonds.....	184
Kinston Graded School District, to levy.....	119
for schools	139
Lincolnton, for school debt	104
Lumberton Graded School District, additional levy.....	10
Marion, town of, for bonds for funding debt.....	7
Mars Hill, for bonds for public utilities.....	87
Morehead City, for school bonds.....	41
Mount Airy, for graded schools.....	171
Nashville Township, Nash County, for schools.....	173
Newton Graded School istrDict, for bonds.....	61
No. 1 School District, Township No. 1, Madison County, for school bonds	60
Oxford Graded School District, for bonds.....	26
Pittsboro, for streets	113
Plymouth Graded School District, for bonds for buildings.....	175
Raleigh, for school building bonds.....	115
Robersonville Graded School, to increase tax rate for.....	187
Rockingham, for school bonds.....	110
Rocky Mount Graded School District, for bonds.....	19
Roper, town of, to levy	18
Rutherfordton, town of, general purposes.....	14
for waterworks and street bonds	170
Selma, for street and sewerage bonds.....	104
Spring Hope, for graded schools.....	9
for bonds for public utilities.....	143

Special Taxes—*Continued.*

	PAGE
Wake Forest, Wake County, for graded schools.....	148
Warrenton Special Tax District, for high school.....	37
Winton Graded School District, Hertford County.....	71
Spencer, see Cities and Towns.	
Snow Hill, see Cities and Towns.	
Spring Hope, see Cities and Towns.	
Statesville, see Cities and Towns.	

T

Tarboro, see Cities and Towns.
Taylorsville, see Cities and Towns.
Teacheys, see Cities and Towns.
Thomasville, see Cities and Towns.
Trenton, see Cities and Towns.
Tryon, see Cities and Towns.

W

Washington, see Cities and Towns.
Waxhaw, see Cities and Towns.
Waynesville, see Cities and Towns.
Whiteville, see Cities and Towns.
Williamston, see Cities and Towns.
Wilmington, see Cities and Towns.
Winston-Salem, see Cities and Towns.

