NORTH CAROLINA

PRIVATE LAWS

PASSED BY THE

GENERAL ASSEMBLY

AT ITS

SESSION OF 1917

BEGUN AND HELD IN THE CITY OF RALEIGH

ON

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

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### CAPTIONS
### OF THE
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### SESSION 1917

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PRIVATE LAWS

OF THE

STATE OF NORTH CAROLINA

SESSION 1917
AN ACT TO FACILITATE THE COLLECTION OF TAXES DUE AND UNPAID TO THE CITY OF WILMINGTON.

The General Assembly of North Carolina do enact:

SECTION 1. That the governing body of the city of Wilmington be and is hereby authorized and directed to have prepared, under its direction, a correct and complete record or transcript of all taxes now due and unpaid to said city, which record or transcript, when prepared and verified to the satisfaction of said governing body, shall be adopted by formal resolution or ordinance of said body, and shall thereupon be and constitute the official record of said city as to all taxes due and unpaid as aforesaid, and, as such, shall be prima facie evidence of its contents in any and all courts of the State.

SEC. 2. That hereafter, and annually, and as soon as practicable after the first day of May in each and every year, the governing body of said city shall cause to be added in appropriate manner to said record or transcript a true and correct record of all taxes due and unpaid to said city for the preceding tax year, and such additions so made shall thereupon become and be a part of the original record or transcript provided to be made in section one of this act.

SEC. 3. No suit, action, or other proceeding shall be brought or maintained by, for, or on behalf of said city for the enforcement or collection of any taxes due to said city as ascertained from the transcript or record provided to be made by section one of this act unless such suit, action, or other proceeding shall have been brought, instituted, or commenced within five years from and after the date of the adoption of said transcript or record as provided in section one of this act. No suit, action, or other proceeding shall be brought to enforce payment or collection of any taxes hereafter levied and assessed by, for, or on behalf of said city, and added to said transcript or record as provided
in section two of this act, unless such suit, action, or proceeding shall have been brought, instituted, or commenced within five years from and after the first day of October of the year in or for which such taxes shall have been levied and assessed.

Sec. 4. All laws or parts of laws in conflict with this act, to the extent only of such conflict, are hereby repealed.

Sec. 5. This act shall be in effect from and after its passage. Ratified this the 8th day of January, A. D. 1917.

CHAPTER 2

AN ACT TO EXTEND, AMEND, ENLARGE, AND CONSOLIDATE THE CHARTER OF THE BRANCH BANKING AND TRUST COMPANY.

Preamble: Company chartered.

Whereas, by chapter one hundred and twenty-two of the Private Laws of one thousand eight hundred and eighty-nine, and the several subsequent amendatory acts thereto, The Branch Banking and Trust Company was duly chartered and incorporated to do and conduct a general banking and trust business in the town of Wilson, Wilson County, North Carolina; and whereas the stockholders of said bank in annual meeting on the twelfth day of December, one thousand nine hundred and sixteen, adopted a resolution declaring that an extension, amendment, enlargement, and consolidation of its charter is advisable and necessary: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the action of the stockholders of The Branch Banking and Trust Company is hereby ratified and confirmed.

Sec. 2. That the charter of The Branch Banking and Trust Company shall be perpetual and unlimited.

Sec. 3. That the capital stock of The Branch Banking and Trust Company shall be one hundred thousand dollars, divided into one thousand shares of the par value of one hundred dollars per share; but the directors of said bank are hereby authorized and empowered to increase the capital stock of said bank to two hundred thousand dollars divided into two thousand shares of the par value of one hundred dollars per share, whenever they shall deem said increase necessary and for the best interest of the stockholders of said bank, upon proper action by said board of directors in meeting assembled for such purpose and upon having given, previous thereto, at least thirty days notice of such purpose to increase said capital stock to all known stockholders of record.
Sec. 4. That the principal office or place of business of the said The Branch Banking and Trust Company shall be in Wilson, Wilson County, North Carolina, but it may have and maintain branch offices, banks and places of business in such other towns and cities as its board of directors may authorize and establish, not inconsistent with such rules and regulations as may be prescribed by law governing banks and trust companies in North Carolina.

Sec. 5. The Branch Banking and Trust Company shall have and possess the capacity and power to sue and be sued, to maintain and defend actions in its corporate capacity; shall have and adopt a common seal; may take, hold, buy, sell, and convey real and personal property; conduct, transact, and carry on in its fullest scope and import a general banking and trust business, with all the rights, privileges, immunities, and powers incident to or appertaining thereto, permitted or accorded to banks and trust companies by the laws of the State of North Carolina.

Sec. 6. The said The Branch Banking and Trust Company shall have and possess the right, power, and authority to act as agent, factor, financial agent, or trustee for any State, county, municipality, firm, corporation, company, or individual on such terms and conditions and for such objects and purposes as may be agreed upon by said parties and not inconsistent with the laws of the State of North Carolina, and for such services, acts, and deeds may take and receive such fees, commissions and charges as may be agreed upon by said parties.

Sec. 7. The said The Branch Banking and Trust Company shall have the right, power, and authority to receive personal property of any kind or nature in trust for safe-keeping and to take and receive pay therefor; to become and act as executor, administrator, trustee, assignee, or receiver of estates and properties; to act as guardian of minors and lunatics and their properties and estates; to accept and execute any other trust that may be committed to it by any court, person, corporation, company, association, or partnership; to accept and hold by devise or bequest real or personal property in trust and to execute the trust in the manner prescribed.

Sec. 8. That in all cases where application shall or may be made to any court of this State for the appointment of a receiver, trustee, administrator, executor, guardian, assignee, or commissioner it shall be lawful for such court, if it shall see proper to do so, to appoint The Branch Banking and Trust Company such fiduciary in lieu of a natural person, and when so appointed the said The Branch Banking and Trust Company shall make and render all such accounts, schedules, reports, and settlements as would a natural person in such capacity, and shall be entitled to and receive as compensation the same fees, costs, and allowances...
as would be allowed to a natural person in such fiduciary capacity: Provided, that any oath required by law to be taken for the qualification to any one of the offices or trusts herein mentioned may be taken by the trust officer of said bank or by any one of its officers in his absence.

Sec. 9. That upon The Branch Banking and Trust Company's compliance with the provisions of sections four thousand seven hundred and ninety-nine, four thousand eight hundred and the Revisal of one thousand nine hundred and five, and being duly authorized to do business as provided by said sections by the Insurance Commissioner, the said The Branch Banking and Trust Company shall not be required to give nor execute any bond whatsoever in order to qualify in any fiduciary capacity whatsoever, and any law contrary to this provision heretofore enacted and relating to the said The Branch Banking and Trust Company is hereby expressly repealed and to be inoperative whenever the said bank complies with the provisions of sections four thousand seven hundred and ninety-nine, four thousand eight hundred and the Revisal of one thousand nine hundred and five.

Sec. 10. The board of directors of The Branch Banking and Trust Company shall have the right and authority to make and adopt such by-laws for the management of the said bank and its officers and employees as they shall deem necessary and proper, and shall have the right and authority to amend, alter, and rescind said by-laws at their pleasure and will.


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

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

CHAPTER 3

AN ACT TO REPEAL CHAPTER 331 OF THE PRIVATE LAWS OF 1915.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred and thirty-one (three hundred and thirty-three) of the Private Laws of one thousand
nine hundred and fifteen, entitled "An act to empower the board of aldermen or other governing authority of the city of Durham to call an election for the purpose of voting bonds for streets and sidewalks improvements," providing for holding an election in the city of Durham for street bonds, be and the same is hereby repealed.

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

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

CHAPTER 4

AN ACT TO AMEND THE CHARTER OF WELDON AND ROANOKE RAPIDS ELECTRIC RAILWAY COMPANY, AND CHANGING ITS NAME TO CAROLINA AND NORTHEASTERN RAILROAD COMPANY AND GRANTING IT PERPETUAL EXISTENCE AND AUTHORIZING AN INCREASE OF ITS CAPITAL STOCK AND AUTHORIZING THE CREATION OF TWO CLASSES OF STOCK; AUTHORIZING A BASIS FOR ISSUANCE AND PAYMENT FOR THE SAME; AND AUTHORIZING THE PURCHASE BY SAID COMPANY OF THE FRANCHISES AND PROPERTY OF NORTHAMPTON AND HERTFORD RAILWAY COMPANY AND WELLINGTON AND POWELLSVILLE RAILROAD COMPANY, EITHER OR BOTH, AND AUTHORIZING THE MERGER OR CONSOLIDATION OF EITHER OR BOTH OF SAID COMPANIES WITH SAID CAROLINA AND NORTHEASTERN RAILROAD COMPANY; AND AUTHORIZING THE SALE BY SAID NORTHAMPTON AND HERTFORD RAILWAY COMPANY AND WELLINGTON AND POWELLSVILLE RAILROAD COMPANY, EITHER OR BOTH, OF THEIR FRANCHISES AND PROPERTY TO SAID CAROLINA AND NORTHEASTERN RAILROAD COMPANY; PROVIDING FOR THE DETERMINATION OF THE VALUE OF THE STOCK OF ANY STOCKHOLDER OF EITHER COMPANY WHO DISSENTS FROM SUCH SALE, PURCHASE, CONSOLIDATION, OR MERGER AND FOR THE PAYMENT THEREOF; ENLARGING THE TERRITORY THROUGH WHICH ITS RAILROAD MAY EXTEND AND CONFERRING CERTAIN OTHER PRIVILEGES AND POWERS.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and ninety-nine of the Acts amended. Private Laws of one thousand nine hundred and seven, being an act entitled "An act to incorporate the Weldon and Roanoke
Rapids Electric Railway Company,” ratified on the fifth day of March, one thousand nine hundred and seven, as amended by chapter two hundred and sixty-eight of the Private Laws of one thousand nine hundred and eleven, being an act entitled “An act to extend the time of the organization of the Weldon and Roanoke Rapids Electric Railway Company,” ratified the third day of March, one thousand nine hundred and eleven, and as further amended by chapter three hundred and ten of the Private Laws of one thousand nine hundred and fifteen, being an act entitled “An act to amend the charter of the Weldon and Roanoke Rapids Electric Railway Company,” ratified the eighth day of March, one thousand nine hundred and fifteen, be and the same is hereby amended as follows:

(a) That the name of the said company shall be changed from the “Weldon and Roanoke Rapids Electric Railway Company” to the “Carolina and Northeastern Railroad Company,” and that the said several acts above mentioned be amended by striking out the name of Weldon and Roanoke Rapids Electric Railway Company; wherever it occurs in said acts or either of them, whether in the title or body, and inserting therein in lieu thereof the name of the “Carolina and Northeastern Railroad Company.”

(b) Amend section one of said chapter two hundred and ninety-nine by striking out in said section one the words, “and by that name shall exist for ninety-nine years,” and insert in lieu thereof, “and by that name shall have perpetual existence.”

(c) That section two of said chapter two hundred and ninety-nine, as amended by said chapter two hundred and sixty-eight, and as further amended by said chapter three hundred and ten, above recited and set out, be and the same is hereby stricken out and the following inserted in lieu thereof: “That the capital stock of said company shall be fifty thousand dollars, divided into shares of the par value of one hundred dollars each, to be created by subscription, contribution, or donation by individuals, townships, municipal or other corporations, and such subscriptions may be paid in money, labor, land, material, stocks, bonds, or other securities, or any other property or property rights whatsoever, as may be stipulated between the company and the subscribers; and the valuation which may be placed by the board of directors of said company on said labor, land, materials, stocks, bonds, or other securities, or any other property or property rights whatsoever, as above specified, as a basis for the issuance of its stock, bonds, notes, and other securities by the said company, shall be conclusive, in the absence of actual fraud participated in by both parties to the transaction. The said company may, by concurrence of two-thirds in value of all of its stock, increase its capital stock from time to time to an amount not exceeding five million dollars. And the power and authority is hereby
given to a majority of the stockholders present at any duly constituted stockholders' meeting of the company, called for that purpose, to divide the said authorized capital stock, or any part thereof, into common and preferred stock, in such amounts, of each class, as they may by resolutions from time to time direct, and, in creating preferred stock, to issue same on such terms and at such callable price, and give the same such preference over the common stock, either as to assets and dividends or both, as in their discretion they may deem proper and desirable; and said power and authority to create and divide said two classes of stock and the preference to be given the preferred stock over the common stock, the terms of the issuance of the same and the callable price thereof, may be conferred upon the directors by the stockholders, by resolution, from time to time, but nothing herein contained shall be construed to make it obligatory on said stockholders or directors to authorize the creation of preferred stock: Provided, however, that such increase of the capital stock shall be null and void until the amount of such increase shall be certified to the Secretary of State and the taxes prescribed therefor by law be paid. Any increase of the capital stock may be paid for in the same manner as the original subscription."

Sec. 2. The said company shall have authority to purchase and acquire all of the franchises, property and property rights of the Northampton and Hertford Railway Company, and the Northampton and Hertford Railway Company is hereby given the right to sell and convey unto this company all of its franchises, rights, privileges, and property, upon such terms as the directors of the said Northampton and Hertford Railway Company may approve, when such action of the directors is ratified by the holder or holders of sixty per cent (60%) in par value of the outstanding stock of the Northampton and Hertford Railway Company.

Sec. 3. That the said company is hereby given authority and power to acquire and purchase, upon such terms as its directors may approve, the franchises and property of the Wellington and Powellsville Railroad Company, and the Wellington and Powellsville Railroad Company is hereby given authority and power to sell and convey unto the said company all of its franchises, rights, and property upon such terms as may be approved by the directors of the said Wellington and Powellsville Railroad Company, and upon the ratification thereof by the holders of sixty per cent (60%) in par value of the outstanding stock of said Wellington and Powellsville Railroad Company.

Sec. 4. The said company is also hereby given the right to consolidate or merge with the Northampton and Hertford Railway Company and the Wellington and Powellsville Railroad Company, either or both; and the Northampton and Hertford Railway

Powers may be delegated to directors.

Proviso: Certificate of and tax on increase.

Payment for stock.

Northampton and Hertford Railway Company.

Wellington and Powellsville Railroad Company.
Company and the Wellington and Powells ville Railroad Company, either or both, are hereby given the right to consolidate or merge with this company upon such terms as may be agreed upon by the stockholders of the several companies, or the stockholders of this company and the stockholders of any one or both of the other companies above named.

The consolidated or merged company may select any name it desires.

Such consolidation, merger, or purchase as in this act authorized may and shall be made, with the approval of sixty per cent (60%) in amount of the stockholders of each of the companies so consolidating, merging, or selling its stock, franchises, and property, to be given at any annual meeting or special meeting called for that purpose, of which meeting ten days notice shall be given by mailing a notice to the last known address of each stockholder of record.

The company may make and carry out such contracts of merger, consolidation, or purchase of the stock, franchise, or property of the Northampton and Hertford Railway Company or the Wellington and Powells ville Railroad Company, or both of them, as may be agreed upon by the stockholders of the companies uniting therein.

Such consolidated or merged company shall have all the franchises of the constituent companies.

In all consolidation, merger, or sale a copy of the contract or agreement thereof shall be filed in the office of the Secretary of State, and a certified copy thereof shall be evidence of such consolidation, merger, or sale.

The consolidated company shall always be and remain a corporation of North Carolina.

Any stockholder of either company who dissents from any such sale, purchase, consolidation, or merger may within sixty days thereafter apply by petition to the Superior Court of Northampton County or any county in this State of which the dissenting stockholder was a resident at the date of the ratification of this act, to determine the value of his stock, and shall be entitled to receive from said consolidated, merged, or purchasing corporation the value as thus determined of such stock; such value shall be assessed by a jury trial if the same be requested by either party, and if the owner of such stock shall be a nonresident of this State the application by such owner to the United States Court having jurisdiction in the premises shall be equivalent to the application to the said Superior Court.

Sec. 5. That said chapter two hundred and ninety-nine, as amended by chapter two hundred and sixty-eight, and as further amended by said chapter three hundred and ten, be and the same is hereby amended by striking out the words "one hundred and
fifty miles" wherever the same may appear in section five thereof and inserting in lieu of said words, the words "five hundred miles."

Sec. 6. That said chapter two hundred and ninety-nine, as amended by said chapter two hundred and sixty-eight, and as further amended by said chapter three hundred and ten, be and the same is hereby amended by striking out section eight thereof and inserting in lieu of said section the following section: "The said company or its successors may from time to time borrow money in such amounts as it may deem expedient, and issue bonds or other evidences of indebtedness therefor, and may secure the same by mortgage or deed of trust upon any or all of its property and franchises, and may issue, sell, hypothecate, or exchange the same, at such prices and upon such terms as the board of directors may determine."

Sec. 7. That said chapter two hundred and ninety-nine, as amended by said chapter two hundred and sixty-eight, and as further amended by chapter three hundred and ten, be and the same is hereby amended by striking out section thirteen thereof and inserting in lieu of said section the following section: "That the stockholders shall not be individually or personally liable for any of the contracts, obligations, indebtedness, defaults, or acts of the corporation, and no stockholder shall be liable to pay for more stock than he has subscribed for, and there shall be no individual or personal liability on any subscriber beyond the obligation to comply with such terms as he may have agreed to in his contract of subscription, and the company may adopt such plans of financial organization and may dispose of its stocks, bonds, or other securities for the purpose of its incorporation and business at such price, for such considerations, and on such terms and conditions as it may see proper."

Sec. 8. That said company is hereby given power and authority to construct, purchase, and operate boats by steam or any other motive power in connection with its said railroad, or any part thereof, over any and all of the inland waters of the State of North Carolina, within the radius of distance mentioned in section five of its charter.

Sec. 9. That the board of county commissioners of any county through which the said railroad may run may grant unto the said railroad company a right of way through any lands owned by said county upon such terms as they may deem proper.

Sec. 10. That this act shall be in force from and after ratification.

Ratified this the 8th day of January, A. D. 1917.
CHAPTER 5

AN ACT TO AMEND CHAPTER 66 OF THE PRIVATE LAWS OF 1909, RELATIVE TO THE GRADED SCHOOL DISTRICT OF THE TOWN OF FRANKLIN, PLACING G. N. PENLAND, JACOB WALDROOP, JR., MARGIA WALDROOP, AND VIRGINIA WALDROOP IN ANY OTHER SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter sixty-six of the Private Laws of one thousand nine hundred and nine be and the same is hereby amended by striking out all the last six lines in section one of said chapter after the words "G. N. Penland's line" in line six from the end of said section, and by inserting in their place the following: "thence down the branch to the river; and thence up the river with the meandering of the same to the beginning."

SEC. 2. That the farm west of the town of Franklin formerly owned by the late J. S. Waldroop, Sr., but now owned by Jacob Waldroop, Jr., Margia Waldroop, and Virginia Waldroop, be and the same is hereby placed in the Ninth School District of Macon County.

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

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

CHAPTER 6

AN ACT TO AUTHORIZE THE CITY OF KINSTON TO ESTABLISH AND CONTROL PUBLIC PARKS, WHARVES AND DOCKS, AND TO PURCHASE, ACCEPT DONATIONS, AND CONDEMN PROPERTY FOR SUCH PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen of the city of Kinston shall have full power and authority to establish, lay out, manage, regulate, and control public parks, wharves and docks within said city or within three miles of the corporate limits of said city, under such rules, regulations, and ordinances as said board may prescribe, and shall in the name of the said city have power to purchase and hold property and take gifts or donations for such purposes.

SEC. 2. That if in the opinion of the said board of aldermen suitable lands cannot be acquired at a reasonable price by purchase for the creation and establishment of public parks, wharves and docks, in or within three miles of the corporate limits of said city, then in such case power is hereby conferred upon said
board of aldermen to exercise in the name of said city the right of eminent domain and to condemn property situate in said city or within three miles of the corporate limits of said city for such purposes: Provided, in case condemnation proceedings be necessary, such proceedings shall be conducted as near as may be in the manner prescribed by sections two thousand five hundred and seventy-five to two thousand five hundred and ninety-six, both inclusive, of the Revisal of one thousand nine hundred and five, and amendments thereto.

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

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

CHAPTER 7

AN ACT TO AMEND SECTION 1 OF CHAPTER 104, PRIVATE LAWS, EXTRA SESSION OF 1913.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter one hundred and four of the Private Laws of North Carolina, extra session, one thousand nine hundred and thirteen, be and the same is hereby amended to read as follows, to wit: "That the territory embraced in the following boundaries in Harnett County, to wit, beginning at the Wake County line, in the path south of W. R. Page's residence, and runs thence about south down the path by F. G. Collins' residence to Angler and Smithfield road; thence in an easterly direction with said road to C. R. Young's fish-pond dam; thence a straight line to a stake in path, Adams Branch; thence down the channel of said branch to Mill Branch; thence down the channel of Mill Branch to the run of Black River; thence up the run of Black River to the mouth of Wolf Branch; thence a straight line to a stake in the path, southeast corner of C. W. Flowers' home place; thence a straight line to a stake in the road in front of J. T. Nordan's residence; thence in a westerly direction with a path to the Neil Jones road; thence in a northerly direction with said Jones road to where the same enters the Angier and Lillington road at an old sawdust pile and a head of a small branch; thence down the various courses of said branch to where the same enters Kennis Creek; thence up the run of said creek to the mouth of Long Branch; thence up the channel of said branch to the mouth of White Oak Branch to the Wake County line; thence with said county line in an easterly direction to the beginning station, the same being a high school and special-tax district, now known and designated as School District Number
Four of Black River Township, be and the same is hereby continued as a high school and special-tax district, and that the same be and is hereby incorporated under the name and style of "The Angier High School District."

Sec. 2. That all laws and clauses of laws in conflict with this act be and the same is hereby repealed.

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

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

CHAPTER 8

AN ACT TO AMEND THE CHARTER OF THE TOWN OF MORGANTON.

The General Assembly of North Carolina do enact:

SECTION 1. That the territory embraced within the corporate limits of the town of Morganton, as set out in section three (3) of chapter one hundred and four (104) of the Private Laws of one thousand nine hundred and thirteen (1913) of North Carolina, shall be divided into four wards, to be known as Ward Number One, Ward Number Two, Ward Number Three, and Ward Number Four. Ward Number One shall contain the territory within the following boundaries, to wit: Beginning at the center of Union Street where intersected by Sterling Street and running thence along Sterling Street, in a northwestern direction to the street in front of the First Presbyterian Church, and thence with the street in front of said church, passing the residence of Hugh Howard, to Green Street, and thence in the same direction as Green Street runs to the McDowell Ford road, and thence with the McDowell Ford road to the corporation line; thence in an easterly direction, with the corporation line as it meanders to Union or East Union Street; thence an easterly course, with said Union Street to the beginning.

Ward Number Two shall contain the territory within the following boundaries, to wit: Beginning at the center of Union Street where intersected by Sterling Street, and running thence along Sterling Street, a southeastwardly direction, to the tracks of the Southern Railway Company, thence with the road leading to the State Hospital for the Insane to the corporation line, thence a northwardly direction with the corporation line as it meanders to Union or East Union Street, thence with said Union Street to the beginning.

Ward Number Three shall contain the territory within the following boundaries, to wit: Beginning at the center of Union
Street where intersected by Sterling Street, and running thence along Sterling Street, a southeasterly direction, to the tracks of the Southern Railway Company, thence with their road leading to the State Hospital for the Insane to the corporation line, thence up Hunting Creek and with the corporation line as it meanders to the old Asheville road, thence with said road to Union or West Union Street, thence with said street to the beginning.

Ward Number Four shall contain the territory within the following boundaries, to wit: Beginning at the center of Union Street where intersected with Sterling Street, and running thence up Union or West Union Street, as it meanders, to the old Asheville road, thence with said road to the corporation line, thence with the corporation line as it meanders to and including Neill Caldwell's house on the road above McDowell Ford, thence with the McDowell Ford road to Green Street, thence with Green Street to the street leading by the residence of Hugh Howard and passing in front of the First Presbyterian Church, to Sterling Street, thence with Sterling Street to the beginning.

Sec. 2. That there shall be held on the first Monday in April, town elections, one thousand nine hundred and seventeen (1917), and every two years thereafter, an election for said town, at which election there shall be elected a mayor and four aldermen, whose term of office shall begin on Monday following the election and who shall hold office until their successors are qualified, and said election shall be held in accordance with the provisions of chapter one hundred and four (104) of the Private Laws of one thousand nine hundred and thirteen of North Carolina.

Sec. 3. That each of said wards set out in section one shall be entitled to one alderman, to be elected by themselves therein respectively. The mayor shall be elected by the qualified voters of the said town. The mayor and alderman when so elected and qualified shall be and constitute the town council and shall be vested with all the powers and duties prescribed and given to the town council by chapter one hundred and four (104) of the Private Laws of one thousand nine hundred and thirteen (1913) of North Carolina, not inconsistent with this act.

Sec. 4. That the mayor of said town is hereby constituted an inferior court, and as such shall, within the corporate limits of said town, have all the power, jurisdiction, and authority of a justice of the peace to preserve and keep the peace, to issue process, to hear and determine all causes of action which may arise upon the ordinances and regulations of the town; to enforce penalties by issuing executions upon any adjudged violations thereof, and to execute the by-laws, regulations, and ordinances.
Mayor a special court. Jurisdiction.

Right of appeal.

Issue and execution of precepts.

Subpoena of witnesses.

Record of precepts and proceedings. Time for exercise of duties.

Salary of mayor and aldermen.

Law repealed.

Transfer of causes.

Act to be certified and published.

Repealing clause.

made by the town council. The mayor shall further be a special court, within the corporate limits of the town, to cause to be arrested all persons who are charged with a misdemeanor for violating any of the ordinances of the town, and, if the accused be found guilty of the offense charged, shall be fined in the discretion of the court, not exceeding the amount specified in the ordinance or ordinances violated, from which judgment the accused may appeal to the Superior Court in like cases and manner as is provided by law for appeals from justice of the peace. That the mayor may issue his precepts to the chief of police, or any member of the police force, or to any officer to whom a justice of the peace may issue his precepts, and any officer to whom such precept may be directed may execute the same anywhere in Burke County, and the mayor may indorse on such precepts the names of the witnesses to be subpoenaed, and such indorsement may be authority and direction to the officer to execute the same. The mayor shall keep a record of all precepts issued by him and of all his judicial proceedings. But the mayor shall not exercise the powers and duties given and prescribed by this section until on and after the second Monday in April, one thousand nine hundred and seventeen (1917).

Sec. 5. That the mayor shall be paid an annual salary of three hundred dollars, which shall be in full for all services rendered by him, and the aldermen of said town shall each receive two dollars for each and every regular meeting of the town council attended by them.

Sec. 6. That chapter two hundred and forty-six (246) of the Public-Local Laws of one thousand nine hundred and fifteen (1915) of North Carolina be and the same is hereby repealed, to take effect the tenth day of April, one thousand nine hundred and seventeen (1917). All cases on the docket of the Morganton Township recorders' court at said time of which the Superior Court of Burke County has jurisdiction shall be certified to said court for trial and final disposition, and all cases of which the mayor of Morganton has jurisdiction shall be certified to said mayor's court for trial and final disposition, and the transfer of said cases shall be made by the trial judge of said recorder's court.

Sec. 7. That upon the ratification of this act the Secretary of State is authorized and directed to send a certified copy of the same to the mayor of Morganton, who shall, as soon as practicable after receiving it, cause the same to be published in some newspaper published in the town of Morganton.

Sec. 8. That all laws and clauses of law 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 8th day of January, A. D. 1917.
CHAPTER 9

AN ACT TO AMEND CHAPTER 189, PRIVATE LAWS OF 1915, EXCLUDING CERTAIN FARMS AND PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FRANKLIN.

The General Assembly of North Carolina do enact:

SECTION 1. That the corporate limits of the town of Franklin, Corporate limits. Macon County, shall be and the same are hereby changed so as to exclude the following farms and property from said corporate limits: The farms of Mr. and Mrs. R. A. Jacobs, John Thomas, Property excluded. Jonathan Phillips, Charles A. Cabe, Charles Jacobs, D. A. Jacobs, John Wilkes, James Williams, Ira Gibson, Ed. Mingus, N. L. Barnard, George Bryson's land on the Georgia road, J. L. Robinson heirs' land on Georgia road, Luther Hoosier, Dudley Stewart, Miss Hattie Wood and sisters, Sials and Bob Womack, Love and Charles Hoosier, Mack Boston, W. B. McGuire's Sprinkles' place west of Hawkin's Branch, J. E. Rogers, P. Campbell's Ladd place, Mrs. Rebecca Harrison, J. T. Moore, John Burleson and Charles Cabe farm below bridge across the Tennessee River east of Franklin.

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

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

CHAPTER 10

AN ACT TO AMEND CHAPTER 301 OF THE PRIVATE LAWS OF THE GENERAL ASSEMBLY OF 1915, KNOWN AS THE CHARTER OF THE CITY OF THOMASVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by inserting after the word “street” and before the word “nine” in line five of said section the words “three thousand.”

Sec. 2. That section four of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the words “of each year” in line two and inserting in lieu thereof the words “one thousand nine hundred and seventeen, and biennially thereafter on the first Monday of May”; that said section be further amended by striking out the word “one” in line four and inserting in lieu thereof the word “two.”
Power to issue bonds.

Assessment on abutting property for improvements.

Ratio of assessment.

Assessment on railway companies.

Lien on franchise and property.

Lien on property.

Collection.

Limitation on debt.

Tax for interest and sinking fund.

SEC. 3. That section twenty-nine of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the twenty-seventh paragraph (being the last paragraph on page eight hundred and seventy-two of the printed laws), relating to the issuance of bonds by order of voters, and inserting in lieu thereof: "The city council shall not issue bonds without the vote of the people, except for necessary expenses, and then only to the amount of not over ten per cent of the assessed valuation on the tax books."

SEC. 4. That section twenty-nine of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen (being the first paragraph on page eight hundred and seventy-three of the printed laws) relating to sidewalks and street improvement, be and the same is hereby amended by striking out the entire section and the following inserted in lieu thereof: "That all persons, firms, or corporations owning lots or property in the city of Thomasville which shall front or abut the streets and sidewalks that may be macadamized, graded, paved, or otherwise improved by the city council, shall pay respectively one-half of the expense of grading, paving, or otherwise improving such streets and sidewalks which shall be adjoining and immediately in front of said lots or property respectively. Said one-half cost of streets or sidewalk improvement shall be specially assessed upon the lots and parcels of land abutting directly on the improvement according to the extent of their respective frontage thereon, by an equal rate per foot of such frontage. The cost of that part of street improvement required to be borne by a railroad or street railway company shall be assessed against said company, and shall be collected in the same manner as assessments are collected from abutting property owners, and such assessment shall be a direct lien on all franchises and property of such railroad and railway company. One-half cost of said street or sidewalk improvement assessed abutting property shall be a lien on the property superior to all other liens and encumbrances. After said assessments are made, a copy of the same must be delivered to the tax collector, who shall proceed to collect the same in the same manner, at the same time provided for collection of other such taxes. No land in the municipality shall be exempted from the local assessments hereinbefore set out."

SEC. 5. That section thirty of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the entire section.

SEC. 6. That section thirty-three of chapter three hundred and one of the Private Laws of one thousand nine hundred and fif-
teen be and the same is hereby amended by striking out the following words of said section: "and the payment of the interest on its bonded debt and the creation of a fund to meet the principal of that debt when due," in lines two, three, and four of said section.

Sec. 7. That section forty-two of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the word "March" in line fifteen of said section and inserting in lieu thereof the word "January"; that the said section be further amended by inserting after the word "treasurer" in line sixteen the following: "The city council, in its discretion, may allow a discount of one and one-half per cent discount on all taxes paid on or before the first of November of the year in which they are laid; a discount of one per cent on or before the first day of December; a discount of one-half per cent on or before the first day of January; and par on or before the first day of May of each year next ensuing the laying of the same."

Sec. 8. This act shall be in force from and after its ratification.

Ratified this the 5th day of January, A. D. 1917.

CHAPTER 11

AN ACT TO AMEND THE CHARTER OF THE TOWN OF LUMBERTON.

The General Assembly of North Carolina do enact:

Section 1. That the officers of the town of Lumberton shall consist of a mayor and four commissioners, to be elected by the qualified voters of the town of Lumberton, as is hereinafter provided: Provided, however, that until the regular election in the month of May, one thousand nine hundred and seventeen, there shall be six commissioners, as now existing. At the regular primary and election of one thousand nine hundred and seventeen one commissioner shall be elected for a term of one year and at the regular primary and election of one thousand nine hundred and eighteen four commissioners shall be elected, two for a term of one year and two for a term of two years, and in said election the ballots cast for said commissioners shall designate which of the said commissioners shall serve for one year and which shall serve for two years. At every election after said elections, which shall be held annually on the first Monday in May, two commissioners shall be elected to serve for a term of two years and until their successors shall be
Quorum.
elected and qualified. Three of said commissioners shall constitute a quorum, and at any meeting in which only three are present two shall constitute a legal majority of said board; otherwise three.

Election wards.

First ward.  
Second ward.  
Third ward.  
Fourth ward.  

Commissioners elected by and to represent ward.  

Ballot boxes.  

Vote by wards.  

Registration.  

Vacancies.  

Law governing primary and elections.  

Election of chief of police.  

Duties.  

Term.  

Chief of police to qualify.

Sec. 2. The town of Lumberton shall be divided into four election wards, as follows: All persons residing west of Pine Street and south of Seventh Street shall be residents of the First Ward; all persons residing east of Pine Street and south of Seventh Street shall be residents of the Second Ward; all persons residing each of Elm Street and north of Seventh Street shall be residents of the Third Ward, and all persons residing west of Elm Street and north of Seventh Street shall be residents of the Fourth Ward. The four commissioners shall be elected, one from each ward, by the qualified voters residing in his own ward, whose duties shall be, beside the others imposed upon him by the charter of the town of Lumberton, to look especially to the needs and demands of the residents of his ward and to report to the board of commissioners from his ward.

Sec. 3. At the regular primary, instead of one box for the ballots for commissioners, there shall at the regular polling place in said town be four boxes, and each box shall be marked plainly designating the ward votes which it is to receive, and only the qualified voters residing in the First Ward shall vote in the First Ward box, and for a commissioner from the First Ward only, and the like for each of the four wards. Prior to twenty days preceding the regular election in one thousand nine hundred and eighteen the registrar shall revise the registration books of the town of Lumberton and each voter's name shall be transcribed upon a separate list for each ward, listing each voter under the ward in which he is a resident, and as new voters register they shall be registered upon the list of the ward in which they are residents. In case of vacancy in the office of commissioner, the remaining members of the board shall fill said vacancy by selecting an elector from the unrepresented ward.

Sec. 4. The same rules and regulations now existing in regard to primaries and elections, not in conflict with this act, shall continue to exist under this act.

Sec. 5. That the board of commissioners of the town of Lumberton, at the first meeting after its election, shall select some one to act as chief of police of said town, whose duties shall be all the duties imposed upon town constables and policemen under the general laws of North Carolina and the additional duties hereinafter conferred, who shall serve at the pleasure of the board and until his successor is appointed and qualified. In case of removal, another shall be employed by said board to take his place, who shall be subject to all the provisions of this act relative to the chief of police. Before entering upon the dis-
charge of his duties he shall take the oath prescribed by the laws of North Carolina for public officers and shall enter into a bond payable to the town of Lumberton in the sum of one thousand dollars for the faithful performance of his duties as such officer, and he shall also enter into a further bond, duly verified, with solvent sureties to be approved by the board of commissioners, conditioned upon the faithful collection of and accounting for all taxes required to be collected in said town, the said bond to be in such sum as the board of commissioners may designate, not to exceed the amount of taxes to be collected. Both bonds shall be executed by some reliable surety company and the premium thereof shall be paid by the town of Lumberton. Sec. 6. The said commissioners shall appoint and provide for such a number of additional policemen and watchmen for said town as in their judgment may be necessary to efficiently carry out and enforce the ordinances and regulations thereof and the criminal laws of the State of North Carolina in said town. The said additional policemen and watchmen, when appointed, shall be qualified in the manner provided for the chief of police as set forth herein, and shall, in the enforcement of the general laws of the State and the ordinances and regulations of said town, have all the powers conferred on the chief of police by the provisions of this act and the general laws of the State and such as have heretofore been provided in the charter of the town of Lumberton and amendments thereto, except as are repealed by this act. They may, at the option of the board of commissioners, be required to give a bond for the faithful discharge of their duties, in such sums and under such regulations as the board of commissioners may fix.

Sec. 7. The chief of police and other policemen and watchmen of said town shall receive such salaries as may be allowed by the board of commissioners of said town as in their opinion they may deem just and adequate.

Sec. 8. That all taxes levied by the commissioners of said town, except license and privilege taxes, shall be due and payable at the office of the clerk and treasurer, on the first day of October of each year, to the clerk and treasurer, chief of police, or tax collector of said town, and after that time may be collected by distraining any personal property of the taxpayer to be found within said town. A discount of two per centum shall be allowed by said town to all taxpayers who shall pay the full amount of their town taxes before the first day of December of each year: Provided, payment shall be made at the office of the clerk and treasurer, and not at the solicitation of the tax collector. On December first of each year the tax collector of said town shall proceed immediately to distrain any personal property of all taxpayers to be found within said town who have not paid their
taxes, and shall continue from said date, diligently, strictly, and without delay, to enforce every legal authority necessary to collect same.

Sec. 9. All moneys received from all taxes levied and collected or to be levied and collected from time to time for the payment of interest on and redemption of bonds heretofore issued or which may hereafter be issued, shall upon collection be turned immediately over to the commissioner of the sinking fund by the clerk and treasurer of the town of Lumberton, and it shall be the duty of the said commissioner to forthwith take charge and control of said interest and sinking fund moneys, and upon any interest on bonds becoming due it shall be his duty to pay said interest direct to the place at which said coupons are payable, and to keep an accurate and complete record of said interest account, and to invest the sinking fund as required by law.

Sec. 10. In the preparation of the tax lists for collection, the clerk and treasurer may not be required to provide upon the tax books and receipts separate statement showing the tax upon each bond issue, but may prepare the tax lists and receipts of the town taxes showing the total bond tax; but he shall keep upon the records of the town provided for that purpose complete record of each bond issue, and the amount of levy provided to take care of said issue, as heretofore kept, which shall be open to the inspection of the taxpayers of the town at all times.

Sec. 11. That sections eight, ten, thirteen, twenty-one hundred and seven, one hundred and nine, the first twelve lines of section ninety-five of chapter three hundred and forty-three of the Private Acts of North Carolina, one thousand nine hundred and seven, and the whole of chapter three hundred and forty-five of Private Acts of one thousand nine hundred and fifteen and any and all other laws or clauses of laws heretofore passed as conflict with this act or any part thereof be and the same are hereby repealed.

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

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

CHAPTER 12

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CANTON, HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter ninety of the Private Laws of North Carolina of one thousand nine hundred and seven, entitled "An act to amend the charter of the town of Canton, Haywood County," as amended by chapter one hundred and seventy-eight
of the Private Laws of one thousand nine hundred and eleven, be
further amended by adding thereto the following sections:

Sec. 2. That the mayor and board of commissioners of the
town of Canton shall have full power and authority, and it is
hereby made their duty, to grade, pave, macadamize, gutter, curb,
and otherwise improve for travel and drainage the streets, side-
walks, and alleys of said town, and put down crossings, curbings,
and cross-drains, and otherwise properly improve them: Pro-
vided, however, that the nature and kind of material used in
such improvement shall be left absolutely to the discretion of the
said board of commissioners in all cases.

Sec. 3. Whenever any street in the said town of Canton shall
have been graded, in whole or in part, including the sidewalks,
it shall be incumbent upon the owner or owners of land along
said street, or part thereof, to pave, repave, or repair, whenever
in the opinion of the said board it may be necessary, the side-
walk on their own side respectively, the full width of said side-
walk as designated by said board of commissioners across their
respective fronts with such material and in such manner as the
board of commissioners of said town shall direct. When such
land corners on two or more streets, the owner or owners thereof
shall pave, repave, or repair the sidewalks on such streets along
his front and side, which the board of commissioners may direct,
at his own cost: Provided, however, the town shall in no wise be
held chargeable with or responsible for any part of the cost of
paving, repaving, or repairing the sidewalk along any corner lot
except for a depth or side of fifty feet; the board of commis-
sioners being hereby invested, for the purpose of this proviso,
with the power of determining in any case upon what street any
such corner lot fronts. Whenever any street shall have been
graded, the board of commissioners of said city shall, through the
tax collector, notify the owner or owners of the land fronting or
cornering thereon to at once pave, repave, or repair, as may be
required, the sidewalks thereof as hereinbefore provided, and
should such owner or owners fail for fifteen days after such
notice to comply therewith, the said board of commissioners, un-
less it shall extend the time therefor, shall cause said sidewalk
to be built, repaved, or repaired and charge the cost thereof
against such lots respectively, and cause the same to be entered
by the tax collector in a book to be kept by him for that pur-
pose, immediately, and said tax collector shall forthwith proceed
to collect the same and account therefor in the same manner as
for taxes of said city. The amounts of such charges shall be and
constitute, from the commencement of the work for which they
are charged, liens on the respective lots upon which they are so
charged, and if any of them is not paid on demand, so much of
the lot upon which it is charged as may be sufficient to pay the
same, with interest and costs, for the whole of such lot, shall be

Power of commis-
sioners to contract
for paving.

Paving material.

Property owners
to pave sidewalks.

Liability of prop-
erty owners for
sidewalks on two
or more streets.

Proviso: Town
not responsible for
cost of paving,
except for a depth
of fifty feet.

Notification to
property owners.

Failure of prop-
erty owners to
comply.

City to proceed
to pave and assess
cost against
property.

Assessments lien
on property.

Sale of property
for failure to pay
assessments.
advertised and sold by the tax collector of said city for the payment of the same under the same rules and regulations and rights of redemption and in the same manner as are prescribed in this act for the sale of real estate for failure to pay street assessments as provided for in section six of this act.

SEC. 4. The said mayor and board of commissioners shall assess two-thirds of the cost of the grading, paving, macadamizing, constructing cross-drains, side-drains, curbs, gutters, and all other necessary drains and crossings, and laying down any water or sewer pipes in any street, or otherwise improving said roadways or streets proper on the real estate abutting on such street, alley, or roadway, or portion thereof so improved or repaired, assessing one-third of such improvement on the real estate abutting on each side of the street or part thereof so improved or repaired, or in which a sewer or water line has been laid.

SEC. 5. That to equalize the assessments on real estate for the purposes described in section four of this act, the said mayor and board of commissioners shall estimate the total cost of such improvement made throughout the entire length of such work and improvement, and shall then prorate the cost thereof on the real estate abutting thereon in proportion to the frontage on the street or portion thereof so improved, or in which a sewer or water line has been laid, and charge to and assess upon the real estate upon each side of the street upon which said work is done its pro rata share of one-third of the cost of such improvement made under the provisions of this act: Provided, however, in order to avoid obstructing landowners in subdividing and selling their property by reason of the liens hereby created upon the same, such landowners may subdivide their lands in such manner as they may see fit, and shall file in the office of the tax collector a plat or subdivision, making the lots fronting on the streets so paved or improved or in which a sewer or water line has been laid, of any desired frontage, but not less than seventy-five feet in depth, and the assessments made and the liens created by virtue hereof for street improvements, or sewer or water line, shall hereafter affect and attach to such front lots only, not less than seventy-five feet in depth; and where in such cases any lands fronting on such improvements are so subdivided into lots, each of said lots fronting on such improvements shall be and remain charged with its ratable proportion of said assessments and lien, according to its frontage. Wherever the said mayor and board of commissioners shall order paving or other improvements to be made, or sewer or water line to be laid, on any street or any part thereof in said city, they shall have the same accurately surveyed and a permanent grade thereof established, and cause an accurate map to be made of the various lots and properties abutting on said street or the portion thereof so proposed to be improved, showing the exact frontage of each lot,
and also the subdivisions, if any, and the said map shall be filed in the office of the tax collector, to be subject to public inspection; and when the assessments and liens herein provided for shall have been made upon the various lots and properties on the street, the said tax collector shall write upon the said map the amount assessed upon the same, and he shall keep a properly indexed record book showing such assessments, liens, and date and amount of all payments made on any of said assessments and liens.

Sec. 6. That the amount of the assessments for such street improvements as herein provided, being estimated on each piece of real estate as above directed, shall be a lien on such real estate, and the said mayor and board of commissioners shall cause the city engineer to make a survey and a report of the amount of the work done and the cost thereof, upon what streets or portion thereof, showing the name of each abutting owner thereon, the number of front feet of each lot and the pro rata shares of such cost of such street improvement to be assessed against such real estate, and upon the adoption and approval of such report the liens authorized thereon shall become complete and operative, and shall be paramount to all other liens on said real estate except the liens for taxes thereon, and the said report shall be transcribed upon the minutes of the said board of commissioners, and the amount of said liens and of said assessments against all property abutting on such streets as aforesaid shall become due and payable as follows to wit: one-third in thirty days after the adoption of said report and the balance in two equal annual payments, which deferred payments shall bear interest at the rate of six per centum per annum from the date of the approval of the said report until paid; and upon the filing of said report the said mayor and board of commissioners shall cause ten days notice to be given by publication in some newspaper published in the town of Canton, stating that such report has been filed in the office of the tax collector, and that at the first regular meeting of the board of commissioners to be held after the expiration of the said ten days notice the said board of commissioners would consider said report, and if no valid objection be made thereto, the same would be adopted and approved by said board. Any owner of land affected by said lien or assessments shall have the right to be heard concerning the same before the said board of commissioners, by filing objections thereto in writing duly verified by his oath, in the office of the town clerk at least two days prior to the first meeting of the board, at which said report may be approved and confirmed, but not thereafter, and any person so objecting to the confirmation and approval of said report shall state in said objections in writing, what part, if any, of said assessment he admits to be lawfully chargeable to his said lands, and what part thereof he
disputes; and said board of commissioners shall hear said objections, and shall thereafter approve or confirm said report, and overrule said objections or modify or correct said report in such manner as to make the same correspond with the true intent and meaning of this act. Any person who shall have filed objections as aforesaid to the confirmation of said report shall have the right within five days after the approval or confirmation of the same by the said board of commissioners, and not after that time, to appeal from the decision of the said board of commissioners to the next term of the Superior Court of Haywood County, North Carolina, by serving upon said town notice in writing of his intention so doing, and specify in said notice the item or items in said report which he disputes, and by filing within said time in the office of the clerk of the Superior Court of Haywood County a written undertaking in at least the sum of two hundred dollars ($200), with sufficient sureties, to be justified before and approved by said clerk, to the effect that the said appellant shall pay to the said town all such costs and damages as it may sustain by reason of such appeal, if the court shall finally render judgment against such appellant. In case of an appeal as aforesaid, a copy of said report, in so far as it affects the property of the appellant, as same was approved by the mayor and board of commissioners, a copy of the objection of the appellant thereto and of said notice duly certified by the tax collector, shall constitute the record on appeal, and when filed in the office of the clerk of the Superior Court of Haywood County the same shall be docketed on the civil issue docket in the name of the person taking such appeal against the town of Canton as "an appeal from an assessment," and the cause shall then be deemed to be at issue without any further plea on the part of said town, but said town shall have the right to file a further answer or defense thereto, if it be so advised, and said cause shall stand for trial at the next term of court beginning more than ten days after the docketing of said appeal: Provided, that if said appeal is not docketed and said bond is not filed by the said appellant within ten days after the confirmation of said report, all right to prosecute such appeal shall be thereby forfeited. And upon the trial of the issues arising on such appeal, if all the issues be found in favor of the appellant, the lien for said assessment shall be discharged. If, however, the issues or any of them be found in favor of the town of Canton to any amount, and if it be thereby ascertained that the appellant is due to the said town any amount by virtue of the matters therein referred to, or that said land is subject to a lien for said assessment, or any part thereof, then the amount so found in favor of the town of Canton, with interest thereon, together with costs thereon accrued, which costs shall be assessed as costs in other
Civil actions, shall be and continue a lien against the property upon which the original assessment was placed from the date of the approval of said report by the said board of commissioners, and shall be collected by the tax collector. The adoption and approval of said report of the town engineer by the said mayor and board of commissioners shall complete the said liens for the amount therein stated against each of the separate pieces of real estate therein described, and the same shall be due and payable as aforesaid; and in case of a failure to pay either of the assessments or any installment thereof within thirty days after maturity, then the whole thereof shall become immediately due and payable, and an execution shall be issued by the city clerk to the tax collector of said town, who shall advertise the land upon which the said assessments so in default have been made as aforesaid in the same manner as is required by law for the sale of land for taxes under the provision of the charter of said town, and shall sell the said land, or a portion thereof, at the door of the town hall in the town of Canton, North Carolina, in the same manner as he is required to sell real estate in said town in case of failure to pay the taxes due thereon, and shall give to the purchaser a receipt stating the time the land was advertised, the date of sale, the name of the purchaser, the price paid, the amount of the assessments due thereon, the costs of the sale, the name of the owner or owners of the land sold, the interest in said land so sold as aforesaid, and a description of the same, and the owner or owners of the land so sold as aforesaid shall have twelve months within which to redeem the said lands from such sale by paying to the tax collector of said town the amounts for which the said lands were sold, together with twenty per centum per annum additional thereon. In making such sale the tax collector shall set up and offer for sale the whole of the real estate to be sold, and the same, or the smallest interest thereof, shall be struck off to the person who will pay the amount of the assessments due thereon, with all costs and expenses for making the sale for the smallest interest in said land. For every piece of real estate or part thereof so advertised, said tax collector shall also collect, in the same manner as such assessments are collected, the sum of one dollar to defray the expenses of such advertisement. All such sales shall be made to the highest bidder for cash, on any day of the week or month except Sunday or legal holidays, and he shall be deemed the highest bidder who will pay such assessments and expenses of sale for the smallest interest in said real estate, and if no person shall bid enough to pay such assessments and expenses, said tax collector shall bid on behalf of the town of Canton the amount of such assessments and expenses, and if no higher bid shall be made, the same shall be struck off to the said town of Canton; and in all cases where property to be sold upon failure of owner to pay first installment of assessment for 30 days after maturity.

Advertisement of sale.

Receipt to purchasers.

Redemption by owner within twelve months.

Sale of property in whole or in part.

Expense of advertising.

Sale to highest bidder.

Tax collector to bid in for town in absence of private bids.
Report of tax collector.

Deed to purchaser for unredeemed property.

Payment of assessments before maturity.

Mayor and commissioners to have exclusive control of paving.

Payment of costs.

Powers of commissioners to assign liens.

Laws repealed.

real estate shall be struck off to the said town, as herein provided, the same shall belong to the town in fee simple unless redeemed in the manner prescribed by law, and said tax collector shall immediately thereafter make a return to the board of commissioners of said town, by filing with the clerk of the said town a statement of the proceedings showing the purchaser or purchasers of said real estate, and the amount or interest in such real estate or each part thereof that was sold, which shall be entered by the town clerk upon the minute books of the said board of commissioners. If the lands so sold as aforesaid are not redeemed within twelve months, then the tax collector of the said town shall make to the purchaser or purchasers a deed in fee simple for the said lands, or the interest so sold as aforesaid, and the deed shall operate to convey to the purchaser and his heirs the title to the said land in fee simple: Provided, however, that the owner of any land subject to the liens and assessments hereinbefore mentioned shall have the privilege of paying off all of said assessments at any time before maturity, and upon such payment the said liens shall be released and discharged.

Sec. 7. That the mayor and board of commissioners of the said town by their proper officers shall have the exclusive control and management of the work of improving of said streets, and the costs thereof shall be paid out of any funds belonging to the said town of Canton that may be available for such purpose, the said town itself being liable for one-third of the costs and expenses of improving the street or roadway, or laying of the sewer or water line, assuming the liability hereinbefore created.

Sec. 8. That the said mayor and board of commissioners are hereby authorized and empowered to assign, sell, and transfer the said liens created herein and all sums owing thereon, either absolutely or upon condition, to any person or persons in order to enable them to raise mains to carry into effect the provisions hereof, and if any such liens shall be transferred as aforesaid and shall not be paid to the owner when due, they shall be collected by the tax collector of said town in the same manner as other assessments hereinbefore provided for, and the amount thereof, when collected, shall be paid by the said tax collector to the owner or owners of said liens, less two per centum of the amount actually collected by him, which shall be paid to the town treasurer to cover the costs of such collection.

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

Sec. 10. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.
CHAPTER 13

AN ACT TO AMEND CHAPTER 340 OF THE PRIVATE LAWS OF 1911.

The General Assembly of North Carolina do enact:

Section 1. That section one, chapter three hundred and forty of the Private Laws of one thousand nine hundred and eleven, be amended by adding at the end of said section: "upon the same terms and conditions as set out and specified in section twenty, chapter one hundred and fifty-nine, of the Private Laws of one thousand nine hundred and seven; to be used in the work of grading and constructing said railway from Murphy, Cherokee County, to Peach Tree Valley, Cherokee County, to connect with the section of said road built from Hayesville, North Carolina."

Sec. 2. That section two of said chapter three hundred and forty of the Private Laws of one thousand nine hundred and eleven be amended by inserting after the word "convicts" and before the word "Provided," in the fifth line of said section, the words: "Upon delivery of said certificate of stock so issued to the State Treasurer, credit shall be given to the board of directors of the North Carolina State's Prison upon the books of the State Treasurer for the par value of the stock represented by such certificates."

Sec. 3. That where the word "railroad" occurs in said chapter three hundred and forty, strike same out and insert "railway."

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

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

CHAPTER 14

AN ACT TO EXCLUDE CERTAIN TERRITORY FROM THE POWELLSVILLE GRADED SCHOOL DISTRICT IN BERTIE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the territory within the following boundaries shall be and is hereby excluded from and taken out of the Powellsville Graded School District in Bertie County, to wit: Beginning at Piney Woods Chapel Church on the Windsor and Powellsville public road, thence running along said road towards Powellsville to the Joe Bunch residence, thence turning to the left and running a straight line through the woods to the foot of the
avenue leading from the road to J. E. Jordan’s “Oakland” farm, thence along said avenue to J. E. Jordan’s line, thence turning to the left and running along said J. E. Jordan’s line to Loosing Swamp, thence up said swamp to the bridge at the J. W. Mitchell farm, thence along the line around the said J. W. Mitchell farm, its various courses, to the aforesaid Powellsville and Windsor public road at the Mitchell and Ruffin corner, thence along said public road to the place of beginning; and that the territory within the foregoing boundaries shall no longer be a part of said Powellsville Graded School District.

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

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

CHAPTER 15

AN ACT TO PERMIT FUQUAY SPRINGS CONSOLIDATED GRADED SCHOOL DISTRICT IN WAKE COUNTY TO VOTE $15,000 OF BONDS.

The General Assembly of North Carolina do enact:

Section 1. That a majority of the trustees of the Fuquay Springs Consolidated Graded School District in Wake County, North Carolina, be and is hereby authorized and empowered to petition the board of county commissioners of Wake County, North Carolina, to call an election or elections in said district, at a time and place to be specified by them, to determine the question, “Shall the Fuquay Springs Consolidated Graded School District in Wake County issue fifteen thousand dollars ($15,000) of the bonds of said district, with interest coupons attached, to erect, equip, and maintain a graded school building in said district?”

Sec. 2. That upon said request of a majority of the trustees as aforesaid, it shall be the duty of the said board of commissioners of Wake County, at any regular or special meeting of said board, to order an election to be held in said district, at such time and place as may be specified in said request, to determine the question, “Shall the Fuquay Springs Consolidated Graded School District in Wake County issue fifteen thousand dollars ($15,000) of the bonds of the said district, with interest coupons attached, to erect, equip, and maintain a graded school building in said district?” That said board of county commissioners shall, at least thirty days preceding such election, give notice of said election and purpose thereof by publication in one or more newspapers published in said county and at such other places as may be determined upon by it.
SEC. 3. That the said election or elections shall be held and conducted in the same manner and under the same requirements of law as are now in force or may hereafter be prescribed by laws for holding elections for members of the General Assembly: Provided, that there shall be a new registration of all of the qualified voters residing in said district for each election herein provided for, and for this purpose the said board of county commissioners is hereby empowered to prescribe such rules and regulations for the opening and closing of said registration books as it may see fit and proper: Provided further, that said board of county commissioners shall appoint a registrar and judges of election; and the registration of voters, except as herein provided, and challenge of voters, shall be conducted in the same manner as is now provided for the election of members of the General Assembly or may hereafter be provided; that the votes shall be counted at the close of the polls and returned to the said board of county commissioners at its next meeting, regular or special, next following the election, and said board of county commissioners shall canvass, tabulate, and declare the result of the election, which shall be recorded in the minutes of the board of county commissioners, and no other recording and declaration of the result of said election shall be necessary.

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

SEC. 5. That if a majority of the qualified voters in any election herein provided for shall vote "For School Bonds," and the result shall be declared and recorded as aforesaid, then it shall be the duty of the said board of county commissioners of Wake County to prepare bonds in denominations not exceeding one thousand dollars and not less than one hundred dollars, the total amount not to exceed fifteen thousand dollars ($15,000), which said bonds shall bear a rate of interest not to exceed the rate of six per cent per annum, with interest coupons attached, payable semiannually on the first days of January and July, the principal whereof shall be payable or redeemable at such time or times, not exceeding thirty years from the date of issue, as the said board of county commissioners of Wake may determine; that said bonds and coupons attached thereto shall be signed by the chairman of the board of county commissioners and countersigned by the clerk of said board, and that said bonds shall have upon them the seal of the county; that said bonds shall be Entitlement.
styled "Bonds to erect, equip, and maintain a graded school building in the Fuquay Springs Consolidated Graded School District of Wake County."

Sec. 6. That the board of education of Wake County is hereby authorized and directed to appoint a special building committee for said Fuquay Springs Consolidated Graded School District, who shall be residents of said district and who, as soon as practicable after the ratification of this act, shall meet and elect one of their number chairman and another secretary of said committee. Any vacancies occurring in said committee from any cause shall be filled by the board of education of Wake County in any way it may deem proper.

Sec. 7. That upon the preparation, signing, and execution of said bonds said board of county commissioners shall deliver the same to the treasurer of the school fund in Wake County, who shall sell said bonds at such times and in such manner as the said board of education for Wake County may direct; that none of the said bonds or the proceeds thereof shall be used by said board of education for any other purpose than that provided by this act; that said bonds shall be numbered consecutively, and the coupons attached shall bear the numbers of the bonds to which they are attached. The bonds and coupons shall state the time, place, when they are due and when payable, and by what authority they were issued. The said board of education for Wake County shall record all the proceedings in respect to said bonds in the minutes of its meeting, and, when sold, the numbers of the bond or bonds, the denominations, to whom sold, and the number of coupons attached: Provided, the said treasurer of the school fund shall not sell any of said bonds for less than par value.

Sec. 8. That when said bonds are issued and sold as hereinafter provided, the proceeds thereof shall be deposited by the treasurer of the school fund in Wake County to the credit of the said treasurer in the banks doing business in said Fuquay Springs Consolidated Graded School District, in each bank in the same proportion and in the same manner as provided in section nine of this act for depositing of the sinking fund provided for herein. The receipt of said banks for the amount deposited with them by said treasurer, as directed and provided herein, when signed by the president or cashier of said banks, shall be a full and complete discharge of said treasurer and his bond from any and all liability on account of said proceeds. Said proceeds shall be expended by said special building committee in such manner and for such uses and purposes in the building and equipment of a public graded school building as a majority of the said committee herein provided for shall direct, and in the event of there being a surplus remaining in the hands of the said committee after the
purchase of a school site, erection of school building and purchase
of equipment, said surplus shall be expended for the purpose of
maintenance of said public graded school in such manner as a
majority of the trustees herein mentioned shall direct, and no
other; that the treasurer of the school fund in Wake County shall
be required to give such bond for the safe-keeping of the pro-
ceeds derived from the sale of said bonds for such time as said
proceeds may be in his possession, as the board of education of
Wake County may direct; and before depositing said funds in
said banks, as provided in this section, said treasurer shall re-
quire each bank to give a good and sufficient bond, payable to
the State of North Carolina for the use of said special building
committee, to be approved by the board of education of Wake
County, for the safe-keeping of said funds until said funds are
checked out by said special building committee in the manner
provided by law. Said funds shall be paid out by said treasurer
upon vouchers duly signed by a majority of the said special build-
ing committee and countersigned by the superintendent of pub-
lic instruction of Wake County: Provided, the accounts of the
said special building committee shall be audited by the auditor of
Wake County once each month: Provided further, upon the com-
pletion of the school building herein provided for and the pur-
chase of its equipment, and the turning over to the treasurer of
the school fund of Wake County any funds remaining in the
hands of said committee after said building is erected and
 equipped as aforesaid, the duties of said building committee shall
be at an end, and same shall thereupon be dissolved.

Sec. 9. When said bonds shall have been issued the board of
county commissioners of Wake County shall levy annually on the
first Monday in June a tax not exceeding fifty cents (50c) on the
hundred dollars of property and one dollar and fifty cents ($1.50)
on the poll in said Fuquay Springs Consolidated Graded School
District of Wake County to provide for the payment of the inter-
est upon the same and to create a sinking fund sufficient to meet
the payment of said bonds at their maturity. The tax so levied
shall be collected as other taxes, and shall be kept by the treasurer
of the school fund as a separate fund, and shall be applied, first,
to the payment of the interest upon said bonds; secondly, to the
creation of a sinking fund as aforesaid, and, lastly, to the main-
tenance of said public Fuquay Springs Consolidated Graded School.
The said treasurer of the school fund in Wake County shall be
commissioner of the sinking fund for said bonds, and he shall be
required to execute such bond for the safe-keeping of said fund
and for the faithful performance of his duty as commissioner for
such time as said funds may be in his hands as the board of edu-
cation of Wake County shall direct, and he shall make such Repor-
t reports from time to time as the said board of education or the
3—Priv.
Deposit of funds. Trustees herein mentioned may direct. Said commissioner of the sinking fund is hereby authorized and directed, without deducting therefrom for any purpose, to deposit said funds in the bank or banks doing business in said Fuquay Springs Consolidated Graded School District within ten days from the time said funds may come into his possession, said funds to be divided between said banks in proportion to the total amount of paid-in capital stock, surplus, undivided profits, value of banking house and fixtures, real estate and deposits held or owned by each bank as shown by the latest financial statement made by said bank or banks to the North Carolina Corporation Commission immediately preceding the apportionment as aforesaid, said fund to draw interest at the rate of four per cent per annum: Provided, before any of said sinking fund is deposited with any of said banks as aforesaid the said commissioner of said sinking fund shall require said bank or banks receiving such deposits to file with said commissioner a good and sufficient bond, to be approved by the board of commissioners of Wake County, payable to said commissioner for the use of the purchasers of said bonds, to fully secure the amount so deposited with said bank or banks, and the payment of the interest on same as aforesaid, and the payment of both principal and interest to the said commissioner of the sinking fund at the maturity of said bonds. The said commissioner is hereby authorized to require such additional bonds, to be approved and payable as herein provided, from said banks as may be necessary to fully safeguard the keeping of said funds, and when said bonds have been duly approved and filed as aforesaid, same shall be a complete discharge of said treasurer and his bond from all liability on account of said sinking fund. If for any reason said bank or banks shall fail or refuse to qualify to receive for deposit the fund herein referred to, such funds shall be deposited in such bank as shall qualify; and if no bank in said district shall qualify as aforesaid, then and in that event said funds shall be kept and managed by the treasurer of the school fund in Wake County in the manner provided by law: Provided further, that the trustees of the said Fuquay Springs Consolidated Graded School District shall maintain out of the funds derived from the tax herein provided for, which may be available for the maintenance of said graded school, a primary school in the former Cardenas School District, in which school shall be taught such studies as are usually taught in the primary grades from the first grade up to and including the sixth grade.

Proviso: Primary school.

Special tax abrogated.

S.RE 10. That if a majority of the qualified voters in said district shall in any of the elections herein provided for vote in favor of said bond issue, and the result shall be so declared by the board of county commissioners of said county, then and in that event any special annual tax heretofore voted by any part of said
school district for school purposes by this act is hereby repealed. If a majority of the qualified voters in said district shall vote against said bond issue, and the result shall be so declared as aforesaid, then any special tax heretofore voted by any part of said school district for school purposes shall not be construed to have been repealed, released, or in any manner interfered with by this act: Provided, that in the event a majority of the votes cast in the first election herein provided for shall be against school bonds, the board of commissioners of Wake County is hereby authorized and directed, upon petition of the board of trustees herein mentioned, to call another election to be held any time after four months from date of said first election, on the same question, after giving thirty days notice thereof as required in the case of the first election herein provided for. In the event a majority of the votes cast in the second election should be against school bonds, the said board of commissioners of Wake County is hereby authorized and directed to call another election in the manner above stated, on said question, to be held at any time after four months from date of said second election. All elections authorized or held under this act shall be called in the same manner and shall be subject to the same rules and regulations, and shall be conducted and held in the manner provided for the calling and holding of said first election.

Sec. 11. The board of education of Wake County shall locate the Fuquay Springs Consolidated Graded School building herein mentioned within the town of Fuquay Springs, North Carolina, at the most suitable point on the lands of Mrs. T. H. Stem, on the north side of the Raleigh Road or Academy Street. The board of education of Wake County shall take title to so much of said land as in its opinion may be necessary for the purposes of erecting said school building and providing suitable grounds for same, in the manner provided under the general law, by purchase or condemnation proceeding, and is hereby empowered to condemn as much land for school purposes as aforesaid as in its opinion may be necessary to provide suitable grounds for said school.

Sec. 12. In the event a majority of the qualified voters in any election herein provided for shall vote in favor of school bonds, the board of education of Wake County shall sell, in such manner as it may deem proper, the school building, equipment, and grounds now in use in Middle Creek School District, Number Three, said district being known as the Fuquay Springs School District, and apply the proceeds of the sale of said school building, grounds, and equipment to the purchase of a school site, equipment, or erection of school building, as provided in section eleven of this act, as far as same may apply.
Application of act.  

Sec. 13. That this act shall apply only to the Fuquay Springs Consolidated Graded School District in Wake County.

Repealing clause.  

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

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

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

CHAPTER 16

AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO ISSUE BONDS TO PAY ITS PRESENT FLOATING INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of paying the floating indebtedness of the city of Winston-Salem, incurred for necessary expenses, said city of Winston-Salem is hereby authorized and empowered to issue its coupon bonds to an amount not exceeding eighty thousand dollars ($80,000) par value, to be in denominations of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) dated March first, one thousand nine hundred and seventeen, due and payable serially as follows: Five thousand dollars ($5,000) of said bonds shall become due March first, one thousand nine hundred and eighteen; and five thousand dollars ($5,000) par value thereof, shall become due on the first day of March of every year thereafter up to and including March first, one thousand nine hundred and thirty-three. Said bonds shall bear interest from date until maturity at a rate of not to exceed five per cent per annum, payable semiannually; said semiannual payments to be represented by coupons attached to each of said bonds, and to be identified by proper number and such other means as the board of aldermen may adopt.

Sec. 2. No bonds issued under the provisions of this act shall be sold or otherwise disposed of for less than par and accrued interest, and said city is hereby authorized to sell or dispose of said bonds, either at public or private sale, under sealed bids, as may be to its best interest, and in case it sells the same at public sale, notice thereof shall be given in one or more newspapers published in Winston-Salem, for at least thirty (30) days, and the advertisement of the sale of the bonds as aforesaid may also be made in one or more newspapers published within or without the city.

Sec. 3. That the purchase money arising from the sale of the bonds issued under the provisions of this act shall constitute a separate and distinct fund, to be appropriated and applied to the
payment of an outstanding indebtedness incurred for necessary expenses of the city, as appears by a report of the treasurer of said city filed with the board of aldermen on the twenty-ninth day of December, one thousand nine hundred and sixteen, and a resolution of the board adopted on said date with reference thereto. That the treasurer of the city shall keep separate account of the funds arising under this act and separate record of the number of bonds sold, amount paid for same, and when the principal and interest thereof shall fall due.

Sec. 4. That in order to pay the interest on said bonds as it may accrue, and the principal thereof as they severally fall due, the city of Winston-Salem shall annually levy a special tax sufficient to meet the interest accruing thereon and the principal of such of said bonds as respectively fall due (not to exceed five per cent on the one hundred dollars valuation of property and fifteen cents on each poll). That the said tax shall be imposed on such property as may be now or hereafter subject to taxation under the laws of the State, and on each poll in lawful equation, and shall be levied and collected as other city taxes are levied and collected. That said officer or officers entrusted with the collection and payment thereof shall in respect thereto be liable officially as well as personally to all the requirements of the law now prescribed or which may hereafter be prescribed for the faithful collection and payment of taxes.

Sec. 5. That the purchaser or holder of any one or more of the bonds issued under the provisions of this act shall not be required to see to the application of the proceeds of the sale thereof.

Sec. 6. That all other acts or parts of acts conflicting herewith are hereby repealed.

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

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

CHAPTER 17

AN ACT TO INCORPORATE THE HENDERSON AND WILSON RAILROAD COMPANY.

The General Assembly of North Carolina do enact:

SECTION 1. That J. D. Cooper A. A. Chapman, B. H. Perry, Corporators. T. Lanier, their associates, successors and assigns, are hereby created a body politic and corporate, with perpetual succession, under the name and style of "The Henderson and Wilson Railroad Company," with all the powers and privileges conferred upon rail.
road corporations by the laws of North Carolina as they now exist and all amendments thereto hereinafter enacted.

Sec. 2. That said company shall have the power to locate construct, and operate a railroad, either electric or steam, for the transportation of freight, passengers, mail and express from some point on or near the Virginia line, either in the counties of Person, Granville, Vance, or Warren, thence in a southeasterly direction through said counties and the counties of Franklin or Nash, Johnston or Wilson, Wayne or Greene, Lenoir, Craven, or Jones, or any of them, so as to reach tidewater in eastern North Carolina at some point to be determined by the board of directors of said railroad company, and to build branch roads.

Sec. 3. That in order to carry into effect the purposes and objects of this act the said railroad company may survey one or more routes for such railroad as they deem proper, and shall have the power and authority to appropriate and occupy as much land as may be necessary for the construction of said railroad and its branches, not to exceed one hundred feet in width and as much additional land as may be necessary for station houses, depots, and all other purposes necessary for the construction and operation of said railroad and its branches, under the rules and regulations prescribed by the laws of North Carolina for the condemnation and acquisition of land for railroad purposes, together with the right to buy, lease, or otherwise acquire, in accordance with the laws of North Carolina, other railroads or any portion thereof upon such terms and conditions as may be determined by the board of directors of said railroad company.

Sec. 4. That the authorized capital stock of said company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, with liberty to increase the same from time to time as the stockholders may determine to two hundred thousand dollars; that the incorporators named in this act or any one or more of them may open books of subscription to the capital stock of said company at such time and places as they may prefer, and receive subscriptions to said capital stock, and when ten thousand dollars of said capital stock shall have been subscribed the subscribers thereto shall elect a board of directors to consist of not less than five, who shall serve until the next annual meeting or until their successors are elected and qualified, and upon the subscription of said sum of ten thousand dollars and the election of said directors said company shall be deemed and held fully organized for all intents and purposes, and may proceed to carry out the objects and purposes of its charter.

Sec. 5. The management of said company shall be vested in the board of directors, to be elected annually at such time and place as the stockholders may designate, and they may have the power to make such by-laws, rules and regulations for the management
of said corporation and create and appoint such officers as may be necessary for the transaction of its business as may be consistent with the Constitution and laws of the United States and of this State.

Sec. 6. Any railroad company, whether incorporated under this or the laws of any other State, is hereby authorized to subscribe to the capital stock of said railroad company or to lend money to or indorse the bonds or other evidences of debt of the same; and the said Henderson and Wilson Railroad Company shall have the right to borrow money and as security therefor may mortgage its roadbed, rolling stock and franchises, and may issue bonds as the directors thereof may determine, and may provide for the conversion of such bonds into the capital stock of said company. And should said company issue second-mortgage bonds, in that event it shall not issue first-mortgage bonds exceeding fifteen thousand dollars per mile of its main road and branches.

Sec. 7. That for the purpose of aiding the construction of said railroad the board of directors shall have power to issue second-mortgage bonds to an amount not exceeding four thousand dollars per mile upon said railroad and branch roads, bearing interest at five per cent, payable semiannually; the principal of said bonds to be made payable in not exceeding fifty years from the date of their issue and to be secured by second-mortgage on its property, franchises, and other effects. That it shall be lawful for any county, township, city, or town in or through which said road or its branches shall be located to subscribe to the second-mortgage bonds of said railroad company in such sums as a majority of the qualified electors of any such county, township, city, or town may authorize. That said subscription shall be made in coupon bonds bearing interest at five per cent, interest payable semi-annually and the principal of said bonds to be due and payable in not more than fifty years from the date of their issue. The said bonds shall be received by said railroad in exchange for its second-mortgage bonds at par. All of said bonds to be in denominations of not less than one hundred dollars. That for the purpose of carrying into effect the provisions of this act it shall be the duty of a governing body of any county, township, city, or town in which said railroad or its branches may be located, upon the written application of thirty taxpayers of any such county, township, city, or town, specifying therein the amount to be subscribed in bonds to aid in the construction of said railroad, to submit to the qualified electors of such county, township, city, or town the question of subscription or no subscription to the second-mortgage bonds of said railroad company; and the governing body of said county, township, city, or town, as the case may be, shall order an election, specifying the time, place, and purpose thereof, and shall provide for the holding of same in accordance with the laws of this State.
with the laws governing the election of the members of the General Assembly, except as hereinafter provided for cities and towns: *Provided, however,* that for the purposes of said election said governing body may order a new registration.

Sec. 8. That at said election ballots shall be provided upon which shall be printed the word "Subscription," and also ballots shall be provided upon which shall be printed or written the words "No Subscription," and said governing body of such county, township, city, or town, as the case may be, having first fixed the amount proposed to be subscribed, according to the request of the petition submitted to them, shall give public notice of said election not exceeding sixty days immediately prior thereto, in one or more newspapers published in the county in which such election is to be held, and if there is no newspaper published in such county, then in some newspaper published in the county nearest thereto, and also at the courthouse door in such county, that such election will be held upon the day therein named.

Sec. 9. That in all such elections the returns shall be made to and canvassed by the board of county commissioners, if for a county, who shall ascertain and declare the result and make a record of the same. If the election shall be for a township the registrar and judges of election shall make their returns to the board of county commissioners, who shall canvass the same and ascertain and declare the result and make a record of the same. If the election shall be for a city or town, it shall be conducted as elections for municipal officers, and the proper authorities of such city or town shall ascertain and declare the result and make a record of the same. That in case a majority of all qualified voters of such county, township, city, or town, as the case may be, shall have voted for subscription, then the governing body of such county, township, city, or town shall within twenty days after the vote is ascertained subscribe to the second-mortgage bonds of said railroad company for said county, township, city, or town the sum that may have been named in said petition, which subscription shall be made in coupon bonds bearing interest at the rate of five per cent as hereinbefore set out, payable semianually, and all tax levies for the purpose of raising funds to pay said bonds or coupons shall be made upon taxable property in such counties, townships, cities or towns.

Sec. 10. That to provide for the interest of said bonds and their redemption at or before maturity, the governing body of such county, township, city, or town subscribing to said bonds shall, in addition to other taxes, each year compute and levy on all property of any such county, township, city, or town as make a subscription of bonds to the second-mortgage bonds of the railroad company, preserving the constitutional equation of taxation, a sufficient tax to pay such interest after applying the interest
paid on said second-mortgage bonds held by such county, township, city, or town, and an additional sinking fund tax sufficient to provide each year a sum which compounded annually at four per cent for the term of said bonds shall be sufficient to equal the principal of the bonds of said county, township, city, or town, at maturity, which amount shall annually be collected as the other taxes are and paid to the county treasurer or other officer of said county, township, city, or town authorized by law to perform the duties of treasurer as commissioner of sinking fund.

Sec. 11. That for the purpose of this act all the townships along the line of said railroad and its branches which are interested in its construction are hereby declared bodies politic and corporate and are vested with the necessary powers to carry out the provisions of this act, and shall have all the rights and be subject to the liabilities in respect to any right or cause of action growing out of the provisions of this act. The county commissioners of the respective counties in which are situated the respective townships suscribing are declared to be the corporate agents of the townships so incorporated and situated within the limits of said counties respectively.

Sec. 12. That the construction of said railroad under this act of incorporation shall be commenced within three years after the ratification of this act.

Sec. 13. That this act shall take effect and be in force from and after its ratification.

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

CHAPTER 18

AN ACT TO CONSOLIDATE AND REVISE THE CHARTER OF THE TOWN OF JONESVILLE.

The General Assembly of North Carolina do enact:

Section 1. That the town of Jonesville, in the county of Yadkin, be and the same is hereby incorporated by the name and style of the "Town of Jonesville," and it shall be subject to all the provisions of law now existing in reference to incorporated towns.

Sec. 2. That the corporate limits of said town shall be as follows: Beginning at the northeast corner of S. W. Cockerham's land on the bank of the river and runs a straight line to the Greenwood old gate, then a direct line so as to include Frank Day's house to W. M. Evans' corner, with Evans' line, so as to include W. C. Shore's residence, north to the line of the town plat, east with the same to the Speer's line, north on said line to Bob Martin's corner, then a straight line so as to include J. J.
Speer's lot, then a direct line to the Yadkin River, so as to include Will Shugart, then up the river to the beginning.

Sec. 3. That the officers of said town shall consist of a mayor, five commissioners, and a constable, and the commissioners shall have power to appoint a secretary and treasurer.

Sec. 4. That the town of Jonesville is hereby vested with all the powers, rights, privileges, and immunities enumerated in chapter seventy-three, volume one, of the Revisal of one thousand nine hundred and five, entitled "Towns," not inconsistent with any of the provisions of this act; and the commissioners of said town shall have power to pass by-laws, rules and regulations for the government of the town, not inconsistent with the laws of the State and the United States, and to impose fines and penalties to the violation of town ordinances and collect the same for the benefit of the town: Provided, that the tax levy shall not exceed fifty cents on the hundred dollars valuation and one dollar and fifty cents on each poll.

Sec. 5. That there shall be biennially, on the first Monday in May, elected a mayor and five commissioners, who shall hold office until their successors are qualified; all to be elected by the qualified voters of the town.

Sec. 6. That any qualified elector in this State shall be eligible as mayor or commissioner: Provided, he or they shall have resided in the corporation twelve months next preceding the day of the election.

Sec. 7. That the board of commissioners shall have authority to fill any vacancy in the board that may occur during their term of office, and also appoint all officers which they may deem necessary for the efficient administration of the regulations, ordinances, and by-laws of the town, and shall prescribe terms of offices. That the board of commissioners shall be further authorized to appoint one of their members a mayor pro tempore to act as mayor in case of absence of the mayor or his inability to perform the duties of his office.

Sec. 8. That the mayor of said town is hereby constituted an inferior court, and as such shall within the corporate limits of the town have all the power, jurisdiction, and authority of a justice of the peace to preserve and keep the peace, to issue process, to hear and determine all causes of action which may arise upon the ordinances and regulations of the town, to enforce penalties by issuing execution upon any adjudged violation thereof, and to execute the by-laws, rules and regulations made by the commissioners. The mayor shall further be a special court within the corporate limits of the town to arrest and try all persons who are charged with a misdemeanor for violating any ordinance of the town, and if the accused be found guilty he shall
be fined, at the discretion of the court or mayor, not exceeding the amount specified in the ordinance or ordinances so violated, or, at the discretion of the mayor or court trying the same, such offender may be imprisoned not more than thirty days in the common jail of the county. If the accused is dissatisfied with the judgment of the mayor or court he may appeal in like manner as prescribed for appeals from judgment of a justice of the peace.

Sec. 9. That the mayor may issue his precepts to the town constable, who may execute the same anywhere in Yadkin County, or to such other officers to whom a justice of the peace may direct his precepts. An indorsement by the mayor of the names of the witnesses upon a summons or warrant shall be authority for the officer to execute the same. The mayor shall keep a faithful minute of the precepts issued by him, and of all his judicial proceedings.

Sec. 10. That the board of commissioners shall have authority to put to and keep at work on the streets of the town any person or persons who may fail to pay any fine, penalty, or forfeiture which may be imposed upon any person or persons for violation of any ordinance, by-law, or regulation of said town; and the commissioners shall have authority by their ordinances and by-laws to confine and control and manage such persons until the said fine, penalties, or forfeitures, together with the cost thereof, shall be fully paid and satisfied, under such rates for labor and board as the commissioners may adopt.

Sec. 11. That any town constable, policeman, watchman, or town officer arresting any person or persons for violation of any ordinances of the town shall have the right to commit such person or persons to the lock-up or common jail of the county for as early trial as practicable.

Sec. 12. That the board of commissioners of the town of Jonesville shall have power not oftener than annually to impose, levy, and collect a tax upon all real and personal estate within the corporate limits of said town, and also upon all money on hand, solvent credits, and upon all polls and all other subjects of taxation taxed by the General Assembly for public purposes: Provided, that the rate of taxation shall not exceed fifty cents on the hundred dollars valuation in any one year.

Sec. 13. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 9th day of January, A. D. 1917.
AN ACT TO AMEND CHARTER OF THE TOWN OF MARION.

The General Assembly of North Carolina do enact.

SECTION 1. That section two, chapter two hundred and ninety-one of the Private Laws of one thousand nine hundred and nine, be amended by striking out of said section from the semicolon after the word "Knob" in line sixteen to and including the word "railway" in line twenty-four, and inserting in lieu thereof the following words, viz.: "then to the northwest corner of the reservoir tract; then with the line of said tract to the southwest corner thereof; then a southeast course to a post-oak bush on the side of the old Buck Creek road, a corner of the Blue Ridge Furniture Company's tract and a tract of the Cross Manufacturing Company; then with a line of said tracts south fifty-eight degrees west four poles, south one degree west twelve poles, south eighty-eights degrees east fifty poles to a poplar tree; then with a line of the Cross Manufacturing Company south sixty-four degrees east twenty-two poles, south fifty-eight degrees west thirty-three poles, north twenty-two degrees west ten poles, south fifty-eight degrees west eight poles, south twenty-two degrees west ten poles, south fifty-one degrees west forty-two and one-fourth poles to a stake in the branch at the north end of a culvert under the Southern Railway."

SECTION 2. That all persons, firms, or corporations, whether resident or nonresident of the town of Marion, who shall pay all such taxes as are by law assessed against them, either upon property or poll, on or before the thirty-first day of October in each and every year, shall receive a discount of two per centum of such taxes so assessed, and all persons, firms, or corporations who shall pay all such taxes after the thirty-first day of October and on or before the thirtieth day of November in each and every year shall receive a discount of one per centum of such taxes so assessed; and all persons, firms, or corporations who shall fail, refuse, or neglect to pay all such taxes assessed against them, either upon property or poll, on or before the thirty-first day of December in each and every year, shall as a penalty for such failure, refusal, or neglect, be subject to a penalty of one per centum for any and all payments made in the month of January, a penalty of two per centum for any and all payments made in the month of February, and a penalty of three per centum for any and all payments made in the month of March, in each and every year; and it shall be the duty of the tax collector of said town to add such penalty to the amount of taxes due by any and all persons, firms, corporations, and to collect and account for the same as other taxes:

Provided, that nothing herein shall be so construed as to prevent
the said tax collector from collecting the said taxes, so levied, by
distrait or otherwise, at any time now prescribed by law, and pro-
vided further, that it shall be the duty of said tax collector of the
said town to make his final settlement of all taxes so levied, with
all accrued penalties, to the board of aldermen of the said town
at the first meeting of said board after the first Monday in May of
each and every year.

Sec. 3. That the said board of aldermen of the town of Marion
are hereby authorized and empowered, whenever in its discretion
it shall become necessary to improve any street or streets within
the corporate limits of said town, by hard-surfacing with concrete,
macadam, bitulithic, or any other substance, to lay off the street
or streets to be improved into such section or sections as it may
dean expedient; to cause such improvement of such street or
streets to be made by contract or otherwise, under the supervision
of a competent person or persons, and when any section so laid off
under the order of said board shall be completed, and the improve-
ment thereof finished, it shall then become the duty of said board
to ascertain the total cost of the improvement of such section, and
one-half of the total cost thereof shall be specially assessed upon
the lots and parcels of land abutting directly on the improve-
ments, according to the extent of their respective frontages
thereon, by an equal rate per foot of such frontage, which said
charge shall immediately become a lien upon the lots and parcels
of land abutting directly on said improvements, and shall ascer-
tain the pro rata part due by each individual owner of abutting
property for such improvement, and shall immediately notify
such owner the amount due by him for such improvement as
aforesaid; that the amounts so ascertained to be due by each indi-
vidual owner of abutting property shall be kept in a book for that
purpose, and said book shall be kept open for the inspection of
any and all persons; that if any such amount ascertained to be
due by any individual owner of abutting property shall remain
unpaid for thirty days after such notice, then and in that event it
shall become the duty of the said board of aldermen to cause such
amount or amounts as remain unpaid to be certified to the tax
collector of said town, whose duty it shall be to collect said amount
or amounts, so certified, by the scale of such abutting property or
otherwise, and as other taxes due said town are collected: Pro-
vided, the said board of aldermen may, in its discretion, extend
the time of such collection upon the owner of such property pay-
ing six per centum per annum interest, but such extensions shall
in no case exceed three years from the delivery of such notice.

Sec. 4. That all laws or parts of laws in conflict with the pro-
visions of this act are hereby repealed.

Sec. 5. That this act shall be in force from and after its rati-
fication.

Ratified this the 9th day of January, A. D. 1917.
CHAPTER 20


The General Assembly of North Carolina do enact:

Section 1. That section thirty-four of the charter of the city of Durham, being chapter two hundred and thirty-five of the Private Laws of one thousand eight hundred and ninety-nine, as amended by chapter one hundred and seventy-eight of the Private Laws of one thousand nine hundred and one, be and the same is hereby amended by striking out the following paragraph thereof, to wit: the words, “and in order to carry out, execute, and enforce the powers hereinbefore given in this section to borrow money, pledge the faith of the city of Durham, or loan its credit, and levy and collect the taxes necessary to pay off and discharge any such debt, principal and interest, with the consent of the majority of the qualified voters of the city, which consent shall be obtained at an election held after thirty days public notice, whereat those who shall consent shall vote ‘Approved’ and those who shall not consent shall vote ‘Disapproved.’” But they shall not borrow any sum of money when the existing aggregate indebtedness of the said city equals in amount one-tenth of the aggregate tax value of the property of said city as shown by its tax book of the preceding year, or exceeds the same, nor any sum which when added to the aggregate indebtedness of the city then already existing could render the full amount of the indebtedness of the city larger than one-tenth of the aggregate tax value of the property of said city as shown by its tax books for the preceding year; and in any public notice of a proposition to borrow money so submitted to the votes of the qualified voters of the said city as above provided shall be included a statement of the then existing aggregate indebtedness and tax value of the property of said city other than that hereinafter provided for, as shown by the tax books for the preceding year, and of the purpose for which such money is to be borrowed.”

And in lieu thereof insert the following: “And in order to carry out, execute, and enforce the powers hereinbefore given in this section to borrow money, pledge the faith of the city of Durham, or loan its credit, and levy and collect the taxes necessary to pay off and discharge any such debt, principal and interest: Provided, that they shall not borrow any sum of money when the existing aggregate indebtedness of said city equals in amount one-tenth of the aggregate tax value of said city as shown
by its tax books of the preceding year, or exceeds the same, nor any sum which when added to the aggregate indebtedness of the city then already existing would render the full amount of the indebtedness of the city larger than one-tenth of the aggregate tax value of the property of the city as shown by its tax books of the preceding year: Provided further, that they shall not borrow any money or pledge the faith of the city of Durham or loan its credit or levy and collect any taxes to pay off and discharge any such debt, principal or interest, for the purpose of purchasing or establishing public grounds or parks or for the purchasing or acquiring land for the purpose of establishing public squares or public parks in or near the city of Durham, also shall borrow any money or pledge the faith and credit of the city of Durham or loan its credit for purchasing or maintaining a lighting system, until the consent of the majority of the qualified voters of the said city shall have first been obtained, which consent shall be obtained at an election held after thirty days notice thereof, whereat those who shall consent shall vote 'Approved' and those who shall not consent shall vote 'Disapproved:' Provided further, that the city shall have the right to borrow money and pledge the faith and credit of the city of Durham and levy and collect the necessary taxes to pay off and discharge any such debt, principal and interest, for the purpose of relaying water mains in and under the streets now existing, and for the purpose of repairing, improving, and extending the water mains of said city, and for the purpose of relaying, repairing, and improving, enlarging, and extending the water mains for said city and in and under all streets of said city hereafter improved, paved or repaved, and also for the purpose of constructing any and all new streets hereafter laid out, constructed, and improved by this city, without obtaining the consent of the majority of the qualified voters of said city for any and all of said water-main extensions, repairs, or improvements."

Sec. 2. In the expenditure of money for the improvement of the streets and sidewalks of said city the board of aldermen shall proceed as now provided by chapter fifty-six of the Public Laws of one thousand nine hundred and fifteen of the General Assembly of North Carolina, or under any amendments thereto, or under any other general State law that may be passed for the operation of cities and towns in said State of North Carolina relating to the improvement of streets and sidewalks.

Sec. 3. That section thirty-four, paragraph three thereof, be amended by inserting after the words "one-half of the expense of the work" the following words: "or a greater proportion thereof, as the board of aldermen may determine upon petition, not to exceed two-thirds of cost to abutting property owners for either streets or sidewalks, or both."

Proviso: Debts subject to approval of voters.

Proviso: Debts for water and street improvements.

General law as to street improvements.

Assessments for street improvements.
Repealing clause.

Sec. 4. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

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

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

CHAPTER 21

AN ACT TO AMEND CHAPTER 227 OF THE PRIVATE LAWS OF 1907, RELATING TO THE CHARTER OF THE VIRGINIA AND EASTERN CAROLINA RAILROAD COMPANY.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and twenty-seven of the Private Laws of nineteen hundred and seven be and the same are hereby amended by striking out in section two the words, “That the authorized capital stock of said company shall be one hundred and twenty-five thousand dollars, to be divided into shares of one hundred dollars each,” and inserting in lieu thereof the words, “That the authorized capital stock of said company shall be two hundred thousand dollars, to be divided into shares of one hundred dollars each.”

Sec. 2. The said company to have two years to reorganize and begin building the road.

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

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

CHAPTER 22


The General Assembly of North Carolina do enact:

Section 1. That section thirty-five of the charter of the city of Durham, being chapter two hundred and thirty-five of the Private Laws of one thousand eight hundred and ninety-nine, as amended by chapter one hundred and seventy-eight of the Private laws of one thousand nine hundred and one, be and the same is hereby amended by adding at the end of section thirty-five, after the words, “conditioned for the faithful performance of said office,” the following words: “and it is also provided that for the purpose of expediting the work of permanent street improvement in the
city of Durham, systematizing the care and maintenance of streets and other city improvements, and the systematizing and safeguarding of all expenditures of the city, the board of aldermen of the city of Durham are hereby authorized and fully empowered to employ an executive officer, whose duties, official title, and salary shall be prescribed by the board of aldermen: Provided, the board of aldermen may elect said officer for such length of time as they may deem expedient, but not for a longer time than a term of one year; and Provided further, that the board of aldermen may elect the mayor or any other city official or employee, or any other suitable person, whether a resident or non-resident of the city."

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

CHAPTER 23

AN ACT TO RATIFY AND CONFIRM THE CHARTER OF FLORA MACDONALD COLLEGE AS HERETOFORE AMENDED UNDER THE GENERAL LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That all proceedings in respect to the amendment of the charter of the Southern Presbyterian College and Conservatory of Music, a corporation with its principal office and place of business at Red Springs, North Carolina, as contained in the certificate signed by the officers of said corporation on the fourteenth day of October, one thousand nine hundred and fifteen, filed with the Secretary of State of the State of North Carolina, including the certificate of amendment of the charter of said corporation, issued by the said Secretary of State on the fifth day of November, one thousand nine hundred and fifteen, be and the same are hereby ratified, approved, and confirmed; and the said corporation shall continue to exist under the name of "Flora MacDonald College," and in that name may sue and be sued, plead and be impleaded, and have and enjoy all the rights, powers, and privileges now or hereafter given to corporations of like character under the laws of the State of North Carolina, and shall also succeed to all the rights, powers, and privileges heretofore enjoyed by the predecessors of said corporation, as contained in chapter two hundred and ten of the Private Laws of North Carolina, session of one thousand eight hundred and ninety-seven, and 4—Priv.
chapter one hundred and twenty-one of the Private Laws of North Carolina, session one thousand nine hundred and seven, together with the powers, privileges, and rights conferred by the certificate of amendment of charter above mentioned.

Sec. 2. That all property of every kind and nature, both real and personal, which has heretofore been conveyed to or held by Red Springs Seminary under said act of one thousand eight hundred and ninety-seven, or the Southern Presbyterian College and Conservatory of Music under the said act of one thousand nine hundred and seven, and which has not heretofore been conveyed to other parties, shall vest in and become the property of the said Flora Macdonald College as the successor of both of said corporations.

Sec. 3. That the first- and second-mortgage bonds issued by the said Southern Presbyterian College and Conservatory of Music, aggregating forty thousand dollars ($40,000), as will fully appear by reference to the minutes of said corporation, dated in July, one thousand nine hundred and fourteen, be and the same are hereby declared to be the valid obligations of said corporation and of Flora Macdonald College, the successor to said corporation.

Sec. 4. That section ten of chapter one hundred and twenty-one of the Private Laws of one thousand nine hundred and seven, enumerating the officers of said corporation, be amended and stricken out, so that the same shall read as follows: "The officers of the corporation shall be a chairman of the board of trustees, a vice chairman of the board of trustees, a treasurer, a secretary, and the trustees hereinbefore provided for," and the said officers shall be elected as provided in the acts hereinbefore referred to, and the amendment thereto set out in section one of this act.

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

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

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

CHAPTER 24

AN ACT RELATING TO THE PUBLICATION OF ANNUAL STATEMENTS BY THE TOWN OF LUMBERON.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and twenty-three of the Public Laws of one thousand nine hundred and eleven be amended by adding at the end of section two thereof the following: "This act shall not apply to the town of Lumberton."
Sec. 2. That the municipal government of the town of Lumberton shall at the end of each fiscal year publish an annual statement of the receipts and disbursements in the manner required by section two thousand nine hundred and seventy-three of the Revisal of one thousand nine hundred and five.

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

CHAPTER 25

AN ACT TO INCORPORATE FUQUAY SPRINGS CONSOLIDATED GRADED SCHOOL DISTRICT, MIDDLE CREEK TOWNSHIP, WAKE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That District Number One, Middle Creek Township, Wake County, North Carolina, which is described and bounded by and includes the territory lying within the following boundary lines: beginning at the intersection of the Harnett County line and the line of Holly Springs Special-Tax School District, Number Four, known as Wilbor School District, and following an easterly boundary line of said school district to the line of the farm belonging to the Dr. A. J. Blanchard estate; thence with the westerly boundary line of said lands a northerly direction, including said Blanchard estate, to the farm of John C. Utley; thence with said Utley's westerly and northerly boundary lines, including his farm, to said Utley's northeast corner; thence in a direct line and including all lands south of said line to the headwaters of Terrible Creek; thence down Terrible Creek to the corner of S. W. Johnson's farm, in I. H. Rowland's line; thence following the eastern boundary line of said Johnson's farm, including his farm, to the farm of M. C. Utley, deceased; thence following the northern and eastern boundary lines of said Utley's farm, and including his farm, to J. Beale Johnson's farm, thence following said Johnson's eastern boundary line, and including his farm, to E. J. Partin's farm; thence following the eastern boundary line of said E. J. Partin's farm, and including his farm, to J. A. Smith's farm; thence following said Smith's eastern boundary line, and including his farm, to M. C. Gardner's farm; thence following the eastern boundary line of said Gardner's farm, and including his farm, to H. A. Smith's farm; thence following the eastern boundary line of said Smith's farm, and including his farm, to Fuquay Springs and Angier public road; thence following said public road in a
southerly direction to a point opposite S. R. Johnson's southern boundary line; thence in a westerly direction, crossing the Durham and Southern Railroad, with said Johnson's line, and following the southern boundary lines of said Johnson's land to the farm of Amos Johnson; thence following the southern boundary line of said Amos Johnson, and including his farm, to W. H. McGuire's farm; thence following the southern boundary line of said McGuire's farm, and including his farm, to the farm formerly owned by Rev. Allen Betts, deceased; thence following said Betts' southern boundary line, and including his farm, to Robert Walters' farm; thence following the southern boundary line of said Walters' farm, and including his farm, to the farm of M. W. Wester; thence following the northern boundary line of said Wester's farm to the run of Neill's Creek; thence down the run of said creek to the Harnett County line; thence in a westerly direction with the said county line to the beginning; be and the same is hereby incorporated under the name and style of Fuquay Springs Consolidated Graded School District, Wake County, North Carolina, and is hereafter to be known and styled as such. The above described territory includes the lands of all the above named parties and the lands of all others lying and being within the lines herein described.

SEC. 2. Any person or persons whose lands are contiguous to the above described territory may be admitted into said district, with all the privileges and be subject to the same taxes as those residing within the district as aforesaid, and in the same manner provided by section four thousand one hundred and fifteen, chapter ninety-five of the Revisal of nineteen hundred and five, and the acts of the General Assembly amendatory thereto, providing for the admission into special school-tax districts.

SEC. 3. That the county board of education of Wake County, upon the ratification of this act, shall appoint a board of trustees for said district who shall be residents of the said district, who shall hold their office, have the same powers and duties in regard to the schools of said district, and be appointed thereto in like manner as district school committeemen are appointed by the said board of education under the general school laws of North Carolina and the acts of the General Assembly amendatory thereto.

SEC. 4. Any vacancy occurring in said board of trustees from any cause shall be filled and the successors to the said trustees shall be appointed by the board of education of Wake County in the same manner as in the case of district school committeemen.

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

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

Ratified this the 9th day of January, A. D. 1917.
CHAPTER 26

AN ACT TO AUTHORIZE THE ALDERMEN OF THE CITY OF MONROE TO FUND ITS INDEBTEDNESS BY ISSUING BONDS.

Whereas the city of Monroe has contracted debts to pay the current and necessary expenses of the city government in street work, water and lights, in excess of its revenue, to an amount of forty thousand dollars or more, and it desires to issue bonds to cover said indebtedness:

The General Assembly of North Carolina do enact:

SECTION 1. That the aldermen of the city of Monroe are authorized to issue bonds, for the purpose of funding its current indebtedness incurred for the necessary expenses of its government, to an amount of forty thousand dollars, bearing interest at the rate of five per centum per annum, of such denomination as the aldermen of the city of Monroe may determine. To each and every of said bonds shall be attached coupons representing the interest payable thereon, which shall be due and payable annually until the bonds mature, which shall be thirty years from their date, and shall be paid by the city of Monroe; and the bonds so issued shall be consecutively numbered and the coupons shall bear the number of the bonds to which they are attached and shall declare the amount of interest they represent, and when due, and shall be receivable in payment of taxes due the city of Monroe.

SEC. 2. That said bonds shall be issued over the signature of the mayor and attested by the clerk of the city of Monroe and the official seal of said city, and shall be sold by the board of aldermen at a price not less than their par value.

SEC. 3. That it shall be the duty of the board of aldermen to levy and collect, annually, as other taxes are levied and collected, a sum sufficient to pay the interest on said bonds as it becomes due and to provide a sinking fund for the payment of the bonds at their maturity, not exceeding five cents on the hundred dollars of taxable property subject to taxation in said city of Monroe and fifteen cents on each poll subject to taxation.

SEC. 4. That it shall be the duty of the board of aldermen of the city of Monroe to cause their clerk to keep a record of the bonds sold, to whom sold, and the price paid therefor, and also a record of the bonds redeemed and from whom purchased; and when the coupons are paid it shall be the duty of the aldermen to destroy by fire the coupons or to cause them to be so destroyed by the clerk in their presence.

SEC. 5. That the money realized from the sale of said bonds shall be used for the purpose of paying the outstanding current
Liability of purchaser released. indemntedness of the city of Monroe, and it shall not be the duty of the purchaser of the bonds to see to the application of the money so realized.

Sec. 6. That this act shall be in force from and after the ratification thereof.

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

CHAPTER 27

AN ACT TO ESTABLISH A SCHOOL DISTRICT IN ELLIJAY TOWNSHIP, IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That a public school district is hereby created in Ellijay Township, Macon County, to be known as the Higdonville Public High School District, and described and bounded as follows: Beginning at the intersection of A. J. Moore farm with the Mill Shoal Township line, then following said line to the outside of J. M. Stuman, so as to include said Stuman's land; thence with N. A. Guy's outside line to Harve Tilly's outside line, and with said line to Dock Dalton's outside line; thence with said line to J. M. Moore's outside line; thence with said line to Mrs. Charles Sellers' outside line; thence with said line to J. K. Bryson's outside line, and with said line to N. J. Rushes' outside line, and with said line to M. Wright's outside line, and with said line to the west bank of the Cullasaja River; thence across said river to the east bank; thence with said river to the Sugarfork Township line; thence with said township line to the top of the mountain above C. G. Mincey; thence with said mountain to C. G. Mincey's outside line; thence with said line to J. T. Henry's outside line, and so as to include the lands of Charles Rogers and Louis Henry; thence with said J. T. Henry's outside line to the outside line of A. J. Moore's farm; thence with said line to the beginning.

Sec. 2. Upon the petition of one-fourth of the freeholders in the district described in section one of this bill, indorsed by the county board of education, the board of county commissioners, after thirty days notice at the courthouse door and three public places in the district, shall hold an election to ascertain the will of the people in said district whether there shall be levied in said district a special annual tax of forty cents on the one hundred dollars valuation of property and one dollar and twenty cents on the poll to supplement the public school fund which may be apportioned to said district by the county board of education in case such special tax is voted. Said election to be held in all respects as provided by law governing special school tax elections
in chapters four, one thousand nine hundred and one, section seventy-two, one thousand nine hundred and three, C. four hundred and thirty-five, section twenty-four, C. one thousand nine hundred and five, C. five hundred and thirty-three, section fourteen, one thousand nine hundred and nine, C. five hundred and twenty-five, one thousand nine hundred and eleven, C. one hundred and thirty-five, one thousand nine hundred and fifteen, C. two hundred and thirty-six.

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

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

CHAPTER 28

AN ACT TO AMEND SUBSECTION 6 OF SECTION 2916 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

Section 1. That the following provisions of subsection six of section two thousand nine hundred and sixteen of the Revival of one thousand nine hundred and five shall not apply to the town of Reidsville, in Rockingham County, namely: "Provided, in the event of such sale or lease it shall be approved by a majority of the qualified voters of such city or town."

Sec. 2. That said town of Reidsville may sell or lease any of its public utilities, such as lighting plants or system mentioned in said subsection: Provided, in the event such sale or lease, which shall be approved by a majority of the votes cast in any election at which said proposition may be submitted; said election to be held under the same general rules, laws, and regulations of elections for town officers in the town of Reidsville.

Sec. 3. That the town of Reidsville is hereby authorized and empowered to contract with any person, firm, or corporation with respect to obtaining a supply of light and power or any part or all of its light or power for its lighting system; and in case any such contract shall be entered into by said town of Reidsville the board of commissioners of said town are hereby authorized and empowered to sell and dispose of any appliances, fixtures, appurtenances not necessary to be used in the operation of its lighting and power system after making and entering into any such contract.

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

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

Ratified this the 9th day of January, A. D. 1917.
CHAPTER 29

AN ACT TO VALIDATE THE BOND ISSUE OF 1916 IN GRIFTON SPECIAL SCHOOL-TAX DISTRICT, No. 1, IN THE COUNTIES OF PITT AND LENOIR.

The General Assembly of North Carolina do enact:

SECTION 1. That the bond issue authorized by election held in Grifton Special School-Tax District, Number One, in the counties of Pitt and Lenoir, on the thirtieth day of May, one thousand nine hundred and sixteen, be and the same is hereby in all respects validated.

SECTION 2. That the public school committee of said school district are hereby authorized and directed to apply a sufficient amount of the special tax levied in said district by authority of chapter three hundred and sixty-three, Private Laws one thousand nine hundred and fifteen, as may be necessary to pay the interest on the bonds referred to in section one of this act and to provide such sinking fund as may be necessary to retire said bonds at maturity.

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

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

CHAPTER 30

AN ACT TO REVISE THE CHARTER OF THE TOWN OF LUMBERTON AND TO ENABLE IT TO FUND ITS OUTSTANDING INDEBTEDNESS CONTRACTED FOR NECESSARIES, AND TO AUTHORIZE THE LEVY AND COLLECTION OF TAXES TO MEET SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and forty-three of the Private Acts of one thousand nine hundred and seven be and the same is hereby amended as follows: By striking out in lines thirteen and fourteen of section ninety-eight the words, "to an amount not exceeding fifty thousand dollars," and in lines fourteen and fifteen the words, "to that amount or any less amount," and by striking out from the last three lines of section one hundred the words, "and until the aggregate of the bonds voted shall reach the sum of fifty thousand dollars as herein provided."

SECTION 2. That the board of commissioners of the town of Lumberton be and they are hereby empowered and authorized to
issue coupon bonds in denomination of five hundred dollars each, par value, not to exceed a total of fifty-one thousand dollars, par value, under this act, bearing interest at not more than six per centum per annum, payable either annually or semi-annually as the board of commissioners may elect, for the purpose of funding the outstanding indebtedness of the town of Lumberton, being for the enlarging and repairing of the electric light and water plant, the installation of a filtration plant, and the extension of the water-works system for said town. The said amount of fifty-one thousand dollars bonds may, in the discretion of the board of commissioners, be issued in one or two issues, as the board may elect, said division, if made, to be either equal or in any ratio, provided the total issue or issues under this act do not exceed fifty-one thousand dollars.

In case of two issues, the total bonds under each issue, as above denominated, shall be divided into seventeen equal lots and the first bonds under both issues, to be six in number, totaling three thousand dollars, shall be due on March first, one thousand nine hundred and twenty-seven, and one-seventeenth of said total bonds of each issue shall be due on the first day of March each year thereafter for sixteen years, when the last of said bonds under both issues shall become due. Said bonds shall be of a form to be approved by the board of commissioners of said town and shall be attested by the signature of the mayor and treasurer of said town and sealed with the corporate seal thereof, and the coupons shall be attested by the lithograph facsimile signature of the mayor. No bonds shall be sold for less than par and accrued interest, and the funds arising from the sale of same shall be applied to the settlement of the outstanding debts of said town for the necessary expenses thereof as set out, and for no other purpose; but the purchaser thereof shall not be in any way bound to see to the proper application of the purchase money of said bonds.

SEC. 3. That the resolution or ordinance authorizing the issue of said bonds may be introduced and passed at any regular or special meeting of the board of commissioners, upon a majority vote of the commissioners present at such meeting, and no further proceeding shall be necessary for the issuing of said bonds; and all bonds issued in accordance with the provisions of this act shall be valid and legally binding obligations of said town, notwithstanding any previous acts limiting the amount of bonded indebtedness of said town or otherwise; and all laws and clauses of laws inconsistent with this act are hereby repealed in so far as same are inconsistent herewith.

SEC. 4. That the board of commissioners of said town of Lum- berton are hereby required and directed to levy and collect, in addition to all other taxes in said town, a tax upon all taxable
property and polls of said town sufficient to pay the interest on
said principal of said bonds as same becomes due, and, also, on
or before the time the principal of said bonds shall become
due, to levy and collect a further special tax to pay for same, or
to provide for the payment thereof, which tax shall be upon an
ad valorem valuation, levied at the same time and collected as
other taxes upon property and polls collected by said town.

Sec. 5. The said bonds may be sold either at public or pri-
ivate sale, as the commissioners may deem best, after advertising.

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

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

CHAPTER 31

AN ACT TO AUTHORIZE THE CITY OF GASTONIA TO ISSUE
BONDS FOR THE PURPOSE OF CONSTRUCTING, WORK-
ING, BUILDING, GRAVING, PAVING, REPAIRING, AND
EXTENDING THE STREETS AND SIDEWALKS OF THE
CITY OF GASTONIA.

The General Assembly of North Carolina do enact:

Section 1. That the board of aldermen of the city of Gas-
tonia is hereby authorized to issue coupon bonds, not to exceed
in amount the sum of one hundred and fifty thousand dollars
($150,000), in such denominations as the board of aldermen of
the city of Gastonia shall prescribe, and bearing interest from
date at a rate not to exceed five per cent per annum, payable semi-
annually on the first day of January and the first day of July
of each year, at such place as said board of aldermen may desig-
nate, until the said bonds are paid; that the said bonds shall
be made payable at a time and place to be fixed by said board
of aldermen and named therein, not to run less than twenty
nor more than thirty years from date of issue. The said bonds
and their coupons shall be numbered, and the bonds shall be
signed by the mayor and attested by the treasurer of the said
city of Gastonia and the corporate seal of said city affixed
thereto, and said bonds and their coupons shall be exempt from
city taxation until they have become due, and the coupons shall
be received in the payment of said taxes. A record shall be
kept of the said bonds, showing the numbers and denominations
thereof, and to whom sold, the dates of issuing thereof, and
when the same shall mature, and the interesting-bearing rate
thereof, the amount received from the sale of same, and the date
of the payment of the proceeds into the treasury, and such other data in relation to the same as the board may direct to be kept.

Sec. 2. That whenever the board of aldermen of the city of Gastonia shall by resolution or ordinance duly adopted declare that in their judgment it is to the best interest of the city of Gastonia to sell said bonds, then the said board shall proceed to issue and sell the same, or so many thereof as may be necessary, in their judgment and discretion, and the proceeds of such sale or sales shall be used in constructing, working, building, grading, paving, repairing, and extending the streets and sidewalks of said city of Gastonia; and to fund, liquidate, and pay indebtedness already incurred for the necessary expense of said city of Gastonia in constructing, working, building, grading, paving, repairing, and extending the streets and sidewalks of said city of Gastonia.

Sec. 3. For the purpose of paying the said bonds at maturity and the interest thereon as it shall become due it shall be lawful for and the duty of the board of aldermen to levy annually a sufficient special tax upon all subjects of taxation which are or may hereafter be embraced in the subjects of taxation under the charter of the said city and the general law, in the manner and at the same time as other taxes are levied under the said charter and the general law.

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

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

CHAPTER 32

AN ACT TO ALLOW THE BOARD OF ALDERMEN OF THE TOWN OF WEST ASHEVILLE IN BUNCOMBE COUNTY TO REMOVE CERTAIN GRAVES IN SAID TOWN.

The General Assembly of North Carolina do enact:

Section 1. That the board of aldermen of the town of West Asheville shall have the power and the authority, and they are hereby authorized to remove any or all graves in the town of West Asheville, Buncombe County, North Carolina, and to remove the bodies, bones, or dust from said graves to some other graveyard or yards in the said county of Buncombe.

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

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

Ratified this the 9th day of January, A. D. 1917.
CHAPTER 33
AN ACT TO SUBMIT A BOND ISSUE TO THE QUALIFIED VOTERS OF THE CITY OF WASHINGTON.

Preamble: Purpose of election. Whereas the city of Washington, a municipal corporation, located in the county of Beaufort, State of North Carolina, is the owner of five-sixths undivided interest in a certain piece of property located in the said city, known as the public wharf property, and the board of aldermen of said city are desirous of being empowered to call an election to submit to the qualified voters of said city the question of purchasing the other one-sixth undivided interest in said property: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That for the purposes above set out, to wit, the purchasing of a one-sixth undivided interest of the property located in the city of Washington and known as the public wharf property, the board of aldermen of said city is hereby empowered to purchase said undivided one-sixth interest in said property, and for the purpose of paying for the same the said board of aldermen is hereby authorized to issue bonds in the amount not to exceed five thousand dollars, and in denominations of not less than one hundred dollars nor more than one thousand dollars, bearing interest from date of bonds at a rate not to exceed five per cent per annum, payable semiannually on the first days of January and July of each year, and at such place as the board of aldermen may direct. That the principal of said bonds shall be payable at a time and place to be fixed by said board of aldermen and to be named therein, not to be less than fifteen years nor more than fifty years from date thereof: Provided, that said board of aldermen may divide said bonds into classes as they may deem best, and have them mature at different dates between the limits aforesaid. That said bonds and their coupons shall be numbered and the bonds shall be signed by the mayor of the city of Washington, North Carolina, and countersigned by the clerk of the board of aldermen and have the corporate seal of said city of Washington affixed thereto, and the coupons attached thereto shall be signed by the said mayor of the city of Washington, although a lithograph copy of his signature shall be sufficient. A record of said bonds be kept, showing the numbers and denominations, and to whom sold, the date of issue thereof, and when same will mature, and such other data in relation to same as the board of aldermen may direct to be kept. That said bonds when issued, and the interest accumulated thereon, shall be fully binding upon said city and its property, even if there be in excess of ten per cent of the assessed valua-
tion of property of said city, and the said bonds shall show upon
their face the purpose for which they were issued.

Sec. 2. That said bonds and coupons herein provided for
shall not be subject to taxation by the city until after maturity
and tender are made, and if the holder fails to present the
bonds and coupons for payment at maturity, they shall not draw
interest after maturity; said bonds shall be sold under the direc-
tion of the board of aldermen, and shall not be sold for less than
par value thereof. That the proceeds arising from the sale of
said bonds, less the necessary expense of issuing and holding the
election herein provided for, shall be paid to the treasurer of
said city, to be applied for the purpose herein set forth.

Sec. 3. That said bonds shall not be issued, nor taxes herein
authorized levied, nor the purchase or condemnation of land
herein provided for made, until authorized by a majority of the
qualified voters of the city of Washington, North Carolina, at an
election to be held in said city, which election shall be held at
the regular election in May, nineteen hundred and seventeen,
for the election of mayor and aldermen. Said board of aldermen
may, if it deems advisable, order a new registration for said
election; and if it does order a new registration, notice of such
new registration shall be given, twenty days before the books
are open for registration, by publishing a notice thereof in some
newspaper in the said city, and the registration books shall be
open thirty days before the date of election, and shall stay open
for a period of twenty days. Said election shall be advertised by
the said board of aldermen for thirty days prior to the date of
election in one or more newspapers published in the city, and
such advertisement shall specify the amount of the bonds for
which electors shall vote, and the purpose for which same are
issued; and such election shall be held in accordance with the
provisions of the charter of the said city relating to elections,
and qualifications of voters shall be supplied, unless manifestly
repugnant to the clear intent of this act, and returns of the
result of said election shall be made and certified by said
election officials to the board of aldermen of said city, and the re-
sults thereof shall be canvassed by the said board of aldermen
and the results duly declared. At such election those who are
in favor of issuing bonds and levying taxes therein provided for
shall vote ballots on which shall be written or printed the words
"For Public Wharves," and those opposing the issuing of said
bonds shall vote ballots upon which shall be written or printed
the words "Against Public Wharves." That if at said election a
majority of the qualified voters shall cast their ballots "For Pub-
lic Wharves," the said board of aldermen shall proceed at once
to issue said bonds in the amount called for in the notices of
election.
Special tax.

Constitutional equation.
Specific appropriation.

Diversion a misdemeanor. Punishment.

Proviso: Surplus to general fund.

Repealing clause.

SEC. 4. That in order to pay the interest on said bonds and to create a sinking fund to pay the principal of said bonds at maturity, the board of aldermen of said city of Washington shall levy and collect such a special tax upon all subjects of taxation which are now or may hereafter be embraced in the subject for taxation under the charter of the said city, as may be necessary for that purpose, observing the equation of taxation between property and polls fixed by law; and the money paid into the city treasury received from the taxes levied under this act shall be appropriated for the purpose of paying said bonds and interest, and for no other purpose whatsoever; and it shall be a misdemeanor, punishable by fine or imprisonment, in the discretion of the court, for any official of said city or other person to wrongfully misapply or divert said special taxes from the purpose required by this act: Provided, that all moneys remaining in the treasury belonging to said fund after all the aforesaid bonds and coupons have been redeemed, may then be ordered by the board of aldermen transferred to the general fund of the city of Washington. The taxes herein provided for shall be collected in like manner as other taxes in said city.

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

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

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

CHAPTER 34

AN ACT REINCORPORATE AND RESTORE CORPORATE POWERS TO THE TOWN OF GARYSBURG, IN THE COUNTY OF NORTHAMPTON, AND TO APPOINT COMMISSIONERS OF SAID TOWN.

The General Assembly of North Carolina do enact:

Section 1. That the town of Garysburg, in the county of Northampton, be and it is hereby reincorporated under the name of Garysburg, and that chapter three thirty-four of the Private Laws of North Carolina, session one thousand nine hundred and seven, entitled "An act to incorporate the town of Garysburg, in the county of Northampton," be and the same is hereby revived, reëncorporated, and reinstated, with the same corporate limits and all the powers and provisions therein set out, except as to the appointment of the commissioners, mayor, and marshal, named in section four thereof.

Sec. 2. That until the first Tuesday in May, one thousand nine hundred and eighteen, and until their successors are elected and
qualified, R. E. Brown, J. E. Suiter, C. P. Parker, R. A. Ellis, and J. B. Collier shall constitute and be the board of commissioners of said town, and shall have all the powers and be subject to all the provisions contained in said act incorporating said town and in the Revisal of North Carolina relative to cities and towns not inconsistent with the provisions of said act.

Sec. 3. That said board of commissioners of said town shall have the power and authority, and it shall be their duty, to elect a mayor of said town and appoint a town constable therefor, who shall hold their respective offices until their successors are elected and qualified as provided for in said act and in the general law in the Revisal of North Carolina relative to cities and towns, not inconsistent with said act, with all the powers and duties contained therein and subject to all the provisions thereof.

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

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

CHAPTER 35

AN ACT TO CONSOLIDATE SPECIAL-TAX DISTRICT No. 4, WHITE RACE, IN SADDLE TREE TOWNSHIP, AND SPECIAL-TAX DISTRICT No. 2, WHITE RACE, IN HOWELLSVILLE TOWNSHIP; AND TO CHANGE THE NAME OF SAID SPECIAL DISTRICTS AND TO CREATE THE BARKER-TEN MILE GRADED SCHOOL DISTRICT; TO AUTHORIZE THE BOARD OF TRUSTEES OF SAID DISTRICT TO ISSUE BONDS AND TO LEVY AN ADDITIONAL SPECIAL-TAX.

The General Assembly of North Carolina do enact:

Section 1. That upon a majority of the qualified voters residing in the territory hereinafter described in this section voting in favor of the special tax and bonds hereinafter provided, Special-Tax District Number Four, for the white race, in Saddle Tree Township, Robeson County, and the Special-Tax District Number Two, for the white race, in Howellsville Township, shall be consolidated, the name of said district changed, and a tax district to be known and designated as “the Barker-Ten Mile Graded School District” shall be and is hereby created and the boundaries of said district shall be as follows: Beginning at the Ten-Mile Boundary, Bridge on the Stage road and runs thence with the said road to F. A. Prevatt’s line; thence with the said F. A. Prevatt’s line (so that no part of his said lands may be included within said boundaries) back to the said road; thence continuing the same road toward the town of Lumberton to the five-mile post; thence
with the Lumberton Township line to Alex. Rowland's old place; thence a direct line to the Bryant Leggett place (now J. B. Regan's farm); thence as said Regan's line, so as not to include his said lands in these boundaries, to 'Possum Branch; thence with said branch to Meadow road; thence with said road to J. W. Barker's south line; thence with his line east to Regan's School District line; thence with that said line to the ford of the swamp at Howellsville; thence down the Ten-Mile Swamp to the east corner of Alexander Willis' land, so as to include same in these boundaries; thence as W. J. Barker's northeast line, so as to include his lands; thence with C. W. Regan's northeast line to H. H. Stanley's line; thence as his line, so as to include his "home place;" thence from his northwest corner to the St. Pauls Township line, at the head of Horse Branch; thence with said line to the ford on the Ten-Mile Swamp, the beginning corner.

Sec. 2. That upon the ratification of this act by a majority of the qualified voters residing in the above described territory, the name of said taxing district shall be changed and shall be Barker-Ten Mile Graded School District, and the board of trustees hereinafter named, and their successors in office, shall be and they are hereby constituted a body corporate by the name and style of the "Board of Trustees of Barker-Ten Mile 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, devise, or otherwise, real estate and personal property; hold, exchange, mortgage, or sell the same, and exercise such other rights and privileges as are incident to other corporations, and may have a corporate seal. And said board of trustees is hereby fully authorized and empowered to execute and deliver a mortgage or deed of trust, to be signed by its chairman, attested by its secretary, and having its corporate seal affixed thereto, upon any real estate and personal property title to which is or may hereafter be vested in said Barker-Ten Mile Graded School District, or in said board of trustees, to secure the bonds herein provided for and the interest on the same.

Sec. 3. That the board of trustees of said Barker-Ten Mile Graded School District, hereinafter provided for, or their successors in office, shall be and they are hereby authorized and empowered to issue bonds of said Barker-Ten Mile Graded School District to an amount not exceeding eight thousand dollars ($8,000) in such denominations as said board of trustees may deem advisable, bearing interest from their date at a rate not exceeding six per centum per annum, with interest coupons attached, payable semiannually at such time or times and at such place or places as may be deemed advisable by said board of trustees; said bonds to be in such form and tenor and transferable in such way, and the principal thereof payable or redeemable at
such time or times, not exceeding thirty years from date of issue, and at such place or places, as said board of trustees may determine: *Provided*, that said board of trustees may issue bonds at such time or times, and in such amount or amounts as may be required to meet the expenditures hereinafter provided for.

Sec. 4. The proceeds arising from the sale of said bonds, or so much thereof as may be necessary, shall be expended by said board of trustees in providing, by purchase or otherwise such graded school sites and buildings as may be necessary and furnishing the same with all necessary equipment.

Sec. 5. That none of said bonds shall be disposed of by sale, exchange, hypothecation, or otherwise, for a price less than par; nor shall said bonds or the proceeds thereof be used or devoted to any other purpose than those declared in section four of this act.

Sec. 6. That for the purpose of providing for the payment of said bonds and the interest thereon, and of defraying the expenses of the graded schools provided for in this act, the board of commissioners of Robeson County shall annually and at the time of levying the county taxes, commencing with the fiscal year beginning next after the ratification of this act, by a majority of the qualified voters of the district as herein provided, levy a special tax of twenty-five cents on the one hundred dollars of assessed valuation of property and seventy-five cents on each taxable poll, said tax to be collected and used for the exclusive purpose of paying the teachers and other running expenses of said school; and shall also levy an additional and particular special tax of twenty-five cents upon the one hundred dollars of assessed valuation of property and seventy-five cents on each taxable poll on all persons subject to taxes within the above described boundary, this additional and particular special tax to be collected and used for the purpose of paying the interest on the bonds herein provided for and of creating a sinking fund with which to pay the same.

Sec. 7. That said taxes shall be collected by the sheriff of Robeson County at the time and in the manner that the county taxes are collected, and shall be paid by him to the treasurer of the board of trustees of said Barker-Ten Mile Graded School District: *Provided*, that said treasurer of said board of trustees shall first enter into a good and sufficient bond, payable to the said board of trustees, in such amount as said board of trustees may direct, conditioned upon the faithful safe-keeping and disbursing of said taxes and all other public school funds which may come into his hands for the use and benefit of the said graded school district.

Sec. 8. That the provisions of this act shall be submitted to a vote of the qualified voters residing in the territory described in section one of this act, at an election to be held on the first Monday in May, one thousand nine hundred and seventeen. That act to be submitted to voters.
thirty days notice of such election, containing a brief synopsis of the provisions of this act, shall be published in a newspaper published in said graded school district, or by printed circulars or notices posted at at least ten places in the above described territory. It shall be the duty of the board of commissioners of Robeson County to appoint a registrar and two judges of election to conduct said election, all of whom shall be qualified, residing in said territory. It shall be the duty of said registrar to make a new registration of all the persons entitled to vote for members of the General Assembly residing in the territory hereinbefore described, and to this end he shall, commencing on the fourth Saturday before the election, attend regularly, at some fixed place within the aforesaid graded school district, for four successive Saturdays, between the hours of eight a.m. and sundown, for the purpose of registering such persons as are entitled to vote for members of the General Assembly in said territory, and only those persons who are duly registered in accordance with the provisions hereof shall be deemed qualified voters under the provisions of this act. All challenges of voters may be entered on any registration day and shall be passed on by said judges of election and registrar on the day of election. Said registrar shall receive as compensation for his services the sum of ______ cents for each voter registered by him, and two dollars for his attendance upon the election, and the judges of election shall receive the sum of two dollars each for their services on election day, including making up the returns. Said registrar shall post in the aforesaid graded school district and at least five other public places in said territory, notice of the days, hours, and place of registration. For the purposes of this act the polls shall be opened at the regular voting place for the election of township officers in Howellsville Township at the hour of eight o'clock a.m. and shall close at sundown. All costs in connection with such election shall be paid from the funds of Robeson County, and it shall be the duty of the board of commissioners thereof to pass upon and pay the same.

Sec. 9. At said election those who are in favor of the creation of said graded school district and the issuance of the bonds herein provided for shall vote a written or printed ballot with the word “Approved” upon it, and those opposed to creating said graded school district and issuing said bonds shall vote a written or printed ballot with the word “Disapproved” upon it. The number of voters registered and the number of ballots cast for and against the creation and issuing of said bonds shall be counted and the result of said election certified and returned to the registrar of deeds of Robeson County, who shall furnish to the board of trustees of said graded school district a certified copy of said returns to the Secretary of State, which he shall file in his office.
If at the said election a majority of the qualified voters of said district shall vote "Approved," then the said board of trustees shall at once qualify by first taking an oath to faithfully perform their duties as such trustees and take such steps as may be necessary for the issuance and sale of the bonds herein provided for, and shall enter upon the duties enjoined upon them by this act.

Sec. 10. That the members of the board of education shall be each official members of the board of trustees of said Barker-Ten Mile Graded School District, and in addition thereto A. A. Bethune, J. W. Barker, N. A. Townsend, Spurgeon Jones, and J. H. Powers, are hereby constituted and appointed as the board of trustees of said Barker-Ten Mile School District. Spurgeon Jones and J. H. Powers shall hold their office for two years, and J. W. Barker and N. A. Townsend shall hold their office for four years, and A. A. Bethune shall hold his office for six years; and each trustee shall hold office until his successor shall be appointed and shall qualify in accordance with the provisions of this act; and the term of office of said trustee shall be considered as beginning on the first Monday in May, one thousand nine hundred and seventeen.

Sec. 11. Whenever the term of office of any class of trustees shall expire, as above provided, their successors shall be appointed for a term of four years by the board of education of Robeson County, the persons to be so appointed to be residents and qualified voters of said graded school district hereby created. All vacancies from said board of trustees, caused by death, resignation, removal from the district, or otherwise, shall be filled by the remaining members of the board of trustees, and the person so chosen shall serve the unexpired term of his predecessor, and at the end of such unexpired term his successor shall be appointed by the board of education of Robeson County as hereinbefore provided. The office of trustees shall not be deeded or considered as a public office within the purview of the Constitution of North Carolina.

Sec. 12. That after the ratification of this act by a majority of the qualified voters residing in said territory said board of trustees, at their first regular meeting, and annually thereafter on the first Monday in June in each year, shall elect from their number a chairman and secretary. They shall also elect a treasurer, who may or may not be a member of said board. The treasurer shall have charge of all the moneys received and disbursed, and shall report monthly to said board his receipts and disbursements, with vouchers for the same. The secretary shall keep minutes of all meetings and shall attest the signature of the chairman to all legal documents, and shall be the custodian of the corporate seal, and shall issue, by order of the board, all orders or warrants for the payment of money.
Annual reports.

SEC. 13. That it shall be the duty of the said board of trustees to make annually to the board of education of Robeson County, after the close of each school year, a full and complete report of the operation of said graded schools, together with a financial report which shall show all receipts and disbursements, and said report shall contain such other information as may be required by the board or by the county board of education; and a copy of said report shall be posted at some conspicuous place in the Barker-Ten Mile Graded School building.

Report to be posted.

SEC. 14. Said board of trustees shall not employ as a teacher in said graded schools any person who shall not be entitled to teach in the public schools of Robeson County under the general school law. The board of trustees shall have the right, in the exercise of their discretion, to admit to the said graded school students or pupils residing out of the said graded school district, and to charge, collect, and receive such tuition or other charges as may be fixed by said board for such nonresident students or pupils.

Employment of teachers.

SEC. 15. That it shall be the duty of the said board of trustees of said Barker-Ten Mile Graded School District, commencing with the fifth year after their first qualification, under the provisions hereof, to provide a sinking fund for the payment of the principal of said bonds at maturity, and for that purpose to set apart each year from the taxes collected or moneys appropriated to said graded school district a sum sufficient to fully pay off and discharge the principal of said bonds at maturity, which sinking fund shall be kept securely invested or loaned out on first-mortgage on real estate in Robeson County worth not less than double the amount of the loan. It shall also be the duty of said board of trustees to provide for the payment, semiannually, of the interest on said bonds and for that purpose to set apart from the taxes collected or money appropriated to said graded school district a sum sufficient to pay the same.

Non-resident pupils.

SEC. 16. That all public school funds derived from the State and county of Robeson and which may from time to time be collected and apportioned under the general school law for school purposes for the children in said Barker-Ten Mile Graded School District and all moneys to which said district may be entitled by reason of any special tax, gift, apportionment, or otherwise, shall be paid to the treasurer of said board of trustees and shall be by him paid out by order of the said board of trustees for the proper maintenance of the schools located in said Barker Ten-Mile Graded School District and under the provisions hereof: Provided, that all donations to said schools shall be applied as directed by the donors.

Sinking fund.

SEC. 17. That in case a majority of the qualified voters of the above territory shall not approve, then nothing herein contained shall interfere with the collection of the taxes for Special-Tax Dis-

Investments of sinking fund.

Payment of interest.

Apportionment from general school fund.

Effect of disapproval of act.
District Number Four, in Saddle Tree Township, and Special-Tax District Number Two, in Howells ville Township, but in such case said special-tax district shall remain as now constituted and the same special tax as has heretofore been levied shall again be levied and collected.

Sec. 18. That in case a majority of the qualified voters shall not vote "Approved" at the election herein provided for, then the board of commissioners of Robeson County, upon the petition of one tenth of the qualified voters residing in the above territory, shall order another election to be held under the provisions of this act, first giving thirty days notice of such election, and shall appoint the judges and registrar for said election, the time and place of election to be determined by said board of commissioners, and the machinery of said election, so far as applicable, to be as hereinbefore provided.

Sec. 19. That nothing herein contained shall be construed as suspending or superseding the special school taxes now collected or hereafter to be levied or collected within the territory above described, but the said special taxes shall be levied and collected in the future as in the past, and the particular or special tax to be voted for the issue of bonds herein provided for shall be over, above, and separate and distinct from the special taxes heretofore levied or hereafter to be levied under the provisions of the Revisal, section four thousand one hundred and fifteen; and upon the ratification of this act by a majority of the qualified voters of said graded school district the special or particular taxes herein provided for shall be levied and collected over, above, and in addition to the special school taxes now levied and collected under authority of law.

Sec. 20. That this act shall be in full force and effect, subject to the provisions hereof, from and after its ratification.

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

CHAPTER 36

AN ACT TO RATIFY THE $5,000 SCHOOLHOUSE BOND ISSUE OF DISTRICT No. 4, WHITE, LIMESTONE TOWNSHIP, KNOWN AS BEULAVILLE SPECIAL-TAX DISTRICT IN DUPLIN COUNTY.

Whereas, on the third day of April, one thousand nine hundred and sixteen, pursuant to chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen, upon petition of the board of education of Duplin County, the board of commissioners of Duplin County ordered an election to be held on the thirtieth day of May, one thousand nine hundred and sixteen, in District Number Four, White, Limestone Township, Duplin County, North
Maturity.

Carolina, known as Beulaville Special-tax District, bounded as follows: Beginning at the Miller bridge on Limestone Creek; thence with the road to the Beulaville road; thence down the Beulaville road to A. C. Sandlin's to an old path leading by J. G. Bostic's to Mr. Carroll's; thence with said old path to the Muddy Creek road; thence with the Muddy Creek road to Hanty Branch; thence down the Hanty Branch to Muddy Creek; thence with said creek to J. S. Thomas's line; thence with his line to Bryant Thomas's line; thence with his line to Muddy Creek; thence up Muddy Creek to Haystack Branch; thence up said branch to the Haw Branch public road; thence with the said road to Taylor's Branch; thence down Taylor's Branch to Limestone Creek; thence down the creek to the beginning; said election to ascertain whether the voters of said district were in favor of issuing bonds in the sum of five thousand dollars, bearing interest at the rate of six per cent, payable semiannually, to run not over fifteen years, to be paid by levying a tax in said district of thirty cents on the one hundred dollars valuation of property and ninety cents on the poll, said bonds to be used for the purpose of building, rebuilding, and repairing school house in said district, as provided for in said act of the General Assembly; and, whereas said election was regularly and legally held on said day and said bond issue was duly approved by a majority of the qualified registered voters of said district; and, whereas the board of commissioners of Duplin County did on the first day of January, one thousand nine hundred and seventeen, pursuant to the request of the county board of education of Duplin County, order said bonds to be issued, bearing date of the first day of January, one thousand nine hundred and seventeen, with interest from said date at six per cent, payable semiannually, in the denomination and due on the following dates, to wit: First bond, in the denomination of seven hundred and fifty dollars ($750), due and payable on the first day of January, one thousand nine hundred and seventeen; second bond, in the denomination of five hundred dollars ($500), due and payable on the first day of January, one thousand nine hundred and eighteen; third bond, in the denomination of five hundred and twenty-five dollars ($525), due and payable on the first day of January, one thousand nine hundred and nineteen; fourth bond, in the denomination of five hundred and twenty-five dollars ($525), due and payable on the first day of January, one thousand nine hundred and twenty; fifth bond, in the denomination of six hundred dollars ($600), due and payable on the first day of January, one thousand nine hundred and twenty-one; sixth bond, in the denomination of six hundred and fifty dollars ($650), due and payable on the first day of January, one thousand nine hundred and twenty-two; seventh bond, in the denomination of seven hundred dollars ($700), due and payable on the first day of Jan-
uary, one thousand nine hundred and twenty-three; and the eighth bond, in the denomination of seven hundred and fifty dollars ($750), due and payable on the first day of January, one thousand nine hundred and twenty-four, and ordered the same to be delivered to the board of education of Duplin County, to be disposed of according to law: Now, therefore,

*The General Assembly of North Carolina do enact:*

**Section 1.** That the said five thousand dollars bond issue of said District No. 4, White, Limestone Township, Duplin County, known as Beulaville Special-Tax District, authorized by an order of the board of commissioners of Duplin County on the third day of April, one thousand nine hundred and sixteen, upon petition of the board of education of Duplin County, and heretofore referred to in the preamble of this act, be and the same is hereby in all respects legalized, ratified, and confirmed; and the board of commissioners of Duplin County is hereby authorized and empowered to prepare, execute, and deliver said bonds to the board of education of Duplin County, as provided by law, and the said board of commissioners of Duplin County is hereby authorized and directed to levy an annual special tax in said district of thirty cents on the one hundred dollars valuation of property and ninety cents on the poll, for the purpose of paying the principal of said bonds at maturity and interest thereon as it becomes due; and the said bonds when issued and sold shall become binding obligations of said special-tax district to the amount of principal and interest of said bonds.

**Sec. 2.** That all laws and clauses of laws in conflict with this act be and the same are here repealed in so far as they may conflict herewith.

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

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

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**CHAPTER 37**

**AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEVILLE.**

*The General Assembly of North Carolina do enact:*

**Section 1.** That section ninety-two of chapter one hundred of the Private Laws of one thousand nine hundred and one be and the same is hereby amended by striking out the word "twenty" in line three of said section and inserting in lieu thereof the word "fifty."
Sec. 2. That section two of chapter four hundred and one of the Private Laws of one thousand nine hundred and five shall not apply to the provisions of this act.

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

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

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

CHAPTER 38

AN ACT TO AMEND SECTION 17 OF PRIVATE LAWS OF 1915, RELATIVE TO STREET IMPROVEMENTS IN THE TOWN OF WARRENTON.

The General Assembly of North Carolina do enact:

SECTION 1. That section seventeen of chapter two hundred and one of the Private Laws of North Carolina, session one thousand nine hundred and fifteen, be amended by striking out after the word "exceed" in line four of said section seventeen the words and figures "twenty-five hundred dollars ($2,500)," and inserting in lieu thereof the words and figures "twenty thousand dollars ($20,000)," and by striking out after the word "said" in line seven and before the ""," in line eight of said section seventeen the words "twenty-five hundred dollars," and inserting in lieu thereof the words "twenty thousand dollars."

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

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

CHAPTER 39

AN ACT TO AMEND SECTION 26, SUBSECTION "W," OF CHAPTER 2 OF THE PRIVATE LAWS OF 1911, AUTHORIZING THE BOARD OF COMMISSIONERS OF THE CITY OF GREENSBORO TO ISSUE BONDS FOR REFUNGING OBLIGATIONS THEREFORE ISSUED, WITHOUT A POPULAR VOTE.

The General Assembly of North Carolina do enact:

SECTION 1. That section twenty-six, subsection "W," of chapter two of the Private Laws of one thousand nine hundred and eleven be and the same is hereby amended by adding at the end thereof the following, viz.: "Provided, that the said board may issue
bonds of the city for the purpose of refunding obligations there-fore issued after first having passed an ordinance to that effect by a majority vote of the entire board at two separate regular meetings.”

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

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

CHAPTER 40

AN ACT TO PERMIT FARMINGTON SPECIAL SCHOOL DIS-TRICT, DAVIE COUNTY, NORTH CAROLINA, TO VOTE $5,000 OF BONDS FOR SCHOOL IMPROVEMENT.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Davie County shall call an election in Farmington Special School District on the first Saturday in May, to determine the question, “Shall the Farmington Special School District in Davie County issue bonds of said Farmington Special School District, with interest coupons attached, to purchase a school building site and farm in said Farmington Special School District, and to erect thereon a suitable building and to provide suitable equipment for same, for the use of a school to be known as the Farmington Special School Dis-trict, Farmington Township, Davie County, North Carolina?”

Provided, that the amount of said bonds shall not be less than five thousand dollars nor more than eight thousand dollars, and that within the discretion of the board of committee of the Farm-ington Special School District, North Carolina, and C. A. Hart-man and W. A. Graham shall be added for said purpose.

Sec. 2. That it shall be the duty of the county board of com-missioners of Davie County to order an election to be held in said Farmington Special School District at Farmington on the first Saturday in May, to determine the question, “Shall the Farming-ton Special School District in Davie County issue not to exceed five thousand dollars of bonds of the said Farmington Special School District, with interest coupons attached, to purchase in said district a school building site and to erect thereon a suitable school building and to provide therefor suitable equipment?” The said board of county commissioners shall at least thirty days pre-ceding such an election give notice of said election and purpose therefor by publication in one or more newspapers published in said county and at four such other places as may be determined upon by it.
Law governing election.

Proviso: new registration.

Registration.

Proviso: election officers.

Law governing registration and challenges.

Count and return of votes.

Canvass of returns.

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

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

Sec. 5. That if a majority of qualified voters in said election vote for school bonds, and the result shall be declared and recorded as aforesaid, then it shall be the duty of the board of county commissioners of Davie County to prepare bonds in denomination not exceeding one thousand dollars and not less than one hundred dollars, the total amount not to exceed eight thousand dollars, which said bonds shall bear a rate of interest not to exceed six per cent per annum, with interest coupons attached payable semiannually on the first days of January and July, the principal whereof shall be payable or redeemable at such time or times, not exceeding thirty years from the date of issue, as the said board of commissioners of Davie County may determine; the said bonds and coupons attached thereto shall be signed by the chairman of the board of county commissioners and countersigned by the clerk of said board, and that said bonds shall have upon them the seal of the county; that said bonds shall be styled "Bonds to purchase in Farmington High School District a school
building site and to erect thereon a suitable school building, and
to provide therefor suitable equipment.”

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

Sec. 7. That when said bonds are issued and sold the proceeds
thereof shall be deposited with the treasurer of Davie County,
and the same shall be expended by the Farmington Special School
District in such manner and for such purposes as set forth in sec-
tions one and two of this act, as a majority of the trustees of said
school district shall direct, and no other; that the said treasurer
shall keep said funds provided for in this act, which shall be
deposited therewith, separate from all other funds, and shall keep
separate accounts of the same, and for the faithful performance
of its duties in this respect the said treasurer shall execute an
official bond, payable to the county of Davie, for the use of said
trustees in the usual manner, in such an amount as the county
board of education may direct: Provided, that for the services
rendered by said treasurer for said bonds, the said treasurer shall
receive no compensation whatever and shall pay four per cent per
annum interest on all funds arising from the sale of the said
bonds which may remain with said treasurer for a term of six
months or more.

Sec. 8. When said bonds shall have been issued the board of
county commissioners of Davie County shall levy annually, at the
time of levying State and county taxes, a tax not exceeding forty
(40) cents on the hundred dollars of the property and one dollar
and twenty cents ($1.20) on the poll in said Farmington Special
School District of Davie County, to provide for the payment of
interest upon the same and to create a sinking fund sufficient to
meet the payments of the said bonds at their maturity. The tax
so levied shall be collected as other taxes and shall be kept by
the treasurer of the school fund as a separate fund, and shall be
applied, first, to the payment of the interest upon said bonds;
secondly, to the creation of a sinking fund as aforesaid; thirdly, to the maintenance of said Farmington Special School District of Davie County; the said treasurer of the school fund shall be commissioner of the sinking fund for said bonds, and it shall be his duty to keep said funds invested in some safe security or bond; said commissioner of the sinking fund shall be required to execute such bonds as the board of education shall direct for the safe-keeping of said fund and the faithful performance of his duties as commissioner, and he shall make such reports from time to time as the board of education or the committee herein mentioned may direct.

Sec. 9. That if a majority of the votes cast in the election herein provided shall be for school bonds, and the result shall be determined and recorded as aforesaid, and in consideration of the special tax on property and polls herein provided, all previous provisions for special school taxes authorized by a vote of the people in their respective school districts of Farmington Township, Davie County, are hereby made null and void: Provided, however, that if a majority of the votes in the election herein provided shall be against school bonds, this act shall not be construed to release or repeal or in any manner interfere with any special school taxes voted by any of the districts in said Farmington Township, Davie County, for school purposes.

Sec. 10. That this act shall apply only to the Farmington Special School District of Farmington Township, Davie County.

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

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

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

CHAPTER 41

AN ACT TO AMEND THE CHARTER OF THE CITY OF WINSTON-SALEM.

The General Assembly of North Carolina do enact:

Section 1. That section two of chapter one hundred and eighty of the Private Laws of one thousand nine hundred and fifteen, wherein the corporate limits of the city of Winston-Salem are described, be amended so that wherever in said section the call of the boundary line is for the center of either Peters Creek, Salem Creek, or Brushy Fork Creek, the said boundary line shall only extend to the near bank of the creek, and shall not extend to the center thereof.
SEC. 2. That section forty-six of said chapter be amended as follows: After the sentence ending with the words "Winston-Salem," in line twenty-five, insert the following: "But in computing the amount of the bonded or other interest-bearing debt, all bonds heretofore issued to provide funds for the purchase, equipment, or extension of the water systems of the city, and such bonds as may hereafter be issued to refund the same, and the notes of the city issued to pay for street paving, where the city holds a lien on the property abutting on the streets paved for the cost thereof, shall be excluded." Strike out all after the word "bonds," in line twenty-five thereof, down to and including the word "coupons," in line twenty-six, and insert in lieu thereof, "issued under the provisions of this section."

SEC. 3. That all bonds and other obligations of the city of Winston-Salem which are now outstanding, wherein the interest is represented by coupons, and which bear a rate of interest in excess of five per centum per annum, but not in excess of six per centum per annum, are hereby declared valid and binding obligations of the city of Winston-Salem.

SEC. 4. That section sixty thereof be amended by striking out the word "thirty" and the figures "(30)" in line four, and inserting in lieu thereof the word and figures "forty (40)."

SEC. 5. That whenever notice is required to be given under the provisions of the charter of the city of Winston-Salem the service of such notice may be made, upon the party for whom it is intended, by a police officer or other officer authorized to serve process, or it may be made by leaving a copy of the notice at the residence of the party for whom it is intended, between the hours of six in the morning and nine in the evening, with some person of suitable age and discretion. If notice is required to be given to a person who cannot be found after due diligence, or who is not a resident of this State, service thereof may be made by publication of the notice twice a week for two successive weeks in a newspaper published in the city of Winston-Salem. In any case where the length of notice is not specified in the charter ten (10) days notice shall be sufficient. If notice is given returnable before the board of aldermen at a fixed date, and if for any reason the board of aldermen should not hold a meeting on that day, then such notice shall continue in force and shall be returnable to the next regular or special meeting of said board.

SEC. 6. That section eighty-seven of said chapter be amended by striking out the first paragraph thereof and inserting in lieu thereof the following: "Upon the recommendation of the judge of the municipal court and the board of aldermen of Winston-Salem, the Governor of the State shall appoint a chief probation officer; and upon the recommendation of the chief probation officer, the judge of the municipal court, and the board of aldermen
of Winston-Salem, the Governor of the State shall appoint such
deputy probation officers as shall be necessary for the city. The
superintendent of the public schools of the city of Winston-Salem
shall ex officio be a deputy probation officer. Said chief proba-
tion officer and such deputy probation officers may inquire into
every criminal action brought before the municipal court and
shall keep a full record of all cases placed under the care of such
probation officer by the court, and shall keep a record of all
duties performed by him. Said municipal court may place the
person so convicted under the care of the probation officer for
such time and under such conditions as may seem proper. Said
chief probation officer and such deputy probation officers as may
be appointed shall hold office for two years from the date of their
respective appointments and until their successors are appointed
and qualified, and they shall receive such compensation, if any, as
may be fixed by the board of aldermen.

Sec. 7. That all other acts or parts of acts conflicting herewith
are hereby repealed.

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

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

CHAPTER 42

AN ACT TO AMEND CHAPTER 426 OF THE PUBLIC-LOCAL
LAWS OF NORTH CAROLINA, SESSION 1913, RELATING TO
THE PHILADELPHUS GRADED SCHOOL DISTRICT.

Whereas an act was passed by the General Assembly of North
Carolina, session of one thousand nine hundred and thirteen,
being chapter four hundred and twenty-six of the Public-Local
Laws of one thousand nine hundred and thirteen, changing the
name of Special-tax District, Number One, in Pembroke Township,
Number One in Burnt Swamp Township, and a part of Tax Dis-
trict Number Four in Red Springs Township, all in Robeson
County, North Carolina, and consolidating said school territory
and authorizing the board of trustees of said graded school dis-
trict to issue bonds and levy a special tax; and whereas under
the authority of said act bonds have been sold in the sum of
fifteen thousand dollars ($15,000) and the proceeds arising there-
from have been used in the erection of suitable school buildings
and for the purposes contemplated and provided for in said act;
and whereas, on account of a clerical error in calculating the
amount necessary to maintain said school and pay the interest
on the said bonds and create a sinking fund for the purpose of
liquidating the bonds at their maturity, the tax authorized to be
levied under said act is insufficient; and whereas it is necessary, in order to maintain said school and to pay the interest on the said bonds and to create a sinking fund with which to discharge and pay off said bonds at their maturity, to levy an additional tax. Now, therefore,

*The General Assembly of North Carolina do enact:*

**Section 1.** That chapter four hundred and twenty-six of the Public-Local Laws of North Carolina, session of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out section six thereof and inserting in lieu thereof the following: “That for the purpose of providing for the payment of said bonds, and the interest thereon, and of defraying the expenses of the graded schools provided for in this act, the board of commissioners of Robeson County shall annually and at the time of levying county taxes, commencing with the fiscal year beginning next after the ratification of this act by a majority of the qualified voters of the district, as herein provided, in addition to the special tax which is now levied as a special tax for school purposes in the territory hereinbefore described, under the provisins of the Revisal, section four thousand one hundred and fifteen, and which special tax, upon the ratification hereof by a majority of the qualified voters residing in said territory, shall be levied on all taxable property and polls in the above described territory, levy an additional particular or special tax on all persons and property subject to taxation within the above described territory not to exceed twenty-three cents on the one hundred dollars valuation of property as assessed and not more than sixty-nine cents on each taxable poll.”

**Sec. 2.** That all laws and clauses of laws in conflict with this act to be and the same are hereby repealed.

**Sec. 3.** That this act be in force from and after its ratification. Ratified this the 9th day of January, A. D. 1917.

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**CHAPTER 43**

AN ACT TO AMEND CHAPTER 237, PRIVATE LAWS OF 1911, AUTHORIZING THE TOWN OF JONESVILLE TO ISSUE BONDS, INCREASING THE TAX RATE BY THE ACT.

*The General Assembly of North Carolina do enact:*

**Section 1.** That section one of chapter two hundred and thirty-seven, Private Laws of nineteen hundred and eleven, be amended by striking out the word “annually” after the word “paid” in line six, and inserting in lieu thereof the word “semiannually.”
Sec. 2. That section four of said act be amended by striking out the words “thirty cents” after the words “to exceed” and before the word “on” in line seven thereof, and inserting in lieu thereof the words “seventy-five cents;” and by striking out the word “ten” after the word “and” and before the word “since” in line eight, and inserting in lieu thereof the word “twenty-five.”

Sec. 3. This act shall be in full force after its ratification.

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

CHAPTER 44

AN ACT TO AUTHORIZE THE CITY OF STATESVILLE TO CALL AN ELECTION FOR THE PURPOSE OF VOTING BONDS FOR THE GRADED SCHOOLS.

The General Assembly of North Carolina do enact:

Section 1. That the mayor and board of aldermen of the city of Statesville are hereby authorized and empowered to cause an election to be held at such time as they shall appoint, within two years from the ratification of this act, at which election shall be submitted to the qualified voters of the city of Statesville the question of issuing bonds in such amount as said mayor and board of aldermen may determine in its call for said election, not to exceed twenty-five thousand dollars, for the purpose of erecting an additional building or buildings and providing additional room for the graded schools of the city of Statesville. At said election the mayor and board of aldermen shall provide a box for the vote on said bonds. Those who favor the issue of said bonds shall vote a written or printed ticket with the words “For Graded School Bonds” thereon, and those opposed shall vote a written or printed ticket with the words “Against Graded School Bonds” thereon. The election herein provided for shall be held under the rules and regulations provided and prescribed in chapter seventy-three of the Revisal of nineteen hundred and five and the amendments thereto except as to the time for holding the election. If a majority of the qualified voters of the city of Statesville shall vote “For Graded School Bonds,” then the mayor and board of aldermen of the city of Statesville shall issue coupon bonds, not to exceed the amount specified in the call for said election. Said bonds shall be in denominations of not less than one hundred dollars each, bearing interest, payable semiannually, at a rate not exceeding five per centum per annum. The principal of said bonds shall be payable at the expiration of thirty years from the date thereof. Said bonds shall be signed by the mayor of the city of Statesville and countersigned by the clerk and treasurer of said
city, and the official seal of said city shall be attached to each bond. *Provided, however,* that if ordered by said board of aldermen the facsimile of said signatures may be placed on said coupons. The said bonds shall not be sold for less than par. The moneys arising from the sale of said bonds shall be placed to the credit of the Statesville Graded School, and shall be expended by the said school committee only for the following purposes to wit:

a. To erect a school building for the negro children of the city of Statesville.

b. To finish up the school building located in the First Ward of the city of Statesville.

c. To better equip and repair any of the school buildings located in the city of Statesville.

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

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

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

CHAPTER 45

AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM, BEING CHAPTER 235 OF THE PRIVATE LAWS OF 1899, AS AMENDED BY CHAPTER 178 OF THE PRIVATE LAWS OF 1901.

The General Assembly of North Carolina do enact:

Section 1. That paragraph eighteen of section thirty-four of the charter of the city of Durham, being chapter two hundred and thirty-five of the Private Laws of one thousand eight hundred and ninety-nine, as amended by chapter one hundred and seventy-eight of the Private Laws of one thousand nine hundred and one, relating to the establishment and maintenance of one or more public cemeteries, be and the same is hereby amended and added to, so as to read as follows, to wit: "To estab-lish and maintain one or more public cemeteries of such size as they may deem necessary, either within or without the corporate limits of said city, and to provide for the care and maintenance of the same, and the proper regulation, control, and protection thereof; and the city of Durham is hereby vested with the power of eminent domain for the purposes set forth in this paragraph, and the board of aldermen, or other governing authority of the city of Durham, is hereby authorized to purchase, or acquire by condemnation, such lands, including prop-
Condemnation proceedings.

Repealing clause.

Preamble: Bond issue inadequate.

Preamble: Additional sum required.

Bond issue authorized.
Amount.
Interest.
Maturity.

Tax.

An Act to Authorize the Town of Plymouth to Issue Bonds to the Amount of $10,000.

Whereas the board of aldermen of the town of Plymouth have found the amount of thirty thousand dollars ($30,000), voted by said town for street and water improvements, inadequate for this purpose; and whereas it will require an additional sum of ten thousand dollars ($10,000) to properly complete the work already begun: Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the town of Plymouth be and it is hereby in all respects empowered to issue bonds to the amount of ten thousand dollars ($10,000), bearing interest not exceeding six per cent and running not exceeding thirty years, for the aforesaid purpose.

Section 2. That the town council shall have power to lay, levy, impose, and collect a sufficient tax to pay the interest on said bonds and retire the same as they mature.

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

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

Chapter 47

An Act to Incorporate the Town of Wood in Franklin County.

The General Assembly of North Carolina do enact:

Section 1. That the town of Wood in the county of Franklin be and the same is hereby incorporated under the name and style
of "Wood," and under and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, acquire and hold property, both real and personal, for the uses of the town, as its board of aldermen may deem necessary and expedient.

Sec. 2. That the corporate limits of said town shall be as follows, to wit: Beginning at the southeast corner of lot number forty-one in survey made of Wood property in N. C. Gupton's line; thence with the lots as now laid off south eighty degrees twenty-four minutes east two thousand eight hundred and twenty feet across Greenleaf-Johnson Railroad, to corner of lot number fifteen and N. C. Gupton in W. C. Strickland's line; thence along boundary of lots north three degrees forty-four minutes east two thousand five hundred feet to a corner of Harris line; thence north eighty degrees twenty-four minutes west two thousand eight hundred and twenty feet across said railroad to a corner of Harris line; thence south three degrees forty-four minutes west two thousand five hundred feet to the beginning. A map or plat of which being hereto attached.

Sec. 3. The officers of said town shall consist of a mayor and four commissioners, who shall be styled the "Board of Aldermen of Wood," and the said mayor and the aldermen shall be elected by the qualified voters of said town on the first Tuesday in May, one thousand nine hundred and seventeen, and biennially thereafter under the same rules and regulations as are prescribed by the laws for the holding of such elections under chapter seventy-three of the Revisal of one thousand nine hundred and five of North Carolina; a constable and secretary and treasurer to be chosen by the board of aldermen immediately after its organization, to hold office for the term of one year or until their successors are duly elected and qualified; and until the first Tuesday in May, one thousand nine hundred and seventeen, W. D. Upchurch shall fill the office of mayor; M. F. Parker, George M. Raynor, R. L. Hayes, and H. B. Cobb shall act as aldermen; a constable or police and the secretary and treasurer, shall be appointed by the board of aldermen at their first meeting, to be held within fifteen days after the ratification of this act.

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

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

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

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

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

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

Sec. 10. That the secretary and treasurer, before entering upon the discharge of the duties of his office, shall enter into bond, conditioned upon the faithful performance of such duties, in a sum not to exceed five hundred dollars, payable to the State of North Carolina, with surety to be approved by the board of aldermen; and the town constable shall enter into like bond before entering into the duties of his office. And the board of aldermen shall institute suit in the name of the town of Wood upon the relation of the State of North Carolina for any violation of said bond.

Sec. 11. That the mayor shall have power to commit any offender who is sentenced to imprisonment for misdemeanor, or violation of the town ordinances, or for contempt of the mayor's court, or upon failure to pay fine or cost, to the common jail of the county, and the sheriff or jailer shall receive such prisoners as are committed by the mayor, and shall charge the same fees as in case of other prisoners; or the mayor shall have power, under such rules and regulations as the board of aldermen may adopt, to require any person who fails to pay fine and costs to work on the streets of the town until the fines and costs are paid.

Sec. 12. That the mayor, immediately after his election and before entering upon the duties of his office, shall before a justice of the peace or other person qualified to administer oaths take the oath prescribed for public officers and an oath that he will faithfully and impartially discharge the duties of his office according to law.

Sec. 13. That each alderman, before entering upon the duties of his office, shall take before the mayor or before some justice of the peace or other person qualified to administer oaths, the oath prescribed for public officers, and an oath that he will truly and impartially perform the duties of commissioner for the town according to the best of his skill, ability, and judgment.

Sec. 14. That the mayor and aldermen shall hold their offices respectively until the next ensuing election and until their successors are elected and qualified. The mayor, when present, shall preside at the meetings of the board of aldermen, but shall not be entitled to vote upon any question except in case of a tie. In the absence of the mayor, the board may appoint one of their number mayor pro tempore. The said board shall have power also to fill all vacancies which may occur.

Sec. 15. Any person qualified to serve and elected mayor or aldermen, either by the electors at their annual election or by the board to fill the vacancy, or otherwise, who shall not take the oath of office within ten days after his election, or who, having qualified, shall fail to serve during the time for which he may be
elected (inability from sickness, removal from the town, or resignation excepted), shall forfeit and pay fifty dollars, to be recovered before any justice of the peace of Franklin County in the name of and for the benefit of the town of Wood.

Sec. 16. That the board of aldermen shall have power from time to time to open out any new streets and alleys within the limits of said town by paying the owners through whose land the said streets and alleys may run, the damage, if there be any: Provided, that if said aldermen and the owners of said land cannot agree as to the price of the same, it shall be left to three disinterested persons, to be selected as follows: the aldermen shall select one, the owner of the land one, and the two thus selected shall select the third, and the three thus selected shall assess the damages; and if the owner of the land shall fail or refuse to select a man, then the aldermen shall select two men, and the two men thus selected shall select the third, and the three shall assess the damages to the land: Provided, that either party being dissatisfied with the decision of the persons thus selected, by the giving bond for the payment of costs, may appeal to the Superior Court.

Sec. 17. That the mayor or aldermen named in this charter shall hold said offices, with all the powers, privileges, rights, and responsibilities which this charter gives, until their successors are elected and qualified.

Sec. 18. That in addition to the rights, franchise, and immunities conferred by the foregoing sections, the town of Wood shall have and be subject to all the privileges and provisions contained in the Revisal of North Carolina of one thousand nine hundred and five, chapter seventy-three, not inconsistent with this act.

Sec. 19. That all laws and clauses of law in conflict with this act are hereby repealed.

Sec. 20. That this act shall be in full force and effect from and after its ratification.

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

CHAPTER 48

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF TRUSTEES OF ANGIER HIGH SCHOOL DISTRICT TO CALL AN ELECTION AND TO ISSUE SCHOOL BONDS.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of erecting, enlarging and equipping adequate public school buildings and dormitories, and acquiring other necessary property and equipment for the proper maintenance of public schools in the Angier High School District,
and for the further purpose of maintaining a public high school therein as set out in chapter one hundred and four of the Private Laws of the extra session of the General Assembly of North Carolina, nineteen hundred and thirteen, and all acts amendatory thereof, the board of trustees of the Angier High School District, created by said chapter, and as now constituted, is hereby empowered and authorized to call a special election to be held in said district at such time and place as said board may designate, after the ratification of this act, of which election said board shall give due notice for thirty days in some newspaper published in Harnett County, or at least for once a week for four consecutive weeks next preceding the same, and it may give such other notice thereof as said board may deem proper and necessary upon the question of issuing bonds in the sum not to exceed twenty thousand dollars ($20,000) and of levying a special tax of not exceeding ninety cents on every one hundred dollars of valuation of property in said school district and not exceeding two dollars and seventy cents on each taxable poll therein: Provided, that the constitutional equation be observed in the assessing and levying of such tax.

Sec. 2. That it shall be the duty of the board of trustees of the Angier High School to appoint a registrar and two pollholders to conduct said election and to cause an entirely new registration of the voters in said district prior thereto; that at said election those favoring the granting of authority to said board to issue bonds as aforesaid, and who favor the levying of the special tax aforesaid, shall vote a ballot containing the words “For School Bonds and Special Tax,” and those opposed to the same shall vote a ballot containing the words “Against School Bonds and Special Tax.”

Sec. 3. That said election shall be conducted in all respects, as near as may be, as special school tax elections are now authorized to be held by law, subject to the modifications set forth in this act; and upon the close of said election the registrar and judges of election shall certify over their hands, or the hands of either of two of them, the result thereof, including in their certificate the number of qualified voters registered for said election and the number of ballots cast “For School Bonds and Special Tax” and the number cast “Against School Bonds and Special Tax,” and shall file one copy of such certificate with the chairman of the board of trustees of said district, one copy with the superintendent of public instruction of Harnett County, and one copy with the clerk of the board of county commissioners of Harnett County, and said officers shall each cause the same to be recorded on the minutes and proper records of their respective boards.
SEC. 4. That if the majority of the qualified voters at said election shall vote "For School Bonds and Special Tax," then the board of trustees of the Angier High School shall be authorized to issue bonds to the amount not exceeding twenty thousand dollars ($20,000), in denominations not exceeding one thousand dollars each, maturing not later than forty years from date thereof, bearing interest annually or semiannually of not exceeding six per centum per annum from date, both interest and principal payable at such place and time as said board may designate in said bonds, and said bonds shall be numbered consecutively, shall be signed by chairman of said board of trustees and attested by its secretary, and shall have affixed thereto the corporate seal of said board, and the interest coupons thereto annexed shall be signed by the facsimile signature of the chairman of said board, engraved or lithographed thereon, together with the secretary of said board, and said interest coupons shall be receivable in payment of any special taxes due in said district.

SEC. 5. That said bonds shall not be sold, hypothecated, or otherwise disposed of for less than their par value, except by the unanimous vote of all members of the board of trustees of the Angier High School District, and with approval of the board of education of Harnett County, and in no event for less than ninety-five per centum of their par value, and all moneys arising from the sale of said bonds shall be held by the treasurer of said board of trustees, and shall be paid out on the warrant of the chairman, countersigned by the secretary thereof, only for the purpose of acquiring a site for a public school building, if necessary, and such other buildings that might be necessarily connected therewith, and for the purpose of erecting, equipping, and furnishing necessary public school buildings, dormitories, and other necessary buildings for conducting a public high school in said district, and such other purposes mentioned in section one of this act.

SEC. 6. That if the majority of the qualified voters at said election shall vote "Against School Bonds and Special Tax," as aforesaid then it shall be the duty of the county commissioners of Harnett County annually to levy and cause to be collected, when and as other taxes are levied and collected, a special tax of ninety cents on each one hundred dollars valuation of property within the said district and two dollars and seventy cents on each taxable poll, and no other special tax whatsoever for schools in said district; the special tax in this section authorized to be levied and collected being substituted for all other special school taxes now authorized to be collected in said district, but it is specifically provided hereby that if no special tax is carried by the election herein provided and the issuance of the
bonds aforesaid is not indorsed by a majority of the qualified voters as provided in this act, then all taxes, of whatsoever nature, now authorized to be levied and collected for the purpose of maintaining said high school shall remain valid, and shall be assessed, levied, and collected as now provided by law.

Sec. 7. That said special tax shall be kept separate from all other taxes, and shall be paid over by the collecting officer to the treasurer of said district, and the same shall be held in trust by said treasurer and invested or appropriated under the order of said board for the following purposes, and none other, to wit:

First. That so much of said taxes shall be set apart as may be necessary to pay the interest upon said bonds as the same may become due and payable.

Second. That a sufficient amount of said taxes shall be set apart to pay bonds in full at maturity, and the same may be, by unanimous consent of all the members of said board, invested from time to time in solvent security, bearing interest at rate of not less than six per centum per annum, such securities to be unanimously approved by all members of said board, together with some reputable attorney practicing in Harnett County; and that amount so set apart shall be a sinking fund for the purpose of liquidating said bonds at maturity as aforesaid.

Third. That so much of said special tax as remains after payment of interest on said bonds, and providing for a sufficient sinking fund to discharge said bonds at maturity, shall be used by said board for the purpose of maintaining public schools in said district.

Sec. 8. That it shall be the duty of said board of trustees to see that the treasurer is properly bonded at all times in a sufficient sum to protect all moneys that are or may come into his hands belonging in any way to the said school district; and if at any time said treasurer shall fail to file bond with said board in a sufficient sum as ordered by said board, then said board may at once declare his office vacant and elect some other person as treasurer, and may, if they deem proper, select one not a member of said board, or some bank or trust company in Harnett County: Provided, that the cashier of such bank or trust company be specifically bonded in amount not less than he should hold of said district’s funds; and Provided further, that such selection shall be by the unanimous consent of all members of said board. Said bond of treasurer shall be payable to the board of trustees of the Angier High School.

Sec. 9. That in the event that a majority of the qualified voters of said district shall vote against school bonds and a special tax as herein provided and authorized, the board of trustees of said school district may as often as they deem it necessary and to the best interest of said district, submit the
question of issuing bonds and levying a special tax as provided in this act, and for the purpose set forth herein, and not otherwise, to the voters of said district: Provided, that no election shall be held for such purpose within periods shorter than six months after any previous election; that the expense of the holding of said elections shall be paid by the board of county commissioners of Harnett County out of the general county funds.

Sec. 10. That all laws and clauses of laws in conflict with the provisions of this act be and the same are hereby repealed.

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

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

CHAPTER 49

AN ACT TO AMEND CHAPTER 199 OF THE PRIVATE LAWS OF 1915, ENTITLED "AN ACT TO AMEND CHAPTER 232, PRIVATE LAWS OF 1913, AND CHAPTER 165, PRIVATE LAWS OF 1905, AND CHAPTER 485, PRIVATE LAWS OF 1907, AND CHAPTER 100, PRIVATE LAWS OF 1909, RELATING TO THE BOARD OF ALDERMEN AND BOARD OF INTERNAL IMPROVEMENTS OF THE TOWN OF MARSHALL, AND CHAPTER 91, PRIVATE LAWS OF 1909, AND CHAPTER 485, PRIVATE LAWS OF 1907, RELATING TO THE BUILDING COMMITTEE OF THE TOWN OF MARSHALL."

The General Assembly of North Carolina do enact:

Section 1. That section seven of chapter one hundred and ninety-nine of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the word "scrip" in line nine thereof and inserting in lieu thereof the word "bonds," and by striking out the word "scrip" in line eleven thereof and inserting in lieu thereof the word "bonds," and by striking out the word "scrip" in line fourteen thereof and inserting in lieu thereof the word "bonds," and by striking out the words "and scrip" in line eighteen thereof.

Sec. 2. That said bonds when issued by said board of aldermen as provided in said section seven of chapter one hundred and ninety-nine of the Private Laws of one thousand nine hundred and fifteen shall be sold by said board either at public or private sale, as said board may deem to the best interest of said town, and the proceeds thereof applied to the purposes set forth in said section of said act, or to the payment of any in-
debt edness that may heretofore have been incurred by said board for the purposes therein named.

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

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

CHAPTER 50

AN ACT TO AMEND CHAPTER 169 OF THE PRIVATE LAWS OF 1915.

The General Assembly of North Carolina do enact:

Section 1. That subsection one of section one of chapter one hundred and sixty-nine of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out that part of said subsection beginning with the word “the” in line thirteen and ending with the word “shall” in line fourteen, and by inserting in lieu thereof the words “the said mayor and councilmen to,” and by striking out that part of said subsection beginning with the word “and” in line sixteen and ending with the word “qualified” in line nineteen.

Sec. 2. That subsection three of section one of said act be and the same is hereby amended as follows: By striking out in line five the word “two” and inserting in lieu thereof the word “four”; by inserting in line five, between the word “mayor” and the word “so,” the words “and councilmen”; by striking out in line seven the words “he is” and inserting in lieu thereof the words “they are”; by striking out in line eight the words “his successor is” and inserting in lieu thereof the words “their successors are”; by striking out those words beginning with the word “and” between the word “qualified” and the word “the” in line eight and ending with the word “qualified” in line twelve.

Sec. 3. That the several amendments to said chapter one hundred and sixty-nine of the Private Laws of one thousand nine hundred and fifteen, hereinbefore set forth, shall be regarded as one amendment, and shall be designated “Amendment Number Two to the charter of the city of High Point,” and, as so designated, shall be and are hereby submitted to the qualified voters of said city of High Point at an election to be held for that purpose at the time and under the conditions hereinafter set forth.

Sec. 4. That said proposed amendment shall be designated on a ballot by an appropriate descriptive title in the manner and form hereinafter set forth; and that the adoption of said amendment by its title, by marking the said ballot as hereinafter indi-
cated, shall have the effect of adopting the amendment in full as agreed by this Assembly; and the rejection of said amendment by its title, by marking the said ballot as hereinafter indicated, shall have the effect of rejecting the amendment as a whole.

Sec. 5. That said ballot shall be in form substantially as follows:

**OFFICIAL BALLOT**

**Amendment Number Two to the Charter of the City of High Point, North Carolina.**

*Directions to the voters:*

To vote for Amendment Number Two, place a cross mark in blank space in which is the word "Yes," opposite the title of said amendment.

To vote against Amendment Number Two, place a cross mark in the blank space in which is the word "No," opposite the title of said amendment.

<table>
<thead>
<tr>
<th>2</th>
<th>YES</th>
<th>Amendment allowing voters to elect a mayor and four councilmen at the next city election.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NO</td>
<td></td>
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</table>

*Date for election.* Sec. 6. That said election upon the amendments hereinbefore set out and herein designated as Amendment Number Two shall be held on Tuesday, the thirteenth day of March, one thousand nine hundred and seventeen; that the registration books for said election shall be opened at seven o'clock a. m. on Saturday, the twenty-fourth day of February, one thousand nine hundred and seventeen, and shall be closed on Saturday, at sunset, of the tenth day of March, one thousand nine hundred and seventeen. Each registrar shall, between the hours of seven o'clock a. m. and sunset (Sundays excepted) from and including February twenty-fourth, one thousand nine hundred and seventeen, up to and including March tenth, one thousand nine hundred and seventeen, keep open the books for the registration of any voters entitled to registration, and shall be required to be at the polling place for his precinct on Saturday, February the twenty-fourth, and Saturday, March the tenth, one thousand nine hundred and seventeen, from seven o'clock until sunset. There shall be a new registration for said election on the proposed amendments, and only those registering shall be entitled to vote. That, except as herein provided, the election upon the several amendments herein designated as Amendment Number Two to the charter of the city of High Point shall be conducted in the
same manner and under the same rules and conditions as are provided under the laws of this State governing town or city elections.

Sec. 7. These amendments, designated Amendment Number Two to the charter of the city of High Point, shall, in case the number of affirmative votes exceed the number of negative votes, become a part of the charter of the city of High Point; and the amendment so adopted shall take effect on Thursday, the fifteenth day of March, in the year one thousand nine hundred and seventeen. Any provision of these amendments or of this amendment passed and submitted by this General Assembly, and so adopted by the qualified voters of the city of High Point inconsistent with or in conflict with any provisions of the present charter of the said city of High Point or of the present statute laws of this State shall be held to prevail.

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 force from and after its ratification.

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

CHAPTER 51

AN ACT TO VALIDATE, APPROVE, AND RATIFY A CERTAIN BOND ISSUE OF THE TOWN OF BEAUFORT, NORTH CAROLINA, AND TO PROVIDE FOR THE LEVY OF A SPECIAL TAX TO PAY FOR INTEREST AND SAID BONDS AT MATURITY.

Section 1. Whereas the board of commissioners of the town of Beaufort, North Carolina, in meeting assembled on the....day of............, one thousand nine hundred and sixteen, passed the following ordinance and resolutions:

"State of North Carolina
Carteret County
Town of Beaufort

ss. City Hall.

"Be it remembered, that at a regular meeting of the board of commissioners, and mayor, of the town of Beaufort, in the county of Carteret, State of North Carolina, held on the seventh day of September, one thousand nine hundred and sixteen, at its regular place of meeting in said town, at the hour of eight o'clock p. m., there being then and there present the following, to wit: Seth

"Certain proceedings were had, among which were the following, to wit:

"Commissioner D. M. Jones presented a certain resolution and moved its adoption, and thereupon Commissioner W. E. Adair seconded said motion to adopt said resolution, and said resolution being thereupon put to a vote of the 'ayes' and 'nays' and the roll being called, said resolution was adopted by a vote of five of the commissioners present, five of said commissioners voting 'ayes,' there being one vote 'nay,' which resolution is in words and figures, to wit:

"Resolution and ordinance authorizing and directing the borrowing of one hundred thousand dollars ($100,000) by issuance of bond of said town of Beaufort, in the county of Carteret, State of North Carolina, to be used in the construction and equipment of water-works plant and sewerage system for said town and for the improvement, repairs, and building of the streets, sidewalks, and public thoroughfares and breakwater of said town; prescribing the form and the form and details of said bonds and ordering the levy of a tax to promptly pay the principal and installments of interests thereof at maturity.

"Whereas, by virtue of and in full compliance with the general laws and the Constitution of the State of North Carolina and of the charter of said town of Beaufort, including the provisions of chapter one hundred and thirty-one of the Public Laws of the State of North Carolina of the session one thousand nine hundred and fifteen, entitled 'An act to authorize any city or town to issue bonds,' ratified the eighth day of March, one thousand nine hundred and fifteen;

"And whereas, pursuant to the provisions of the said act of the Legislature and of the charter of said town, and for in that said purposes for which said bonds are proposed to be issued are necessary expenses;

"And whereas said necessary improvements, and expense incident thereto, have been duly requested by a majority of the qualified voters of said town by petition duly presented to the board of commissioners of said town and now duly filed in the archives of the said town;

"And whereas the board of commissioners of said town, in order to comply with the conditions necessary to secure said necessary improvements, deem it essential and requisite to issue the bonds of said municipality in the amount of one hundred thousand dollars ($100,000), (seventy-five thousand dollars of which is indicated for water-works and sewerage and twenty-
five thousand dollars for streets, sidewalks, and breakwater of said town), and to levy an annual tax to provide for the payment of interest and principal thereof as same respectively mature;

Now, therefore, be it

"Resolved and ordained by the Mayor and Board of Commissioners of the Town of Beaufort, Carteret County, North Carolina:

"Section 1. That there be borrowed on the credit of said town of Beaufort, North Carolina, the sum of one hundred thousand dollars ($100,000) for the purposes of installing and equipping a water-works plant and sewerage system, and for improving, repairing, and building streets, sidewalks, and breakwater and public thoroughfares of said town; and to evidence said loan there is hereby authorized and ordered to be issued and sold one hundred (100) negotiable coupon bonds of said town, to be numbered consecutively from one (1) to one hundred (100), both inclusive, designated "Water-works-Sewerage-Street Bonds," each of the denominations one thousand dollars ($1,000), to be dated October first, nineteen hundred sixteen, and said bond to mature October first, nineteen hundred forty-six, and bearing interest at the rate of five per cent per annum, payable semiannually, on the first day of April and October of each year after the date of said bond until the said indebtedness shall be fully paid.

(The town reserves the option to redeem said bonds as provided in the bond form.) Said interest to be evidenced by interest coupons attached to each of said bonds; both principal and interest shall be payable at the banking house of the Hanover National Bank in the city of and State of New York. Said bonds shall be executed in behalf of said town by the mayor and attested by the clerk of said town, and be sealed with corporate seal of said town, and the interest coupons shall be executed with the lithographed facsimile signatures of said officials.

"Sec. 2. The form of said bonds and interest coupons shall be substantially in the following form, with the necessary variation to indicate their different maturities and numbers, to wit:

"United States of America,
State of North Carolina,
County of Carteret,
Town of Beaufort.

"No. .......... $1,000.00

"Water-works-Sewerage-Street Bond

"Know all men by these presents, that the town of Beaufort, in the County of Carteret, State of North Carolina, duly organized and existing under and by virtue of the laws of the State of
North Carolina, acknowledges itself to owe and for value received hereby promises to pay bearer the sum of

ONE THOUSAND DOLLARS

on the first day of April, A.D. nineteen hundred............., with interest at the rate of.........per centum (%) per annum, payable semiannually on the first day of April and October of each year, as evidenced by and upon presentation and surrender of the interest coupons hereto attached as they severally become due. (All the bonds of the series of which this bond is one, the principal of which is made payable thirty years or thereafter from their date, shall be payable, at the option of said town, before their specified maturity ten years before their respective date of maturity or at any time thereafter.) Both principal and interest are payable in lawful money of the United States of America at the banking house of the Hanover National Bank in the city and State of New York; and for the prompt payment of the principal and interest of this bond the full faith, credit, and resources of said town are hereby irrevocably pledged.

"This bond is one of the series of one hundred (100) bonds of like tenor and date, issued for the purposes of installing and equipping a water-works plant and sewerage system, and for improving, repairing, and building the streets and thoroughfares of said town, in accordance with the provisions of the Constitution and laws of the State of North Carolina, and of a certain act of the General Assembly of said State entitled 'An act to authorize any city or town to issue bonds,' ratified the eighth day of March, nineteen hundred and fifteen, and the provisions of a resolution duly passed by the board of commissioners of said town, and in all respects in full and strict conformity with all of the different requirements of the Constitution and laws of the State of North Carolina, including those of the charter of said town.

"And it is hereby certified and recited that all things, acts and conditions required by the Constitution and laws of the State of North Carolina to happen and be done and performed precedent to and in the issuance of this bond have happened and been done and performed in regular and due form, time, and manner as required by law; that the total indebtedness of said town, including the amount of this bond, does not exceed any constitutional statutory, or charter limitations; and that provision has been duly made for the collection of a direct annual tax in addition to all other taxes, on all of the taxable property and polls of said town, sufficient to pay the interest hereon as the installments thereof fall due, and to create a sinking fund to pay and discharge the principal thereof as same matures.
"In witness whereof the said town of Beaufort, Carteret County, North Carolina, has caused this bond to be signed by its mayor and attested by its clerk, and sealed with the corporate seal of said town, and the interest coupons to be executed with their lithographed facsimile signature, this first day of October, A. D. nineteen hundred and sixteen.

Seth Gibbs,
Mayor.

"Attest:
C. N. Bushall, Clerk.

[Form of interest coupon.]

"No...........

$.............

"On the first day of April (October), A. D. 19......, the town of Beaufort, in the county of Carteret, State of North Carolina, will pay bearer the sum of...........dollars.............cents ($...........), in lawful money of the United States of America, at the banking house of the Hanover National Bank in the city and State of New York, being semianual interest due that day on its 'Water-works-Sewerage-Street Bonds,' dated the first day of October, A. D. nineteen hundred and sixteen, No...........

Town of Beaufort, North Carolina,

By........................................Mayor.

"Attest:
........................................Clerk.

"Sec. 3. Be it further Resolved, That when said bond shall have been duly executed, as above provided, they shall be sold in accordance with section four (4) of said chapter one thirty-one of the Public Laws of nineteen hundred and fifteen, and they shall be delivered to the purchaser or purchasers, upon the payment of the purchase price thereof, which shall be in a sum of not less than the par value thereof and accrued interest thereon.

"Sec. 4. Be it further Resolved, That to provide for the prompt payment of the installment of principal and interest as the same respectively may mature, there shall be annually levied in each of the years nineteen hundred and seventeen to nineteen hundred and forty-six, both inclusive, a special tax of ninety cents on the one hundred dollars of property and two hundred and seventy cents on the poll (said tax to be levied and collected as other taxes are levied and collected, and shall be imposed upon all of the taxable property and polls of said town that is now or may hereafter be subject to taxation under the laws of the State of North Carolina), which tax when collected shall be devoted to the payment of the installments of interest of said bond and to create a sinking fund to pay said bonds at maturity.

7—Priv.
"Sec. 5. Be it further Resolved, That in the event for any reason any part of the tax hereinbefore authorized shall at any time or times not have been or cannot be collected in sufficient time to promptly pay any installment either of interest or principal of said bond as the same respectively become due and payable, full authority is hereby given to the treasurer, and he is hereby directed, as frequently as it may be necessary to do so, to borrow the amount or amounts needed to pay fully any such installment of either interest or principal, from either the general fund or any other available fund, or person, bank, or corporation willing to loan the same, and if necessary to do so to pay interest on any such loan at the most advantageous interest rate at which such loan or loans are obtainable, and thereafter, upon the collection of such tax, such loan or loans shall be returned to the fund from which they shall have been temporarily borrowed, or repaid to the person, bank, or corporation who shall have made such loan or loans, with any interest that shall be properly payable thereon.

"Sec. 6. Be it further Resolved, That any informality or irregularity, neglect or omission in the proceedings of or by the mayor and board of commissioners of said town had relating to the issuance of said bond, or in the levy and collection of the tax heretofore mentioned, that may exist, shall in no wise impair, invalidate, or annul the said bond or interest coupon.

"Sec. 7. Be it further Resolved, That all other ordinances, resolutions, or orders passed or heretofore adopted by the mayor and board of commissioners of said town, that are inconsistent or at variance with this resolution, are to the extent of such inconsistency hereby repealed and amended so as to conform to the provisions of this resolution.

"Passed and approved this seventh day of September, A. D. nineteen hundred and sixteen. Seth Gibbs,
Mayor of Beaufort, North Carolina.

"Attest: C. E. Bushall, Clerk."

Sec. 2. That the ordinance and resolution so passed by the board of commissioners in the town of Beaufort, North Carolina, as set out in section one of the act, be and the same is hereby in all respects declared legal and valid, and is hereby ratified, confirmed, and approved, and the bonds issued and to be issued under said ordinance and resolution are hereby declared to be legal and valid, and shall be legal and valid obligations of said town, notwithstanding any previous or present act of the General Assembly, either general or special: Provided, that said bond shall not be delivered to a purchaser at a sum less than par value and accrued interest thereon.
Sec. 3. That for the purpose of paying the interest on said Special tax.
bonds and to provide a sinking fund to pay off said bonds at Tax ad valorem.
maturity, the board of commissioners in the town of Beaufort, Constitutional equation.
North Carolina, are hereby authorized, directed, and empowered Levy and collection of tax.
to levy and pledge annually and collect each year a sufficient Repealing clause.
special tax upon all property and subjects of taxation and polls Ratified this the 9th day of January, A. D. 1917.
which are now or may hereafter be embraced in the subjects of
the laws of the State of North Carolina. The tax so levied shall
be levied and collected in the same manner and at the same time
as other taxes on property and polls in the said town are levied
and collected.

Sec. 4. That all laws and parts of laws inconsistent with this
act are hereby repealed in so far as concerns this act.

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

CHAPTER 52

AN ACT TO INCORPORATE THE CAROLINA NORTHERN
RAILROAD COMPANY.

The General Assembly of North Carolina do enact:

Miller, W. C. Neikirk, J. L. Vaughan, and all other persons who Incorporation.
may now or hereafter be associated with them, are hereby con-
stituted and declared a body politic and corporate under the Corporate name.
name and style of the "Carolina Northern Railway Company," Term.
and by that name shall have succession for a period of ninety-nine years, and shall have all rights and powers that are granted Corporate powers.
to railway corporations under and by virtue of the several statutes of the State of North Carolina relating to railway companies, and especially are granted such rights and powers as are specific-
ally enumerated in chapter sixty-one of the Revisal of nineteen hundred and five of North Carolina, and all acts supplemental thereto and amendatory thereof, subject, however, to such restrictions as are imposed by said chapter.

Sec. 2. The said company shall have and is hereby given and Construction and operation authorized.
granted the right and power to survey, locate, build and operate a line or lines of standard-gauge railroad, on one or more tracks, Termini and route.
from the town of Shelby, in Cleveland County, to the village of.
Casar in said county. It shall have the further right to construct and operate such branch lines or extension of its main line, from either of said points, as to its board of directors may be deemed expedient. It may build and operate a line of railway from either of the above mentioned points to the Virginia, South Carolina, or Tennessee State line or lines, in, through, and over such county or counties as the said corporation may direct.

SEC. 3. All lines of railway built and constructed by the company shall be of standard gauge, and all its line or lines may be operated and its cars and trains propelled by steam or any other power, as may be determined by the board of directors.

SEC. 4. The right and power is hereby given and granted to the said company to buy, lease, or otherwise acquire, survey, locate, build, construct, maintain, control, and operate street railways in the towns and cities of the State of North Carolina or in any other State, franchises therefore having been first obtained from the constituted authorities of said towns or cities. The said street railway to be constructed, equipped, and operated in the manner and with the motive power agreed upon between the company and any such city or town, and as expressed in the franchise granted by such city or town in which such line or lines are constructed, with right, power, and authority to charge and collect such toll, fare, or passage as may also be agreed upon or expressed in such franchise.

SEC. 5. The company shall have the right, power, and authority to buy, lease, or otherwise acquire, build, construct, maintain, and operate telegraph and telephone lines along any of its lines or line of railroad, and to charge and collect toll, rent, or rates for the transmission of dispatches or messages or the use of said telegraph or telephone lines; to connect with any telegraph or telephone line or lines owned by another company, corporation, or individual, in or out of the State of North Carolina: Provided, that in the operation of any telegraph or telephone line or lines the company shall be governed by the provisions of the laws of the State relative to such lines.

SEC. 6. The company is also granted the right, power, and authority to manufacture, generate, or produce, and to buy, sell, distribute, and furnish electricity, electric current, gas, or other energy, fluid, power, or other substance for light, heat, power, or other purposes or uses, and to so generate, manufacture, and produce the same at any point on its line or lines of railroad, telegraph or telephone lines, or within thirty miles of its lines or any line operated by it, and to set poles, string and suspend any wire or wires, erect such power houses, plants, retorts, containers, buildings, and appliances of every kind and all necessary machinery for the proper and successful manufacture, generation, or production, purchase, sale, and distribution of such electricity, elec-
tric current, gas, fluid, substance, energy, or power. Said company may manufacture, generate, purchase, sell, and distribute such electricity, electric current, gas, fluid, substance, or energy in any town or city situated upon the lines of railroad of said company, under such rules, regulations, and agreement, and subject to all franchises as may be granted by the board of aldermen or other governing body thereof, and may fix, charge, and collect such rents, rates, and tolls as in the judgment of the board of directors is just and reasonable, or as may be agreed in the franchise as aforesaid.

SEC. 7. The company is authorized, empowered, and granted the right to purchase, acquire, hold, improve, develop, lease, control, maintain, and operate water powers, water rights, riparian rights, and all rights incident and necessary thereto, and to build, construct, and maintain dams, gates, intakes, sluice-ways, spill-ways, and other necessary structures over and across any stream, waterway or course, with ponds, reservoirs, and other devices and appliances for the storage of water, and to transport any such water by flume, ditch, pipe line, conduit, or other means as may be necessary for the proper use thereof for the purposes set forth herein; may construct, maintain, and operate power houses, wheels, wheel houses, pits, race-ways, tail races, pumps, hydraulics, and any and all other necessary and needful machinery, appliances, device, or building. It may furnish and supply water for consumers, either public or private, for domestic, power, or other purposes, and may lay pipes, erect settling basins, reservoirs, pondage, filters, purifiers, pumps, and hydraulics, together with such other devices that may be necessary; and it may fix, charge, and collect such reasonable rates, rents, and tolls for such water power, water or other water rights as in the judgment of the board of directors is just and reasonable, or as fixed in any franchise.

SEC. 8. The company shall have the right, power, and authority to buy and sell, and to develop and improve real estate; may lay out and plat town sites along its proposed line or lines and sell and dispose of the lots on such terms and subject to such restrictions as may be determined by the board of directors for the purpose of developing traffic and business along any of its proposed lines; it may engage in any manufacture, merchandising, or other business, and may buy, sell, and otherwise deal in real estate and personal property.

SEC. 9. The company shall have all the rights and powers of eminent domain given by the general laws of the State to telegraph, telephone, electric power, or lighting and public water supply companies.

SEC. 10. The company shall have the right, power, and authority to construct its railroad, telegraph and telephone lines, and
other necessary structures over and across any road, highway, or street, or along, upon, or parallel to any such highway, road, or street, at such point as may be determined necessary by the board of directors: Provided, however, that it shall not occupy any road or public highway without first obtaining the consent and authority of the board of county commissioners or other governing body having control of said highways, roads, or streets. It shall likewise have the right, power, and authority to construct dams, viaducts, flumes, ditches, drains, culverts, trestles, and bridges over or across any stream, valley or depression. It shall have the right, power, and authority to cross at grade or over or under any railroad of any kind now constructed or that may hereafter be constructed, at any point on its line or lines, main line or branch, and to connect, join and unite and intersect its line or lines of railroad with any other railroad, whether operated by steam or other power, upon the grounds of any other railroad company or companies, at any point on its line or lines, and to build, construct, maintain, and operate turnouts, Y's, switches, sidetracks, or other conveniences in furtherance of the objects of its construction and operation: Provided, that the rights and powers mentioned in this section are subject to the duty of the company to make compensation for the exercise thereof as now provided by the general laws of the State; and Provided further, that in crossing any steam railroad by an electric line of railroad, at grade, the overhead trolley and other wires shall be strung and suspended so as to give a twenty-four-foot clearance between the rails of said steam railroads and the overhead trolley and other wires of the said electric railroad; and Provided further, that at junction and transfer points of connection between railroads and electric railroads of this company all switching and transfer of cars from one line to another shall be done by steam and other locomotives, without the aid of overhead wires. The company may lay down, use, and occupy tracks through any town or city on its line or lines to any depot of any railroad or other transportation company, within said towns or cities, under such reasonable rules, regulations, and conditions as may be prescribed by the board of aldermen or other governing bodies of such towns and cities. In making any connection with any other railroad of any kind or other transportation company, this company shall have all the rights, powers, and privileges now or that may hereafter be conferred on railroads by the laws of the State.

Sec. 11. The capital stock of said company shall be one hundred and twenty-five thousand dollars ($125,000), with the right and power to increase the same from time to time, at any time, to ten million dollars ($10,000,000) upon filing with the Secretary of State a certificate in conformity with the general law and upon payment to him of the fees required by statute.
Sec. 12. That within ten days after the passage and ratification of this act the incorporators herein named or a majority thereof, shall meet, effect a temporary organization, and open the subscription book, each of the organizers becoming subscribers to the stock of the company. When two hundred and fifty shares of the common stock of the company has been subscribed, the subscribers, under the direction of the incorporators or a majority thereof, who must themselves be subscribers, shall proceed to organize the company and corporation by the election of a board of directors, fixing the par value of the stock, adopting by-laws for the government of the business and affairs of the company, and doing such other things as may be required under the general laws of the State. The stockholders shall fix and determine the number of directors, of which there shall not be less than seven (7) nor more than twelve (12), and at least seven of which shall be residents and citizens of the United States. The term of office of the directors shall not be less than one year, part two years, and part three years. The stockholders shall fix the principal place of business of the company, or may delegate the authority to so fix and determine to the board of directors. They shall declare the terms of office of the executive officers and provide for an executive committee and such other matters as may be deemed necessary.

Sec. 13. Upon the adjournment of the stockholders' meeting, the members-elect of the board of directors shall meet and organize by the election of one of their number as president, who shall hold his office for one year and until his successor is elected and qualified. They shall also elect a secretary and a treasurer, who may or may not be members of the board of directors, and shall also elect one or more vice presidents from the members of the board of directors, all of whom shall hold their respective offices for the time fixed in the by-laws. Thereupon they shall have and exercise all the powers of a corporation under this charter and the laws of the State. Each and every officer of the company shall at all times be a stockholder, and if at any time he ceases to be a stockholder, he thereby forfeits his office and the same becomes vacant.

Sec. 14. The board of directors may receive cash, labor, materials, service, stocks, bonds, real and personal property, or other things of value in payment of subscription to the said capital stock, payable in such manner and amounts and at such time or times as may be agreed upon with the said subscribers. In the absence of fraud and collusion the value placed upon any labor, services, material, stock, bonds, contracts, real and personal property, or other thing of value, in payment of subscriptions, to the capital stock by the board of directors, shall be conclusive as to said value, and any stock delivered to the value so fixed shall be fully paid and nonassessable.
Sec. 15. The company shall have the right, power, and authority to become a subscriber to the stocks, bonds, and other securities of other corporations, and in like manner other corporations may become subscribers to and holders of the stock of this company and its bonds and other securities, and this company may acquire, by purchase or otherwise, the rights, franchises, rights of way, surveys, easements, water rights, options, subscriptions to capital stock, and any and all other assets of any other company now in existence or that may hereafter be chartered, either in this or any other State or the United States; to consolidate with any railroad company or companies, electric light, heating or power company, water company or other company possessing similar or partly similar powers to those herein granted, upon such terms and in such manner as may be agreed upon between the contracting parties: Provided, that such consolidation shall not create nor tend to create or establish a trust or combination to prevent competition; and provided further, that nothing herein contained shall be construed as authorizing or permitting the company to consolidate with competing or parallel lines of railroad, except as specially authorized thereto by the Corporation Commission.

Sec. 16. Full right, power, and authority is hereby given and granted to the company to issue its bonds, notes, debentures, or other securities, in any amount necessary to the construction, equipment, extension, or improvement of its railroad line or lines, the development of any of the industries herein provided for and for the maintenance, upkeep, extension, or improvement of any such industries as the necessities of its business may, in the judgment of the board of directors, require from time to time. The said company, by its board of directors or proper officers, are authorized to give, grant, make, execute, sign, and deliver any deed of trust, mortgage, or other instrument of security necessary or requisite to secure the payment of the principal and interest of any such obligation, and shall have the right, power, and authority to guarantee the interest or dividends on any bonds, stock, debentures, or other securities issued by this company or any other company. The bonds, notes, debentures, or other securities may be issued in such denominations, for such a term of years, and at such a rate of interest as the board of directors shall determine, and may sell and dispose of said securities, for the purpose of construction or other business of the company, for such price as may be agreed upon with the purchaser or underwriter. The company shall have full power to name a trustee, individual or corporate, to whom any mortgage, deed of trust, or other instrument of security may be made, executed, and delivered. It may appoint and designate one or more banks to act as depositories, and said trustee and said banks may be either in or out of the State.
Sec. 17. The stockholders may delegate to the board of
directors and to the executive committee all such powers and the
management of all such affairs and business as may be determined
by a majority thereof at any meeting, or as set out in the by-laws:
Provided, however, the election of directors shall not be delegated.
The stockholders shall determine the manner of voting and the
conduct, it being specially provided that in any and all elections
of the company every share of stock, common or preferred, what-
ever its par value may be, shall be entitled to one vote, and no
more.

Sec. 18. Counties, townships, towns and cities and other munici-
palities may become subscribers to the stocks, bonds, debentures,
or other securities of the company, to any amount, and are author-
ized to call and hold elections at which to submit to the qualified
voters the question of subscribing to such stock, bonds, or other
securities of the company. Such election shall be called and held
in the manner now or that may hereafter be provided by law, and
the conduct thereof, the returns and all proceedings, including the
subscription to the said bonds, stocks, or other securities and the
delivery to the company of cash or bonds of the municipalities
aforesaid, shall be governed and be in accordance with subdivision
two, entitled “Municipal Subscriptions,” of chapter sixty-one (61),
titled “Railroads,” Revisal of one thousand nine hundred and
five, or acts amendatory thereof.

Sec. 19. That this act shall be in force from and after its
ratification.

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

CHAPTER 53

AN ACT TO FURTHER AMEND CHAPTER 35 OF THE PRI-
VATE LAWS OF 1905, ESTABLISHING WITHIN THE CITY
OF ASHEVILLE A SPECIAL COURT, TO BE CALLED THE
POLICE COURT.

The General Assembly of North Carolina do enact:

Section 1. That section six of said chapter thirty-five of the Pri-
vate Laws of nineteen hundred and five, as amended by section
three of chapter fifty eight of the Private Laws of nineteen hun-
dred and thirteen, be and the same is hereby further amended
so as to authorize and empower the deputy clerk of the said
police court to issue all process, including commitments, taking
recognizances, and administering oaths; and, in the absence of
the clerk and his deputies, to authorize and empower the chief
of police or sergeant of police of the city of Asheville to sign
and issue warrants in all cases where the said clerk would be authorized to sign and issue warrants in said court.

Sec. 2. Amend section twenty-five, chapter forty-nine of the Private Laws of nineteen hundred and fifteen, by striking out the article “the” in line twelve from top of page seventy-two of said printed act, and inserting in lieu thereof the article “a” and by changing the word “newspapers” in said line from the plural to the singular, “newspaper.”

Sec. 3. Amend section forty-eight of said chapter forty-nine of the Private Laws of nineteen hundred and fifteen of said act by striking out after the word “force” in line five of said section, and before the word “that” in line seven of said section, the words “and at the end of each month he shall have a settlement with each policeman on account of penalties, fees, and costs collected by him”; and said section is further amended by striking out the words “secretary-treasurer” in line three from the bottom of said section and inserting in lieu thereof the words “clerk of police court.”

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

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

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

CHAPTER 54

AN ACT TO AUTHORIZE THE TOWN OF MARION TO ISSUE BONDS TO FUND ITS INDEBTEDNESS AND TO IMPROVE ITS STREETS.

Whereas the town of Marion has heretofore contracted indebtedness to meet the necessary expenses of the town in repairing its water line which was destroyed by the disastrous floods in July of last year in the sum of, approximately, twenty thousand dollars, and whereas it will require the sum of, approximately, five thousand dollars to make further necessary repairs upon its water line and reservoir destroyed as aforesaid; and whereas the said town desires to make necessary improvements to its streets by hard-surfacing with concrete, macadam, bitulithic, or other hard substance, in an amount, approximating, twenty thousand dollars; and whereas the said town desires to issue bonds in a sufficient amount to pay said indebtedness, to make further necessary repairs upon its water line and reservoir, and to make necessary improvements on its streets, not to exceed the sum of forty-five thousand dollars; and whereas the tax levy provided for and
limited by law is insufficient to provide a sum with which to pay
said indebtedness and to make the necessary repairs to its water
line, reservoir, and to improve the streets of said town: There-
fore,

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of paying said indebtedness
and making necessary repairs to its water line and reservoir for
the storage of water, the board of aldermen of the town of Marion
are hereby authorized and empowered to issue bonds in an
amount not to exceed twenty-five thousand dollars; that for the
purpose of improving the streets of the said town, the said board
of aldermen are hereby authorized and empowered to issue bonds
in an amount not to exceed twenty thousand dollars, at such time
or times and in such amount or amounts as may be deemed expe-
dient by said board; said bonds shall be in denominations of five
hundred dollars each, bearing interest from the date thereof at
a rate not exceeding six per centum per annum, with interest
coupons attached, payable semiannually, at such time and place
as may be deemed advisable by said board, said bonds to be of
such form and tenor and transferable in such manner and the
principal thereof payable or redeemable at such time or times,
not exceeding thirty years from the date thereof, and at such
place or places as the said board of aldermen may determine.
each of said bonds to state on its face that said bond was issued
to pay the indebtedness of said town of Marion for the necessary
expenses and repairs of its water line and reservoir, or for the
necessary expense of the improvement of its streets; that the said
board of aldermen may, in its discretion, issue the bonds herein
authorized for street improvements in such amount and at such
time or times as it may deem expedient and for the best interest
of the said town.

SEC. 2. That none of the bonds provided for in the above sec-
tion shall be disposed of, either by sale, exchange, hypothecation,
or otherwise, for a less price than their par value.

SEC. 3. That for the purpose of providing for the payment of the
interest accruing on and the principal at maturity of the bonds
herein authorized, the board of aldermen of said town shall, an-
ually, and at the time of levying other town taxes, levy and lay
a particular tax upon all persons and subjects of taxation on
which said board of aldermen now are or may hereafter be
authorized to lay and levy taxes for any purpose whatever, said
particular tax not to exceed thirty-five cents on one hundred
dollars assessed valuation of property. The tax provided for in
this section shall be collected in the manner and at the time
other town taxes are collected, and shall be accounted for and
kept from other town taxes, and shall be applied exclusively for the purpose for which they are levied and collected.

Repealing clause.

Sec. 4. That all laws and clauses of laws in conflict and inconsistent with the provisions of this act are hereby repealed.

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

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

CHAPTER 55

AN ACT TO AMEND CHAPTER THIRTY-SIX OF THE PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED AND NINETY-FIVE, BEING AN ACT TO INCORPORATE STEELE’S MILLS IN THE COUNTY OF RICHMOND, INCREASING THE BORROWING CAPACITY OF SAID MILLS.

The General Assembly of North Carolina do enact:

Amount of debt.

Section 1. That section nine of chapter thirty-six of the Private Laws of eighteen hundred and ninety-five of North Carolina, entitled “An act to incorporate Steele’s Mills, in the county of Richmond,” be and the same is hereby amended by striking out in line two of said section the word “one” and inserting in lieu thereof the word “two.”

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

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

CHAPTER 56

AN ACT TO AMEND CHAPTER 90 OF THE PRIVATE LAWS OF 1907, IT BEING AN ACT TO AMEND THE CHARTER OF THE TOWN OF CANTON, HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Change of boundary.

Section 1. That section three of chapter ninety, Private Laws of nineteen hundred and seven, be and the same is hereby amended as follows: By inserting between the semicolon following the word “Branch” and before the word “thence,” in line twenty, the following: “thence up said Mingus Branch to the line between H. A. Smathers and the Champion Fiber Company; thence a northwest course to a rock ledge at a point of ridge: thence a west course to a stake in north bank of a wagon road behind H. A. Smather’s dwelling-house; thence a southwest course, ten feet to a stake; thence a south course to the Mingus
Branch at the street and bridge across said branch, and corner to H. A. Smathers and Jesse Smathers, deceased.

SEC. 2. That section twenty of said chapter is hereby repealed.  
SEC. 3. That section twenty-one of said chapter is hereby repealed.  
SEC. 4. That this act shall be in force from and after its ratification.  
Ratified this the 9th day of January, A. D. 1917.

CHAPTER 57

AN ACT TO AMEND THE CHARTER OF THE TOWN OF MOORESVILLE, IREDELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor and board of commissioners of the town of Mooresville, Iredell County, shall have full power and authority under the ordinances of the board of commissioners to grade, pave, macadamize, and otherwise permanently improve for travel and drainage, any street, sidewalk, and public alley in said town; to put down curbing, cross drains and crossings on the same; to lay and open new streets or widen those already open, and make such improvements thereon as the public convenience may require.

SEC. 2. That the board of commissioners shall have full power and authority to adopt by ordinance such system of laying out of districts or sections of streets and sidewalks for permanent improvement, and of equalizing the assessment on real estate to pay the cost of such improvement, as may be just and proper; and in order to more fully carry out the duties imposed in the provisions of this act for street improvement, the board of commissioners shall have power and authority to pass ordinances assessing the entire cost of paving, macadamizing all such streets and sidewalks within any such district or section laid out for improvement on the real estate abutting on each side of the street or sidewalk or portion thereof so paved or macadamized, and it shall be incumbent on the owners of the real estate abutting on each side of the street or sidewalk or part thereof so improved or repaired to pay the amount so assessed for such improvement, and such cost and charges shall be a lien on all such abutting property from the commencement of the work, as provided in this act: Provided, that the board of commissioners shall not order such improvement district or section to be laid out until and unless the persons owning the land abutting on such street or sidewalk or public alley, or the portion thereof pro-
proposed to be improved which is more than one-half of the frontage abutting on such street, sidewalk, or public alley proposed to be improved, shall in writing request the said board to make such improvement: Provided, that the town out of its general funds shall pay the cost of grading, curbing, and paving and permanently improving the street intersections except that part of such intersections required to be paid for by such street railways as in this act elsewhere provided; and Provided further, that the cost of such improvement shall be financed by the issue of bonds as hereinafter provided.

Sec. 3. That if any street railroad company or other railroad company having tracks running through or across any street or streets laid out as permanent improvement districts or sections, it shall be incumbent on such company to pave, repave, or macadamize or remacadamize or otherwise improve that part of such street or streets which the board of commissioners may prescribe, not to exceed, however, the space covered by its tracks and at least thirty inches on each side of each line of track as they are now or may hereafter be constructed by any such company: Provided, that the board of commissioners, in order to secure uniformity in the workmanship and avoid delay in the progress of the work, shall have full power and authority to pave or repave, macadamize or remacadamize, or contract for paving or repaving, macadamizing or remacadamizing the whole of said space without giving such street railroad company or other occupant of the street or streets the option of having said space paved or repaved, macadamized or remacadamized, by itself or otherwise, and the cost of such permanent improvement properly chargeable to such railroad company shall be assessed upon the franchise or the property of said railway company located in said town, and special-tax levies made thereon for the purpose of collecting the same in the manner herein elsewhere provided for the assessment and levy upon other property so improved.

Sec. 4. All companies, corporations, and persons having franchises or permits, or all companies, corporations, and persons that may be granted franchises or permits in the future to use the streets of the town for laying railway tracks, pipes, or conduits, and for other purposes requiring the excavation of the streets, sidewalks, and public alleys, shall be notified by the said board when any street is to be permanently improved, and given a reasonable opportunity to lay said railways, pipes, or conduits, or do such work as they may be authorized to do under said franchises; and in case any such company, corporation, or persons fail to lay said railway or pipes or do said work before such permanent improvements are made, they shall not be permitted to do so thereafter, except upon the condition that they shall pay such reasonable portion of the original cost of such permanent improvement as may be fixed by the board of commissioners.
Sec. 5. That in order to equalize the assessments on real estate for the purposes described, as elsewhere provided in this act, the board of commissioners shall, before the commencement of any such work or improvement, estimate the total cost of such improvement to be made throughout the entire length of such work or improvement, and shall then prorate the cost thereof on the real estate abutting thereon in proportion to the frontage on the street or portion of the street so improved, and charge to and assess upon each side of the street upon which said work is done its pro rata share of the entire cost of all such improvements as may be made under the provisions of this act: Provided, however, in order to avoid obstructing lot owners in subdividing and selling their property by reason of the liens hereby created upon the same, such lot owners may subdivide their lots in such manner as they see fit and shall file in the office of the town clerk and treasurer a plat of the subdivision, making the lots fronting on the streets so paved or improved of any desired frontage, and the assessment made and the liens created by virtue of this act for street improvement shall thereafter affect and attach to such front lots only, and where in any such cases lands fronting on such improvements are so subdivided into lots, each of said lot front on such improvements shall be and remain chargeable with its ratable proportion of said assessment and liens, according to its frontage; that the mayor and board of commissioners shall cause to be established a permanent grade on any such street, sidewalk, or public alley abutting on such street, sidewalk, or public alley, to be accurately surveyed and a map to be made of the various lots and properties or portion thereof so proposed to be improved, showing the exact frontage of each lot, and also the subdivisions, if any, and the said map shall be filed with the town clerk and treasurer to be subject to public inspection; and when the assessments and liens, as provided for in this act, shall have been made upon the various lots and properties on the streets, sidewalks, or alleys, the town clerk and treasurer, or other proper clerical town officer, shall write upon said map the amount assessed upon the same, and he shall keep a properly indexed record book showing such assessments and liens, and the date and amount of all payments made on any to the said assessments and liens: Provided further, that no assessment against any piece of property improved as in this act provided shall in any case exceed the amount of special benefit to or enhancement in value of said property by reason of said improvements, or twenty per cent of the assessed taxable value thereof, and where permanent street improvements shall be made the property bearing such assessments shall not be so assessed again until after the expiration of ten years from the date of the last preceding assessment: Provided further, that in case any street or part of such street, shall, or in the case of a street subdivided, shall hereafter be sold or patented.
a street laid out as a district for permanent improvement is of such unequal width as to render the plan of equalization of assessments as above set out unjust to any abutting property owner, then and in that case the board of commissioners are authorized to provide such district into subdivisions and to apply the rule of equalization of assessments prescribed herein to such subsections, instead of to the entire district or section; and the board may make as many subsections as may be necessary to make a just distribution of the cost of permanent improvement made or to be made in such district. The cost of all such improvements for special benefits to property as estimated in the above manner shall be financed by the issue of bonds and the levy of a special tax to pay the same and the interest thereon, as hereinafter provided.

Sec. 6. That the notice of the assessment of special benefits by the board of commissioners, as herein elsewhere provided in this act, against abutting property on any street, sidewalk, or public alley in any such improvement district or section shall be given at least once a week for two weeks in some newspaper published in the town of Mooresville, which notice shall state the time and place that such assessments are to be made and determined; and shall notify all persons interested in any particular improvement district or section of such assessment to appear and show cause, if any, why such assessment shall not be made; and in the event the owner of such lot or lots is an infant, idiot, lunatic, or incompetent, then his general guardian, if he has such, shall act for him; if he has none, it shall be the duty of the Clerk of the Superior Court of Iredell County to appoint a guardian ad litem to act for him. That any person who shall feel aggrieved by the findings of said board with reference to said assessment for such permanent improvements shall have the right within ten days after such findings of said board, and not after that time, to file his objections to such findings and to appeal from the decision of said board to the next term of the Superior Court of Iredell County, North Carolina, by serving upon said town notice in writing of his intention so to do, and specifying in said notice the grounds of his objections to said findings and by filing, within the time prescribed for taking appeals, in the office of the clerk of the Superior Court of Iredell County, a written undertaking in at least the sum of two hundred dollars, with sufficient surety to be justified before and approved by said clerk, to the effect that said appellant will pay the said town all such costs and damages as it may sustain by reason of said appeal; in such cases of appeal from the board of commissioners the ordinance laying out the specially improved districts, the action of said board in determining special benefits, the objections of the property owner filed thereto, and all other papers material to the matter shall con-
stitute the case on appeal and be certified by the town clerk and
treasurer to the Superior Court and shall be docketed on the civil-
issue docket and stand at issue as other civil cases regularly
brought in such court with leave to either party to file such
pleadings and papers as he may deem necessary; if all the issues
be found in favor of the appellant on such appeal as above pro-
vided for, the lien for said assessments shall be discharged; if,
however, the issues or any of them be found in favor of the town
of Mooresville to any amount, then judgment shall be rendered
in favor of said town for such amount, to the end that no merely
technical objections shall defeat the rights of the town; and the
amounts so found, together with the cost of such appeal, which
cost shall be assessed as costs in other civil actions, shall be
and continue a lien against the property upon which the original
assessment was placed from the date of the findings of said board
of commissioners, and shall be collected by the tax collector of
the town of Mooresville, as elsewhere in this act provided.

Sec. 7. That in lieu of notice by publication to property owners
affected by improvements to abutting real property, as elsewhere
provided in this chapter, the board of commissioners, if it so de-
termine, may give ten days personal notice to all persons affected
by any permanent improvements for which a charge is to be
made on real estate to appear before said board at a certain time
and place to show cause, if any, why such assessment should not
be made, which notice may be served by any policeman of the
town of Mooresville or any other proper officer.

Sec. 8. This act shall be construed to make it mandatory on
the board of commissioners to require abutting property owners
to pay the cost of macadam, bitulithic, asphalt, vitrified brick and
other permanent pavements against the abutting property, as
elsewhere provided in this act: Provided further, that nothing
in this act shall be construed to make it mandatory on the board
of commissioners to issue bonds to finance the construction of
sidewalks, but said board may require the construction of side-
walks, and charge the entire cost of same, not including curbing,
to the abutting property, the property on each side of the street
to pay or bear the cost of the sidewalk on its respective side,
which cost shall be a lien on the abutting property, as herein
elsewhere provided, and paid immediately, or as soon thereafter
as practicable, by the property owners, and not by an issue of
bonds, as is elsewhere provided, if the board of commissioners so
determine, and such charge or assessment shall be enforced and
collected by the tax collector by the sale of the abutting property
specially benefited in the same manner as real estate is sold for
taxes.

Sec. 9. As soon as the amount chargeable to real estate to be Street improve-
specially benefited as is provided in other sections of this act
ment notice.

8—Priv.
is finally determined by the board of commissioners, and after the contract is let for any such work or improvement, the board of commissioners may cause a notice to be published once a week for two weeks in some newspaper published in the town of Mooresville, substantially in the following form:

“STREET IMPROVEMENT NOTICE.

Notice is hereby given that a contract has been let for (describing work and street, sidewalk, or alley), and that the improvement chargeable to the real estate to be specially benefited has been determined as to each parcel of said real estate, and a statement of the same is on file with the town clerk. It is proposed to issue bonds chargeable to the said real estate to pay the special assessments, and such bonds will be issued covering all of said assessment except in cases where the owners of property file with the town clerk, within the time stipulated in said notice, a written notice that they elect to pay the special assessments on their property, describing the same.”

Sec. 10. After the expiration of the time fixed for filing notice of election to pay the special assessment as provided in the preceding section, the board of commissioners may issue improvement bonds covering all of the assessments, except such as the owners have filed notice of election to pay, as stated in the preceding section, which bonds shall be of corresponding amounts and known as “Street Improvement Bonds”; shall comprise ten equal series; each series shall consist of a like number of bonds, and shall bear interest not to exceed six per cent per annum; and shall be sold for not less than par; and shall be signed by the mayor and attested by the town clerk; and shall contain such recitals as may be necessary to show that they are chargeable to particular property; and may be sold at either public or private sale, and the interest upon the said bonds shall be payable semi-annually, and each installment of interest shall be represented by corresponding coupons; the respective series of the said bonds shall be payable annually, and the last series thereof shall be payable not exceeding ten years from the date of their issue; the proceeds collected by the town treasurer shall be paid to the contractor when due him, or the contract may provide that the contractor shall take bonds as payment on his contract, at their par value, the contractor to be charged with accrued interest; at the date of each tax levy after the issuance of any such bonds, until all of them are paid, when the tax roll or levy for the year is prepared, sufficient special assessments of taxes on each parcel of land covered by said bonds to pay the annual installment of the principal and interest on the amount of such special assessments then unpaid shall be included in the tax levy or roll as a special tax on said property, and thereafter this tax shall be treated in all respects as any other town tax, to be collected in the same
manner and constitute a lien on the property affected, and in every respect the same as other taxes.

Sec. 11. That all funds derived from assessments heretofore or hereafter levied by the mayor and board of commissioners of the town of Mooresville upon private property on account of the improvement of the streets upon which such property abuts shall, when collected and received by the town of Mooresville, constitute a special fund, to be designated as "Street Improvement Fund," and the same, with funds derived from the taxes hereafter authorized to be levied for street improvement, shall be kept separate from all other funds of the town, and a separate record thereof shall be kept by the town clerk, and said funds and every part thereof shall be applied by the said mayor and board of commissioners, exclusively to the grading, paving, macadamizing, or otherwise improving the streets of said town according to the true intent and meaning hereof.

Sec. 12. No action for damages against said town of any character whatever, to either person or property, shall be instituted against said town unless within six months after the happening or infliction of the injury complained of the complainant, his executors or administrators, shall have given notice to the board of commissioners of said town of such injury in writing, stating in such notice the date and place of happening or infliction of such injury, the manner of such infliction, the character of the injury, and the amount of damages claimed therefor; but this shall not prevent any time of limitation prescribed by law from commencing to run at the date of happening or infliction of such injury or in any manner interfere with its running.

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 and effect from and after its ratification.

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

CHAPTER 58

AN ACT TO INCORPORATE COATS GRADED SCHOOL OF COATS, HARNETT COUNTY, AND TO ALLOW IT TO VOTE ON A SPECIAL TAX TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the following described territory lying and being in the county of Harnett, Grove Township, bounded as follows, to wit:

Beginning at the Barnes ford on Black River and runs south with said river to the Adkin ford; thence from said ford as the Adkin path to Stewart's Creek near the Farmer old mill place;
thence south down said creek to W. G. Turner's south land line; thence with said south line to Mrs. V. A. Turlington's south land line; thence with her south line to Stewart Turlington's south and west land line to L. L. Turlington's west land line; thence with his line to B. F. Landgon's land line; thence his west line to J. D. Pope's south land line; thence his line to V. A. Turlington's west line; thence with her line to J. E. Stone's south line; thence direct to the head of spring branch near E. K. Williams; thence down said branch to Thornton's Creek; thence up said creek to the ford near Fannie Lucas'; thence east along the road from said ford to the Durham and Southern Railroad; thence north up said railroad to A. W. Denning's north land line; thence with his said north line to Burwell Barnes' north line; thence with his north line to B. T. Barnes', Sr., north land line, to the Barnes' ford on Black River, the beginning.

Sec. 2. That the following persons be and they are hereby appointed trustees for said school district, as follows: B. F. Parrish, T. V. Stewart, and W. J. McStewart, for a term of three years; Stewart Turlington, Floyd A. Grimes, for a term of two years; R. M. Coats, R. O. Stewart, for a term of one year, or until their successors are duly elected and qualified as provided in section three of this act.

Sec. 3. Whenever the term of office of any class shall expire, as above provided, their successors shall be elected by the remaining trustees at the last regular meeting before their term expires. All vacancies in said board of trustees caused by resignation or otherwise shall be filled by the remaining members of the board by a majority vote thereof, until the next regular election, when such vacancies shall be filled as hereinbefore provided.

Sec. 4. That said board of trustees of Coats Graded School shall be and remain a body corporate under that name, and may adopt a common seal, and shall be capable of receiving gifts and grants, purchasing and holding property, real, personal, and mixed, selling, mortgaging, and transferring the same; may sue and be sued, plead and be impleaded. Conveyances to said board shall be to them and their successors in office, and all deeds and mortgages and other agreements affecting real estate and all other bonds and obligations shall be sufficiently executed when signed by the chairman and secretary of the said board and attested by the seal of said corporation.

Sec. 5. That said board of trustees are hereby authorized to issue bonds not to exceed in amount the sum of fifteen thousand dollars and in denominations of one hundred or multiples thereof, bearing interest from the date of bonds at a rate not to exceed six per cent per annum, payable annually on the first day of January of each year at such place as said trustees may designate until the said bonds are paid. That said bonds are to be made payable at a time and place to be fixed by said trustees and named therein,
not less than ten nor more than thirty years from date of issue. Said bonds and their coupons shall be numbered and signed by the chairman of said board and countersigned by the secretary and have the corporate seal of said board affixed thereto, and the coupons attached thereto shall be signed by the chairman of said board. A record shall be kept of said bonds, showing the numbers and denominations thereof, to whom sold, the date of issue, the amount received from the sale of same, and such other data in relation to same that the board may direct to be kept.

Sec. 6. That the bonds hereby authorized to be issued shall not be sold for less than their face value, and the said trustees shall not deliver any of said bonds to the purchaser until the purchase money shall have been paid; and the treasurer of said board shall receive all moneys paid in for the purchase of said bonds in his official capacity as treasurer, and he and his surety on his official bond shall be liable to account for and pay over the same, and it shall be the duty of said board of trustees to see that the bonds of said treasurer shall at all times be sufficient in amount and with satisfactory and solvent sureties to provide against any loss, and to that end may at any time require said treasurer to renew his official bond in such sums and with such sureties as they may require, and in default thereof to remove him from his office as treasurer.

Sec. 7. That the treasurer of said board of trustees shall keep separate from all other moneys coming into his hands the money arising as proceeds from the sale of said bonds, and the same shall be expended by the said board in the erection of suitable buildings and furnishing the same with necessary equipment for the accommodation of the schools of said district and for such other school purposes as the school trustees may order.

Sec. 8. That it shall be the duty of the board of school trustees to provide a sinking fund for the payment of the principal of said bonds at maturity, and for that purpose to set apart each year from the taxes collected a sum sufficient to pay the principal of said bonds when they mature, which shall be kept in some safe savings bank bearing interest until it can be invested to better advantage.

Sec. 9. It shall be the duty of said board of trustees to provide each year for the payment of the interest on said bonds, and for that purpose to set apart each year from the taxes collected a sum sufficient to pay the same.

Sec. 10. That the board of county commissioners of Harnett County shall, upon the written request of the board of trustees of said school, within twenty-four months after the ratification of this act, submit to the qualified voters of the district herein created the question of issuing bonds for the purpose of erecting a school building. The said board of trustees shall give thirty days notice of said election by notices published in five public
places in said district. Said board of commissioners shall appoint a registrar and two pollholders to hold said election, and these three men shall hold the said election and shall be governed in their acts in all particulars as to registration of voters, challenges, etc., by the same rules and regulations as prevail in the election of members of the General Assembly. The qualified voters of said district shall vote at said election tickets on which shall be written or printed the words "For Bonds" or "Against Bonds," and the result of said election shall be declared by the same rules that govern the election of members of the General Assembly. That said election shall be held at the schoolhouse in said district. That if a majority of the qualified voters shall vote at said election "For Bonds," it shall be the duty of the board of county commissioners to levy at their next annual meeting for levying State and county taxes after the passage of this act, and annually thereafter, a special tax not to exceed thirty cents on the one hundred dollars valuation of all the taxable property of said school district and not to exceed ninety cents from each taxable poll. The tax so levied shall be collected as other State and county taxes are collected.

SEC. 11. That the board of trustees shall meet and organize within thirty days after the election shall have been declared, provided the majority shall have been "For Bonds," and annually on the same day of the week thereafter, shall elect a treasurer from among their number, who shall have charge of all the moneys received and disbursed, and shall report monthly to said board his receipts and disbursements, with vouchers for same. The said treasurer shall receive such compensation as shall be agreed upon and give such bonds as may be required by the said board of trustees and their successors.

SEC. 12. That the said trustees shall have power to contract with any person or persons to erect and equip the buildings herein provided for, to employ all teachers, select all officers necessary for the management of said school, and shall have power, upon such terms as may seem just, to allow children outside of said territory to attend said school.

SEC. 13. That all public school funds derived from the State and county, together with the amount coming from the special tax above provided for, shall be by the proper officers paid to the board of trustees, as herein provided for, and shall by them be used for the benefit of the school of said district.

SEC. 14. This act shall not be construed to debar any trustee from holding any office in the gift of the people of the State of North Carolina.

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

Ratified this the 9th day of January, A. D. 1917.
CHAPTER 59

AN ACT TO AMEND CHAPTER 178 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION OF 1907, AMENDING THE CHARTER OF LEES-MACRAE INSTITUTE.

Whereas, since the incorporation of the Lees-MacRae Institute, the territory embracing the property and schools of said institution has, by the proper ecclesiastical procedure in the courts of the Southern Presbyterian Church in the United States, been taken out of the bounds of Concord Presbytery, Synod of North Carolina, and is now included in the bounds of Appalachia Synod (composed of parts of Tennessee and other States): Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and seventy-eight of the Private Laws of North Carolina, session of one thousand nine hundred and seven, be and the same is hereby amended by striking out the words “Concord Presbytery” wherever they occur in the several sections of said act and inserting in lieu thereof the words “committee of (or on) Christian Education of the Synod of Appalachia, or such other committee of Christian education as said Appalachia Synod has or may hereafter appoint and designate”; it being the intention of this act to vest in and confer upon such committee of the Appalachia Synod the same title, authority, power, control, and jurisdiction in and over the property and schools of the Lees-MacRae Institute and its and their management as was by the former act vested in and conferred upon Concord Presbytery in the Synod and State of North Carolina.

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

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

CHAPTER 60

AN ACT TO PERMIT THE CITY OF DURHAM TO ISSUE WATERWORKS BONDS.

Whereas, chapter three hundred and thirty-six of the Private Laws of one thousand nine hundred and thirteen authorized the board of aldermen of the city of Durham to call an election and submit to the voters of the city of Durham the question of issuing bonds for the purpose of acquiring, obtaining by purchase, build-
Preamble: Bond issue voted.

Preamble: Purchase of water system.

Preamble: Bond issue insufficient.

Power to borrow money.

Bond issue authorized.

Amount.

Denominations.

Interest.

Maturity.

ing or constructing, and equipping a complete system of water-works for the city of Durham; and whereas said board of aldermen did call said election and submit to the voters of said city the aforesaid question, and were authorized by a majority of the voters of said city to issue bonds in the sum of five hundred thousand dollars ($500,000) for the purpose aforesaid; and whereas said board of aldermen have purchased the properties of the Durham Water Company, a water mains system already laid and being operated in the city of Durham, and have constructed new pumping stations and additional and improved pipe lines, reservoirs, etc.; and whereas said board of aldermen have found that they cannot acquire and construct a proper and modern system for water-works for the said sum of five hundred thousand dollars ($500,000), but will require in addition to said sum a further sum of two hundred and fifty thousand dollars ($250,000) to properly provide the city of Durham and the inhabitants thereof with an adequate supply of water: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose above described, to wit, acquiring, obtaining by purchase, building or constructing, and equipping of a system of water-works for the purpose of supplying and furnishing the city of Durham and the inhabitants thereof with an adequate supply of water, and for paying off the obligations of the city of Durham heretofore made in the acquiring, obtaining by purchase, building or constructing, and equipping the said systems of water-works, and for its extension or enlargement, relaying, repairing, and improving water-works on streets already paved or hereafter paved, repaired, constructed, or improved, the board of aldermen or other governing authority of the city of Durham are hereby fully authorized and empowered to borrow money, pledge the faith of the city of Durham, or loan its credit, and levy and collect the taxes necessary to pay off and discharge any such debt, principal, and interest, as the same becomes due.

As evidence of said indebtedness herein authorized, the city of Durham be and it is hereby empowered to issue coupon bonds, not to exceed in amount the sum of two hundred and fifty thousand dollars ($250,000), which said amount shall be in addition to the five hundred thousand dollars ($500,000) provided for by chapter three hundred and thirty-six of the Private Laws of one thousand nine hundred and thirteen, and the election held thereunder, and in denominations of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) each, bearing interest from the date of bonds at a rate not to exceed five per centum per annum, payable semiannually until said bonds are paid; that the said bonds shall be serial bonds, payable to bearer at such time or times as may be fixed by the said board
of aldermen and named therein, but in no instance shall the time named be more than thirty years from the date of said bonds: Provided, however, that any time during the course of the construction, extension, enlargement, or repairing of the said system of water-works, or the extension, enlargement, relaying, repairing, or improving of the water mains of the said water-works system, the board of aldermen or other governing authority of the city of Durham may from time to time borrow money under this act to the extent required to pay the cost of such construction, extension, enlargement, repairing, relaying, or improving. The resolution authorizing any such loan or loans shall set forth the fact that the loan is made under and by virtue of the powers conferred in this act, and shall provide as evidence of said sum of money so borrowed for the issuance of notes of the city payable either on demand or at a fixed time, which shall be not more than six months from the date thereof, and bearing interest not exceeding six per cent per annum, said notes, or any renewal or extension thereof, shall in no event exceed twelve months from the date of the original issue, and such temporary indebtedness incurred under the authority of this section, with the interest thereon, shall be paid out of the moneys raised by the issue and sale of the serial bonds herein authorized. The said serial bonds and their coupons shall be numbered, and the bonds shall be signed by the mayor of the city of Durham and countersigned by the clerk of the board of aldermen of said city or other governing authority of said city, and have the corporate seal of said city affixed thereto, and the coupons hereto attached shall bear the facsimile signature of the mayor of said city engraved or lithographed thereon; that a record shall be kept of said bonds, showing the numbers and denominations thereof, and when the same will mature, and the interest-bearing rate thereof, the amount received from the sale of same, and the date of paying the proceeds into the treasury of the said city, and such other data in relation to the same as the board of aldermen may direct to be kept.

Sec. 2. That the bonds hereby authorized shall be sold under such regulations and in such manner as said board of aldermen may direct, but none of said bonds shall be sold for less than their face value, and the mayor of said city shall not deliver said bonds, or any of them, to the purchaser thereof until the purchase money shall be paid to the treasurer of the said city and his receipt to the purchaser produced before the mayor as evidence of such payment; and the treasurer of said city shall receive all moneys paid in the purchase of the bonds in his official capacity as treasurer of said city. He and the sureties of his official bond shall be liable to account for and pay over the same as is provided in this act or may be otherwise provided by the laws relating to the
treasurer of the said city of Durham; and it shall be the duty of said board of aldermen or other governing authority of said city of Durham to see to it that the bond of said treasurer shall at all times be sufficient in amount and with satisfactory sureties.

Sec. 3. That the proceeds from the sale of said bonds shall be used only for the purpose hereinbefore stated, the board of aldermen, however, being hereby specifically authorized to use the funds derived from the sale of the bonds herein authorized to retire, pay off, and discharge the bonds and mortgage securing same now outstanding and a lien on the properties of the Durham Water Company, purchased by the said city of Durham.

Sec. 4. That the board of aldermen, or other governing authority of the city of Durham, is hereby authorized to levy and collect each year, in addition to all other taxes levied and collected in said city, an ad valorem tax upon all the taxable property in said city sufficient to pay the interest and principal on said coupon bonds authorized by this act as same becomes due; and such taxes shall be levied and collected at the same time and in the same manner as other taxes are levied and collected on property in said city; and the money paid into the city treasury received from taxes levied and collected under this act shall be appropriated for the payment of said bonds and coupons, and for no other purpose whatsoever: Provided, that all moneys remaining in the treasury belonging to said fund after all the aforesaid bonds and coupons shall have been redeemed shall then be transferred, by order of the governing authorities of the city of Durham, to the general fund of said city.

Sec. 5. The board of aldermen or other governing authority of the city of Durham may, if in their opinion at any time it becomes necessary or advisable, appoint a trustee, whose duty it shall be to receive such revenue as may be collected under this act, for the purpose of paying the interest and principal on said bonds as same becomes due, and the said board of aldermen or other governing authority of said city may prescribe the duty of said trustee, fix the amount of his compensation, and the bond for the faithful performance of duty on his part.

Sec. 6. The city of Durham is hereby vested with the power of eminent domain, and the board of aldermen or other governing authority of said city is hereby authorized to purchase or acquire by condemnation lands or other property, rights in lands and water, or so much thereof as may be necessary for the successful operation of said system of water-works. Said condemnation proceedings in any case to be the same as prescribed by the law for acquiring right of way by railroads.

Sec. 7. The board of aldermen or other governing authority of the city of Durham is hereby specifically empowered to extend the water-works system owned or constructed and operated
by it in the city of Durham to include the towns of East Durham and West Durham, or such mills, manufacturing enterprises, residences, or other properties located in the environs of the said city of Durham, and to furnish and supply water to and to collect tolls for so furnishing and supplying water to the said towns, mills, manufacturing enterprises, residences, or properties.

Sec. 8. That all laws or parts of laws, including any and all sections of the charter of the city of Durham, inconsistent or in conflict herewith, be and the same are hereby repealed.

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

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

CHAPTER 61

AN ACT TO AUTHORIZE THE CITY OF DURHAM TO EXTEND AND CONSTRUCT A SYSTEM OF SEWERAGE AND TO PROVIDE THE FUNDS NECESSARY THEREFOR.

The General Assembly of North Carolina do enact:

Section 1. That the city of Durham, through its board of aldermen, be and it is hereby authorized and empowered to extend, enlarge, repair, and improve its present system of sewerage and disposal plants, and to establish, construct, maintain, operate, and regulate new or additional systems of sewerage and disposal plants, and to contract for the extension, enlargement, and reparation of its present system of sewerage and disposal plants, and for the establishment, construction, maintenance, and operation of additional sewerage system and disposal plants for the use of said city and the inhabitants thereof, in such manner as to them may seem necessary and proper; and if it shall be necessary to obtain proper outlets for such systems or plants, or the extension of the present system or plants, to extend the same within or beyond, or both within or beyond the corporate limits of the city of Durham, then in such case the board of aldermen shall have power to so extend it, and both within and without the corporate limits of said city to condemn property for the purpose of a right of way or other requirements or such system or plants.

Sec. 2. That the board of aldermen of the city of Durham, in order to carry out, execute, and enforce the powers herein given, are authorized to borrow money, pledge the faith of the city of Durham, and loan its credit, and levy and collect taxes necessary to pay off and discharge any such debt, principal and inter-
est, as the same becomes due, and to that end they are also author-
ized and empowered to provide a sinking fund for and to pay off and discharge the indebtedness herein authorized, at maturity, and the taxes necessary for such purpose shall be levied and collected at the same time and in the same manner as other taxes are levied and collected on property and polls in said city, and the money paid into the city treasury from taxes levied under this act shall be used for the payment of said bonds and coupons, and for no other purpose whatever.

Sec. 3. That as an evidence of the indebtedness herein au-
thorized, the city of Durham be and it is hereby empowered to issue coupon bonds not to exceed in amount the sum of fifty thousand dollars ($50,000), and in denominations of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000), bearing interest from date of bonds at a rate not to exceed five per centum per annum and payable semi-
annually until the said bonds are paid. That said bonds shall be serial bonds, and shall be payable to bearer at such times and in such amounts as may be fixed by the said board of alder-
men, and named therein, not to be less than three nor more than thirty years from the date thereof: Provided, however, that at any time during the course of the construction, extension, en-
larging or repairing of any of the present sewerage system, or any additional sewerage system, the board of aldermen may from time to time borrow money under this act to the extent re-
quired to pay the cost of such construction, extension, enlarg-
ing, or repairing. The resolution authorizing any such loan or loans shall set forth the fact that the said loan is made under and by virtue of the powers conferred in this act, and shall pro-
vide, as evidence of said sum of money so borrowed, for the issuance of notes of the city, payable either on demand or at a fixed time, not more than six months from the date thereof, and bearing interest not exceeding six per cent per annum. Said notes or any renewal or extension thereof shall in no event exceed six months from the date of the original issue and such temporary indebtedness incurred under the authority of this sec-
tion, with the interest thereon, shall be paid out of the moneys raised by the issue and sale of the serial bonds herein author-
ized. The said serial bonds hereby authorized and their coupons shall be numbered, and the bonds shall be signed by the mayor of the city of Durham and countersigned by the clerk of the board of aldermen of the city of Durham, and have the corporate seal of the said city affixed thereto, and the coupons thereto attached shall bear the facsimile of the mayor of the said city engraved or lithographed thereon; that a record shall be kept of the said bonds, showing the numbers and denominations thereof, and when the same will mature, and the interest-bearing
rate thereof, the amount received from the sale of same, and the
date of paying the proceeds into the treasury of said city, and
such other data in relation to the same as the board of aldermen
may direct to be kept.

Sec. 4. That the bonds hereby authorized to be issued shall
not be sold for less than their face value, and the mayor of said
city shall not deliver said bonds or any of them to the purchaser
thereof until the purchase money thereof shall be paid to the
treasurer of said city and his receipt to the purchaser produced
before the mayor as evidence of such payment; and the trea-
surer of the city shall receive all such moneys paid in the pur-
chase of the bonds in his official capacity as treasurer of said city.
He and the sureties on his official bond shall be liable to account
for and pay over the same as is provided in this act, or as may
be otherwise provided by the laws relating to the treasurer of the
said city of Durham; to require that the bond of said treasurer
shall at all times be sufficient in amount and with satisfactory
sureties.

Sec. 5. That the proceeds from the sale of said bonds shall be
used for the purpose of extending, enlarging, repairing, and
improving the present sewerage system and disposal plants of the
city of Durham, and for the purpose of establishing, constructing,
maintaining, operating, and regulating any additional sewerage
system, disposal plants, or other method of taking care of sew-
age, and for the payment of the notes authorized in section three
of this act.

Sec. 6. The board of aldermen of the city of Durham may,
if in their opinion at any time it becomes necessary or advis-
able, appoint a trustee, whose duty it shall be to receive such
revenue as may be collected under this act, for the purpose of
paying the interest on said bonds and for creating a sinking
fund to pay the principal of said bonds at maturity, and the
said board of aldermen may prescribe the duty of said trustee,
fix the amount of his compensation, and the bond for the faith-
ful performance of duty on his part. It shall be the duty of the
said trustee to invest or lend the money, coming into his hands
for the purpose of creating a sinking fund, in safe securities or
upon real estate situated in the city of Durham: Provided, how-
ever, that no such investment or loan be made without the con-
sent and approval of the board of aldermen.

Sec. 7. That the city of Durham is hereby vested with the
power of eminent domain, and the board of aldermen is hereby
authorized to purchase, or acquire by condemnation, the lands
or other property, or so much thereof as in the opinion of the
board of aldermen may be necessary for the extension, erection,
construction, maintenance, and operation of an adequate system
of sewerage and disposal plants for said city and the inhabi-
Proceedings for condemnation. tants thereof. In case it should become necessary to exercise the authority of eminent domain herein granted, then the condemnation proceedings necessary thereto shall be the same, or as near the same as possible, as is prescribed by law in acquiring right of way for the construction of railroads in North Carolina.

Repealing clause. Sec. 8. That all laws and parts of laws, including any provision in the charter of the city of Durham inconsistent herewith, be and the same are hereby repealed.

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

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

CHAPTER 62

AN ACT TO ALLOW THE BOARD OF ALDERMEN OF THE TOWN OF SYLVA TO USE CERTAIN MONEYS DERIVED FROM BOND ISSUE FOR PUBLIC BUILDINGS FOR CERTAIN OTHER INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Use of surplus. Section 1. That the board of aldermen for the town of Sylva are hereby authorized and empowered to use any and all moneys left over from the moneys raised under chapter four hundred and fifty-seven of the Private Laws of nineteen hundred and thirteen for any other indebtedness incurred by said board, as said board may deem best.

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

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

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

CHAPTER 63

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A MAYOR AND FOUR COMMISSIONERS FOR THE TOWN OF PEMBROKE IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Appointment by Governor. Section 1. That the Governor of the State of North Carolina be and he is hereby authorized and requested to appoint on the first Monday in May, one thousand nine hundred and seventeen, and annually thereafter, some suitable person who shall
act as mayor of the town of Pembroke for a period of one year from his appointment. Said Governor is also authorized and requested at the same time to appoint four suitable persons who shall serve for one year as commissioners of said town. Said mayor and commissioners so appointed shall be clothed with all the rights, powers, and authority provided for by the charter of said town.

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

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

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

CHAPTER 64

AN ACT TO AMEND THE CHARTER OF ELON COLLEGE.

The General Assembly of North Carolina do enact:

Section 1. That section nine of chapter two hundred and sixteen, Private Laws of one thousand eight hundred and eighty-nine, be amended by striking out the words "five hundred thousand" in line one of said section, between the words "of" and "dollars," and inserting in lieu thereof the words "five million," so that the section shall read: "Property to the amount of five million dollars held by said trustees for said college shall forever be exempt from taxation."

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

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

CHAPTER 65

AN ACT TO REPEAL THE CHARTER OF THE TOWN OF NORTH EDENTON, CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred and twenty of the Law repealed. Private Laws of the session of nineteen hundred and eleven incorporating the town of North Edenton, Chowan County, is hereby repealed.

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

Ratified this the 9th day of January, A. D. 1917.
CHAPTER 66

AN ACT TO AUTHORIZE THE TOWN OF NORTH WILKESBORO TO ISSUE BONDS FOR THE PURPOSE OF REBUILDING ITS WATER AND LIGHT PLANT.

Whereas the charter of the town of North Wilkesboro limits the aggregate amount of bonds authorized to be issued by said town to an amount not to exceed ten per centum of the assessed valuation of its real and personal property; and whereas there are now outstanding bonds of said town in amount approximating ten per centum of the assessed valuation of the taxable property of said town; and whereas the flood of July fifteenth, one thousand nine hundred and sixteen, totally destroyed the dam used to generate force to operate said town’s water and light plant; therefore,

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of the town of North Wilkesboro are hereby authorized to issue bonds of said town in an amount not exceeding thirty-five thousand dollars ($35,000), at a rate of interest not to exceed six per centum per annum, under such style, denomination, terms and conditions as they may determine, and sell the same at not less than their par value and apply the proceeds to the rebuilding of the dam used in connection with its water and light plant and for the improvement of said plant.

Sec. 2. That the limitation of ten per cent on the assessed valuation for the bonded indebtedness of said town shall not apply to this issue.

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

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

CHAPTER 67

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CHERRY.

The General Assembly of North Carolina do enact:

Section 1. That the corporate limits of the town of Cherry in Washington County, North Carolina, be and the same are hereby enlarged and extended so as to include the following territory, viz.; Beginning at a post ninety-four yards in a southerly direction from the sign-post in the fork of the river road...
running north seventy degrees west to Walker's canal, thence along said canal four hundred yards to an iron post, thence north four hundred and seventy-eight yards to a stake near a pine stump in W. C. Spruill's field, thence south forty-five degrees east to the creek swamp and along the creek and river swamp to the beginning.

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

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

CHAPTER 68

AN ACT TO RATIFY THE $5,000 SCHOOLHOUSE BOND ISSUE OF DISTRICT NO. 4, WHITE, LIMESTONE TOWNSHIP, KNOWN AS BEULAVILLE SPECIAL-TAX DISTRICT IN DUPLIN COUNTY.

Whereas on the third day of April, one thousand nine hundred and sixteen, pursuant to chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen, upon petition of the board of education of Duplin County, the board of commissioners of Duplin County ordered an election to be held on the thirtieth day of May, one thousand nine hundred and sixteen, in District Number Four, white, Limestone Township, Duplin County, North Carolina, known as Beulaville Special-tax District, bounded as follows: Beginning at the Miller bridge on Limestone Creek; thence with the road to the Beulaville road; thence down the Beulaville road to A. C. Sandlin's to an old path leading by J. G. Bostic's to Mr. Carroll's; thence with said old path to the Muddy Creek road; thence with the Muddy Creek road to Hantry Branch; thence down the Hantry Branch to Muddy Creek; thence with said creek to J. S. Thomas's line; thence with his line to Bryant Thomas's line; thence with his line to Muddy Creek; thence up Muddy Creek to Haystack Branch; thence up said branch to the Haw Branch public road; thence with the said road to Taylor's Branch; thence down Taylor's Branch to Limestone Creek; thence down the creek to the beginning. Said election to ascertain whether the voters of said district were in favor of issuing bonds in the sum of five thousand dollars ($5,000), bearing interest at the rate of six per cent, payable semiannually, to run not over fifteen years, to be paid by levying a tax in said district of thirty cents on the one hundred dollars ($100) valuation of property and ninety cents on the poll, said bonds to be used for the purpose of building, rebuilding, and repairing schoolhouse in said district as provided for in said act of the
Preamble: Election held and bond issue approved.

Preamble: Issue of bonds ordered.

General Assembly; and whereas said election was regularly and legally held on said day and said bond issue was duly approved by a majority of the qualified registered voters of said district; and whereas the board of commissioners of Duplin County did on the first day of January, one thousand nine hundred and seventeen, pursuant to request of the county board of education of Duplin County; order said bonds to be issued, bearing date the first day of January, one thousand nine hundred and seventeen, with interest from said date at six per cent, payable semiannually in the denomination and due on the following dates, to wit: first bond in the denomination of seven hundred and fifty dollars ($750), due and payable on the first day of January, one thousand nine hundred and seventeen; second bond in the denomination of five hundred dollars ($500), due and payable on the first day of January, one thousand nine hundred and eighteen; third bond in the denomination of five hundred and twenty-five dollars ($525), due and payable on the first day of January, one thousand nine hundred and nineteen; fourth bond in the denomination of five hundred and twenty-five dollars ($525), due and payable on the first day of January, one thousand nine hundred and twenty; fifth bond in the denomination of six hundred dollars ($600), due and payable on the first day of January, one thousand nine hundred and twenty-one; sixth bond in the denomination of six hundred and fifty dollars ($650), due and payable on the first day of January, one thousand nine hundred and twenty-two; seventh bond in the denomination of seven hundred dollars ($700), due and payable on the first day of January, one thousand nine hundred and twenty-three; and the eighth bond in the denomination of seven hundred and fifty dollars ($750), due and payable on the first day of January, one thousand nine hundred and twenty-four, and ordered the same to be delivered to the board of education of Duplin County, to be disposed of according to law: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the said five thousand dollars ($5,000) bond issue of said District Number Four, White, Limestone Township, Duplin County, known as Beulaville Special-tax District, authorized by an order of the board of commissioners of Duplin County on the third day of April, one thousand nine hundred and sixteen, upon petition of the board of education of Duplin County, and heretofore referred to in the preamble of this act, be and the same is hereby in all respects legalized, ratified, and confirmed; and the board of commissioners of Duplin County is hereby authorized and empowered to prepare, execute, and deliver said bonds to the board of education of Duplin County as provided by law, and the said board of commissioners of Duplin
County is hereby authorized and directed to levy an annual special tax in said district of thirty cents on the one hundred dollars ($100) valuation of property and ninety cents on the poll, for the purpose of paying the principal of said bonds at maturity and interest thereon as it becomes due; and the said bonds when issued and sold shall become binding obligations of said special-tax district to the amount of principal and interest of said bonds.

Sec. 2. That all laws and clauses of laws in conflict with this act be and the same are here repealed in so far as they may conflict herewith.

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

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

CHAPTER 69

AN ACT TO AMEND THE PRIVATE LAWS OF 1903, CHAPTER 16. ENTITLED "AN ACT TO INCORPORATE THE CHARLOTTE CARNEGIE PUBLIC LIBRARY."

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter sixteen of the Private Laws of nineteen hundred and three, entitled "An act to incorporate the Charlotte Carnegie Public Library," be amended as follows: By striking out all of lines one, two, three, and part of line four, ending with the name of T. W. Dixon, and before the word "and," and substituting therefor the following names: T. S. Franklin, J. Frank Wilkes, T. T. Smith, W. S. Dorr, the mayor of the city of Charlotte, ex officio, the superintendent of public schools of the city of Charlotte, ex officio, and the chairman of the finance committee of the board of aldermen, ex officio, if there be such an officer.

Sec. 2. That section seven of the said act be amended by striking out after the word "treasurer" in line three, and before the word "all," the following sentence: "and an executive committee of five members."

Sec. 3. That all of sections eight and nine of the said act be stricken out and the following substituted therefor: "That the mayor of the city of Charlotte shall on the first day of June, nineteen hundred and seventeen, appoint successors to W. S. Dorr and T. T. Smith, who shall hold their term of office for a period of four years thereafter or until their successors are appointed, and that the successors to T. S. Franklin and J. Frank Wilkes shall be appointed by the mayor on the first day of June,
nine hundred and nineteen, who shall hold their term of
office for four years thereafter or until their successors are
appointed, and that the mayor of the city of Charlotte shall
appoint two members every two years thereafter.

Sec. 4. That section thirteen of the said act be amended as
follows: By striking out in line three the words "executive com-
mittee" and substituting therefor the words "the board of trust-
ees."

Sec. 5. That section fourteen of the said act be amended as
follows: By striking out in line three the words "executive com-
mittee" and substituting therefor the words "board of trustees."

Sec. 6. That section twenty-two of said act be stricken out.

Sec. 7. That section twenty-four of said act be stricken out.

Sec. 8. That section twenty-five of said act be amended by add-
ing at the end of said section the following: "The board of trust-
ees of the Charlotte Carnegie Library hereinbefore provided
shall have the power to select other trustees who shall have
immediate charge of the Charlotte Public Library for colored
people, under the general supervision of said trustees of the
Charlotte Carnegie Library."

Sec. 9. That section twenty-six of said act be stricken out.

Sec. 10. This act shall be in force from and after its ratifica-
tion.

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

CHAPTER 70

AN ACT TO INCORPORATE SADLER GRADED SCHOOL IN
ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the following territory in Ruffin Township, in
Rockingham County, to wit: beginning at Wolf Island Creek in
line with Ruffin and Sadler School districts, thence running
southerly with said school district lines to Lickfork Creek;
thence up said creek as it meanders to Reidsville School District
line; thence with said school district line in a northerly direc-
tion to Wolf Island Creek; thence down said creek as it
meanders to the beginning, be and is hereby constituted the
Sadler School District.

Sec. 2. There shall be a board of trustees of said school dis-

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to consist of five persons, and the parties herein named shall
comprise the said board, and shall hold office for the period desig-
nated therein, as follows: A. W. Daniel, W. J. Courts, John R.
Williams, until the election of their successors on the Tuesday
next after the third Monday in April, one thousand nine hundred and nineteen; J. I. McAlister and J. B. Crafton until the election of their successors on the Tuesday next after the third Monday in April, one thousand nine hundred and twenty-one. All members of the board of trustees shall hold office after the election until the qualification of their successors. When the term of any member of the board shall expire by limitation his successor shall be elected by the votes of the said school district herein provided for, and shall hold office for two years from the time of his election and until the qualification of his successor, which election shall be held at the Sadler School building on the Tuesday next after the third Monday in April, one thousand nine hundred and nineteen, and every two years thereafter for those trustees whose terms shall expire. All persons residing in the school district herein provided for who are entitled to vote for members of the General Assembly shall be entitled to vote at said election. The school board shall give thirty days notice of such election by advertisement posted at three public places in said school district of the time and place of said election. The board of trustees shall appoint a registrar and two judges of election for the purpose of holding said election, who shall have the power now or hereafter conferred upon such officers by the laws of the State. There shall be an entirely new registration for the election to be held under this act, and all persons residing within said school district who are entitled to vote for members of the General Assembly shall be entitled to vote and shall be registered by the registrar at the first or any subsequent election provided for under this act. All elections under this act shall be conducted as far as may be practicable according to the laws now or hereafter enacted for the election of members of the General Assembly. The registration books shall be open ten days before the election and the registrar shall give ten days notice of the time and place of the registration by notice posted at three public places in said school district. A ballot box shall be provided for the election provided for under this act. The polls shall be open from sunrise to sunset, and when the election is concluded the registrar and judges of election shall count the votes and certify the results to the board of trustees of said school district. The persons receiving the biggest number of votes cast respectively for vacancies existing in the board of trustees shall be declared elected.

Sec. 3. The board of trustees is hereby constituted a body corporate under the name of the "Trustees of Sadler Graded School District" and shall have the power to sue and be sued and to hold and buy real estate and personal property when necessary for the benefit of the said school district as herein provided for, and they shall also have the power to employ all teachers for said school and fix their compensation: Provided, that the board of trustees...
shall employ no person as teacher in said school unless they are of good moral character and hold a first-grade certificate from the county superintendent of schools of Rockingham County or a certificate of graduation from one of the leading colleges in the State of North Carolina. They shall establish schools for both races, including a primary school for the white race in the northern end of said district, and may allow children outside of said district to attend said school upon such terms as they may decide upon. The board shall organize by the election of a chairman and a secretary and a treasurer, who shall be members of the board, and shall make such by-laws as may be necessary for the government of the schools. The treasurer shall give bond payable to the State of North Carolina in such sum as may be fixed by the board of trustees for the faithful performance of his duties as such treasurer. All money collected for the school shall be paid by the treasurer exclusively for the benefit of the schools by voucher as directed by the board of trustees; said vouchers shall be passed upon by the board and be signed by the chairman and secretary.

Sec. 4. The sheriff of Rockingham County shall collect all taxes levied for the benefit of said Sadler Graded Schools and pay the same to the treasurer of the board of trustees thereof.

Sec. 5. This act shall be in force from and after its ratification. Ratified this the 9th day of January, A. D. 1917.

CHAPTER 71

AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM, CHAPTER 235 OF THE PRIVATE LAWS OF 1899, AND TO ESTABLISH A BOARD OF WATER COMMISSIONERS FOR THE CITY OF DURHAM.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and thirty-five of the Private Laws of one thousand eight hundred and ninety-nine, entitled "An act to amend the charter of the city of Durham," be and the same is hereby amended by adding thereto the following:

Sec. 2. That in order to provide for the better management and the proper operation of the municipally owned water-works system of the city of Durham, there shall be appointed a board of water commissioners for the said city, who shall be appointed and qualified as hereinafter provided.

Sec. 3. That the board of aldermen of the city of Durham shall, at their first meeting in March, one thousand nine hundred and seventeen, appoint three commissioners, one of whom shall
be elected to hold office until the second Monday in January, one thousand nine hundred and twenty, or until his successor is appointed and qualified; one to hold office until the second Monday in January, one thousand nine hundred and nineteen, or until his successor is appointed and qualified; and one to hold office until the second Monday in January, one thousand nine hundred and eighteen, or until his successor is appointed and qualified; and annually hereafter, on the second Monday in January, the board of aldermen of the city of Durham shall meet in special session and elect some suitable person to act as water commissioner of the city of Durham to succeed the water commissioner whose term of office at that time expires. The said person so elected at that time shall hold office for a term of three years and until his successor is appointed and qualified. And any one elected or appointed a member of said board may also hold office as a member of the board of health of the county and city of Durham, or be a member of or serve on any other commission or body of said city other than as an alderman of said city.

Sec. 4. That the said board of aldermen of the city of Durham in case of a vacancy occurring by death, resignation, or otherwise, of any or all of said commissioners, shall have a right to fill the vacancy thereby created for the unexpired term of office so made vacant.

Sec. 5. That the commissioners appointed by the board of aldermen of the city of Durham under authority of this act, and their successors in office, shall take an oath to faithfully discharge the duties of said office, said oath to be administered by the mayor of the city of Durham; and the said commissioners, within two weeks after their appointment, or the appointment of a new commissioner, shall assemble and organize, and shall elect a chairman of the said board, and shall then constitute and be known as “The Board of Water Commissioners of the City of Durham,” and shall be vested with the powers, rights, and privileges herein conferred. A majority of the said board shall constitute a quorum for the transaction of business.

Sec. 6. The said board of water commissioners of the city of Durham shall be vested with the full right, power, and privilege to manage, conduct, and operate the municipally owned water-works system of the city of Durham for the purpose of supplying the purchasers of water of the said system with a good and wholesome supply thereof; and for such purposes, and in order to fully carry out the powers conferred in this act and to properly manage the said water-works system, the board of water commissioners of the city of Durham shall have power to sue and be sued, to make contracts and engagements, and, under the restrictions hereinafter set forth, to borrow money, and to issue its notes as evidence thereof; and for the purpose of properly operating and

Election of successors.

Vacancies.

Commissioners to qualify.

Organization.

Official entitle-ment.

Quorum.

Rights, powers and privileges vested.

Corporate powers.

To borrow money and issue notes.
maintaining the system, and for making additional improvements thereto, as may be necessary at all times to properly manage the said system, the board of water commissioners of the city of Durham shall have power to acquire by purchase or by condemnation such additional property or rights as may be necessary, and for this purpose the board is hereby conferred with the power of eminent domain, the condemnation proceedings necessary thereto to be the same as is prescribed by law in acquiring right of way by railroads: Provided, that all suits by or against the said board, all condemnation proceedings by and all deeds to the said board shall be in the name of the city of Durham, the city of Durham holding all legal title to all the property rights and privileges necessary for the proper management of the waterworks system and acquired by the said board of water commissioners.

Sec. 7. That in order to provide for the cost and expenses of the plant or system of water-works under its control, including the cost of such incidental improvements as may be deemed necessary for that purpose, the said board of commissioners may, for any or all of said purposes, borrow money and anticipate the collection of tolls, rents, or sales of water from the operation of said plant or system, and pay the same out of said tolls, rents, or the sale of water, as the same may be collected.

Sec. 8. That the said board of water commissioners shall collect or cause to be collected all rents, forfeitures, or emoluments arising from the operation of the said system of waterworks of the city of Durham. They shall cause accurate account to be kept of all receipts and expenditures of money coming into their hands, and shall on the first days of January, April, July and October of each and every year make a detailed report thereof to the board of aldermen of the city of Durham; and out of the moneys derived from the collection of said tolls, rents, forfeitures, or emoluments shall pay:

1. The cost and expenses of operating the system of waterworks under its control, including salaries, supplies, and incidental improvements.

2. The principal and interest upon the notes issued by authority of section seven hereof, as the same shall become due. Out of the net sum remaining in the hands of the treasurer, after payment of the accounts hereinbefore enumerated, the board of water commissioners shall retain such sums of money as may be necessary to pay all the principal of any note which has been issued under and by virtue of section seven of this act, and shall further retain such sums as they may deem necessary for the proper operation and incidental improvements of the water-works system. The net balance remaining after the payment and retention of the amounts hereinbefore set forth shall, at the time
of rendering the annual April report, be paid by order of the board of water commissioners to the treasurer of the city of Durham for the use of said city in the payment of principal and interest of the water bonds of the said city.

Sec. 9. That the board of water commissioners of the city of Durham shall at their first meeting, or as soon thereafter as is practicable, elect a clerk of the said board of water commissioners, who, for his services as such clerk, shall receive such compensation as shall be fixed by the said board. The city treasurer of the city of Durham shall be treasurer of the board of water commissioners, and for his services as such shall receive such compensation as may be made him by the said board. He shall give such bond, with approved security, in such sums as the board may demand, said bond to be given in some approved surety company authorized to do business in this State, and the premium on said bond shall be paid by the board of water commissioners out of the funds under their control.

Sec. 10. That the members of the board of water commissioners shall receive such compensation as shall be fixed by the board of aldermen of the city of Durham, and shall not exceed the sum of two hundred dollars each per annum: Provided, however, that the board of water commissioners may prescribe additional duties for the chairman thereof, when elected, touching the care, control, management, and operation of said plant and water-works system, and for such additional duties may receive additional compensation over and above the sum heretofore mentioned, such compensation to be fixed by the said board of water commissioners, and to be paid out of the funds in their hands, but in no event shall the said additional compensation exceed in amount the sum of four hundred dollars per annum. The sum fixed as compensation by the board of aldermen to be paid to the board of water commissioners shall be fixed at the time of entrance of the said commissioners into office, and shall be paid to themselves by the said board of water commissioners out of the funds under their control, and to be included in their reports in the item of salaries.

Sec. 11. The said board of water commissioners, at their first meeting, or as soon thereafter as practicable, shall elect a superintendent of water-works, and elect annually thereafter a superintendent of water-works, who shall give his whole time to the discharge of such duties as the board of water commissioners require. His term of office shall be for one year and he shall be subject to discharge for cause at any time, and he shall receive such salary as may be fixed by the board of water commissioners, said salary not to exceed three thousand dollars per annum: Provided, however, that upon written recommendation of said board of water commissioners, the board of aldermen or other governing
authority of the city of Durham may increase said salary as they
may deem necessary, and said superintendent shall give such
bond, with approved security, in such sums as the board of water
commissioners may demand, said bond to be given in some ap-
proved surety company authorized to do business in this State,
and the premium on said bond shall be paid by the said water
commissioners out of the fund under their control.

Sec. 12. That the said board of water commissioners, and all
persons acting under their authority, shall have the right to use
the ground or soil, in upon, or under any road, railroad, highway,
lane, or alley, for the purpose of enlarging or improving or main-
taining the plant or system of water-works owned by the city of
Durham, upon the condition that they shall not permanently
injure any such property, and that the same shall be restored
to its original condition, or damages done thereto shall be re-
paired by the said board.

Sec. 13. That the said board shall regulate the distribution
and use of water for all places and all purposes, where the same
may be required, and from time to time shall fix a price for the
use thereof and the time of payment; and they shall erect such a
number of public hydrants in such places as they shall see fit, and
shall direct in what manner and for what purpose the same shall
be used, and they shall also erect any and all such other hydrants
as may be necessary: Provided, however, that all hydrants or
appliances required and furnished for the purpose of extinguish-
ing fires shall be erected at the expense of the board of aldermen
of the city of Durham, and shall be placed as they direct, and
shall be under their exclusive control and direction: Provided
further, that the board of water commissioners shall have the
power to make rules and regulations governing the erection, in-
stallation, and use of hydrants on private property, and to fix
the rate of charges therefor; and they are hereby expressly given
the right and power to make such rules and regulations governing
the use of all hydrants heretofore erected on any and all private
property as they may deem best for the proper management of the
water-works system and the proper fire protection of the city of
Durham.

Sec. 14. That the said board shall have full power and author-
ity to require the payment in advance for the use or rent of the
water furnished by them in or upon any building, place, or prem-
ises; and in case prompt payment shall not be made they may
shut off the water from such building, place, or premises after
five (5) days notice, and shall not be compelled again to supply
said premises, building, or place with water until the arrears
thereon shall be fully paid.

Sec. 15. That the said board shall make no contracts for the
price of using the water for a longer time than three (3) years
SEC. 16. That if any person or persons shall maliciously or willfully divert the water or any portion thereof from the said water-works, or shall corrupt or render the same impure, or shall destroy or injure any canal, aqueduct, pipe, or other property used or acquired for procuring or distributing the water, said person shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five hundred dollars ($500), or shall be imprisoned not exceeding one (1) year, at the discretion of the court.

SEC. 17. And said board shall have power to make rules and regulations with respect to the introduction of water into or upon any premises, and from time to time to regulate the use thereof, in such manner as shall seem to them necessary and proper; and the members of said board, and all engineers, superintendents, or inspectors in their service, are hereby authorized and empowered to enter, after demand made and refusal, at all reasonable hours, any dwelling or other place where such water is taken and used where unnecessary waste thereof is known or suspected, to examine and inquire into the cause thereof; and if any person refuses to permit such examination, or opposes or obstructs such officer in the performance of such duties, he, she, or they so offending shall forfeit and pay the sum of ten dollars ($10), to be recovered before any justice of the peace in an action by the said board, and the supply of water may also be cut off until the required examination is made and the required alterations and repairs are made.

SEC. 18. That the said board shall provide for regular inspection of the public watershed and for examination of the said public water supply; and shall have full power to elect or appoint such superintendents, engineers, inspectors, and other employees as they may deem necessary to operate and manage the said system of water-works and to prescribe the duties and fix the compensation of such officers or employees, or to discharge same for cause shown, except as otherwise provided in this act. The board may require of any or all officers or employees bond or bonds for the faithful performance of their duties, the said bond or bonds to be in such sums as the board may demand, and to be given in some approved surety company authorized to do business in this State, the premium on said bond or bonds to be paid by the board of water commissioners out of the funds under their control.

SEC. 19. That for the purpose of protecting said public watershed from contamination, whenever it is reported by the watershed inspector or the superintendent of said water-works that a case of sickness on said watershed may produce conditions dangerous to the public health, it shall be the duty of the said board of water commissioners and the superintendent of water-works to take any and all necessary precaution to prevent said public
Removal of persons.

water supply from becoming contaminated, and the said board of water commissioners, and the superintendent of water-works, upon the advice of the superintendent of health, or the health officers in and for the county of Durham and city of Durham, that such sick person can be safely moved, to order the removal of such person suffering from such sickness to a hospital in the city of Durham, or at the option of such person, to some other place beyond the limits of the watershed, and to cause any constable or other lawful officer to make such removal: Provided, that all the expenses for the care and attention to such sick person at said hospital shall be paid by said board.

Payments by city. Sec. 20. The city of Durham shall pay the board of water commissioners, as rental for fire protection and water consumed by said city for municipal purposes, such sums of money for the use of all fire hydrants now in use or which may hereafter be used as may be agreed upon by the board of aldermen and by the board of water commissioners, and such sums as may be agreed upon for the use of water for all other municipal purposes, including water used in city buildings, parks, fire departments, graded schools, street sprinkling, and flushing of manholes in sewers, said sums to be based on an annual rental, and to be payable quarterly.

Analysis of water. Sec. 21. All persons and corporations selling water for drinking purposes in the city of Durham shall have made at least once in every month, at their own expense, by the State Board of Health of this or any other State in the United States, or by the meat and milk inspector of Durham, a chemical analysis of a sample of water of the kind sold by them; and such persons or corporations shall file with the superintendent of health of the city and county of Durham a certificate from the said board of health or said meat and milk inspector, showing that the sample of water of the kind sold is pure and unpolluted.

Sec. 22. The board of water commissioners of the city of Durham shall have the power to adopt such rules and regulations as may be just and proper, regulating the use of water by householders, persons, firms, and corporations, and in order to conserve the water supply of the city of Durham in case of any drought may require reasonable curtailment in the use of water by the adoption of reasonable rules and regulations, and all persons, firms, and corporations in the city are required to observe the rules and regulations adopted by the board of water commissioners; and any person, firm, or corporation who shall fail, neglect, or refuse to observe any of the rules and regulations of the board of water commissioners shall be subject to and pay a penalty of twenty-five dollars for each offense, said penalty to be recovered before a justice of the peace.
Sec. 23. That all laws or parts of laws in conflict with this act be and the same are hereby repealed.

Sec. 24. That this act shall be in full force and effect from and after its ratification.

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

CHAPTER 72

AN ACT TO PERMIT THE TOWN OF MAXTON TO OWN AND OPERATE OR CONTROL THE OPERATION OF THE WATER AND LIGHT SYSTEMS IN SAID TOWN, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That all acts now in force establishing and granting certain powers and imposing certain duties upon the board known as "The Water-works Commission of the Town of Maxton," in so far as they refer to the establishment of the said water-works commission be and the same are hereby repealed, and all the powers and duties granted and imposed upon the said commission be and the same are hereby transferred to the mayor and commissioners of the town of Maxton.

Sec. 2. That the mayor and commissioners of the town of Maxton shall have the right to purchase on behalf of said town a municipal power and light plant, together with all poles, lines, and other equipment and appurtenances necessary to the proper operation of such plant; or said mayor and commissioners may contract with any person, firm, or corporation for supplying power and light to said town of Maxton upon such terms and for such length of time as they may deem to be for the best interests of the town: Provided, that said mayor and commissioners shall not have the right to purchase said plant as herein provided nor contract for the lease of such plant until the question of such purchase and operation or lease or contract for power and lights shall be approved by a majority of the votes cast at the next regular municipal election.

Sec. 3. That it shall be the duty of the board of commissioners of the town of Maxton to submit the question of the purchase and operation of a power and light plant, poles, lines, and other equipment connected with a power plant, or the purchase of a line or lines and equipment now in operation, to a vote of the qualified voters of the town of Maxton at the regular election to be held in May, one thousand nine hundred and seventeen; that on the day of election the said board of commissioners shall provide a separate box marked "For or Against Ownership of Power
and Light Plant," and shall print for distribution by the poll-holders and use by the voters ballots containing the words "For Municipal Ownership" or "Against Municipal Ownership." At the close of the polls the judges shall declare the result and certify the same to the mayor and board of commissioners of said town, who shall record such resolutions in the minutes of the board.

Sec. 4. That if a majority of the votes cast shall be in favor of municipal ownership, then and in that event it shall be the duty of the mayor and board of commissioners to proceed without delay to erect and operate a power and light plant, with poles, lines, wires, and other equipment necessary for the proper operation of said plant, or they may purchase and operate any plant, line, or lines, together with other equipment now in operation in said town.

Sec. 5. That the present water-works commission of the town of Maxton shall continue in existence until the regular election in May, one thousand nine hundred and seventeen.

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

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

CHAPTER 73

AN ACT TO GIVE THE GREENVILLE POLICE AUTHORITY BEYOND THE CORPORATE LIMITS OF THE TOWN OF GREENVILLE, PITTC COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the regular police force of the town of Greenville shall be empowered and are hereby granted the authority to make arrests, or do other acts within the limits of their authority as policemen, as prescribed by the charter for the town of Greenville, or by ordinance, in a section extending one mile in every direction beyond the corporate limits of the town of Greenville, and that their authority and duties with respect to the additional territory herein set out shall be in every respect the same as their authority and duties with respect to the incorporated town of Greenville: Provided, that the provisions of this act shall be subject to the approval of the board of aldermen of Greenville.

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

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

Ratified this the 9th day of January, A. D. 1917.
CHAPTER 74

AN ACT TO AMEND THE CHARTER OF THE TOWN OF SCOTLAND NECK.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and forty-two of the Private Laws of nineteen hundred and one, ratified the eleventh day of March, nineteen hundred and one, be amended as follows:

By adding after the last sentence in section fifteen: "and the commissioners are hereby vested with the authority to impose a penalty of three per centum on the amount of all taxes due on the first day of December, and an additional one-tenth of one per centum on each day thereafter on all taxes due until paid."

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

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

CHAPTER 75

AN ACT TO AMEND CHAPTER 204 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION 1903.

The General Assembly of North Carolina do enact:

SECTION 1. That section fifteen (15), chapter two hundred and four (204) of the Private Laws of North Carolina, session nineteen hundred and three (1903), be and the same is hereby amended by striking out the words "for street improvement not to exceed three (3) per cent of the assessed value of real and personal property of said city."

Sec. 2. That when proceeding under chapter fifty-six, Public Laws of North Carolina, session nineteen hundred and fifteen (1915), for any public improvement thereunder, said chapter fifty-six shall not be subject to any limitation, inhibition, or restriction contained in chapter two hundred and four (204), Private Acts of North Carolina, session nineteen hundred and three (1903), or amendments thereof.

Sec. 3. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed in so far as the same may conflict herewith.

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

Ratified this the 9th day of January, A. D. 1917.
CHAPTER 76

AN ACT TO AMEND CHAPTER 243 OF THE PRIVATE LAWS OF 1901, PROVIDING FOR THE ESTABLISHMENT OF GRADED SCHOOLS IN THE TOWN OF MOUNT OLIVE, N. C.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter two hundred and forty-three of the Private Laws of nineteen hundred and one, providing for the establishment of graded schools in the town of Mount Olive, N. C., be and the same is hereby amended by inserting the word “five” after the word “forty” and before the word “cents” in line eleven, and by striking out the word “twenty” in line twelve and inserting the words “thirty-five” in lieu thereof.

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

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

CHAPTER 77

AN ACT TO INCORPORATE THE TOWN OF JEFFERSON, ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Jefferson, in Ashe County, North Carolina, be and the same is hereby incorporated by the name and style of "The Town of Jefferson." and it shall have all the powers and privileges of the law now in existence in reference to incorporated towns and not inconsistent with this act.

Sec. 2. That said town shall be incorporated in a square one-half mile in each direction from the courthouse in said town.

Sec. 3. That the officers of said town shall consist of a mayor, three aldermen, and a constable.

Sec. 4. That it shall be the duty of said mayor and aldermen to make such rules, regulations, and by-laws as may be necessary and not inconsistent with law for the proper government of said town.

Sec. 5. That the following named persons shall fill said offices until Tuesday after the first Monday in May, one thousand nine hundred and eighteen, and until their successors are elected and qualify, to wit: W. T. Colvard, mayor; Eugene Wagg, W. E. Gentry, and W. E. McNeill, aldermen; and B. F. May, town constable.
Sec. 6. That there shall be an election held for the offices mentioned in this act Tuesday after the first Monday in May, one thousand nine hundred and eighteen, and every year thereafter, under the same rules and regulations that govern and county elections, and the mayor and aldermen shall appoint Election officers, a registrar and two judges to conduct said election.

Sec. 7. That the said board of aldermen of the town of Jefferson be and it is hereby empowered to condemn lands for the purpose of laying out, widening, or otherwise extending streets and alleys, and the same may be done under the general laws governing the condemnation of land for public purposes.

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

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

CHAPTER 78
AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE TOWN OF MAXTON TO EMPLOY AN AUDITOR.

The General Assembly of North Carolina do enact:

Section 1. That upon the petition of twenty per cent of the Petition, qualified voters of the town of Maxton, the board of commissioners of said town are hereby authorized and directed and it shall be their duty to employ, for such time as may be necessary, an experienced and competent person to audit the books of said town. The compensation of such auditor shall be fixed by said board of commissioners.

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

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

CHAPTER 79
AN ACT TO AMEND THE CHARTER OF THE CITY OF HENDERSON.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and sixty-six, Private Law repealed. Laws of nineteen and fifteen, be and the same is hereby repealed.

Sec. 2. That section three, chapter three hundred and thirty-two, Private Laws of nineteen hundred and thirteen, be amended by adding after the word "wards," in line seven: "At the election to be held in May in nineteen hundred and seventeen one
aldermen shall be elected from each ward for a term of one year and one aldermen from each ward for a term of two years."

Sec. 3. That section nine be amended by adding after the word "taxes" in line eight: "The council may provide for a discount not exceeding five per cent upon all property taxes paid before the fifteenth of November following their assessment, and may impose a penalty not to exceed one per cent on all property taxes not paid on or before that date."

Sec. 4. That section twelve be amended by adding after the word "thereof," in line fifteen: "and shall have within the city concurrent jurisdiction of all criminal matters of which jurisdiction is given the recorder's court of Vance County."

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

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

CHAPTER 80

AN ACT TO EXEMPT THE BONDS OF CAROLINA COLLEGE FROM TAXATION.

The General Assembly of North Carolina do enact:

Section 1. That all bonds heretofore issued or which shall hereafter be issued by Carolina College, an educational institution incorporated by special acts of the General Assembly of North Carolina, and which are secured by mortgage or deed of trust on real property of said Carolina College, are and shall hereafter be free and exempt from taxation by State, county, and municipality.

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

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

CHAPTER 81

AN ACT TO ALLOW THE BOARD OF ALDERMEN OF THE TOWN OF MARSHALL IN MADISON COUNTY TO REMOVE CERTAIN GRAVES IN SAID TOWN.

The General Assembly of North Carolina do enact:

Section 1. That the board of aldermen of the town of Marshall shall have the power and authority, and they are hereby authorized to remove any and all graves in the town of Marshall,
Madison County, North Carolina, and remove the bodies, bones, or dust from said graves to some other graveyard, or yards in the said county of Madison.

Sec. 2. That the provisions of this act shall not apply to what is known as the Pritchard Graveyard or the Linda Frisbee Graveyard.

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

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

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

CHAPTER 82

AN ACT TO COLLECT THE UNPAID TOWN TAXES OF THE TOWN OF MARBLE IN CHEROKEE COUNTY FOR THE YEARS OF 1913 AND 1914.

The General Assembly of North Carolina do enact:

Section 1. That the municipal corporation of the town of Marble of the county of Cherokee be and is hereby authorized and empowered to collect the unpaid town taxes for the years of nineteen hundred and thirteen and nineteen hundred and fourteen.

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

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

CHAPTER 83

AN ACT TO ENLARGE THE JURISDICTION OF THE MAYOR OF THE TOWN OF RUTHERFORDTON.

The General Assembly of North Carolina do enact:

Section 1. That the mayor of the town of Rutherfordton shall have final, exclusive original jurisdiction of all violations of town ordinances committed within the limits of the town of Rutherfordton.

Sec. 2. That said mayor shall have final concurrent original jurisdiction with the Superior Court in addition to the jurisdiction conferred in the last paragraph of all the offenses and crimes enumerated in section six, subsection c, of chapter five hundred and sixty-four, Public-Local Laws of one thousand nine
hundred and thirteen, in the same manner as set forth in said
section giving jurisdiction to the records of Rutherford County,
when the same are committed within the corporate limits of the
town of Rutherfordton.

Sec. 3. In any other criminal matter wherein said mayor has
final jurisdiction he shall have power and he is hereby authorized
to hear and bind over to the proper court all persons charged with
any crime committed within the town of Rutherfordton, and to
render such judgment in such matters as is now provided by law
for justice of the peace, and in all such cases heard by said
mayor as a committing magistrate against any such person or
persons for any offenses whatever, whenever said mayor has not
final jurisdiction in which probable cause of guilt is found, such
person or persons so charged shall be bound in a bond or recog-
nization with sufficient surety, if the crime be bailable under law,
to appear at the next term of the Superior Court of Rutherford
County for the trial of criminal offenses, and in default of such
bond or recognition such person or persons shall be committed
to the common jail of Rutherford County to await trial as afore-
said. If the crime be not bailable, then to commit the defendant
so charged to the common jail of Rutherford County to await
action of the Superior Court thereof.

Sec. 4. That said mayor shall have all the power, jurisdiction,
and authority conferred by section six, subsection c, of chapter
five hundred and sixty-four, Public-Local Laws of one thousand
nine hundred and thirteen, upon the recorder of Rutherford
County.

Sec. 5. That the said mayor shall have authority and power
to sentence any person convicted of crime or the violation of any
law or town ordinance of the town of Rutherfordton of which
he has final jurisdiction, who may be convicted before him as
said mayor to work upon the streets of the town of Rutherford-
ton and the officials of the said town of Rutherfordton are au-
thorized and empowered to work said convicts upon the streets
of said town, and are further authorized and empowered to hire
from the county commissioners of Rutherford County any per-
sons who may have been sentenced to jail from any court in
Rutherford County, with authority to the commissioners of
Rutherford County to hire the same out to be worked upon the
public roads; and the recorder of Rutherford County is likewise
empowered to sentence any person convicted by him of violation
of law to work upon the streets of the town of Rutherfordton;
and the county commissioners of the county of Rutherford are
authorized to hire to the town of Rutherfordton any convicts
sentenced to jail in Rutherford county by any court, with leave
to them to hire same to be worked upon the public roads of North
Carolina.
Sec. 6. The town of Rutherfordton shall pay the same price to hire of convicts, the board of county commissioners of Rutherford County for convicts from the recorder's court that it does for convicts from any other courts, and the town of Rutherfordton shall feed, clothe, and guard all convicts without any cost to said county commissioners of Rutherford County.

Sec. 7. This act shall be in force from and after its ratification, and all laws and parts of laws in conflict herewith are hereby repealed.

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

CHAPTER 84

AN ACT TO AMEND CHAPTER 144, OF THE PRIVATE LAWS OF 1913, RELATING TO THE TOWN OF NORTH WILKESBORO.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and forty-four of the Private Laws of one thousand nine hundred and thirteen be and the same is hereby amended as follows: By striking out in line three of section thirty-one the word “ten” and inserting in lieu thereof the word “fifteen”; by striking out in line twelve of section twenty-two (subsection one) the words “one dollar” and inserting in lieu thereof the words “one dollar and fifty cents,” and by striking out in line fourteen the word “two” and inserting in lieu thereof the word “three”; by striking out in lines seven and eight in section twenty-six the words beginning with the word “provided” and continuing to the word “taxes,” both inclusive and by further striking out in lines twelve, thirteen, and fourteen of said section the words beginning with the word “provided” and continuing to the word “polls,” both inclusive.

Sec. 1 (a). That this proposed amendment to the charter of the town of North Wilkesboro shall become effective when ratified by a majority of the qualified voters of said town at a public election to be held at such time or times and under such regulations as the board of commissioners of said town may prescribe, at which election or elections those favoring the proposed amendment shall vote a written or printed ballot with the word “Amendment” thereon, and those opposed to the proposed amendment shall vote a ballot with the words “No Amendment” written or printed thereon.

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

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

Ratified this the 9th day of January, A. D. 1917.
CHAPTER 85

AN ACT TO AUTHORIZE THE TAX COLLECTOR OF EAST BEND TO COLLECT TOWN TAXES FOR 1913.

The General Assembly of North Carolina do enact:

Section 1. That J. G. Steele, tax collector for the town of East Bend in the year one thousand nine hundred and thirteen, or, in case of death or default, his personal representative, bondsmen, or any agent they may designate, be and he or they are hereby authorized and empowered to collect arrears of taxes for the town of East Bend for the year one thousand nine hundred and thirteen, under such rules and regulations as are now or may hereafter be provided for the collection of taxes.

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

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

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

CHAPTER 86

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CLINTON.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and fifteen of the Private Laws of North Carolina, ratified at the extra session nineteen hundred and thirteen, being entitled "An act to revise the charter of the town of Clinton," be and the same is hereby amended as follows:

Sec. 2. That section two of said act be stricken out and the following inserted in lieu thereof: "The corporate limits of said town shall be an octagon circumscribed about a circle of three thousand and six hundred feet radius, the center of which is the center of the present Sampson County courthouse, and four alternate sides of said octagon to be parallel to the four walls of said courthouse."
Sec. 3. That section eight of said act to amended by inserting in line three, after the comma following the word "collector" and before the word "whose," the following: "or may impose the duties of the office of tax collector upon the town clerk and treasurer."

Sec. 4. In section fifty-two of said act strike out the words "on the first day of May" in line fifteen and insert in lieu thereof the words "as of the same day."

Sec. 5. That section fifty-three of said act be amended as follows: Strike out the first line of said section and the word "year" in line two of said section and insert in lieu thereof the following: "That annually for fifteen days prior to the commencement of the time during which property is required to be listed for taxation for State and county purposes"; strike out the word "within" in line five of said section down to the period in line six, after the word "notice," and insert in lieu thereof the words "during the same time that taxables are required to be listed for State and county taxes with the township list taker"; and strike out the words "first day of May" in line seventeen after the word "the" and before the word "of," and insert in lieu thereof the words "same day."

Sec. 6. Strike out in line three of section fifty-four of said act the words "for thirty days after the first Monday in June."

Sec. 7. That section fifty-seven of said act be amended by inserting after the word "payable" at the end of line two and before the word "on," at the beginning of line three, the words "at the mayor's office."

Sec. 8. All laws and all ordinances of the town of Clinton inconsistent with the provisions of this chapter are hereby repealed.

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

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

CHAPTER 87

AN ACT TO AID IN THE DEVELOPMENT OF THE TOWN OF REIDSVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor and board of commissioners of the town of Reidsville shall annually set apart and appropriate from the funds derived annually from general taxation in said town an amount equal to one-tenth of one per cent upon the assessed valuation of real and personal property taxable in said town, which funds shall be paid to the directors of "The Reidsville
Commercial and Agricultural Association," the said fund to be expended under the direction and control of the directors of the Reidsville Commercial and Agricultural Association and for the purpose of aiding and encouraging the location of manufacturing, industrial, and commercial plants in and near said town, and for such other purposes as will in the discretion of said board of directors of the Reidsville Commercial and Agricultural Association increase the population, taxable property, and business prosperity of said town: Provided, however, that said appropriation shall not be made by said mayor and board of commissioners of said town except upon written request from the board of directors of the said association, stating therein that said appropriation is necessary for the purpose herein set out.

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

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

CHAPTER 88

AN ACT RELATING TO THE GRADED SCHOOLS OF ELIZABETH CITY, PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seventy-six, Private Laws of North Carolina, session one thousand nine hundred and fifteen, be and the same is hereby amended by striking out all of section three and inserting in lieu thereof the following:

That section ten, chapter one hundred and forty, Private Laws of one thousand nine hundred and seven, be and the same is hereby amended by striking out all of said section and inserting in lieu thereof the following:

"Sec. 10. The board of trustees of said graded schools shall consist of sixteen members, who shall be qualified voters of Elizabeth City, four from each of the four wards of Elizabeth City, all to be elected by the board of aldermen of Elizabeth City, at their regular meeting on the first Monday in July, one thousand nine hundred and seventeen, one from each ward, whose term of office shall expire in one year; one from each ward, whose term of office shall expire in two years; one from each ward, whose term of office shall expire in three years; one from each ward, whose term of office shall expire in four years, and at the expiration of the term of each trustee as set out above the board of aldermen of Elizabeth City shall elect his successor, who shall hold office for a term commensurate with the term of him whose office expires and until his successor is elected and qualified:
Provided, that no member of said board of aldermen shall be eligible as a member of the board of school trustees. If a vacancy occurs by death or resignation the board of aldermen shall fill such vacancy for the unexpired term from the same ward as was represented by his predecessor: Provided, that Trustees position of trustee of said graded school shall not be in contemplation of article seven of the Constitution of North Carolina."

Sec. 2. That all laws and clauses of laws inconsistent with Repealing clause, this act are hereby repealed.

Sec. 3. That this act shall be in force from and after the When act effective, first Monday in July, one thousand nine hundred and seventeen.

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

CHAPTER 89

AN ACT TO AUTHORIZE THE TOWN OF WEST ASHEVILLE, NORTH CAROLINA, TO ISSUE BONDS TO FUND INDEBTEDNESS FOR STREET AND SIDEWALK IMPROVEMENTS AND TO COMPLETE SAID IMPROVEMENTS.

Whereas the town of West Asheville has incurred certain indebtedness by reason of street and sidewalk improvements, made necessary to supply the needs of the increase in population; and whereas it is necessary to complete certain other work in the improvement of said streets and sidewalks, and in extension of the same by way of grading, paving, macadamizing, etc.: Now therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen of the town of West Asheville be and it is hereby authorized and empowered to issue coupon bonds of the town of West Asheville to an amount not exceeding one hundred seventy thousand dollars.

Sec. 2. That said bonds shall be negotiable coupon bonds of such form and denomination as said board of aldermen may determine, and shall be direct obligations of the town of West Asheville for the payment of which, both principal and interest, the full faith and credit of said town shall be pledged. Said bonds shall be signed by the mayor of said town and countersigned by the clerk and sealed with the corporate seal of said town, and shall bear interest at a rate not to exceed six (6) per centum per annum, interest payable semiannually at such place or places as said board of aldermen may determine, and shall mature at such time or times as said board of aldermen may determine, not exceeding thirty years from their date.

Sec. 3. Said bonds shall be sold by the board of aldermen to the best bidder, after advertisement of the sale thereof in at least
one local Asheville paper for thirty days and in some recognized financial journal of New York City or Baltimore, Maryland.

Sec. 4. That the said board of aldermen of said town or their successors in office be and they are hereby authorized and empowered to levy and collect on all taxable property in the town of West Asheville a special tax of sufficient amount to pay the interest on said bonds as it becomes due and the principal thereof at maturity. Said special tax shall be levied and collected at the same time as other taxes are levied and collected for the use of said town.

Sec. 5. That said bonds are not to be sold for less than par value and accrued interest, and the proceeds from said sale, including any premium received upon the sale thereof, shall be applied only to the payment of the indebtedness created for street and sidewalk improvements in the town of West Asheville, and for other street and sidewalk improvements in said town. But the purchaser of said bonds shall not be bound to see to the application thereof to said purpose or purposes.

Sec. 6. That the town clerk or treasurer of said town shall keep separate from all other public moneys coming into his hands the moneys arising as proceeds from the sale of said bonds, and the same shall be expended under the direction of the board of aldermen of the town of West Asheville for the purposes provided in this act.

Sec. 7. That nothing herein contained shall be construed so as to impair the right of said town to enforce liens against abutting property owners for street and sidewalk improvements heretofore made, but said lien shall remain in full force until collected by said town.

Sec. 8. That section two thousand nine hundred and seventy-seven of the Revisal of one thousand nine hundred and five shall not apply to the town of West Asheville.

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

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

CHAPTER 90

AN ACT TO AUTHORIZE THE INVESTMENT OF THE SINKING FUND OF CHADBORN SUPPLEMENTAL SCHOOL DISTRICT, COLUMBUS COUNTY.

Whereas, by an act of the General Assembly of North Carolina, chapter four hundred sixty-six, Private Laws of one thousand nine hundred and eleven, providing for holding a special election in Chadbourn Supplementary School District, Number Three,
for white and colored races upon bond issue of ten thousand dollars ($10,000); and whereas said election was held in accordance with said act and bonds issued for ten thousand dollars ($10,000), payable in thirty years; and whereas a sinking fund has accrued by reason of the issuing of said bonds, and no provision made in said act authorizing the loaning of said sinking fund: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the school trustees of Chadbourn School District, Number Three, for white and colored races, located in the town of Chadbourn, are hereby authorized and empowered to loan any money or moneys that may now or may hereafter accumulate as a sinking fund against the bonding indebtedness of said school district under such restrictions as are hereinafter set out.

SEC. 2. That any money loaned as authorized under this act shall not be loaned for a longer period than five years and shall only be loaned on security approved by the board of education of Columbus County and the superintendent of public instruction of Columbus County.

SEC. 3. That the treasurer of Columbus County shall turn over to the said school trustees upon their warrant or written order, approved by the county superintendent of schools of Columbus County, such funds as he may have in hand or may hereafter accumulate from time to time for the purpose and under the rules set forth in this act.

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

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

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

CHAPTER 91

AN ACT TO ALLOW THE BOARD OF ALDERMEN OF THE TOWN OF HILLSBORO TO REMOVE BODIES AND SELL PRESENT SITE OF COLORED CEMETERY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen of the town of Hillsboro shall be vested with authority to have the graves in the colored cemetery which is situated on Occoneechee Street in said town removed to another cemetery, the site and location to be provided by said board of aldermen. That said board of aldermen may appoint some suitable person at such compensation as
they may deem reasonable to manage the removal of the bodies now interred in said cemetery, with the stones and monuments erected thereto, to the new cemetery above provided for. That after all the bodies have been removed, then in their discretion said board of aldermen may sell said tract of land and hold the proceeds from such sale, after paying expenses incurred, to constitute and form a fund to take care of the bonded and other indebtedness of said town of Hillsboro.

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

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

CHAPTER 92

AN ACT TO AMEND SECTION 6 OF CHAPTER 96 OF THE PRIVATE LAWS OF THE EXTRA SESSION 1913, RELATIVE TO LEVYING AND COLLECTING TAXES UNDER SAID ACT.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter ninety-six of the Private Laws of the extra session of nineteen hundred and thirteen be amended by striking out in lines nineteen and twenty the following words: "Levied and collected as the other town taxes in said town, and in that portion of said district in Robeson County shall be," the effect being that the county commissioners shall levy and the sheriff shall collect the taxes provided for in said chapter.

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

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

CHAPTER 93

AN ACT TO ENLARGE THE BOUNDARY OF THE SANFORD GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. The following territory shall be incorporated into the Sanford Graded School District: "Beginning at the line of the present Sanford Graded School District, at the intersection of Buffalo Creek and the west boundary of the right of way of the Southern Railway, thence with the line of the right of way of the Southern Railway northward to its intersection with the
property line of the property of A. L. McNeal; thence westward with his line to his corner; thence with his other various lines to the old Moore and Chatham County line; thence east with the old Moore and Chatham County line to Big Buffalo Creek; thence up its various meanders to the present Sanford Graded School District line."

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

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

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CHAPTER 94

AN ACT TO AMEND THE CHARTER OF THE TOWN OF WEST ASHEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section five, chapter eighty of the Public-Local and Private Laws, extra session one thousand nine hundred and thirteen, be amended as follows: By striking out the words "seventy-five" in line five of said section five and inserting in lieu thereof the words "ninety-five."

Sec. 2. That all laws in conflict with this act be and the same Repealing clause. are hereby repealed.

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

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

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CHAPTER 95

AN ACT TO ESTABLISH CONOVER GRADED SCHOOL DISTRICT IN CATAWBA COUNTY AND TO PROVIDE FOR A BOND ISSUE.

The General Assembly of North Carolina do enact:

SECTION 1. That all the territory within the corporate limits Boundary set out. of the town of Conover as is now or shall hereafter be prescribed, and all the territory lying without the corporate limits of the town of Conover and included in the boundaries of Conover Special-tax School District in Newton and Cline's townships, Catawba County, which boundaries at the time said district was established, and since added to by the county board of education were and are as follows: Beginning at an iron stake, C. R. Brady's corner in A. D. Herman's line in the old Newton road, about fifty feet from the line of the Southern Railway track be-
tween Conover and Newton, thence running with the said C. R. Brady's line, including the said Brady's lands, to A. D. Herman's corner; thence with his lines to the J. P. Spencer corner, including all of the said A. D. Herman's lands except that portion inherited from his father, Elijah Herman, which is excluded; thence with the said J. P. Spencer's lines, including his lands, to a corner of Lee Fox's lands; thence with said Fox's lines, including said Fox's land, to a corner of Burrett Thornburg's land; thence with the said Burrett Thornburg's lines, including said Thornburg's land, to L. M. Pharr's corner; thence with the said Pharr's lines, including said Pharr's land, to Albert Spencer's corner; thence with said Spencer's lines, including said Spencer's land, to J. P. Yount's corner; thence with said Yount's line, including said Yount's land, to W. L. Yount's corner; thence with said Yount's line, including said Yount's land, to corner of Mrs. Florence, Holler's land; thence with said Mrs. Holler's lines, including said Mrs. Holler's land, to corner of W. L. Yount's same farm; thence with lines of said W. L. Yount's land, including the said Yount's home place, to J. P. Yount's corner; thence with the lines of the said J. P. Yount, to Mrs. H. A. Hunsucker's corner; thence with said Mrs. Hunsucker's lines, including said Mrs. Hunsucker's land to Mrs. W. L. Yount's corner; thence with the said Mrs. Yount's lines, including said Mrs. Yount's land to T. C. Hunsucker's corner; thence with said Hunsucker's line, including said Hunsucker's land, to Baxter's Simmons' corner, in the Island Ford road; thence with said Simmons' lines, including said Simmons' land to L. M. Pharr's corner; thence with said Pharr's lines, including said Pharr's land, to a stake in Lyle's Creek, John Simmons' corner; thence with said Simmons' lines up said creek, including said Simmons' land, to L. A. Hunsucker's corner; thence with said Hunsucker's lines, including said Hunsucker's land, to W. D. Shell's corner; thence with Shell's lines, including said Shell's land, to J. F. Hunsucker's corner; thence with said Hunsucker's lines and Marion Hunsucker's lines, including both Marion Hunsucker's and J. F. Hunsucker's land, to Mrs. H. D. Sease's corner; thence with Sease's lines, including said Sease's land, to T. D. Smyre's corner; thence with said Smyre's lines, including said Smyre's land, to Claud Herman's corner; thence with said Herman's lines, including said Herman's land, to Mrs. R. E. Herman's corner; thence with said Mrs. Herman's lines, including said Mrs. Herman's land, to D. E. Link's corner; thence with said D. E. Link's lines and line of Leslie Bolick, including both Link's and Bolick's lands, to G. A. Poovey's corner; thence with said Poovey's lines, including said Poovey's land, to W. P. Smyre's corner; thence with said Smyre's lines, including said Smyre's land, to Mark Pope's corner; thence with said Pope's lines, including said Pope's land,
to H. H. Jones' corner; thence with said Jones' lines, including said Jones' land, to George Price's corner; thence with said Price's lines, including said Price's land, to C. S. Simmons' corner; thence with said Simmons' line, including said Simmon's land, to J. E. Simmon's corner; thence with said Simmon's lines, including said Simmons' land to C. C. Herman's corner; thence with said Herman's lines, including said Herman's land, to the beginning, shall be and remain and is hereby constituted a public school district, and shall hereafter be known as the "Conover Graded School District," and that a special tax for school purposes, to wit, thirty cents on each hundred dollars valuation of property and ninety cents on each taxable poll, shall continue to be levied and collected annually, to the same extent and in the same manner as the said taxes are now and have been herebefore levied and collected in the Conover Special-tax School District: Provided, that if a majority of the registered voters of said district shall vote in favor of the issue of bonds and taxation as hereinafter provided for, then the taxes for the use and benefit of said public school and to pay the interest shall be levied and collected in amounts, at times, and in the manner hereinafter provided: Provided further, that the boundary of the said territory outside of the town of Conover shall, in case of any doubt, vagueness, or omission, follow the lines of landowners, whether named or not, between any two given points, if possible; otherwise, to run as near as may be with such lines, and otherwise to run in straight lines, and in any event the territory within the town of Conover shall not be affected by any such doubt, vagueness, or omission, but shall be, remain, and constitute said school district or part thereof.

Sec. 2. That the special school-tax election held in the Conover Special School District, which includes all the territory within the town of Conover and the territory without the town as set out in the preceding section, except that portion added to said territory by an order of the board of education of Catawba County on the first day of January, one thousand nine hundred and seventeen, on the eleventh day of October, one thousand nine hundred and fifteen, under and by authority of the Public Acts of one thousand nine hundred and one, be and the same is hereby declared valid and legal in all respects; and the action of the board of education for Catawba County in taking off a portion of the St. Timothy Special School District and putting same in the Conover Special School District, the tax levy being the same, and which is included in the boundary as set out in section one of this act, be and the same is hereby declared valid and legal in all respects.

Sec. 3. That C. R. Brady, S. S. Rowe, H. D. Sease, Dr. J. J. Trustees named, Stewart, and Claud C. Herman shall be and are hereby consti-
Proviso: Vacancies.

Election of successors.

Incorporation.

Corporate name.

Corporate powers.

Separate schools for races.

Schools graded.

Use of funds.

Proviso: donations to special schools.

Control and supervision of schools.

Proviso: Certificates of teachers.

tuted trustees of the public schools of the Conover Graded School District, and shall serve until their successors are elected and qualified as herein provided. The successors of the first three named shall be elected at the election for the municipal officers of the town of Conover in the year one thousand nine hundred and seventeen for a term of two years, and the successors of the last two named shall be elected at the election for the municipal officers of the town of Conover in the year one thousand nine hundred and eighteen for a term of two years, and at the election of the municipal officers of the town of Conover each year thereafter trustees shall be elected to succeed those whose terms expire: Provided, that any and all vacancies in the board of trustees shall be filled by the other members of said board, whether said vacancy shall occur by reason of death, resignation, failure to elect, or otherwise.

Sec. 4. That the said trustees named in section three and their successors shall be and are hereby constituted a body corporate by the name and style of "Board of School Trustees of Conover," and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, acquire by gift, purchase, devise, or otherwise, real and personal property, and may hold, exchange, mortgage, or sell the same in any manner and to any extent the said board may deem advisable, and exercise such other rights and privileges as are incident to other corporations, and may have a corporate seal, which it may break and change at pleasure.

Sec. 5. That it shall be the duty of said board of school trustees to establish separate schools for the white and colored children of said school district, and they may grade the schools for either race, and shall appropriate and use the funds from special taxes and from State and county school fund in such manner as may be deemed just to both races, due regard being had to difference in cost of maintaining and the requirements of said schools: Provided, donations and income for benefit of any special school shall be so applied.

Sec. 6. That said board of trustees shall have control and supervision of all public schools in said district subject to the general control and supervision of the county board of education under the public school law; shall prescribe rules and regulations for the government of such schools, conduct of pupils, teachers, and officers, and for the preservation, control, and use of school property; may provide for the suspension and expulsion of pupils, who may be denied the privileges of said schools until reinstated by authority of said board of trustees; shall employ and fix the compensation of all teachers and officers of such schools; may require examination of teachers. and may dismiss teachers: Provided, no teacher shall be employed who has not
been properly certified under the law regulating the certification of teachers in North Carolina; shall cause to be taken, in accordance with the general school law of the State, an accurate census of the school population of said district and transmit a copy thereof to the county superintendent, and shall exercise any and all other powers they may deem necessary or advantageous for the successful control and operation of schools, and the management of the school property in said district.

Sec. 7. That said school trustees shall adopt the text-books for use in said schools, recommended by the State Board of Education; may admit pupils residing outside the limits of said district, or those under or over the public school age, upon such terms as said trustees may deem reasonable, and may fix rates of tuition to be charged: Provided, no tuition shall be charged persons between the ages of six and twenty-one years, who reside within the district, for branches required to be taught in the public schools under the general school law.

Sec. 8. That the said trustees may erect, complete, repair, alter, and improve the school buildings and grounds, and may purchase furniture, equipment and appliances, including fixtures for heating, lighting, water supply, sewerage, etc., and may do all things they may deem advisable for the best interests of the schools and school property in said district.

Sec. 9. That said school trustees shall, as soon as convenient after the ratification of this act, meet and organize by electing a chairman and a secretary and treasurer. The treasurer shall give a bond in such sum as the said school trustees may require. The school authorities as at present constituted shall carry on the schools in said district until the said school trustees shall organize under this act.

Sec. 10. That as soon as the said school trustees shall have organized and the treasurer of said board of trustees shall have given an approved bond, the treasurer of Catawba County, or other parties in lieu of said county treasurer in custody of the public school funds of said county, shall pay over to the treasurer of said board all school funds then in his or their hands and belonging to the Conover Special-tax (School) District or the Conover Graded School District and shall in like manner pay over all such funds that shall thereafter come into his or their hands for the use and benefit of said district.

Sec. 11. That all taxes levied and collected in said district for the use and benefit of said schools, under the authority of the general school law or under authority of this act, shall be paid over to the treasurer of said board of trustees by the sheriff or other tax collector provided for in this act, for the benefit of the public schools in said district.

11—Priv.
Sec. 12. That in the apportionment of the public school funds derived from the State and from the county of Catawba, the county board of education of Catawba County, or others having authority under the general school law of the State, shall determine the amount to be apportioned each year to the public schools of the Conover Graded School District by dividing the whole amount of county school fund, first deducting the county treasurer's commission, or part of salary to be paid out of said funds, and also the amount reserved by the county board of education for office expenses, salary of county superintendent of education, and for per diem and mileage of members of said board of education, and building fund and other contingent expenses authorized under the public school law to be deducted, by the total number of children of school age in Catawba County, as determined by the last school census preceding such apportionment, and then multiplying the quotient so obtained by the total number of children of school age within the said Conover Graded School District, as determined by the last school census preceding such apportionment, and the amount so ascertained and determined shall be paid by the county treasurer to the treasurer of said board of trustees, to be used for the benefit of the schools of said district under the control and direction of said board of trustees.

Sec. 13. That all the property, both real and personal, of the public school districts embraced within the limits of said graded school district shall become the property of the Conover Graded School District, and the title thereto shall vest in the "Board of School Trustees of Conover," and all real estate belonging to the public schools in said limits shall be conveyed to said board of trustees, subject to the provisions of this act; and said board of trustees may, in their discretion, sell any of said property, real or personal, and apply the proceeds as they may deem best for the schools and school property of said district.

Sec. 14. That the county board of education of Catawba County is authorized and directed to pay to the treasurer of the said board of trustees of said district, out of the county school funds coming under their control, any balance theretofore apportioned to the schools in Conover Special School District or appropriated to said district for building or other expenses, which has not been paid to or drawn from the county treasurer by said special-tax district, and such apportionment and appropriation by the county board of education are declared to be valid and legal in all respects.

Sec. 15. That for the purposes of the levy and collection of school taxes, assessments of property therefor, election for school bonds and taxes, elections for school trustees, and in all other matters affecting the public schools in the Conover Graded School District, that portion of said graded school district lying out-
side of the corporation limits of the town of Conover is deemed, and is hereby constituted, a part of the town of Conover, and for all the said purposes the provisions of all laws now in force or that shall hereafter be enacted relating to or affecting the public schools in said district or governing the assessment of real and personal property, the levy and collection of municipal taxes and the holding of municipal elections in the town of Conover shall be and are hereby extended to that portion of said graded school lying without the corporate limits of said town as fully as if the same lay within the said corporate limits.

Sec. 16. The board of aldermen of the town of Conover shall within thirty days after the ratification of this act, either at a regular meeting of the board or at a special meeting thereof, order an election to be held in said town (including the entire school district) within forty days next after the date of said order, at which election shall be submitted to the qualified voters of said territory the question of issuing bonds in the sum of not exceeding ten thousand dollars ($10,000), to be known as school bonds. Said board of aldermen shall give notice of said election, for twenty days before said election is held, by publication in some newspaper published in Catawba County, or by posting a notice thereof at the courthouse door in said county and at the postoffice in the town of Conover. There shall be a new registration of voters for this election, and only those who register for this election shall be deemed qualified voters in said election.

Sec. 17. That for the purpose of holding said election the aldermen of Conover (at the time said election is ordered) shall appoint one registrar and two judges of election: Provided, any vacancy may be filled by the aldermen or the other election officers: Provided further, any registrar or judge of election appointed by said aldermen may hold said election, together with any other election for the town of Conover: Provided, if a new registration of voters shall be ordered for any other election in the town of Conover at the same time, one registration shall be sufficient for both, but a separate registration book shall be made, containing the names of all qualified voters residing within the school district, on which shall be registered those living outside the corporate limits of the town. A separate poll book shall be kept and the votes shall be deposited in a separate box. The registrar and judges shall make separate returns of said election, in duplicate, one to the board of aldermen of Conover and one to the register of deeds for Catawba County, certifying the number of qualified voters registered for said election, the number of votes cast for and the number cast against said bond issue, and they shall declare the result of said election.

Sec. 18. Except as otherwise provided herein, the registration and qualification of voters, the manner of holding the elec.
tion, and all other matters pertaining to the election for school bonds shall be governed in all respects as is or shall be provided by law for the elections for mayor and aldermen for the town of Conover.

Sec. 19. Those who favor the issue of bonds and the levy of taxes herein provided for shall vote a ballot on which shall be written or printed the words "For School Bonds," and those opposed to the issue of bonds and levy of taxes shall vote a ballot on which shall be written or printed the words "Against School Bonds." If at said election the voters fail to authorize said issue of bonds and levy of taxes, the board of aldermen shall call an election for the same purpose, at any time or times thereafter, when requested to do so by the said board of trustees.

Sec. 20. Whenever the majority of the qualified voters of the town of Conover (including Conover Graded School District) shall vote in favor of school bonds and taxes, then the board of aldermen of the town of Conover shall issue, from time to time, as shall be requested in writing by the board of school trustees of Conover, coupon bonds of the town of Conover not exceeding in the aggregate the sum of ten thousand dollars ($10,000). Said bonds shall be issued in denominations of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000), and shall run for a term of twenty years, all of which shall bear interest at the rate of five (5) per cent per annum, payable semi-annually, and all of said bonds and interest coupons shall be due and payable on and after maturity, and upon demand, at the office of the treasurer of the town of Conover, and shall be dated at such time or times as shall be designated by said board of trustees. Said bonds shall be signed by the mayor of said town of Conover and attested by the clerk, and shall have the corporate seal of said town affixed thereto. The interest coupons shall be signed by the mayor only. When any of said bonds shall have been issued by said board of aldermen of Conover they shall be turned over to the said board of school trustees, and said trustees shall dispose of the same for the best price obtainable; however, no bonds shall be sold for less than par value thereof and the proceeds from sale of said bonds shall be applied first to the discharge of debts incurred in the erection and furnishing of a school building in the town of Conover, the balance to be applied to payment of any other indebtedness of said school district, and to build, complete, and furnish school buildings, or for other school purposes as may be determined by said trustees: Provided, any money furnished to said district by the county board of education shall not be repaid, but the same shall be deemed a gift to said district.

Sec. 21. That the board of aldermen of Conover shall at the time of levying municipal taxes (annually) levy a tax on all persons and property subject to taxation within the limits of said
graded school district of thirty cents on the one hundred dollars ($100) worth assessed valuation of property and ninety cents on each taxable poll, for schools as has been voted for the benefit of the public schools in said district; and the board of trustees of said Conover Graded School District is hereby authorized to set apart or invest so much thereof as they may deem necessary as a fund to pay off the bonds, provided a majority of the qualified voters of said district authorize the issuing the same, and the balance of said fund to be used by the said trustees for school purposes.

Sec. 22. The tax collector of the town of Conover shall collect the taxes levied under the preceding section and pay the same over to the treasurer of said board of trustees, retaining such commission as may be fixed by the board of trustees.

Sec. 23. For purposes of taxation for benefit of schools, property and polls shall be listed, assessed, and valued under the same laws as provided for municipal purposes: Provided, the assessors and list takers appointed by the county commissioners or other authorities to list or assess the property and polls in Newton and Cline's townships for county and State taxation shall ascertain and designate on the tax list the property and polls subject to taxation for school purposes in said school district, and it shall be legal and binding for the tax lister for said district to copy the same on the tax list for said school district.

Sec. 24. That the words "commissioners" or "board of commissioners," "aldermen" or "board of aldermen" shall be construed to mean the governing body of the town of Conover, whether designated by that name or any other name.

Sec. 25. That all laws or parts of laws in conflict with this act are hereby repealed.

Sec. 26. That the Secretary of State shall furnish to the mayor of the town of Conover a certified copy of this act within five days after its ratification.

Sec. 27. That this act shall be in force from and after its ratification.

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

CHAPTER 96

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF GRANITE FALLS IN CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter fifty-eight, Private Laws of one thousand nine hundred and five, and section two of chapter three hundred twenty-three, Private Laws of one thousand eight
hundred and ninety-nine, be and the same is hereby amended to
read as follows: "That the corporate limits of said town shall be
one and one-half miles long with the Carolina and North-western
Railway, and in width shall extend from Gunpowder Creek on
the east to a distance of three-eighths of a mile on the west side
of said railway, the boundary line of the same being as follows:
Beginning at a point in the center of track of said railway and
one-half mile south of the depot as located at present, and run-
ing northeast, or thereabout, to Gunpowder Creek; thence north-
ward with said creek to the mouth of Billy Branch; thence west-
ward with said Billy Branch and continuing on a line one and
one-half miles from the south line and parallel therewith, to a
point on the said railway also one and one-half miles from said
south boundary line and a like distance from the point of begin-
ing; this boundary line leaves Billy Branch at a point one and
one-half miles distant from the south boundary line and there-
after runs in a west course parallel with said south boundary
line; thence a west course from said railway to a point three-
eighths of one mile from said railway track; thence southward
one and one-half miles to a point three-eighths of one mile from
the point of beginning; thence eastward three-eighths of one mile
to the point of beginning on said railway track."

Sec. 2. That section three of chapter three hundred twenty-
three, Private Laws of one thousand eight hundred and ninety-
nine, be and the same is hereby amended by striking therefrom
the word "three" in line two and inserting in lieu thereof the
word "five."

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

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

CHAPTER 97

AN ACT TO AUTHORIZE THE REMOVAL OF THE BODIES OF
THE CHILDREN OF FLORA MACDONALD, NOW BURIED
IN ANSON COUNTY, TO THE GROUNDS OF FLORA MAC-
DONALD COLLEGE IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the authorities of Flora Macdonald College
be and they are hereby authorized to disinter the bodies of the
children of Flora Macdonald, now buried in Anson or Montgom-
ery County, and to remove them and reinter them within the
grounds of Flora Macdonald College in Robeson County.

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

Ratified this the 9th day of January, A. D. 1917.
CHAPTER 98

AN ACT TO CREATE THE CROSS CREEK CEMETERY COMMISSION, TO PROVIDE FOR THE MAINTENANCE OF A CEMETERY IN THE CITY OF FAYETTEVILLE, AND TO AMEND CHAPTER 30, PRIVATE LAWS 1873-'74.

The General Assembly of North Carolina do enact:

SECTION 1. That Robert C. Jones, Thomas J. Purdie, James D. McNeill, Fulton R. Hall, Edward J. Monaghan, Charles G. Rose, and Robert W. Herring of the city of Fayetteville, and their successors in office, be and they are hereby created a corporation and body politic under the name and style of the "Cross Creek Cemetery Commission," and as such shall possess all the rights, privileges, and powers granted under the general corporation laws of the State and any amendments thereto.

Sec. 2. That the objects of said corporation shall be to provide for, maintain, and control suitable burial grounds for the white race of the city of Fayetteville; and to this end it is authorized and empowered to take by deed, will, or otherwise, any real and personal property, and to hold and use the same for such purpose; and to pass and enforce reasonable rules, regulations, and by-laws as from time to time may be deemed necessary and proper to maintain such property in good and improved condition, and to protect and preserve the same from injury and trespass.

Sec. 3. That said commission shall elect a chairman and a secretary and treasurer, the former from among its membership, who shall hold office for one year or until their successors are elected and qualified. That no member of said commission shall receive any compensation. The secretary and treasurer shall give bond for the faithful and honest performance of his duties, and the commission may allow him a reasonable sum for his services.

Sec. 4. That the term of office of the aforesaid commissioners shall expire on the second Monday in May, as follows, to wit: Robert G. Jones and Thomas J. Purdie, in nineteen hundred and seventeen; Robert W. Herring, in nineteen hundred and eighteen; Fulton R. Hall, in nineteen hundred and nineteen; Charles G. Rose, in nineteen hundred and twenty; James D. McNeill, in nineteen hundred and twenty-one; and Edward J. Monaghan, in nineteen hundred and twenty-two. The aforesaid commission shall have full power and authority, by the passage of proper rules and by-laws, to provide for the terms of office of their successors in office, but in no case shall any such term be for less than one year, except when vacancies are filled, and also the manner of election or appointment of such successors.
Protection and policing of cemeteries.

Ordinances of city.

Entry on lots for improvement.

Subscriptions and assessments.

Control of cemeteries.

Transfer authorized.

Company dissolved.

Conveyance from city.

Sec. 5. That said commission, by and with the approval of the board of aldermen or other lawmaking power of the city of Fayetteville, is fully authorized and empowered to pass any and all rules, regulations, and by-laws for the proper protection and policing of the white cemeteries in said city, or near thereto, which may be hereafter placed under the care or control of said commission; and when so approved, such rules, regulations, and by-laws shall have the force and effect of ordinances of said city, and shall be enforcible as such by the courts of competent jurisdiction.

Sec. 6. That in order to keep up and properly maintain the cemeteries placed under its care, the said commission shall have full power and authority, by and through duly appointed agents, and from time to time, to go upon the lots of any of the lot owners in such cemeteries and make any and all such improvements in and upon the same as said commission shall deem necessary or proper to the beauty of the symmetry thereof.

Sec. 7. That the said commission shall have the power and authority to take subscriptions or levy reasonable assessments upon the owner of lots in the cemeteries under the care and control of said commission as may be necessary or proper from time to time in order to carry out the purposes of the commission; and upon the failure or refusal of any such lot owner to pay any subscriptions or assessments so taken or levied, the same may be collected by the commission by suit in any court of competent jurisdiction.

Sec. 8. That said commission shall have full and exclusive power and control over all cemeteries for the burial of white persons of the city of Fayetteville, and all matters and things therewith connected, and of all property thereto belonging, and not inconsistent with the laws of North Carolina.

Sec. 9. That the Cross Creek Cemetery Company, a private corporation created by chapter thirty of the Private Laws of one thousand eight hundred and seventy-three, seventy-four, shall have full power and authority to sell, transfer, and assign to the Cross Creek Cemetery Commission any and all right, title, and interest which it has or may hereafter have in and to any cemetery property located in the city of Fayetteville; and when such conveyance is executed said Cross Creek Cemetery Company shall thereupon be dissolved and all of its rights, powers, duties, and liabilities shall pass to and be exercised by said Cross Creek Cemetery Commission: Provided, the same are not inconsistent with this act.

Sec. 10. That the city of Fayetteville be and it is hereby authorized and empowered to convey to said commission by deed or otherwise any and all right, title, and interest which it may now or hereafter have in any cemetery property located in or
near the city of Fayetteville, and such conveyance may be executed by the mayor and city clerk, upon due authority granted by the board of aldermen of said city.

Sec. 11. That the property of said commission and the interest of each lot owner in said cemeteries under its care shall be exempt from execution or attachment and shall not be subject to the payment of any taxes whatever, except that the commission may levy and collect reasonable assessments from the lot owners as hereinbefore provided for. No streets, lanes, roads or alleys shall at any time be made or established over the lands held by said commission, or any part thereof, without its written consent, except those laid out or established by the commission, nor shall any part of the same be condemned or taken in any manner for any public use without its written consent.

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

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

CHAPTER 99

AN ACT TO AMEND THE LAWS RELATING TO THE SCHOOL AT HOPE MILLS.

The General Assembly of North Carolina do enact:

Section 1. That all the territory described in section one of chapter one hundred and sixty-eight of the Private Laws of North Carolina of one thousand nine hundred and three, embracing what is now known as "The Hope Mills Graded School District," be and it is hereby declared a public school district for white and colored children, which shall be under the jurisdiction and subject to the control of the State Board of Education and the board of education of Cumberland County, and subject to the laws and regulations of said boards, and shall be known as one of the public school districts of Cumberland County.

Sec. 2. That the board of graded school trustees as provided in section nine of chapter one hundred and sixty-eight, Private Laws of one thousand nine hundred and three, be and the same is hereby abolished.

Sec. 3. That D. C. Rogers, J. C. Gilbert, G. W. Singletary, W. H. Bullard, and J. A. Bynum be and they are hereby appointed and constituted the public school committee for the public school district created by section one of this act; and said school committee Term. shall serve, exercising the duties and powers of other public school committees of Cumberland County, until the regular time for appointment of public school committees for said county,
when the county board of education of said county shall appoint five committeemen as their successors, appointing one to serve one year, one two years, one three years, one four years and one five years. Thereafter at each time for the appointment of public school committeemen the county board of education shall appoint one committeeman to serve for a term of five years.

SEC. 4. That section ten of chapter one hundred and sixty-eight of the Private Laws of one thousand nine hundred and three be and the same is hereby repealed.

SEC. 5. That the title to all of the school property in the school district created by this act be and the same is hereby vested in the board of education of Cumberland County.

SEC. 6. That the bonds heretofore issued by the board of trustees of the Hope Mills Graded School District under authority of chapter one hundred and sixty-eight, Private Laws of one thousand nine hundred and three, be and they are hereby declared a valid indebtedness against the school district herein created, and the county board of education of Cumberland County, and their successors, are hereby appointed and constituted committeemen of the sinking fund to provide for the payment of the said bonds at maturity, and are required to set apart each year, out of the moneys belonging to said school district, such amount as the trustees of the Hope Mills Graded School District have heretofore set apart annually for such sinking fund, and to invest the same for that purpose in first-mortgage real estate securities.

SEC. 7. That for the purpose of providing for the payment of said bonds and the interest thereon, and of defraying the expenses of the public school provided for in this act, the said school committeemen of said district shall annually and at the time of levying the county taxes, commencing with the fiscal year in one thousand nine hundred and seventeen, levy and lay a particular tax, under the authority of an election heretofore held under the provisions of chapter one hundred and sixty-eight of the Private Laws of one thousand nine hundred and three, on all persons and property subject to taxation within the limits of said public school district, as in the judgment of the district committee and of the county board of education may be necessary, said special tax not to exceed thirty-three and one-third cents (33½) on the one hundred dollars ($100) assessed valuation of property and not more than one dollar ($1) on each taxable poll, and said special tax shall be collected in the manner prescribed for the collection of other taxes. All moneys levied under the provisions of this section shall upon collection be placed by the treasurer of the county school fund to the credit of the school committeemen of said district, and shall be expended exclusively by said committee in establishing and maintaining schools in said district, for the white race and the colored race, under such rules and
regulations as to its conduct and such courses of study as shall be prescribed by the State Superintendent of Public Instruction.

Sec. 8. That the board of trustees of the Hope Mills Graded School District as at present constituted shall pay over and deliver all moneys and school funds, books, papers, and records now in their possession to the public school committee for said district named in this act.

Sec. 9. That all laws and clauses of laws inconsistent with this act be and they are hereby repealed.

Sec. 10. That this act shall be in force from and after its ratification.

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

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CHAPTER 100

AN ACT TO REPEAL CERTAIN SECTIONS OF CHAPTER 228 OF THE PRIVATE LAWS OF 1915, RELATING TO THE CHARTER OF THE TOWN OF WARSAW, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That all of sections three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, of chapter two hundred and twenty-eight of the Private Laws of the State of North Carolina at its session of one thousand nine hundred and fifteen be and the same is hereby repealed.

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

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

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

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CHAPTER 101

AN ACT TO REPEAL AN ACT TO INCORPORATE THE TOWN OF RIPLEY.

The General Assembly of North Carolina do enact:

Section 1. That chapter ninety-nine of the Private Acts of the General Assembly, session of one thousand nine hundred and nine, entitled "An act to incorporate the town of Ripley," is hereby repealed; and all the territory within the boundaries set forth in said chapter ninety-nine of said Private Acts of said Hendersonville.
session of one thousand nine hundred and nine which comes within the area prescribed by section one of chapter three hundred and fifty-two of the Private Laws of North Carolina, session one thousand nine hundred and thirteen, as the corporate limits of the city of Hendersonville, is hereby reincorporated in the boundaries of the city of Hendersonville.

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

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

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

CHAPTER 102

AN ACT TO AUTHORIZE THE TOWN OF MOUNT AIRY TO FUND AND REFUND ITS OUTSTANDING INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of funding and of refunding the outstanding indebtedness of the town of Mount Airy, the board of commissioners of said town are authorized and empowered to issue coupon bonds, payable at such times and with such rates of interest, not exceeding five and one-half per cent, as the board may determine, and in such denominations as the said board may decide.

Sec. 2. That the board of commissioners of the town of Mount Airy shall sell said bonds at public sale, after notice of at least twenty days in some newspaper published in Surry County, North Carolina, and elsewhere as the board may deem proper; but said bonds shall not be sold for less than par.

Sec. 3. That this act shall not authorize the creation of any new indebtedness, but shall be authority to the said board of commissioners of the town of Mount Airy to issue its bonds as aforesaid, sell the same for the purpose of funding or refunding any outstanding indebtedness, whether now represented by former bond issues or otherwise evidenced, and the board of commissioners of the town of Mount Airy is authorized and empowered to levy annually on all property in the town of Mount Airy and on all polls a tax sufficient to pay the interest on said bonds and to provide a sinking fund sufficient to pay off said bonds at maturity.

Sec. 4. That said bonds, when signed by the mayor of the town of Mount Airy, attested by the secretary and treasurer or the clerk of the board of commissioners, and sealed with the corporate seal of the town of Mount Airy, shall be a valid and binding obligation upon the said town.
SEC. 5. That this act shall be construed as an enabling act and in addition to other powers and authority now exercised by the said town of Mount Airy.

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

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

CHAPTER 103

AN ACT TO AUTHORIZE THE TOWN OF MARION TO ISSUE BONDS TO FUND ITS INDEBTEDNESS AND TO IMPROVE ITS STREETS.

Whereas the town of Marion has heretofore contracted indebtedness to meet the necessary expenses of the town in repairing its water line which was destroyed by the disastrous floods in July of last year in the sum of, approximately, twenty thousand dollars ($20,000); and whereas it will require the sum of approximately, five thousand dollars ($5,000) to make further necessary repairs upon its water line and reservoir destroyed as aforesaid; and whereas the said town desires to make necessary improvements to its streets by hard-surfacing with concrete, macadam, bitulithic, or other hard substance, in an amount approximating twenty thousand dollars ($20,000); and whereas the said town desires to issue bonds in a sufficient amount to pay said indebtedness, to make further necessary repairs upon its water line and reservoir, and to make necessary improvements on its streets, not to exceed the sum of forty-five thousand dollars ($45,000); and whereas the tax levy provided for and limited by law is insufficient to provide a sum with which to pay said indebtedness and to make the necessary repairs to its water line, reservoir, and to improve the streets of said town: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of paying said indebtedness and making necessary repairs to its water line and reservoir for the storage of water, the board of aldermen of the town of Marion are hereby authorized and empowered to issue bonds in an amount not to exceed twenty-five thousand dollars ($25,000); that for the purpose of improving the streets of the said town the said board of aldermen are hereby authorized and empowered to issue bonds in an amount not to exceed twenty thousand dollars ($20,000), at such time or times and in such amount or amounts as may be deemed expedient by said board; said bonds shall be in denominations of five hundred dollars ($500) each, bearing interest from the date thereof at a rate not exceeding six
per centum per annum, with interest coupons attached, payable semiannually, at such time and place as may be deemed advisable by said board, said bonds to be of such form and tenor and transferable in such manner and the principal thereof payable or redeemable at such time or times, not exceeding thirty years from the date thereof, and at such place or places as the said board of aldermen may determine, each of said bonds to state on its face that said bond was issued to pay the indebtedness of said town of Marion for the necessary expenses and repairs of its water line and reservoir, or for the necessary expense of improvement of its streets; that the said board of aldermen may, in its discretion, issue the bonds herein authorized for street improvement in such amount and at such time or times as it may deem expedient and for the best interest of the said town.

Sec. 2. That none of the bonds provided for in the above section shall be disposed of, either by sale, exchange, hypothecation, or otherwise, for a less price than par value.

Sec. 3. That for the purpose of providing for the payment of the interest accruing on and the principal at maturity of the bonds herein authorized, the board of aldermen of said town shall, annually, and at the time of levying other town taxes, levy and lay a particular tax upon all persons and subjects of taxation on which said board of aldermen are now or may hereafter be authorized to lay and levy taxes for any purpose whatever, said particular tax not to exceed thirty-five cents on one hundred dollars assessed valuation of property. The tax provided for in this section shall be collected in the manner and at the time other town taxes are collected, and shall be accounted for and kept separate from other town taxes, and shall be applied exclusively for the purpose for which they are levied and collected.

Sec. 4. That all laws and clauses of laws in conflict and inconsistent with the provisions of this act are hereby repealed.

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

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

CHAPTER 104

AN ACT TO RE-ENACT CHAPTER 202 OF THE PRIVATE LAWS OF 1915, THE SAME BEING AN ACT TO AMEND THE CHARTER OF THE TOWN OF LENOIR.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and two (202) of the Private Laws of North Carolina session of nineteen hundred and fifteen, be and it is hereby reënacted except as the same is amended hereby.
Sec. 2. That said chapter two hundred and two, Private Laws of North Carolina, be and it is hereby amended as follows:

(a) By striking out the words "out of its general fund" and "out of its general funds" out of the two first provisos of section two of article one of said act.

(b) By striking out section five of article one of said act.

(c) By striking out all of the first proviso on page five hundred and twenty-seven of the printed act after the word "privilege" in the eighth line from the top of said printed page, and inserting in lieu thereof the following: "of paying said assessment to the town of Lenoir in five equal annual installments with interest on each of said installments from the date of the assessment until the time of the payment at the rate of six per cent per annum, interest due and payable annually, said installments remaining a lien on the lot or lots against which they are charged until fully paid.

(d) By striking out all of article three thereof.

Sec. 3. That the provisions of section twelve, fourteen, fifteen, sixteen, and seventeen of chapter fifty-six of the Public Laws of North Carolina, session nineteen hundred and fifteen, be and they are hereby declared to be applicable to the said town of Lenoir as fully to all intents and purposes as though the said sections were set forth herein.

Sec. 4. All laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 5. This act shall be in force from and after its ratification.

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

CHAPTER 105

AN ACT TO REVISE THE CHARTER OF THE TOWN OF NASHVILLE.

Whereas, owing to the growth of the town of Nashville, its charter and laws governing the same, contained in numerous acts of the General Assembly enacted from time to time, is no longer suited to its needs; and whereas the governing authorities of said municipal corporation and its citizens are desirous that its powers shall be enlarged and its boundaries extended and more clearly defined: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the inhabitants residing within the territory or boundaries hereinafter located and defined shall be and remain a body politic and corporate under the name and style of the Corporate name.
Corporate powers. "Town of Nashville," and under such name and style may adopt a corporate seal and contract and be contracted with, sue, be sued, plead and be impleaded, acquire by purchase, devise, bequest, or otherwise, such real and personal property within or without said town as may be deemed requisite and necessary for the proper government of said town or for the welfare, improvement, and convenience of its inhabitants; hold, use, improve, govern, protect and control, and, in pursuance of resolution of its board of aldermen, sell or otherwise dispose of the same and reinvest the proceeds arising therefrom, and have all other powers, rights, and privileges requisite and necessary or usually belonging or pertaining to municipal corporations.

**BOUNDARIES.**

Corporate limits. Sec. 2. That the corporate limits and boundaries of said town of Nashville shall be located and defined according to the map and survey made for said town of Nashville by the J. B. McCrary Company, engineers, during the year 1916, said map being recorded in the office of the register of deeds of Nash County in Book 1 of maps, at page sixty-four, said map being the same as accepted for said town of Nashville by M. W. Lincke, mayor, and Leon T. Vaughn, clerk of said town of Nashville.

**CORPORATE POWERS VESTED IN MAYOR AND BOARD OF ALDERMEN.**

Town government. Sec. 3. That all corporate powers and authority granted to said town of Nashville shall be vested in, exercised by, a mayor and board of aldermen. Said board of aldermen shall consist of four members. No person shall be eligible for the office of mayor who is not at the time of his election a bona fide resident and duly qualified voter of said town of Nashville; and no person shall be eligible for the office of alderman who is not at the time of his election a bona fide resident and qualified voter of said town.

Board of aldermen. Eligibility. Sec. 4. That M. W. Lincke shall be mayor of said town and L. T. Vaughn, G. N. Bissette, B. G. Alford, and J. T. Strickland shall constitute the board of aldermen of said town until their successors shall be duly elected and qualified as hereinafter provided.

Officers named. ELECTIONS.

Town elections. Sec. 5. That an election shall be held in said town Tuesday after the first Monday in May, nineteen hundred and seventeen, and on the Tuesday after the first Monday in May biennially thereafter. At such election, to be held as above provided, there shall be elected by the qualified voters of said town a mayor and four aldermen, who shall hold their said offices for a term of two years from the date of their election and until their successors shall be duly elected and qualified.
Sec. 6. That the biennial election for officers of said town herein provided for, and all other municipal elections whatsoever hereafter held in said town, shall be under the supervision and control of the board of aldermen, and shall be held under and in accordance with the provisions of chapter ninety (90) of the Revised of one thousand nine hundred and five, with amendments thereto, in so far as the same shall not be inconsistent with this act.

MEETINGS OF BOARD OF ALDERMEN.

Sec. 7. That the board of aldermen shall meet regularly on Tuesday after the first Monday in each month, and said board shall fix the hour of meeting on such days, and may by resolution change the time of such regular meetings, and may provide for such other meetings as may be deemed necessary. Special meetings of the board of aldermen may be called by the mayor when deemed necessary, and shall be called upon the written request of two or more aldermen, of which special meeting all aldermen shall be notified in writing or otherwise. On the Thursday next succeeding each biennial election of the mayor and aldermen as herein provided the incoming mayor and aldermen shall at the hour of eight o'clock p.m. convene at the mayor's office in said town for the purpose of the qualification of the mayor and all aldermen-elect, as herein provided, and shall proceed with the election of departmental officers and such other business as may come before said board; and said board may adjourn from day to day until said business shall be disposed of.

ELECTION AND QUALIFICATION OF OFFICERS.

Sec. 8. That at the meeting of said board of aldermen to be held on the Thursday next succeeding each biennial election of said mayor and aldermen said board shall proceed to elect from among their members a mayor pro tern and a town treasurer, who shall each hold his office for the term of two years from the date of his said election and until his successor shall be duly elected and qualified; and said board shall at said meeting likewise proceed to elect a town clerk, a tax collector, a chief of police, a chief of the fire department, a superintendent of public works, a superintendent of health, and such other officers and policemen as may be deemed necessary for the proper government of said town and community; all of whom shall possess such qualifications and hold office for such term or terms as the board of aldermen shall prescribe. The board of aldermen is hereby empowered and authorized to combine the office of town clerk and tax collector, or chief of police and tax collector whenever and for so long a time as it shall be deemed advisable; and to create other offices.
create such other offices as may be deemed necessary for the better government of said town; to define the powers and limit the length of the terms of the holders thereof; to prescribe their duties and qualifications; and to fill said offices, from time to time, and to abolish the same when deemed no longer necessary.

Officers to qualify. Sec. 9. That every person elected and appointed to any office of trust or profit under the government of said town, before entering upon the discharge of the duties of his office, shall take and subscribe, before some person authorized to administer oaths, the following oath of office:

Form of oath. I, ................................, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully perform the duties of the office of ............................ on which I am now about to enter, according to the best of my skill and ability, so help me God. ..............................................................

Subscribed and sworn to before me, this the ............. day of ........................................, 19.... ..............................................................

Oaths filed. And all oaths of office subscribed and sworn to as aforesaid, other than that of the town clerk, shall be filed with said town clerk, and the oath of the town clerk shall be filed with the town treasurer.

DUTIES OF CITY OFFICIALS.

Chief executive officer. Sec. 10. That the mayor shall be the chief executive officer of said town, and he shall preside, when present, at all meetings of the board of aldermen, and shall have a casting vote in case of equal division therein. It shall be his duty to see that all laws, ordinances, rules and regulations of said town are properly enforced, and that all its officers, agents, and employees faithfully discharge their respective duties. He shall be charged with the general oversight and superintendence of every department of the town government, and he shall, from time to time, when deemed advisable, make written reports to the board of aldermen touching any matter herein or hereinafter committed to his charge or oversight, and suggesting such action as may be deemed necessary for the correction of abuses and the betterment of said town.

In pursuance of resolution of the board of aldermen, he shall, in the name of said town, execute in its behalf all deeds and contracts. He shall have power to appoint special policemen when deemed necessary, and to administer oaths in all cases whenever required, and he shall exercise such other powers not inconsistent with this act as are usually incident to the office of mayor.
Sec. 11. That the mayor pro tem. shall enter upon and discharge the duties of the mayor whenever the mayor shall be absent from the town, or from any other cause unable to discharge the duties of his said office; and said mayor pro tem. shall for the time be clothed with every power conferred by law upon the mayor.

Sec. 12. That it shall be the duty of the town treasurer to receive all moneys belonging to said town, and all other moneys by law directed to be paid to him; to keep them separate and apart from his own funds, and to apply them and account thereof as required by law; to keep a true account of the receipts and disbursements of all such moneys in books provided for that purpose by said town; and to pay out such moneys only upon proper warrant, as directed by the board of aldermen or other lawful authority; to call upon the town tax collector and other officers having town moneys, or other public funds payable to him, in hand, at least once in every month, or oftener if necessary for the purpose of collecting the same; to exhibit his books, accounts, and public moneys to the board of aldermen or a committee named by said board, whenever called upon to do so; to render to the board of aldermen at the end of each fiscal year a full, perfect, and itemized statement of all receipts and disbursements, and to cause to be published a copy of same as prescribed by law for the publishing of annual reports of county boards of commissioners; and to surrender to his successor in office, when duly elected and qualified, all books and other records of his said office and pay over to him all public moneys remaining in his hands.

Sec. 13. That it shall be the duty of the town clerk to be present at all meetings of the board of aldermen, and to keep and record, in a book to be provided for that purpose by the town, regular and fair minutes of all proceedings of said board; to preserve all books, records, documents, papers, and other articles committed to his use, care, or custody, during his term of office, and to surrender them to his successor in office when duly elected and qualified; to be custodian of the common seal of said town; to attest the execution of all deeds, contracts, and obligations by the mayor in behalf of said town, and to affix its common seal to all deeds, contracts, and obligations as it shall be deemed necessary to so attest, and to perform such other duties as may be prescribed by this act or by the board of aldermen.

Sec. 14. That it shall be the duty of the town tax collector to collect all taxes of whatever nature levied or imposed for town purposes or levied by the board of aldermen for any other purpose, to collect all moneys due on account of light and water service, if so ordered, and all moneys owing to said town on any other account whatsoever; to pay over to the town treasurer...
from time to time, as collected, all taxes and other moneys collected as aforesaid; to keep a full, true, and itemized account of all moneys collected and paid over to the town treasurer as aforesaid, and such other records and accounts as the board of aldermen may require, in books provided for that purpose by said town; and to render to the board of aldermen, upon request, a full, perfect, and itemized statement of all moneys collected and paid over as aforesaid, and of all unpaid taxes and other moneys due on account of light and water service if so ordered to collect the same, and to perform all other duties prescribed by law or by the board of aldermen. And for the collection of said taxes said tax collector is hereby clothed with every power, privilege, and immunity, not inconsistent with this act, now possessed by or which hereafter may be conferred upon sheriffs and tax collectors in the collection of State and county taxes.

Sec. 15. That the chief of police shall have supervision and control of the police force of said town, and he shall report to the mayor and board of aldermen any failure of any member thereof to properly discharge the duties of his office. It shall be his duty to attend the sessions of the mayor's court and to cause to be brought before said court for trial all persons arrested by him or any other policeman of said town charged with offenses committed within the territorial jurisdiction of said court, and to file with said court information as to such offenses as are alleged or reported to have been committed within said territorial limits, and to perform such other services in connection with said court as shall by the mayor be deemed necessary; and he shall possess such other powers, privileges, and immunities, not inconsistent with this act, as are usually incident to the office of chief of police of cities and towns, and shall perform such other duties as are prescribed by law or as may from time to time be imposed upon him by the board of aldermen of said town.

Sec. 16. That in case the chief of police shall for any cause be unable to discharge the duties of his said office, such other member of said police force as shall theretofore be designated by the mayor or board of aldermen, or in default thereof, by the mayor, shall, during the continuance of such disability, discharge the duties of said office.

Sec. 17. That the chief of police and other policemen of said town shall have power to execute, anywhere within the limits of said town, any writ, precept, or process, either civil or criminal, which shall be directed to them generally, or to any one of them in his own proper name or the name of his office, by any court of record, or not of record, organized and existing under the laws of this State. They shall have power, and it shall be their duty, to suppress all breaches of the public peace and all disturbances of the quiet and good order of said town; and they may, with or
without warrant, arrest, anywhere within the corporate limits of said town or within one-half mile thereof, any person charged with the violation of any ordinance of said town or with any other offense whatever against the public peace and quiet and good order of the community; they shall have power, with or without warrant, to break and enter any building or enclosure for the purpose of preventing a felony or of apprehending any person whom they shall have reason to believe to have committed a felony; they shall have power, and it shall be their duty, to re-arrest upon the original warrant in the case any defendant or party who shall have escaped from lawful custody or who having been released by order of the mayor upon promise to pay any fine or costs, or costs only, shall fail to pay the same so promised; they shall possess such other powers in making arrests and in conserving the public peace as are usually possessed by sheriffs and constables, and they shall perform such other duties as may from time to time be prescribed by the mayor and board of aldermen.

Sec. 18. That the chief of the fire department shall have supervision and control of the fire department of said town, under such rules and regulations for the government thereof as may from time to time be adopted by the board of aldermen.

Sec. 19. That the superintendent of public works shall be charged with the custody, supervision, and control of said town's electric light, water supply, and sewerage systems, under such rules and regulations for the government of said departments as may from time to time be adopted by the board of aldermen; and such superintendent of public works shall possess such other powers, not inconsistent with this act, as may be conferred upon him by the board of aldermen, and he shall perform such other duties as may be prescribed by said board.

Sec. 20. That the superintendent of health shall be charged with the care and supervision of the public health within the corporate limits of said town and in addition to the powers conferred upon him by the laws of the State relating to public health, such superintendent of health shall possess such other powers, not inconsistent with this act, as may be conferred upon him by the board of aldermen, and shall perform such other duties as may be prescribed by said board.

POWERS OF THE MAYOR.

Sec. 21. The mayor of said town of Nashville is hereby constituted an inferior court, and as such court said mayor shall be a magistrate and conservator of the peace, and within the corporate limits of said town shall have the jurisdiction of a justice of the peace in all criminal matters arising under the laws of the State or under the ordinances of said town. The rules of law
Fees.

regulating proceedings before a justice of the peace shall be applicable to the proceedings before said mayor, and he shall be entitled to the same fees which are allowed justices of the peace, or such other compensation as may be fixed by the board of aldermen of said town.

Further definition of jurisdiction.

Sec. 22. As such court the mayor shall have authority to hear and determine all cases that may arise upon the ordinances of said town, to enforce penalties by issuing execution upon any adjudged violation thereof, and to execute the laws and rules that may be made and provided by the board of aldermen of said town for the government and regulation of the said town; but in all cases any person dissatisfied with the judgment of the mayor may appeal to the Superior Court or other court of appeal as in case of a judgment rendered by a justice of the peace.

Right of appeal.

Sec. 23. In all cases of appeal from the mayor's court to the Superior Court or other court of appeal, when the offense charged is the violation of a town ordinance, the mayor shall send with the papers of the case a true copy of the ordinance alleged to have been violated, and certify under his hand and seal that said ordinance was in force at the time of the alleged violation of the same.

Case on appeal.

Sec. 24. In all cases where judgment be entered up against any person or persons for fines, according to the law and ordinances of said town, and a person against whom the same is so adjudged refuses or is unable to pay such judgment, it may and shall be lawful for the mayor before whom such judgment is entered to order and require such persons, so convicted, to work on the streets or other public works until, at a fair rate of wages, such persons shall have worked out the full amount of the judgment and cost of the prosecution; and all sums received for such fines shall be paid into the town treasury. No woman shall be worked on the streets.

Street work in payment of fines.

Sec. 25. In addition to the foregoing power vested in said mayor, he shall also exercise such other authority and powers as may be contained in chapter seventy-three Revisal of one thousand nine hundred and five, and all amendments thereto.

POWERS OF BOARD OF ALDERMEN.

Supervision and control of town property.

Sec. 26. That the board of aldermen shall have the general custody and supervision and control of all the property of said town of every description whatsoever, and may make and adopt such orders, rules and regulations respecting the same as may be deemed necessary or proper. Said board is hereby authorized and empowered to prescribe, adopt, and enact all such ordinances, rules and regulations as may be necessary or proper for the government of said town and for the maintenance of the public peace, quiet and good order within said city and for a distance
of one-half mile around and beyond the corporate limits thereof;
and it may, whenever deemed necessary or proper, repeal or
modify the same; and said board shall have power to provide the
enforcement of such ordinances, rules and regulations by the im-
position of penalties of not more than two hundred dollars in
each instance for the violation thereof.

Sec. 27. That the board of aldermen, in addition to the other
powers herein conferred, shall possess the following powers:
  1. To pass upon the eligibility and right of any person claiming
to have been elected alderman to hold office as a member of such
board.
  2. To prefer charges against the mayor or any alderman, either
as such or as mayor pro tem. or treasurer, when accused of
corruption or other malfeasance, misfeasance, or nonfeasance in
office, and after a fair and impartial trial before said board, by a
two-thirds vote of all members of said board, to remove from
office the person so accused.
  3. To declare vacant, by a two-thirds vote of all the members
of said board, any office aforesaid, when the holder thereof shall
be laboring under any permanent total disability.
  4. To remove from office, at will for cause, by a majority vote
of all the members of said board, any other officer of said town.
  5. To fill for the unexpired term, by a majority vote of said
board, any vacancy in any town office occurring otherwise than
by expiration of term.
  6. To fix the compensation of all officers and employees of said
town and by resolution to provide that the stated salary of any
officer of said town shall be paid in lieu of all costs accruing to
him in any action instituted or tried in the mayor's court; and
to require such officer to pay over all such costs to the town trea-
urer.
  7. To require the town treasurer and the tax collector, in the
discretion of the board, the town clerk, the chief of police, the
superintendent of public works, and such other officers of said
town as shall have the care and custody of public property, to
enter into bond, payable to the town or State, conditioned for the
faithful discharge of the duties of his said office in such sum and
with such sufficient surety as said board shall deem proper; and
said board may from time to time require any such bond to be
strengthened or renewed. No officer required to enter into
bond as aforesaid shall be permitted to enter upon the discharge
of the duties of his office until such bond shall have been passed
upon and approved by said board.
  8. To preserve the public peace, quiet and good order, and to
prevent and quell riots and all other disturbances, disorderly
assemblages, and disorderly conduct.
To prevent vice and immorality. 9. To prevent vice and immorality, to suppress gaming and bawdy houses, and to impose a penalty on the owner or any building or his agent who shall knowingly rent or lease the same, or any part thereof, for use of a bawdy or gaming house, or who shall knowingly permit the same to be used as such.

To regulate sale and use of explosives. 10. To regulate and control the sale, use, and storage of gunpowder, dynamite, gasoline, naphtha, and all other dangerous explosives or dangerous substances within the corporate limits of said town or within one-half mile thereof; to prohibit the discharge of firearms or the firing or setting off of fireworks or other explosives within said corporate limits.

Firearms and fireworks. 11. To prohibit the establishment and maintenance within the corporate limits of said town, or within one-half mile thereof, of any slaughter-house or slaughter-pens, or other place productive of noisome and offensive odors, or the exercise within said limits of any dangerous offensive, or unhealthy trade, business, or employment; and said board may abate such nuisance at the expense of the person or persons causing the same, or at the expense of the owner or the tenant in charge of the land upon which any such nuisance shall be maintained.

Slaughter houses. 12. To prohibit the keeping of swine within the corporate limits of said town.

Offensive or unhealthy business. 13. To establish and maintain one or more town pounds; to prohibit the running at large of all horses, mules, cattle, swine, goats, chickens, geese, turkeys, and other barnyard fowls or quadrupeds or brutes; to prohibit, or in the discretion of said board, to regulate the running at large of dogs; and to adopt all necessary rules and regulations as to the impounding and sale or other disposition of the quadrupeds or fowls enumerated above.

Abatement of nuisance. 14. To establish and maintain, within or without the corporate limits of said town, one or more cemeteries; to appoint a keeper or keepers thereof, and to prescribe all necessary rules and regulations for the care, supervision, and control of such cemetery or cemeteries; and said board may prohibit interments within the corporate limits of said town.

Keeping swine. 15. To provide for the maintenance and repair of all public streets, sidewalks, and alleys of said town, and to regulate and establish the width and grade of such public streets, sidewalks, and alleys, and to change the same when deemed advisable; to establish new streets, public alleys, and parks when deemed a public necessity, and to close the same when deemed no longer a public necessity; to provide for the planting, care, and protection of shade trees in the streets and the parks of said town; to provide for paving the streets and sidewalks of said town; to prohibit the obstruction of the streets, sidewalks, public alleys, and parks of said town, and to generally regulate and control the use of the same.
16. To prohibit the riding and driving of horses and other animals, automobiles, and motor cars within the corporate limits of said town or within one-half mile thereof, and to adopt rules and regulations governing the speed of such animals, automobiles, motor cars, and other vehicles; to regulate the speed of trains, engines, and cars on all railroads and street railways within the corporate limits of said town, and to regulate or, in the discretion of said board, to prohibit the use of bicycles or go-carts or other light vehicles upon the sidewalks of said town.

17. To regulate the blowing of whistles and ringing of bells within the corporate limits of said town, and to prohibit the making of needlessly disturbing noises within said corporate limits.

18. To establish and maintain one or more public markets in said town for the sale of fresh meats, fish and oysters, chicken and other poultry, garden vegetables, grain, meal, and all other country produce used for food, and to confine the sale thereof to such market or markets to such an extent as may be deemed advisable; to prohibit the sale of unwholesome meats, fish, and other foodstuffs; to erect and maintain public scales, and to prescribe the manner of sale of coal, wood, and other fuel, and to appoint a weighmaster and one or more keepers of said market or markets, and to prescribe the duties and fix the fees of such office; and said board shall have the power to adopt such ordinances, rules and regulations as may be necessary to prevent forestalling, regrading, and engrossing.

19. To prohibit, restrain, and regulate all sports, theatrical exhibitions, circus exhibitions, and other public performances, and exhibitions for profit within the corporate limits of said town.

20. To regulate, supervise, and control all poolrooms, billiard rooms, and all other like places of resort for amusement and entertainment; and said board may, for the violation of any ordinance, rule or regulation of said town, or any law of the State, revoke any license granted by said town for carrying on of any business hereinbefore specified.

21. To establish and maintain hospitals and pesthouses within or without the corporate limits of said town; and said board, in addition to the powers conferred on the board of aldermen by the laws of the State relating to the public health, shall possess such other powers needed for the protection of the public health of said town as are conferred by law upon county boards of health for the protection of the public health for their respective counties; and said board may create and appoint a board of health for said town, and said town and said board of health shall, subject to such limitations as may at the time of its creation be prescribed, exercise the foregoing powers under the supervision and control of said board of aldermen.
22. To provide for the maintenance of a town fire department and the organization and equipment of fire companies, and to prescribe rules and regulations for the government thereof, under the supervision and control of the chief of the fire department; and said chief of the fire department or, in his absence, the acting chief of said department, in order to arrest the progress of any conflagration at the time raging within the corporate limits of said town, may, with the consent and approval of the mayor of said town and three or more aldermen, cause to be demolished any building or buildings the destruction of which shall be deemed necessary to arrest the progress of such conflagration; and neither officers nor such town shall be answerable in damages for such action.

23. To establish a fire district or fire districts in said town, within the limits of which no building or other structures with any material other than brick, stone, metal, or concrete shall be erected, and from time to time to change the boundaries thereof; and said board may prescribe rules and regulations governing the location and erection of all buildings and other structures hereafter to be erected within the corporate limits of said town.

24. To erect or purchase such buildings as may be deemed necessary for municipal purposes and to alter and repair the same; or, in lieu thereof, to lease such building or buildings as may be deemed necessary therefor.

25. To provide for the use of said town and its citizens and property owners an adequate electric light and water supply system and service; and to that end said board may establish, operate, and maintain all necessary light, power, and water for municipal purposes and use, may sell the same to its citizens and property owners and others within or without the corporate limits of said town, and said board shall prescribe rules and regulations for the government of said municipal light and water plants and systems, under the supervision and control of the superintendent of public works.

27. To appoint a town sanitary inspector or officer, to prescribe his duties, and to confer upon him such powers as may be necessary for the proper discharge of such duties; and to regulate the location and provide for the care of all surface privies.

28. To prohibit public drunkenness within the limits of said town or within one-half mile thereof.

29. To prohibit vagrancy and street begging within the corporate limits of said town or within one-half mile thereof.

30. To determine and designate the route and grades of all railroads and street railways, already laid or hereafter to be laid, within the corporate limits of said town.

31. To grant franchises affecting the use of public streets, alleys, and parks of said town, subject to all such restrictions and limitations as the public welfare shall demand.
32. To prescribe and regulate charges within said town for the carriage of persons, baggage, and freight, by cabs, hacks, carriage, drays, wagons, automobiles, motor vehicles, and other vehicles and street railways.

33. To grant licenses authorizing the practice or carrying on of such trades, callings, businesses, and professions as said board shall, by law, be authorized and empowered to levy or impose a license tax upon, and to prescribe rules and regulations governing the granting or the issuing of the same.

34. To authorize and require, from time to time, as the same may be necessary or proper, the revisal or codification of the ordinances, rules and regulations of said town, together with its charter, and the codification of its ordinances, rules and regulations of said town shall be known as the "Code and Ordinances of the Town of Nashville," and any copy thereof, printed in pursuance of the order of the board of aldermen of said town, shall be receivable in all courts as prima facie evidence of the provisions of the ordinances, rules and regulations of said town.

35. That in addition to the powers herein contained, said board of aldermen shall be vested with all the authority and powers contained in chapter seventy-three, Revisal of nineteen hundred and five, and all amendments thereto not inconsistent with this act.

REVENUE AND TAXATION—PROPERTY AND POLL TAXES.

Sec. 28. That in order to raise funds to defray the necessary expenses incident to the government of said town and to enable it to meet its legitimate obligations, the board of aldermen may annually levy and collect the following taxes:

1. On all real and personal property within the corporate limits of said town, including money and solvent credits, and on all subjects of taxation upon which an ad valorem tax is or may be imposed by the General Assembly, a tax not exceeding sixty-six and two-thirds cents on every one hundred dollars of valuation.

2. A capitation tax of not more than two dollars on every taxable poll of male persons residing the corporate limits of said town on the first day of June of each year.

3. On every able-bodied male person between eighteen and forty-five years of age, residing within the corporate limits of said town, a street tax of not more than two dollars, to be paid in lieu of working public streets of said town: Provided, that the poll tax hereinafore provided for shall not be collected from such persons as shall pay said street tax.

4. For the payment of the principal and interest of the bonds of the town of Nashville, amounting to fifteen thousand dollars bonds to establish and operate a system of water-works, and twenty thousand dollars to operate a system of sewerage, and ten thousand dollars for electric lights, aggregating forty-five thou-
sand dollars and issued in pursuance of provisions of chapter one hundred and forty seven of the Private Laws of North Carolina, session of one thousand nine hundred and fifteen, a special tax of not more than sixty cents on the one hundred dollars assessed valuation of all the property, real, personal, and mixed. choses in action and solvent credits, and not to exceed one dollar and eighty cents on all taxable polls in said town, and in accordance with subsections one and two of this act.

**Sec. 29.** That the board of aldermen shall annually, at its first meeting in May of each year, appoint either the mayor or one member of the board, or some discreet and competent persons who shall be a resident and taxpayer of said town, to list for taxation for the purposes aforesaid all real and personal property taxable under subsection one of the preceding section, and all polls taxable under subsection two of said section; and in the discharge of the duties of said office such list taker shall be clothed with every power, not inconsistent with this act, conferred by law upon the township list taker in the listing of the property and polls of their respective townships for State and county taxation, and shall proceed in like manner unless otherwise herein provided.

**Sec. 30.** That the board of aldermen shall annually at the time of the appointment of the list taker, appoint two discreet and competent freeholders and residents of said town to assess for taxation for the purposes aforesaid all lands and other property listed in pursuance of the provisions of the preceding section. The assessors appointed as aforesaid shall meet not later than the second Monday in May, succeeding their appointment, and organize the board of tax assessors of the town of Nashville by the election of a chairman from among their number, and the town list taker shall be ex officio secretary of said board. In the discharge of the duties imposed by this act said board shall be clothed with every power, not inconsistent with this act, conferred by law upon township boards of list takers and assessors in assessing the property of their respective townships for State and county taxation, and shall proceed in like manner, unless herein otherwise provided.

**Sec. 31.** That the board of aldermen and the chairman of the board of tax assessors shall constitute the board of equalization of the town of Nashville, and the mayor shall be ex officio chairman, and the town clerk shall be ex officio clerk of said board of equalization. Said board shall meet annually for the purpose of equalizing the valuation of property listed and assessed for valuation as aforesaid, not later than the third Thursday in July of each year, of which meeting due notice shall be given by publication in some newspaper published in said town; and in the discharge of the duties imposed by this act said board shall be
clothed with every power, not inconsistent with this act, conferred by law upon county boards of equalization in equalizing the valuation of property in their respective counties listed and assessed for State and county taxation, and shall proceed in like manner, unless herein otherwise provided.

Sec. 32. That in all matters pertaining to the levy and collection of the municipal and other taxes by this act authorized or directed to be levied and collected, the several officers of said town shall be clothed with every power, not inconsistent with this act, conferred by the laws of this State relating to revenue and taxation, upon the corresponding county officer in the levy and collection of State and county taxes of like character, and shall proceed in like manner, unless herein otherwise provided; and all liens under said laws existing and enforceable in favor of State and county taxes of every character whatsoever shall in like case exist and be enforceable in favor of the municipal and other taxes by this act authorized and directed to be levied and collected.

Sec. 33. That in order to raise other funds to be used in defraying the necessary expenses incident to the government of said town, and to enable it to meet its legitimate obligations, the board of aldermen may, in addition to the taxes hereinbefore authorized or directed to be levied and collected, levy and collect from every individual, firm, or corporation exercising a specified right or enjoying a specified privilege within the corporate limits of said town and without said corporate limits, when so stated, the following license or privilege taxes:

1. Upon every organization or association organized or chartered as a social club, and every other incorporated or unincorporated association or organization, which shall establish or maintain any club house, club room, or other place for the resort of its members or guests, an annual license tax of not exceeding one hundred dollars, payable semiannually on the first days of June and December of each year.

2. Upon every person, firm, or corporation who shall engage in the business of bottling, selling, or distributing coca-cola, pepsi-cola, soda water, or other carbonated beverages, in bottles or other sealed packages, by the wholesale or detail, an annual license tax of not more than one hundred dollars.

3. Upon every billiard table, pool table, bagatelle table, merrystone, go-round, switchback, railway, shooting gallery, or other like contrivance, game, play, or device which shall be set up and managed, run or operated for profit either directly or indirectly, an annual license tax of not more than one hundred dollars.

4. Upon every room or hall used as a theater or opera house, or moving picture show, where public exhibitions or performances are given for profit, an annual license tax of not more than one hundred dollars.
Traveling theatrical companies. 5. Upon every traveling theatrical troupe or company giving exhibitions or performances for profit in any room, hall, tent, or other place not licensed under the preceding subsections, a license tax of not more than twenty-five dollars on each exhibition or performance given within the corporate limits of said town or within one-half mile thereof.

Circus and other shows. 6. Upon every circus, show, or menageries, or other traveling company or organization giving exhibitions or performances under canvas or within any enclosure whatsoever, for profit, and not taxed under the preceding subsection, a license tax of not more than one hundred dollars for every day on which any exhibition shall be given within the corporate limits of said town or within one-half mile thereof.

Express, telephone and telegraph companies. 7. Upon every express, telegraph, or telephone company, an annual license tax of not more than one hundred dollars.

Dealers in second hand clothing. 8. Upon every person, firm, or corporation dealing in secondhand clothing, an annual license tax of not more than two hundred dollars.

Gift enterprises. 9. Upon every itinerant gift enterprise and every itinerant dealer in photographs, jewelry, or other articles with which prizes shall be offered, an annual license tax of not more than one hundred dollars.

Itinerant merchants. 10. Upon every itinerant merchant or salesman who shall expose for sale on the public streets or alleys or in any building, enclosure, or other place rented or occupied temporarily for such purpose, any goods, wares, jewelry, merchandise, medicines, or other articles of value, an annual license tax of not more than one hundred dollars.

Peddlers. 11. Upon every peddler of goods, wares, jewelry, merchandise, or other articles of value, an annual license tax of not more than one hundred dollars.

Pawnbrokers. 12. Upon every pawnbroker, an annual license tax of not more than one hundred dollars.

Livery stables and stockyards. 13. Upon every person, firm, or corporation conducting a livery, feed, or exchange stable or stock yard, an annual license tax of not more than fifty dollars.

Undertakers. 14. Upon every person, firm, or corporation conducting an undertaking establishment, an annual license tax of not more than fifty dollars.

Plumbers and electricians. 15. Upon every person, firm, or corporation conducting a plumbing or electrical business or establishment, an annual license tax of not more than fifty dollars.

Hotels and like business. 16. Upon every hotel, club house, restaurant, or boarding-house, an annual license tax of not more than fifty dollars.

Photograph galleries. 17. Upon every photograph gallery or studio, an annual license tax of not more than fifty dollars.

Laundries. 18. Upon every laundry, an annual tax of not more than fifty dollars.
19. Upon every junkshop dealing in brass or copper, an annual junk shop license tax of not more than one hundred dollars.

20. Upon every person, firm, or corporation engaged in the sale of ice by retail, an annual license tax of not more than twenty-five dollars.

21. Upon every person, firm, or corporation engaged in the sale of coal, an annual license tax of not more than fifty dollars.

22. Upon every person, firm, or corporation engaged in the merchandise brokerage business, an annual license tax of not more than fifty dollars.

23. Upon every person, firm, or corporation engaged in sale of bottled drinks of whatever name or description, an annual license tax of not more than fifty dollars.

24. Upon every person, firm, or corporation operating a soda fountain, an annual license tax of not more than twenty-five dollars.

25. Upon every person, firm, or corporation dealing in fresh meats, fish, oysters, an annual license tax of not more than twenty-five dollars.

26. Upon every person, firm, or corporation engaged in the business or selling automobiles, motor vehicles, or bicycles, an annual license tax of not more than one hundred dollars.

27. Upon every omnibus, hack, cab, carriage, dray, baggage, wagon, or any motor vehicle, or automobile used to transport persons, baggage, goods, wares, merchandise, or other articles for hire, an annual license tax of not more than twenty-five dollars.

28. Upon every barber shop, an annual license tax of not more than twenty-five dollars on each chair.

29. Upon every person who shall engage in hawking eatables about the public streets or alleys, an annual license tax of not more than ten dollars.

30. Upon every itinerant optician or oculist, an annual license tax of not more than twenty-five dollars.

31. Upon each person, firm, or corporation engaged in selling cigarettes and tobacco, an annual license tax of not more than twenty-five dollars.

32. Upon every dog or bitch, an annual license tax of not more than two dollars and fifty cents.

33. Upon every surface privy, an annual license tax of not more than two dollars and fifty cents.

34. Upon each trade, calling, business or profession not herein before specified upon which the General Assembly may levy or impose a license or privilege tax, an annual tax of not more than one hundred dollars.

Scc. 34. That all taxes levied or imposed by the board of aldermen in pursuance of the preceding sections shall be payable licenses payable in advance.
in advance by the person, firm, or corporation exercising the privilege, trade, calling, business or profession, or owning the property taxed thereunder; and all licenses taken out or granted in pursuance of the provisions of this act shall be issued by the mayor or town clerk and shall not be transferable. No reduction or abatement in the amount of such license tax paid or to be paid shall in any case be allowed, otherwise than as may be prescribed by the board of aldermen prior to the payment thereof.

Sec. 35. That all annual licenses issued in pursuance of this act shall expire on the thirty-first day of May next succeeding the day of issuance.

Sec. 36. That no license for the exercise of any right or privilege taxable under subsections one, two, and three of section thirty-three of this act shall be issued until the application therefor shall be first passed upon and approved by the board of aldermen; but every other license for the exercise of any right or privilege taxable under said section shall be issued by the mayor upon application to him made, unless said board shall otherwise direct.

Sec. 37. That the board of aldermen is hereby authorized and empowered to classify the several trades, callings, businesses or professions, admitting classification, enumerated in any subsection of section thirty-three of this act, and within the limits therein prescribed may graduate the license taxes imposed thereunder.

Sec. 38. That no license issued by said town in pursuance of the provisions of this act shall be held to confer any immunity from punishment upon any person thereunder exercising any business or calling or doing any act forbidden by law.

Sec. 39. That the board of aldermen shall have the right to acquire for the said town, by condemnation, such lands within or without the corporate limits of said town as may be necessary for the following purposes:

1. For the establishment, construction, and maintenance of public streets, sidewalks, alleys, crossings, waterways, and parks, and for the widening, extension, or other modification or improvement thereof.

2. For the establishment, construction, and maintenance of municipal systems of electric lighting, sewerage and water pipes, lines of metal and terra-cotta piping, conduits, mains, and other like appurtenances, and for the enlargement, extension, or other modification or improvement thereof.

3. For the erection of all necessary municipal buildings or for necessary or proper municipal purpose whatsoever.

Sec. 40. That the board of aldermen shall not undertake the right of condemnation conferred in the preceding section without having first sought to secure such lands as may be required
for any public use therein set out by private agreement with the owner or owners thereof; but when such efforts shall have been made without success, said board may proceed to condemn such lands by first adopting resolutions declaring the same are required for the public use therein stated, which resolution shall describe such lands with sufficient particularity for the identification thereof, shall state the name or names of the owner or owners thereof, if known, and if not known, shall so state.

Sec. 41. That upon the adoption of such resolution the town clerk shall cause the owner or owners of such lands to be served with a copy thereof, together with notice issued by said clerk, requiring such owner or owners to appear before the board of aldermen at the mayor's office or clerk's office in said town at a time therein stated, not less than five days after the service thereof, to show cause why such lands should not be condemned and taken for the public use set out in such resolutions, which resolutions and notice shall be served as other notices are served by the chief of police or any other policeman of said town, or by the sheriff or any other lawful officer of any county in this State. If the person upon whom such service is to be made is unknown, or if he resides without the State or cannot, with the exercise of due diligence, be found within the State, and such fact be shown to the satisfaction of the town clerk by affidavit, then such service may be made under the direction of such town clerk by publishing such resolution, together with a notice requiring such person or persons to appear before the board of aldermen at the time and place therein named, to show cause why such lands should not be condemned and taken for public use set out in such resolution; which resolution and notice shall be published at least once a week for four successive weeks in some newspaper published in said town.

Sec. 42. That whenever any infant, idiot, lunatic, or person non compos mentis shall be the owner of any lands sought to be condemned, or the owner of any interest therein, service of such resolution and notice shall likewise be made upon the general or testamentary guardian of such infant, idiot, lunatic or person non compos mentis, if there be such within the State; and if such infant, idiot, lunatic, or person non compos mentis be without the State, the clerk of the Superior Court of the county in which such lands are situate shall upon the application of said town clerk setting forth such fact, together with such resolution, appoint some discreet and competent person guardian ad litem, to defend in behalf of such infant, idiot, lunatic, or person non compos mentis in such condemnation proceedings, and service of such resolution and notice shall likewise be made upon such guardian ad litem.

13—Priv.
Order for condemnation.

Sec. 43. That due service of such resolution and notice having been made upon the owner or owners of the lands sought to be condemned, should such owner or owners fail to appear before the board of aldermen at the time and place named in such notice, or having appeared, should fail to show cause why such lands should not be condemned, said board, having first found that such lands are necessary for the public use set out in such resolution, shall thereupon order that such lands be and they are hereby condemned to be taken for such public use, and said board shall in such order of condemnation appoint five discreet and competent freeholders, residents of said town, or if such lands be situate without the corporate limits of said town, residents of the county in which such lands are situate, as commissioners to appraise the damage suffered by the owner or owners of such land by reason of such condemnation. Said board shall likewise appoint a time and place for the first meeting of such commissioners, and the town clerk shall forthwith notify each freeholder named of his appointment and of the time and place appointed for the first meeting of such commissioners.

Commission of appraisal.

Appraisal of damages.

Sec. 44. That such commissioners shall meet at the time and place named by the board of aldermen and, having first duly been sworn by the mayor or some other person authorized to administer oaths, shall proceed to view the lands condemned and to hear such evidence bearing upon the value of such lands and the value of the special benefits and advantages accruing to the owner or owners thereof by reason of such condemnation, after which they shall appraise the value of such lands and the value of such benefits and advantages, and any excess of the former over the latter shall represent the full amount of damages to be assessed against said town. Each of such items shall be separately stated in the written report of such commissioners to be filed with the town clerk not later than sixty days after the date of their appointment, and such report must be signed by not less than three of such commissioners. Such proceedings may be adjourned from time to time, and such one of said commissioners as shall be chosen chairman shall have power to subpoena witnesses and to administer oaths.

Report of appraisers.

Right of appeal.

Sec. 45. That either said town or the owner or owners of said lands, if dissatisfied with the award of such commissioners as set out in their report, and for no other cause, may appeal to the Superior Court of the county in which such lands are situate, under the rules governing appeals from the courts of justices of the peace. Notice of appeal in such case shall be given by filing written notice thereof with the town clerk not later than ten days after such commissioners shall have filed their report. Said town clerk shall send up to the Superior Court as the record of such case on appeal the resolution adopted by the board of alder-
men in the first instance, the notice or notices to the owner or owners of such lands, the order of condemnation and appointment of commissioners, the report of such commissioners, the notice of appeal, and, in case that an infant, idiot, lunatic, or person non compus mentis is the owner of such lands or interest therein, the application for and ordering appointing guardian ad litem and said town clerk, shall over his hand and corporate seal of said town, certify that such record is correct.

Sec. 46. That the finding of the board of aldermen that such lands are necessary for a specified use, and the order condemning the same to be taken for such public use, shall not be reviewable by any court, but shall conclude all parties. And said town is hereby authorized and empowered to enter upon such lands and to forthwith devote them to such public use upon the payment or tender of payment to the person or persons entitled to receive the same of any amount awarded against said town by such commissioners in their report filed with the town clerk; and said town may so enter, without any formality whatsoever, when such commissioners in their said report shall make no award of damages against said town: Provided, that the filing of a notice of appeal from the award of such commissioners by the owner or owners of such lands, or any of them, or said town's payment into the office of the town clerk of the amount so awarded against it to the use of the person or persons entitled to receive the same shall dispense with the necessity of any other payment or tender of payment.

Sec. 47. That in any case where an infant, idiot, lunatic, or person non compus mentis shall have been seized or possessed of any lands condemned as hereinbefore provided, or of any interest therein, and no appeal shall have been taken from the award of the commissioners, it shall be the duty of the town clerk to certify up to the clerk of the Superior Court of the county in which such lands are situate the complete record of such condemnation proceedings as in case of appeal; and such clerk of the Superior Court in every such case, and in every such case certified upon appeal in which a final judgment shall have been rendered, shall record such complete record, including any final judgment rendered in the Superior Court, in the book of special proceedings; and such record shall bar and conclude every infant, idiot, lunatic, or person non compus mentis, and all persons claiming under him.

Sec. 48. That whenever any lands condemned as hereinbefore provided shall no longer be devoted to a public use, and by reason of nonuse shall revert to the original owner or owners, or his or their heirs, said town shall have the right to remove therefrom all buildings and other structures and improvements which said town may have erected thereon.
Improvement of streets and sidewalks.

Sec. 49. That the owner or owners of any lot abutting upon any street of said town shall, if so ordered by the board of aldermen, improve, repair, or pave the sidewalk of such street, or said owner or owners shall be ordered to improve, repair, or curb the sidewalk of such street, for the distance it extends along such lot, and shall likewise, if so ordered, macadamize, pave, or otherwise improve not more than one-fourth of the street adjoining such sidewalk; and such improvement shall be made in such manner and with such material as said board may specify, and such work shall be done under the supervision and control of such officer as may be charged with the supervision and control of the improvement and repair of the sidewalks and streets of said town.

Supervision of work.

Sec. 50. That whenever and wherever such improvements, repairs, or paving or curbing as specified in the foregoing section shall be deemed necessary by the board of aldermen, and such improvement, repairs, paving, and curbing is done in accordance with the specifications adopted by said board, the cost of such improvements as specified herein shall be borne equally by the owner or owners of any lot abutting upon any street or sidewalk upon which such improvements are made in the town of Nashville, one-half of such cost to be paid by the owner or owners of such abutting lot and one-half of such cost to be paid for out of the general funds of said town.

Apportionment of cost.

Sec. 51. That the town clerk shall cause a certified copy of any order of the board of aldermen, requiring that such improvement be made, to be served upon the owner, or any one or two or more owners, of every lot embraced therein, if residing within said town, or, if not residing therein, upon any known agent of such owner or owners residing therein, which certified copy of such order may be served by the chief of police or any other policeman of said town, or by the sheriff or any other lawful officer of either the county or State, and shall be served as other legal notices are served. If, with the exercise of due diligence, service of such order cannot be made as hereinbefore provided, such service may be made by publishing the same for four successive weeks in some newspaper in said town.

Service of order.

Service by publication.

Sec. 52. That should the owner or owners of any lot embraced in such order neglect or refuse to comply with the same within thirty days after due service thereof shall have been made in accordance with the provisions of the preceding section, such street committee, or such officer as may be charged with the supervision and control of the improvement and repair of the streets and sidewalks of said town, shall cause the improvements which the owner or owners of such lot were by such order required to make, to be made without further delay, and one-half the cost thereof shall be borne by the owner or owners of such

Work by town on default of owner.

Lien.
lot, and shall constitute a lien thereon to the same extent as the municipal taxes assessed against the same constitute a lien thereon.

Sec. 53. That should the owner or owners of any such lot neglect or refuse to pay the amount charged against the same, as provided in the preceding section, it shall be the duty of the town tax collector to proceed to collect such amount by the advertisement and sale of such lot as is provided by law in case of nonpayment of taxes assessed against lands for municipal purposes.

MISCELLANEOUS PROVISIONS

Sec. 54. That all ordinances, rules and regulations heretofore adopted by the board of aldermen of the town of Nashville for the government thereof shall remain in full force and effect as ordinances rules or regulations of said town until amended or repealed by the board of aldermen of said town.

Sec. 55. That any person violating any ordinance, rule or regulation of said town shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days, or both fined and imprisoned.

Sec. 56. That the chief of police and other policemen of said town are hereby authorized and empowered to accept bail for the appearance in the mayor's court of any person who shall be taken into custody charged with a bailable offense, when such person cannot conveniently be taken before the mayor for such purpose; and such police officers shall commit to the town lock-up or town prison, for safe keeping, all such persons as shall fail to furnish bail for their appearance in the mayor's court or who may be drunk or disorderly.

Sec. 57. That all laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 58. That this act shall be in force from and after its ratification.

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

CHAPTER 106

AN ACT TO AMEND CHAPTER 169 OF THE PRIVATE LAWS OF 1915,

The General Assembly of North Carolina do enact:

Section 1. That subsection one of section one of chapter one hundred and sixty-nine of the Private Laws of one thousand nine hundred and fifteen be and it is hereby amended by striking out
that part of said subsection beginning with the word "the" in line thirteen and ending with the word "shall" in line fourteen and by inserting in lieu thereof the words "the said mayor and councilmen to," and by striking out that part of said subsection beginning with the word "and" in line sixteen and ending with the word "qualified" in line nineteen.

Sec. 2. That subsection three of section one of said act be and it is hereby amended as follows: By striking out in line five the word "two" and inserting in lieu thereof the word "four"; by inserting in line five, between the word "mayor" and the word "so," the words "and councilmen"; by striking out in line seven the words "he is" and inserting in lieu thereof the words "they are"; by striking out in line eight the words "his successor is" and inserting in lieu thereof the words "their successors are"; by striking out those words beginning with the word "and" between the word "qualified" and the word "the" in line eight and ending with the word "qualified" in line twelve, and by adding at the end of said subsection three the words: "Each councilman shall at the time of his election be a resident of the city ward from which he is elected, and if any such councilman shall, after election, move out of the city limit or the ward from which he was elected, his office shall thereby be vacated and the same shall be filled as is hereinafter provided. In the primary hereinafter provided for all legally qualified voters of the city of High Point shall be entitled to vote for mayor and for a councilman who resides in and is a candidate from the ward in which the voter is entitled to cast his vote. In the municipal election said voters may vote for one candidate for mayor and one candidate from each ward for councilman.

Sec. 3. That section one of said chapter one hundred and sixty-nine of the Private Laws of one thousand nine hundred and fifteen be and it is hereby amended by striking out subsections five to twenty-five, both inclusive, and by inserting and substituting in lieu thereof the following:

5. All candidates to be voted for at all general municipal elections at which time a mayor, councilmen, or any other elective officers are to be elected under the provisions of this act shall be nominated by a primary election, and no other names shall be placed upon the ballot except those nominated in such primary in the manner hereinafter prescribed. The primary election for such nominations shall be held on the second Tuesday preceding municipal elections as is provided for. The judges and other officers of election appointed for the said municipal election shall, whenever practicable, be the judges of the primary election, and unless otherwise herein provided it shall be held at the same place and in the same manner and under the same rules and
regulations and subject to the same conditions, and the polls to be opened and closed at the same hours, as are required for said municipal election.

Any person desiring to become a candidate for nomination by the primary for the office of mayor or councilman shall, at least ten days prior to said primary election, file with the city manager a statement of such candidacy, in substantially the following form:

I, ______________, being first duly sworn, say that I reside at ______________ Street, city of High Point, county of Guilford, State of North Carolina; that I am a candidate for nomination to the office of (mayor or councilman of a particular ward), to be voted upon at the primary election to be held on the __________ Tuesday of __________, 19__..., and I hereby request that my name be printed upon the official ballot for nomination by such primary election for such office.

(Signed) _____________________________

Subscribed and sworn to (or affirmed) before me by __________

__________ on this __________ day of __________, 19__...

(Signed) _____________________________

And shall at the same time pay to said city manager the sum of five dollars ($5.)

Immediately upon the expiration of the time for filing the petitions of candidates, the said city manager shall cause to be published for three successive days in all the daily newspapers published in the city, and one time in all weekly newspapers, in proper form, the names of the persons as they are to appear upon the primary ballots. The said city manager shall thereupon cause the primary ballots to be printed, authenticated with a facsimile of his signature, and there shall be a separate and distinct set of ballots for each of the four city wards. Upon all four sets of ballots the names of the candidates for mayor, arranged alphabetically, shall first be placed with a square at the left of each name, and immediately below the names of such candidates shall appear the words, "Vote for one." Following these names, likewise arranged in alphabetical order, shall appear upon the ballots for the First Ward the names of the candidates for councilman of said First Ward, with a square at the left of each name, and below the names of such candidates shall appear the words, "Vote for one." In like manner shall there be printed upon the ballots for the Second, Third, and Fourth wards the names of the candidates for councilman of the respective ward.

The ballots shall be printed upon plain, substantial white paper, and shall be headed: "Candidates for nomination for mayor and councilman of the __________ Ward (name or ward) of city of
High Point, North Carolina, at the primary election," but shall have no party designation or mark whatever.

The ballots shall be in substantially the following form:

"(Place a cross in the square preceding the names of the parties you favor as candidates for the respective positions.)

"Official primary ballot. Candidates for nomination for mayor and councilman of the.........Ward (name of ward) of city of High Point, North Carolina, at the primary election.

"For mayor (names of candidates), (vote for one).

"For councilman of the........Ward (name of ward) (names of candidates) (vote for one).

"Official ballot; attest: (Signature)....................., City Manager."

Having caused said ballots to be printed, the said city manager shall cause to be delivered at each polling place a number of said ballots equal to twice the number of votes cast in such polling precinct at the last general municipal election for mayor. The persons who are qualified to vote at the succeeding municipal election shall be qualified to vote at such primary election, and shall be subject to challenge made by any resident of the city of High Point under such rules as may be prescribed by the city council, and such challenge shall be passed upon by the judges of election and registrars: Provided, however, that the law applicable to challenges at a municipal election shall be made applicable at such primary election. Judges of election shall, immediately upon the closing of the polls, count the ballots and ascertain the number of votes cast in such wards for each of the candidates, and make return thereof to the city manager upon blanks to be furnished by the said city manager, within six hours of the closing of the polls. On the day following the said primary election the city manager, under the supervision and direction of the mayor, shall canvass such returns so received from all the polling precincts, and shall make and publish in all newspapers of said city, at least once, the result thereof. Said canvass by the city manager shall be publicly made. The two candidates receiving the highest number of votes for mayor and the two candidates receiving the highest number of votes for councilmen for each of the respective wards shall be the candidates, and the only candidates, whose names shall be placed upon the ballot for mayor and councilmen at the next succeeding general municipal election.

6. At least thirty days before the time of holding a primary election in this act provided for, the city council shall appoint a registrar and two judges of election for each precinct for voting place in said city, and the persons so appointed shall serve both in such primary election and in the regular municipal election following such appointment.
7. Only those who shall have filed notice of their candidacy and have otherwise complied with the requirements of this act with reference to primary elections shall have their names printed on the official ballots. In all cases where only one aspirant for nomination for a particular office to be voted for shall have filed such notice, the city manager shall, upon the expiration of the time limited for filing such notices, declare him the nominee for such office, and his name shall, therefore, not be placed on the primary ballot, but shall be placed on the ballot to be voted at the municipal election as candidate for such office.

8. The city manager shall cause ballots to be printed for the municipal election as herein provided, authenticated with facsimile of his signature. Upon the said ballots the names of said candidates for mayor, arranged alphabetically, shall first be placed, with a square at the left of each name, and below the names of such candidates shall appear the words, "Vote for one." Following these names, likewise arranged in alphabetical order, shall appear the names of the candidates for councilmen of the four city wards respectively, with a square at the left of each name, and below the names of such candidates for each of said city wards shall appear the words, "Vote for one."

The ballots shall be printed upon plain, substantial white paper, and shall be headed:

"Candidates for mayor and councilmen of the four city wards of the city of High Point, North Carolina, at the general municipal election," but shall have no party designation or mark whatever. The ballots shall be in substantially the following form:

"(Place a cross mark in the square preceding the names of the parties you favor as candidates for the respective positions.)

"Official municipal ballot, candidates for mayor and councilmen of the city of High Point, North Carolina, at the municipal election.

"For mayor (names of candidates). Vote for one.

"For councilman from the First Ward (names of candidates). Vote for one.

"For councilman from the Second Ward (names of candidates). Vote for one.

"For councilman from the Third Ward (names of candidates). Vote for one.

"For councilman from the Fourth Ward (names of candidates). Vote for one.

"Official ballot; attest: (Signature) ....................., City Manager."

9. That all persons entitled to vote for members of the General Assembly, if held at the time of the election provided for in the
preceding section, and who have been residents of the city and ward in which they offer to vote for four months next preceding the day of election, and shall have registered as provided herein, shall be allowed to vote for mayor and a councilman from each of the four city wards, and no one except a resident of the city shall be eligible to any office in the corporation. If any registered voter shall have moved from one ward to another within the four months next preceding any election, he shall be entitled to vote in the said election in the ward from which he shall have moved.

10. That the provisions made, or hereafter made, by the General Assembly, which may be in force at the time of any city election, for testing the qualification and right of any person to vote, shall apply, as far as possible, to any election held under this charter, and the registrar and judges of election are hereby invested with full and ample judicial power to pass upon and decide said qualifications.

11. That each registrar shall be furnished by said city council with registration books, and it shall be his duty, after being qualified, to perform the functions of his office fairly, impartially, and according to law; to revise the existing registration books of the precinct for which he is appointed in such manner that said books shall show an accurate list of electors previously registered in such precinct and still residing therein and entitled to vote without requiring such electors to be registered anew; and such registrar shall, also, between the hours of seven o'clock a. m. and sunset (Sunday excepted), from and including the last Monday in March up to ten days previous to the election, keep open the books for the registration of any electors residing in such city and entitled to registration whose names do not appear in the revised list, and he shall register in said books all names of persons not so registered who may apply for registration and who are entitled to vote in said city. Each registrar shall be required to be at the polling place for his precinct on Saturdays from seven a. m. until sunset during the period for registration. He shall keep the names of white voters separate and apart from those of the colored voters, and any person offering to register may be required to take and subscribe an oath that he has resided in the State of North Carolina two years, in Guilford County six months, and in the ward in which he offers to register four months previous to the day of election, and that he is twenty-one years of age, and that he is a qualified elector of said city. If any person willfully swear falsely in taking such oath, he shall be deemed guilty of a misdemeanor, and on conviction shall be sentenced to pay a fine of one hundred dollars and imprisoned sixty days in the county jail. But the city council, on fifteen days notice by publication in some newspaper
of said city, before the opening of the books may order an entirely new registration of voters whenever they may deem it proper: Provided, a new registration shall be required and provided for by the city council for the first election held hereunder: Provided further, however, that all voters who shall have duly registered for the election to be held on March the thirteenth, nineteen hundred and seventeen, as is provided for in section seven of this act, shall be deemed to have registered for the said first primary and election and shall not be required to register anew.

The registration books shall be closed at sundown on the second Saturday before the election, and after the same are closed no person shall be allowed to register except those coming of age after the books close and before or on election day, who are otherwise qualified electors of the city, and the books shall then be placed in the office of the city manager, who shall mark the day on which they were received by him, and they shall not be taken from his custody until the day of election.

Any registrar failing to deposit his registration book with the city manager at the time prescribed shall receive no compensation for making said registration, and shall be guilty of a misdemeanor.

12. That after being duly sworn by the mayor or a justice of the peace to conduct the election fairly, impartially, and according to law, the registrars and the judges of election shall open the polls, receive and deposit the ballots in the boxes provided for that purpose, administer oaths, decide all challenges on the day of election and all questions of voting, superintend and conduct the election for municipal offices in like manner and during the same hours as elections for members of the General Assembly are conducted. The polls shall be open on the day of election from seven a. m. until sunset, and no longer.

13. It shall be the duty of the city council to provide a ballot box for each precinct or polling place.

14. The registrars and judges of the election shall receive for their services such compensation as shall be fixed by the city council, but the pay of the registrars shall not exceed two dollars ($2) each a day for the Saturdays they are required to be at the polls and the day of election and two cents additional for each new name registered, and the judges of election shall not be paid more than two dollars ($2) a day for their services: Provided, the city council may allow the registrars and judges compensation, not exceeding one day's pay, as they may deem proper, for attendance of the election officers upon the meeting of the board of canvassers.

15. If any judge or registrar shall fail to be present on the day of election, his place shall be filled by the mayor at once; and if
at any time the registrar is temporarily unable to act as such, the mayor may appoint a temporary registrar to act for him, after being duly sworn; or if a vacancy should occur in said office for any reason, then the mayor shall appoint to fill the vacancy.

16. That on the day following the day of election all of the registrars and pollholders of the several precincts shall meet at the city hall, and when they shall so assemble they shall form a canvassing board for the said election. The said board shall organize by the election of one of its number as chairman and one as secretary, and shall proceed to receive and tabulate the number of votes cast in each ward for the several candidates, as shown by the reports of the registrars and judges, and such person as shall receive the highest number of votes for mayor shall be declared elected mayor, and such persons as shall receive the highest number of votes for each of the positions of councilman of the four city wards shall be declared elected councilmen of the respective wards. The said canvassing board shall certify under their hands and seals the results of said election, giving the name of each candidate and the number of votes received by him. Two copies of the returns of the canvassing board shall be made under the hands of the members of the said board, one of which shall be given to the mayor and the other filed in the archives of the city manager, who the same day shall publish the result of the election at the door of the city hall.

17. When on account of errors in tabulating the returns and filling out blanks the result of a primary election in any one or more precincts or polling places cannot be accurately known, the city manager shall be allowed access to the ballot boxes in such precinct to make a recount and declare the results.

18. If of the persons voted for as mayor or councilmen of the respective wards there shall be an equal number of votes between any two candidates for like office in the municipal election in the city of High Point, in such case, in order to break the tie, there shall be held on the following Tuesday an election in accordance with the provisions herein provided for holding a municipal election for the city of High Point. If of the persons voted for as mayor, or as councilman of any ward, there shall be an equal number of votes cast for two candidates receiving the highest vote for the same office in the primary election for the nomination of candidates, in such case there shall be held, three days thereafter, a primary election for nomination of candidates, in accordance with the provisions for holding primaries for the nomination of candidates in the city of High Point, to break the tie.
19. That if the city council shall fail to give notice of election, to hold and declare the same in like manner herein prescribed, each of them as shall be in fault shall forfeit and pay for the equal benefit of the city, and of him who shall sue therefor, one hundred dollars.

20. Any registered voter of the said city may at any time, before the election or on the day of election, object to the name of any person appearing upon the registration book of his precinct, and the book shall be kept open at the polling place on the second Saturday before every election for inspection by the voters of the precinct. When a person is challenged the registrar shall enter upon his books, opposite the name of the person objected to, the word "Challenged," and the person so challenged shall not be allowed to vote until the cause of challenge shall be heard and determined, under the rules and regulations prescribed by the general law regulating the election for members of the General Assembly. As soon as any person is challenged the registrar shall give notice in person or by mail of the same to the person so challenged. All challenges shall be heard and determined on the day of election by the registrar and judges.

SEC. 4. That subsection twenty-eight of section one of said act be and it is hereby amended by inserting in line four, between the words "choose" and the word "as," the words "from the city at large"; and by adding at the end of said subsection the words, "In filling the vacancy of councilman, the person chosen must be a resident of the same city ward as was the person whose office he has been chosen to fill."

SEC. 5. That the several amendments to said chapter one hundred and sixty-nine of the Private Laws of one thousand nine hundred and fifteen hereinbefore set forth shall be regarded as one amendment and shall be designated "Amendment Number One to the charter of the city of High Point," and as so designated shall be and are hereby submitted to the qualified voters of said city of High Point at an election to be held for that purpose at the time and under the conditions hereinafter set forth.

SEC. 6. That said proposed amendment shall be designated on a ballot by an appropriate descriptive title in the manner and form hereinafter set forth; and that the adoption of said amendment by its title, by marking the said ballot as hereinafter indicated, shall have the effect of adopting the amendment in full as agreed by this Assembly; and the rejection of said amendment by its title, by marking the said ballot as hereinafter indicated shall have the effect of rejecting the amendment as a whole.
SEC. 7. That said ballot shall be in form substantially as follows:

"OFFICIAL BALLOT.

"Amendment Number One to the charter of the city of High Point, North Carolina.

"Directions to the voters:

"To vote for Amendment Number One, place a cross mark in the blank space in which is the word ‘Yes,’ opposite the title of said amendment.

"To vote against Amendment Number One, place a cross mark in the blank space in which is the word ‘No,’ opposite the title of said amendment:

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>Amendment allowing voters to elect a mayor and four councilmen at the next city election and providing for a nonpartisan primary and election.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>NO</td>
<td></td>
</tr>
</tbody>
</table>

Date of election.

SEC. 8. That said election upon the amendments hereinbefore set out shall be held on Tuesday, the thirteenth day of March, one thousand nine hundred and seventeen; that the registration books for said election shall be opened at seven o’clock a. m. on Saturday, the twenty-fourth day of February, one thousand nine hundred and seventeen, and shall be closed on Saturday at sunset of the tenth day of March, one thousand nine hundred and seventeen. Each registrar shall, between the hours of seven o’clock a.m. and sunset (Sundays excepted), from and including February twenty-fourth, one thousand nine hundred and seventeen, up to and including March tenth, one thousand nine hundred and seventeen, keep open the books for the registration of any voters entitled to registration, and shall be required to be at the polling place for his precinct on Saturday, February the twenty-fourth, and Saturday, March the tenth, one thousand nine hundred and seventeen, from seven o’clock a.m. until sunset. There shall be a new registration for said election on the proposed amendments, and only those registering shall be entitled to vote. That, except as herein provided, the election upon the several amendments herein designated as Amendment Number One to the charter of the city of High Point shall be conducted in the same manner and under the same rules and conditions as are provided under the laws of this State governing town or city elections.

Adoption of amendment.

SEC. 9. These amendments, designated Amendment Number One to the charter of the city of High Point, shall, in case the
number of affirmative votes exceed the number of negative votes, become a part of the charter of the city of High Point; and the amendment so adopted shall take effect on Thursday, the fifteenth day of March, in the year one thousand nine hundred and seventeen. Any provision of these amendments or this amendment passed and submitted by this General Assembly and so adopted by the qualified voters of the city of High Point inconsistent with or in conflict with any provisions of the present charter of the said city of High Point or of the present statute laws of this State shall be held to prevail.

Sec. 10. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 11. This act shall be in force from and after its ratification.

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

CHAPTER 107

AN ACT TO AMEND CHAPTER 196 OF THE PUBLIC LAWS OF 1897, AND CHAPTER 431 OF THE PRIVATE LAWS OF 1907, THEY BEING ACTS TO INCORPORATE THE MOUNTAIN RETREAT ASSOCIATION, AND AMENDING THE SAME.

The General Assembly of North Carolina do enact:

Section 1. That whereas The Mountain Retreat Association was duly incorporated by chapter one hundred and ninety-six of the Public Laws of one thousand eight hundred and ninety-seven, and various amendments thereto have been enacted by the General Assembly of North Carolina, including chapter four hundred and thirty-one of the Private Laws of one thousand nine hundred and seven, and other amendatory acts.

Sec. 2. And whereas the objects and purposes of said corporation are fully set forth in chapter one hundred and ninety-six, Public Laws of one thousand eight hundred and ninety-seven, and the acts amendatory thereof.

Sec. 3. And whereas a majority of the stockholders of said corporation holding the common stock thereof, which class of stock alone has voting power in said corporation, have duly assigned and transferred their stock in the said Mountain Retreat Association upon certain declared trusts and for certain purposes fully set forth in such declaration of trust, which declaration of trust, transfer, and assignment are in words and figures as follows:

"I do hereby convey, transfer, and assign to the following named persons as a board of trustees, and their successors, shares
of the capital stock (common) in the Mountain Retreat Association now held in my name. The certificate of said stock being No. . . . . . .

Judge J. D. Murphy  
Rev. B. F. Campbell, D.D.  
Rev. R. C. Anderson, D.D.  
Dr. I. J. Archer  
Hon. J. Hoge Tyler  
Rev. W. T. Thompson, Jr.  
Rev. John Van Lear, D.D.  
Rev. J. S. Foster, D.D.  
Hon. John B. Knox  
Rev. J. Ross Lynn  
Mr. E. L. Ferran  
Mr. John J. Eagan  
Mr. George W. Watts  
Mr. T. W. Wilson  
Hon. J. R. Young  
Mr. J. D. Cooper  
Mr. A. M. Scales  
Rev. J. M. Clark, D.D.  
Mr. C. E. Graham  
Mr. W. J. Roddey  
Mr. W. C. Whitmer  
Rev. A. D. P. Gilmour, D.D.  
Rev. Andrew Blackwood, D.D.  
Rev. Alexander Sprunt, D.D.  
Mr. G. H. Cornelson, Sr.

Rev. R. O. Flynn, D.D.  
Dr. J. A. J. Alexander  
Rev. H. W. Burwell, D.D.  
Mr. John Glassell  
Rev. G. H. Cornelson, Jr., D.D.  
Gen. S. R. Keesler  
Rev. J. B. Hutton, D.D.  
Mr. W. S. Lindamood  
Rev. J. L. Mauze, D. D.  
Rev. S. D. Gage, D. D.  
Rev. H. G. Hill, D.D.  
Mr. W. H. Belk  
Mr. C. S. Ivie  
Mr. W. E. Holt  
Rev. A. S. Johnston, D.D.  
Rev. W. R. Minter, D.D.  
Mr. T. S. Williamson,  
Mr. J. C. Tait  
Rev. W. W. Moore, D.D.  
Mr. E. L. Stone  
Rev. Ernest Thompson, D.D.  
Rev. S. H. Chester, D.D.  
Rev. H. H. Sweets, D.D.  
Rev. Homer McMillan, D.D.  
Mr. R. E. Magill

2. Said board of trustees and their successors forever shall hold and possess said stock for and upon the following uses, purposes, trusts, and conditions, to wit:

(a) Said board of trustees shall use, hold, vote, and control said stock in such way and in such manner as to insure and guarantee that the property, real and personal, now owned and controlled by the Mountain Retreat Association, a corporation existing under the laws of the State of North Carolina, shall be perpetually held and used for the objects and purposes set forth and expressed in its charter and the amendments thereto now existing or hereafter made, and that said property shall not go into the hands of any person or persons, firm or corporation, who shall use the same for selfish, speculative, or money-making purposes, that said property, real and personal, of the Mountain Retreat Association shall forever be used for the promotion and advancement of the Christian Religion, under the auspices and control of the Presbyterian Church in the United States, commonly known as the Southern Presbyterian Church, and for the
promotion of the highest standards of morals and intelligence, the promotion of health, the advancement of the religion of Jesus Christ, and generally for the purposes mentioned in the charter of the Mountain Retreat Association and the amendments thereto, and said property so owned by the Mountain Retreat Association shall be sacredly devoted to the purposes herein expressed and mentioned and to the objects and purposes set forth in the charter of the said Mountain Retreat Association and the amendments thereto; and for this good and valuable consideration this transfer is made to said trustees.

(b) That always at least three-fourths of the members of said board of trustees, constituting the trustees holding the capital stock (common) of said Mountain Retreat Association under this trust, shall always be officers, ministers, elders, or deacons in the Presbyterian Church in the United States, generally known as the Southern Presbyterian Church, and the several synods and the General Assembly of the Presbyterian Church in the United States shall have the power to nominate trustees, and when such power is exercised the trustees in electing successors shall elect from such nominees enough trustees so that the majority of the board of trustees shall consist of such nominees.

(c) That twenty members shall constitute a quorum of said board of trustees for all purposes.

(d) That at least three-fourths of the members of the managing committee provided in the charter of the Mountain Retreat Association shall always be officers, ministers, elders, or deacons of the Presbyterian Church in the United States, generally known as the Southern Presbyterian Church.

(e) Said trustees and their successors shall advise and counsel with the managing committee of the Mountain Retreat Association relative to the policies and work of the said association, and said board of trustees shall have and is hereby vested with full power and authority to elect the successor of each trustee whose term has expired or whose office as such trustee is vacated by death, disqualification, or forfeiture by conduct in violation of this trust. Any act or vote in contravention of this trust shall be null and void, and each trustee guilty of such act or vote shall thereby forfeit his right to the office of trustee. And said board of trustees shall have and are hereby vested with full authority and power to request changes in the charter of said Mountain Retreat Association; but no change in the charter of said Mountain Retreat Association shall be made until said trustees or their successors, or a quorum of said trustees or their successors, shall request such change or changes.

(f) Said board of trustees, or a quorum thereof, shall ask the General Assembly of North Carolina to make such changes in the charter of the Mountain Retreat Association as shall be necessary.
and desirable to carry out and perfect the purposes of the trust herein declared; but no changes shall be made in said charter which shall in any way interfere with or militate against the purposes of this trust, but shall be confined to such changes as are necessary as to classification of trustees and their terms of office, the number of trustees, the duties of the trustees, and such other details as are necessary to carry out the purposes of this trust, it being the intent and purpose to transfer the stock of the Mountain Retreat Association to trustees in such a way as to forever protect the property from being appropriated or devoted to other than educational and religious purposes as set forth above and in the charter of the Mountain Retreat Association.

(g) That it is the intention of this declaration of trust that the charter of the Mountain Retreat Association shall be changed so that the trustees mentioned herein shall take the place of the directors (not less than twenty-five nor more than fifty) now provided and mentioned in the charter of the Mountain Retreat Association, and power is hereby expressly conferred upon said trustees to request the General Assembly of North Carolina to make such changes in the charter of the Mountain Retreat Association as shall be adopted and are necessary to carry out the purposes of this trust.

(h) I hereby declare the purpose and intent of this trust to be that the property of the Mountain Retreat Association shall forever remain a religious and educational foundation under the auspices and control of the said several synods and said General Assembly of the Presbyterian Church in the United States, commonly known as the Southern Presbyterian Church, and as indicated and set forth in paragraph (b) of this declaration of trust that said property shall never be used for speculative, selfish, or any other purpose than for the glory of God and the uplifting of mankind, physically, mentally, morally, and religiously.

Witness my hand and seal, this the ...... day of............. 191...

[Seal]

Sec. 4. And whereas said declaration of trust above set forth has been duly executed by a majority of the stockholders of the Mountain Retreat Association, as aforesaid.

Sec. 5. And whereas it is desirable to amend said charter of said corporation and the acts amendatory thereof in order that the same may conform to said transfer and assignment set forth in the above declaration of trust:

Sec. 6. Now, therefore,

The General Assembly of North Carolina do enact:

That the said persons to whom the stock of the said Mountain Retreat Association has been transferred and assigned as afore-
said shall be known as "The Trustees of the Stock of the Mountain Retreat Association," and that they shall hold the same for the purposes fully set forth in said declaration of trust, transfer and assignment, and said assignment and transfer of stock set out in section three of this act is made a part of this act and is hereby enacted into law.

Sec. 7. That the objects and purposes of this amendment to said charter, said transfer and assignment are declared to be that the ownership and control of the stock of the Mountain Retreat Association shall be vested in and placed in certain trustees representing the sixteen synods of the Presbyterian Church in the United States, generally known as the Southern Presbyterian Church, it being desirable that the stock of said association shall be voted by trustees, a majority of whom shall be nominated by the sixteen synods of said church, and elected by "The Trustees of the Stock of the Mountain Retreat Association," and two trustees nominated by the General Assembly of the Presbyterian Church in the United States.

Sec. 8. That said "The Trustees of the Stock of the Mountain Trustees classified. Retreat Association" shall be divided into three classes, and the Term of office. terms of office of said trustees shall be three years from the date of their election by the said "The Trustees of the Stock of the Mountain Retreat Association," upon the nomination of a majority of said trustees by said synods respectively; but in case any of said synods shall fail to nominate, then said "The Trustees of the Stock of the Mountain Retreat Association" shall elect from such synod a trustee or trustees to represent such synod or synods.

Sec. 9. It is hereby declared advisable, and it is the purpose, Election and to elect one-third of said trustees each year, and the terms of term of trustees. office of such trustees shall be three years.

Sec. 10. In order to carry out said purpose the term of office Terms and classes. of said trustees mentioned in the above transfer of stock and declaration of trust are fixed as follows, and said trustees are classified as follows:

(A) Those holding office for one year:

Hon. J. Hoge Tyler
Rev. L. Ross Lynn
Mr. E. L. Ferran
Mr. John J. Eagan
Rev. R. O. Flynn, D.D.
Dr. A. J. A. Alexander
Rev. H. W. Burwell, D.D.
Mr. John Glassell
Rev. G. H. Cornelison, Jr., D.D.
Gen. S. R. Keesler
Rev. J. B. Hutton, D.D.
Mr. W. S. Lindamood
Rev. J. L. Mauze, D.D.
Rev. S. D. Gage, D.D.
Rev. J. M. Clark, D.D.
Mr. G. H. Cornelson, Sr.

(B) Those holding office for two years:

For two years.

Judge J. D. Murphy
Rev. R. F. Campbell, D.D.
Rev. R. C. Anderson
Dr. I. J. Archer
Rev. W. T. Thompson, Jr.
Rev. John Van Lear, D.D.
Rev. J. S. Foster, D.D.
Hon. John B. Knox
Rev. H. G. Hill, D.D.
Mr. W. H. Belk
Mr. George W. Watts
Mr. T. W. Wilson
Hon. J. R. Young
Mr. J. D. Cooper
Mr. A. M. Scales
Rev. A. S. Johnston, D.D.
Rev. W. R. Minter, D.D.

(C) Those holding office for three years:

For three years.

Mr. C. E. Graham
Mr. W. J. Roddey
Mr. W. C. Whitner
Rev. A. D. P. Gilmour, D.D.
Rev. Andrew Blackwood
Rev. Alexander Sprunt, D.D.
Mr. C. S. Ivie
Mr. W. E. Holt
Mr. T. S. Williamson
Mr. J. C. Tait
Rev. W. W. Moore, D.D.
Mr. E. L. Stone
Rev. Ernest Thompson, D.D.
Mr. S. H. Chester, D.D.
Rev. H. H. Sweets, D.D.
Rev. Homer McMillan, D.D.
Mr. R. E. Magill

Election for 1917. Sec. 11. During the month of August, one thousand nine hundred and seventeen, the said "The Trustees of the Stock of the Mountain Retreat Association" shall elect seventeen trustees, a majority of whom shall be elected from the nominees of the
various synods represented by those in Class (A) above mentioned, holding their terms of office for one year, and in August of each year thereafter the said "The Trustees of the Stock of the Mountain Retreat Association" shall elect trustees a majority of whom shall be elected from nominees by said synods respectively as successors to those of said trustees whose terms of office shall expire in August of each year.

**Sec. 12.** That the term of office of said trustees in Class (A) above mentioned shall expire August fifteenth, nineteen hundred and seventeen; those in Class (B), August fifteenth, nineteen hundred and eighteen, and those in Class (C), August fifteenth, nineteen hundred and nineteen.

**Sec. 13.** It is hereby declared to be the purpose of this enactment that the stock of the Mountain Retreat Association shall be held and voted by trustees a majority of whom shall be nominees of the sixteen synods of the Presbyterian Church in the United States, commonly known as the Southern Presbyterian Church, and elected by the said "The Trustees of the Stock of the Mountain Retreat Association," which sixteen synods are as follows:

<table>
<thead>
<tr>
<th>Synod of Appalachia</th>
<th>Synod of Missouri</th>
</tr>
</thead>
<tbody>
<tr>
<td>Synod of Arkansas</td>
<td>Synod of North Carolina</td>
</tr>
<tr>
<td>Synod of Alabama</td>
<td>Synod of Oklahoma</td>
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<tr>
<td>Synod of Florida</td>
<td>Synod of South Carolina</td>
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<td>Synod of Georgia</td>
<td>Synod of Tennessee</td>
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<td>Synod of Kentucky</td>
<td>Synod of Texas</td>
</tr>
<tr>
<td>Synod of Louisiana</td>
<td>Synod of Virginia</td>
</tr>
<tr>
<td>Synod of Mississippi</td>
<td>Synod of West Virginia</td>
</tr>
</tbody>
</table>

**Sec. 14.** That in addition to the trustees above mentioned to be selected as above set forth by the said trustees upon the nomination of said synods as limited above, the General Assembly of the Presbyterian Church in the United States, generally known as the Assembly of the Southern Presbyterian Church, shall have the right to nominate two trustees, who shall hold their office for three years, and the terms of office of the said trustees nominated by the General Assembly as aforesaid, and elected by the said trustees upon such nomination of the General Assembly, shall hold their office for three years commencing August fifteenth, nineteen hundred and seventeen.

**Sec. 15.** That sections ten and eleven of chapter four hundred and thirty-one of the Private Laws of one thousand nine hundred and seven, be and the same are hereby amended by adding at the end of said sections ten and eleven as aforesaid: "That said Mountain Retreat Association shall not have the power to issue more than six hundred and fifty (650) shares of common stock of said association and not more than two hundred and fifty (250) shares of preferred stock."
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SEC. 16. That section fourteen of said chapter four hundred and thirty-one of the Private Laws of one thousand nine hundred and seven be stricken out and repealed, and the following substituted therefor: "Said directors, not exceeding the number of fifty-one, shall be elected at the annual meeting of the stockholders of the Mountain Retreat Association, and in electing such directors "The Trustees of the Stock of the Mountain Retreat Association, by or through any person or persons duly authorized thereunto, shall vote the stock held by the said trustees in electing the directors as herein provided."

SEC. 17. That section fourteen and one-half of said chapter four hundred and thirty-one of the Private Laws of one thousand nine hundred and seven be stricken out and repealed, and the following substituted therefor: "No person shall be a director in said corporation unless he is a stockholder therein, or unless he is one of 'The Trustees of the Stock of the Mountain Retreat Association' as herein provided."

SEC. 18. That section eighteen of said chapter four hundred and thirty-one of the Private Laws of one thousand nine hundred and seven be amended as follows: Insert between the word "corporation" and the word "upon," in line five of said section, the words "or the executive committee of said corporation."

SEC. 19. It is hereby declared to be the general purpose of this enactment that all the property of the Mountain Retreat Association, and the income therefrom after paying running expenses and overhead charges necessary to conduct the affairs of said corporation and the expenditures and disbursements necessary to keep up and maintain the property of said corporation, shall be faithfully appropriated and devoted to educational, charitable, and religious purposes, as set forth in said charter and the amendments thereto.

SEC. 20. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

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

CHAPTER 108

AN ACT TO AMEND CHAPTER 301 OF THE PRIVATE LAWS OF THE GENERAL ASSEMBLY OF 1915, KNOWN AS THE CHARTER OF THE CITY OF THOMASVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen
be and the same is hereby amended by inserting after the word "street" and before the word “nine” in line five of said section the words “three thousand.”

SEC. 2. That section four of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the words “of each year” in line two, and inserting in lieu thereof the words “nineteen hundred and seventeen, and biennially thereafter on the first Monday of May.” That the said section be further amended by striking out the word “one” in line four and inserting in lieu thereof the word “two.”

SEC. 3. That section twenty-nine of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the twenty-seventh paragraph (being the last paragraph on page eight hundred and seventy-two of the printed laws), relating to “Issue of bonds by order of voters.”

SEC. 4. That section twenty-nine of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen (being the first paragraph on page eight hundred and seventy-three of the printed laws), relating to sidewalks and street improvement, be and the same is hereby amended by striking out the entire section.

SEC. 5. That section thirty of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the entire section.

SEC. 6. That section thirty-three of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the words “one dollar” in line eleven of said section and inserting in lieu thereof the words “one dollar and seventy-five cents.”

SEC. 7. That section forty-two of chapter three hundred and one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out the word “March” in line fifteen of said section and inserting in lieu thereof the word “January.” That the said section be further amended by inserting after the word “treasurer” in line sixteen the following: “The city council, in its discretion, may allow a discount of one and one-half (1½) per cent on all taxes paid on or before the first day of November of the year in which they are laid; a discount of one (1) per cent on or before the first day of December; a discount of one-half (½) per cent on or before the first day of January; par on or before the first day of February; add one-half (½) per cent interest as a penalty on those remaining unpaid on or before the first day of March; one (1) per cent interest upon those remaining unpaid on or before the first day of February; and a discount of one-half (½) per cent on or before the first day of March; or a discount of one (1) per cent interest upon those remaining unpaid on or before the first day of February; and a discount of one-half (½) per cent on or before the first day of March; or a discount of one (1) per cent interest upon those remaining unpaid on or before the first day of February; and a discount of one-half (½) per cent on or before the first day of March; or a discount of one (1) per cent interest upon those remaining unpaid on or before the first day of February.
day of April; one and one-half (1½) per cent interest on those
remaining unpaid on or before the first day of May next ensuing
the laying of the same, which shall be a lien upon the real and
personal property and collected as other taxes.

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

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

CHAPTER 109

AN ACT TO ISSUE BONDS IN EDENTON GRADED SCHOOL
DISTRICT, CHOWAN COUNTY.

Whereas, pursuant to an act of the General Assembly of one
thousand nine hundred and fifteen, known as chapter three hun-
dred and eighteen of the Private Laws of North Carolina, session
one thousand nine hundred and fifteen, the Edenton Graded
School District issued bonds to the amount of twenty-five thou-
sand dollars ($25,000) for the purpose of building and equipping
a graded school building; and whereas said amount was insufficient
to build and equip a building adequate for school purposes
for the said district: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That for the purposes and benefits of this act, and
for no other purpose, the provisions of all laws governing the
assessment of all real and personal property, the levy and col-
lection of municipal taxes, and the holding of municipal elec-
tions in the town of Edenton shall be and are hereby extended to
that portion of the Edenton Graded School District lying with-
out the corporate limits of said town as fully as if the same lay
within said corporate limits; and that for the purpose of levying
and collecting taxes for purposes of this act, and in all elections
which shall be held under this act, that portion of said school
district lying without said corporate limits shall be and is hereby
made and created a ward of said town. The place of voting in
said district to be designated by the board of councilmen of the
town of Edenton.

Sec. 2. That upon written request of the board of trustees of
the Edenton Graded School, the board of councilmen of the
town of Edenton shall immediately order an election within said
Edenton Graded School District, in accordance with the law
governing general elections as nearly as may be: Provided,
however, that a new registration shall be ordered for said elec-
tion; and that not less than thirty days notice of said election
shall be given at the courthouse door in Edenton and three other
public places in said Edenton Graded School District, and a notice of said election shall also be published for four successive weeks immediately preceding said election in the *Albemarle Observer*, a weekly newspaper published in Chowan County. The registrars and poll-holders shall canvass the votes cast, declare the result, and duly certify the returns to the board of councilmen of the town of Edenton, which returns shall be recorded in the records of said councilmen. At said election there shall be submitted to the qualified voters of the Edenton Graded School District the question of levying a special tax on all taxable property and polls of said Edenton Graded School District for the purposes of paying off the current indebtedness on the new building and its equipment, for maintaining said Edenton Graded Schools, and for such general school purposes as may be directed by the trustees of Edenton Graded Schools. At such election those favoring the levying and collecting of such a tax for said purpose shall vote a ballot on which shall be written or printed "For Graded School Bonds," and those opposed shall vote a ballot on which shall be written or printed "Against Graded School Bonds." If a majority of the qualified voters shall vote "For Effect of election. Graded School Bonds," then all the provisions of this act shall be in full force and effect and the board of councilmen of the town of Edenton shall annually levy such rate of tax, not inconsistent with this chapter, as may be recommended by the board of trustees of the Edenton Graded Schools, and cause to be collected in the same manner and at the same time as other taxes of the town and district are levied and collected a tax on all property and polls of the said Edenton Graded School District sufficient to pay the interest on the bonds and to provide a sinking fund for the payment of said bonds when due and for maintaining the Edenton Graded Schools. The amount levied by said councilmen for said purpose shall never exceed thirty cents on the hundred dollars worth of property and ninety cents on the poll. The bond of the tax collector of said town shall be responsible for said tax to the same extent as it is liable for other taxes collected by him.

Sec. 3. The board of councilmen of the town of Edenton are hereby authorized and empowered, after a majority of the qualified voters of Edenton Graded School District shall have approved and authorized the same as herein provided, to issue bonds in the name of the Edenton Graded School District in such denominations, form, and amount as the board of trustees of the Edenton Graded Schools may determine, payable at such time and place as said board of councilmen may prescribe: Provided, that the amount of said bonds shall not be more than ten thousand dollars ($10,000); the time of payment shall not exceed thirty years. The rate of interest which said bonds shall bear.
shall not exceed six per cent per annum, payable annually or semiannually. Said bonds shall not be sold, hypothecated, or otherwise disposed of for less than their par value. Said bonds shall be signed by the mayor of the town of Edenton and attested by the town clerk and sealed with the corporate seal of said town, and must be sold to the highest bidder. The amount realized from the sale of said bonds shall be used exclusively for paying off the current indebtedness on the new graded school building and its equipment, for maintaining said Edenton Graded Schools, and for such general school purposes as may be directed by the trustees of Edenton Graded Schools.

SEC. 4. That all the proceeds derived from the sale of said bonds shall be paid over to the town treasurer to the credit of the board of trustees of the Edenton Graded Schools and disbursed by him without compensation, upon order of the board of trustees of Edenton Graded School District.

SEC. 5. The board of trustees of the Edenton Graded School District are hereby given the power of eminent domain and may condemn any land and buildings thereon necessary for school purposes, if said land and buildings cannot be purchased.

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

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

CHAPTER 110

AN ACT TO ESTABLISH MAIDEN GRADED SCHOOL DISTRICT IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all the territory within the corporate limits of the town of Maiden in Catawba County, as it is now or shall hereafter be prescribed, shall be and remain and is hereby constituted a public school district, and shall hereafter be known as the "Maiden Graded School District."

SEC. 2. That the special school-tax election held in the Maiden Special-Tax School District, which includes all the territory within the corporate limits of the town of Maiden, on the tenth day of February, one thousand nine hundred and sixteen, under and by authority of the public acts of one thousand nine hundred and one, be and the same is hereby declared valid and legal in all respects, and that the said special tax for school purposes, to wit, thirty cents on each hundred dollars valuation of property and ninety cents on each taxable poll, shall continue to be levied and collected annually, to the same extent and in the...
same manner as said taxes are now and have been heretofore levied and collected in the Maiden Special-Tax School District.

Sec. 3. That S. L. Hefner, G. E. Rudisill, W. G. Bandy, W. B. Trustees named. Murray, and B. M. Spratt, Jr., shall be and are hereby constituted trustees of the public schools of the Maiden Graded School District, and shall serve until their successors are elected and qualified as herein provided. The successors of the first two named shall be elected at the election for municipal officers of the town of Maiden in the year one thousand nine hundred and seventeen, for a term of two years, and the successors of the last three named shall be elected at the election for municipal officers of the town of Maiden in the year one thousand nine hundred and eighteen, for a term of two years, and at the election for municipal officers of the town of Maiden each year thereafter trustees shall be elected to succeed those whose terms expire: Provided, that any and all vacancies in the board of trustees other than by expiration shall be filled by the other members of said board.

Sec. 4. That the said trustees named in section three and their Incorporation. successors shall be and are hereby constituted a body politic by Corporate name. the name and style of "Board of School Trustees of Maiden," and Corporate powers. by that name may sue and be sued, plead and be impleaded, contract and be contracted with, acquire by gift, purchase devise, or otherwise, real and personal property, and may hold, exchange, mortgage, or sell the same in any manner and to any extent the said board may deem advisable, and exercise such other rights and privileges as are incident to other corporations, subject to the general school laws of the State, and may have a corporate Corporate seal. which it may break and change at pleasure.

Sec. 5. That it shall be the duty of said board of school trustees Establishment of schools. to establish separate schools for the white and colored children of said district, and they may grade the schools for either race, and shall appropriate and use the funds from special taxes and from the State and county fund in such manner as may be deemed just to both races, due regard being had to difference in cost of maintaining and the requirements of said schools: Provided, Proviso: special donations and income for benefit of any special school shall be so applied.

Sec. 6. That said school trustees shall adopt the text-books for Text books. use in said schools recommended by the State Board of Education; may admit pupils residing outside the limits of said district, or those under or over the public school age, upon such terms as said trustees may deem reasonable, and may fix rates Rates of tuition. of tuition to be charged: Provided, no tuition shall be charged Proviso: free tuition. persons between the ages of six and twenty-one years, who reside within the district, for branches required to be taught in the public schools under the general law.
School buildings.  
Furniture and equipment.

SEC. 7. That the said trustees may erect, repair, alter, and improve the school buildings and grounds, and may purchase furniture, equipments, and appliances, including fixtures for heating, lighting, water supply, sewerage, etc., and may do all things they may deem advisable and for the best interest of the schools and school property in said district.

SEC. 8. That said school trustees shall, as soon as convenient after the ratification of this act, meet and organize by electing a chairman and a secretary and treasurer. The treasurer shall give a bond in such sum as the said school trustees may require. The school authorities as at present constituted shall carry on the schools in said district until the said school trustees shall organize under this act.

SEC. 9. That as soon as the said school trustees shall have organized and the treasurer of said board of trustees shall have given an approved bond, the treasurer of Catawba County (or whoever has the school funds belonging to said school district) shall pay over to the treasurer of said board all school funds then in his hands belonging to the Maiden Special-Tax (School) District or the Maiden Graded School District, and shall in like manner pay over all such funds that shall thereafter come into his hands for the use and benefit of said district.

SEC. 10. That all taxes levied and collected in said district for the use and benefit of said schools, under the authority of the general law or under authority of the special school tax election as held in said district on the tenth day of February, one thousand nine hundred and sixteen, or under authority of this act, shall be paid over to the treasurer of said board of trustees by the sheriff or other tax collector provided for in this act, for the benefit of the public schools in said district.

Property vested.  

SEC. 11. That all the property, both real and personal, of the public school districts embraced within the limits of said graded school district shall become the property of the Maiden Graded School District and the title thereto shall vest in the "Board of School Trustees of Maiden," and all real estate belonging to the public schools in said limits shall be conveyed to said board of trustees, subject to the provisions of this act; and said board of trustees may, in their discretion, sell any of said property, real or personal, and apply the proceeds as they may deem best for the schools and school property of said district.

Conveyances.  

SEC. 12. That the county board of education of Catawba County is authorized and directed to pay to the treasurer of said board of trustees of said district, out of the county school funds coming under their control, any balance theretofore apportioned to the schools in Maiden Special-Tax School District, or appropriated to said district for building or other expenses, which has not been paid to or drawn from the county treasurer by said special-
tax district, and such apportionment and appropriation by the county board of education are declared to be valid and legal in all respects.

Sec. 13. The tax collector of the town of Maiden shall collect the taxes levied under the authority of the special-tax election held in the Maiden Special-Tax School District for school purposes and pay the same over to the treasurer of said board of trustees, retaining such commission as may be fixed by the board of trustees.

Sec. 14. For purposes of taxation for benefit of schools as authorized by special-tax election as hereinbefore mentioned, property and polls shall be listed, assessed, and valued under the same laws as provided for municipal purposes: Provided, the assessors and list takers appointed by the county commissioners or other authorities to list or assess the property and polls in Newton Township for county and State taxation shall ascertain and designate on the tax list the property and polls subject to taxation for school purposes in said school district, and it shall be legal and binding for the tax lister for said district to copy the same on the tax list for said school district.

Sec. 15. That for the election of school trustees provided for in this act the same shall be held at the same time at which the municipal officers of the town of Maiden are elected, and the number of trustees each year to be elected as set out in section three of this act, and the said trustees are to be elected in like manner as the municipal officers of the town of Maiden.

Sec. 16. That all laws or parts of laws in conflict with this act are hereby repealed, so far as the same applies to the Maiden Graded School District.

Sec. 17. That this act shall be in force from and after its ratification.

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

CHAPTER 111

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF
THE MOUNT HOLLY GRADED SCHOOLS TO ISSUE BONDS
FOR THE PURPOSE OF ERECTING AND EQUIPPING THE
SCHOOL BUILDING NOW UNDER CONSTRUCTION.

The General Assembly of North Carolina do enact:

Section 1. That the board of trustees of the Mount Holly Graded Schools is hereby authorized and empowered to issue bonds to an amount not exceeding fourteen thousand dollars ($14,000) for the purpose of raising money to pay for the erec-
tion and equipping of the school building now under construction at Mount Holly, Gaston County, North Carolina, in said school district. Said bonds shall be payable at such place as said board may designate in said bonds, and shall bear interest, not exceeding six per centum per annum, payable semiannually at such time and place as may be designated by said board, and evidenced by coupons attached to said bonds. Said bonds shall be signed in the name of "The Board of Trustees of the Mount Holly Graded School" by the chairman of the said board, attested by its secretary, and shall mature in twenty years from the date of their issue.

**Sec. 2.** That the said bonds shall not be sold for less than their par value, and the proceeds of the sale thereof shall not be used for any purpose other than the purpose herein mentioned. Said bonds shall be issued in denominations of one hundred dollars, five hundred dollars, and one thousand dollars, or otherwise, to suit the purchaser or purchasers thereof.

**Sec. 3.** That the board of county commissioners of Gaston County shall annually, at the time of levying other taxes, levy and lay a special tax of not exceeding fifteen cents on every one hundred dollars worth of property and not exceeding forty-five cents on every poll subject to taxation within the Mount Holly Graded School District to meet the accruing interest on said bonds and provide a sinking fund for the payment of the bonds at maturity. The taxes provided for in this act shall be collected by the tax collector of River Bend Township, Gaston County, North Carolina, or such other officers as may be charged by law with the collection of taxes therein, and by him paid over to the treasurer of the Mount Holly Graded School District.

**Sec. 4.** That it shall be the duty of said trustees to pay the interest on said bonds out of the moneys collected for that purpose and to lend any and all moneys and the accruing interest on the same remaining from this special tax for a sinking fund upon notes, with good and sufficient security, upon the order and approval of said board of trustees. That any money of said sinking fund so loaned shall bear the legal rate of interest.

**Sec. 5.** That for the purpose of submitting to the qualified voters of the Mount Holly Graded School District the question of issuing said bonds and levying and collecting the taxes hereinbefore provided for, an election shall be held in said school district on the first day of March, one thousand nine hundred and seventeen; that said election shall be held by J. W. Patterson, registrar of election, and W. B. Rutledge and George McGinnis, judges of election, who are hereby appointed for that purpose and who shall have power to fill all vacancies in said board of election officers; and said election shall be held by them under the same rules and regulations as prevail in the election of the
members of the General Assembly, except as otherwise herein provided. Said officers of election shall give thirty days notice of said election by notices posted at the courthouse door, at the postoffice at Mount Holly, and three public places in said school district; that they shall canvass the returns, declare the result of said election, and report the same to the board of commissioners of Gaston County, the board of education of Gaston County, and the board of trustees of the Mount Holly Graded School. Said registrar shall procure and open a registration book and there shall be a new registration of voters of said school district for said election; that the registrar shall keep the registration book open for thirty days, commencing on the twenty-seventh day of January, one thousand nine hundred and seventeen, and closing same on Saturday next before said election, and shall receive for his services the compensation as is allowed to the registrar in other elections.

Sec. 6. That at said election the qualified voters of said district who favor the issuance and sale of said bonds shall vote a ticket on which shall be printed or written the words “For Bonds,” and those qualified voters who oppose the issuance and sale of said bonds shall vote a ticket on which shall be printed or written the words “Against Bonds.”

Sec. 7. If a majority of the qualified voters of said district, as appearing from said registration book, shall vote at said election “For Bonds,” it shall be the duty of the board of trustees of the Mount Holly Graded School to issue and sell said bonds, and with the proceeds to pay for the erection and equipment and maintenance of the new school building now under construction in said district, and shall reimburse any funds already used for such purposes.

Sec. 8. That if a majority of the qualified voters shall fail to vote at said election for said bonds, the board of education of Gaston County shall order another election at any time after twelve months from the date of the former election, and if at such election a majority of the qualified voters shall vote “For Bonds” it shall have the same force and effect as if no election had been previously held.

Sec. 9. That C. E. Hutchison, R. K. Davenport, J. M. Springs, J. W. Holland, T. W. Springs, G. D. Jenkins, and R. F. Craig are hereby appointed to serve with the trustees of the Mount Holly Graded Schools, as a building committee, in the erection and equipment of said school building. Any vacancy occurring in said building committee shall be filled by the county board of education.

Sec. 10. That this act shall be in force from and after its ratification.

Ratified this the 22d day of January, A. D. 1917.
CHAPTER 112

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ESTABLISH GRADED SCHOOLS IN THE FLAT ROCK (HENDERSON COUNTY) SPECIAL-TAX DISTRICT" AND TO INCORPORATE THE FLAT ROCK (HENDERSON COUNTY) SPECIAL-TAX SCHOOL DISTRICT INTO THE GENERAL PUBLIC SCHOOL LAW OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-six of the Private Laws of North Carolina, session of one thousand nine hundred and five, entitled "An act to establish graded schools in the Flat Rock (Henderson County) Special-Tax School District," be and the same is hereby repealed.

SEC. 2. That the Flat Rock (Henderson County) Special-Tax School District be and the same is hereby made subject to all of the provisions of the public school law of North Carolina as provided in chapter eighty-nine of the Revisal of one thousand nine hundred and five and all acts amendatory thereof.

SEC. 3. That the trustees of the Flat Rock (Henderson County) Graded School in the Flat Rock (Henderson County) Special-Tax School District be and they are hereby authorized, empowered, and directed to transfer, by the execution of proper deeds of conveyance, all public school property, real and personal, of every description, now belonging to the public schools in the territory covered by the Flat Rock (Henderson County) Special-Tax School District to the board of education of Henderson County.

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 the fifteenth day of May, one thousand nine hundred and seventeen.

Ratified this the 25th day of January, A. D. 1917.

CHAPTER 113

AN ACT TO PROVIDE FOR AN ISSUE OF BONDS TO BUILD A SCHOOLHOUSE IN SMALL GRADED SCHOOL DISTRICT, No. 8, RICHLAND TOWNSHIP, BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Beaufort County shall, upon the petition of the county board of education of Beaufort County, order an election after thirty days notice at
the courthouse door and publication of four weeks in some news. Notice. paper published in the county, to be held in Small Graded School District, being District Number Eight, Richland Township, Beaufort County, to ascertain whether the voters in said school district are in favor of issuing bonds for the purpose of building a schoolhouse and furnishing the same with suitable equipment. The amount of bonds to be issued and the rate of interest they are to bear, which shall not be more than six per cent per annum, payable annually or semiannually, as the board of commissioners of Beaufort County may determine, and the length of time the bonds are to run, which shall not be more than twenty years, and the maximum tax that may be levied, which shall not exceed thirty cents on the one hundred dollars and ninety cents on the poll exclusive and in excess of any tax now levied upon the property and polls in said district, shall be set forth in the petition of the county board of education and in the order for the election made by the board of county commissioners. The bonds authorized under this act for said school district shall not exceed four thousand dollars ($4,000).

Sec. 2. The election provided for in the foregoing section of Law governing elections in special-tax districts, as prescribed in section four thousand one hundred and fifteen of the Revisal of one thousand nine hundred and five and acts amendatory thereof and supplemental thereto, and a new registration for such election when called shall be ordered. At said election those favoring the issuance of bonds and the levying of a special tax for the purpose herein provided shall vote a ballot on which shall be printed the words "For Schoolhouse Bonds," and those who are opposed shall vote a ballot on which shall be printed the words "Against Schoolhouse Bonds." The expenses of holding such election shall be paid out of the general school fund of the county.

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

Sec. 4. The said bonds when so issued shall be delivered to the county board of education of Beaufort County, who shall sell the said bonds at or above par for not less than par and hold the proceeds for the benefit of the building fund of said school district. The said fund shall be paid out upon the order of the school committee of said dis-
AN ACT TO AMEND THE LAW RELATING TO THE WILSON GRADED SCHOOL DISTRICT OF WILSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter forty-one of the Private Laws of one thousand nine hundred and thirteen be amended by adding to that act the sections which follow:

SEC. 2. That the county commissioners of Wilson County shall upon a petition signed by a majority of the trustees of the Wilson Graded School District submit to the qualified voters of said graded school district the question of issuing serial bonds of said district to an amount not exceeding one hundred and fifty thousand dollars ($150,000) for the purpose of erecting and equipping new school buildings, repairing and furnishing the present school buildings and the purchase of school sites and additional lands for school purposes, and the payment of any bonds and debts now outstanding against said graded school district; and also to submit the question of levying an additional special tax on the property and polls of said district not to exceed twenty cents on the one hundred dollars worth of property and sixty cents on each taxable poll, to be levied and collected and accounted for as the other special school taxes of said district are now levied and collected and accounted for, with which to pay the interest on said bonds and to retire them at maturity. The said bonds to bear interest at a rate not exceeding six per cent, and they shall not be sold for less than par.

SEC. 3. For said election the county commissioners of Wilson County shall give thirty days notice by publication at the courthouse door and in a newspaper published in the town of Wilson;
they shall designate the time and the place for holding said election, they shall designate the form of the ballot to be voted, they shall appoint the registrar and the poll-holders, they shall order a new registration of voters, they shall canvass and record the returns of said election and shall declare the result. In other respects said election shall be held under the provisions of the general election law of this State.

Sec. 4. That in case a majority of the qualified voters of the Wilson Graded School District shall approve the bond issue and the special-tax herein provided for at an election held under sections two and three of this act, then the trustees of the Wilson Graded School District may cause to be levied the special tax herein provided for and may issue said serial bonds periodically and at such times as they shall deem necessary and in such denominations and form and bearing such rate of interest as they may deem most expedient for their sale. The said graded school trustees shall make provision for the annual payment and retirement of such number and amounts of said bonds as they may determine, but they shall not issue any part of said bonds for more than thirty (30) years.

Sec. 5. The trustees of the Wilson Graded School District shall make an annual statement of their transactions under this act and print the same in one of the newspapers of the town of Wilson.

Sec. 6. The failure of the people of the Wilson Graded School District to approve at the first election the issue of bonds and the special-tax herein provided for shall not prevent the calling and the holding of a second election under the provisions of this act.

Sec. 7. The trustees of the Wilson Graded School District, in anticipation of the collection of taxes, shall have the power to borrow money with which to meet its current school expenses, not to exceed in amount in any one year one-half of the current annual receipts for ordinary school purposes.

Sec. 8. This act shall be in force from and after its ratification.

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 115

AN ACT TO INCORPORATE THE NEGRO FAIR IN JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of holding fairs to promote and encourage, agriculture, domestic manufactures, mechanics,
and liberal arts, and every species of native industry in their race, H. R. Goodson, W. S. King, James R. Patterson, D. W. H. Mitchener, J. M. Beckwith, J. E. Earle, A. F. Sanders, Mordecai Stevens, Otis Davis, W. H. Atkinson, D. J. Judkins, W. F. Kornegay, M. Z. Campbell, H. J. Smith, Wyatt Hines, R. H. Sanders, Ed Sanders, John W. Mitchener, their associates and successors, are hereby created a body corporate under the name and style of "The Johnston County Negro Fair Association," and they shall have and are given and granted succession and the right to have a common seal, and shall be capable in law to sue and to be sued, to plead and be impleaded in all the courts of this State.

SEC. 2. That said incorporators may acquire and hold sufficient lands and erect thereon sufficient buildings, structures, and other necessary equipment for the purposes herein set out.

SEC. 3. That said incorporators, their associates and successors, shall have power to elect officers and an executive board in their discretion, and may make and establish such rules and regulations, by-laws, and ordinances for the government of said fairs and exhibition grounds and for the maintenance of order and decorum thereon during the times of holding any such fairs or exhibitions as they may deem proper, not inconsistent with the Constitution and the laws of the State of North Carolina.

SEC. 4. That in case of death or resignation or refusal to act of any member of the governing board of said corporation, the remaining members shall have the power to fill any such vacancy; and there shall be not less than three nor more than seventeen members of said governing board.

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 116

AN ACT TO REPEAL CHAPTER 261 OF THE PRIVATE LAWS OF 1915, AUTHORIZING THE CITY OF HIGH POINT TO ISSUE NEGOTIABLE BONDS TO RAISE MONEY FOR THE EXTENSION AND IMPROVEMENT OF THE WATER-WORKS AND SEWERAGE SYSTEM OF THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and sixty-one of the Private Laws of nineteen hundred and fifteen, relative to authorizing the city of High Point to issue negotiable bonds to raise
money for the extension and improvement of the water-works and sewerage system of the city of High Point, be and the same is hereby repealed.

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

Ratified this the 1st day of February, A. D. 1917.

CHAPTER 117

AN ACT TO AMEND CHAPTER 49 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION 1915, RELATIVE TO THE CITY OF ASHEVILLE.

The General Assembly of North Carolina do enact:

Section 1. That section thirty-five of chapter forty-nine of the Private Laws of North Carolina, session of one thousand nine hundred and fifteen, be and the same is hereby amended by adding at the end of said section thirty-five the following, to wit:

"Provided, however, that the provisions of this section shall not in any way interfere with any of said officers temporarily boarding or spending the summer months outside of said city limits, where such officer retains telephone connection with said city and his said absence does not interfere with the duties of his office, where such officer retains his legal residence in said city of Asheville."

Sec. 2. That all laws and parts 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 1st day of February, A. D. 1917.

CHAPTER 118

AN ACT TO AUTHORIZE THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF SWANSBORO TO EMPLOY A SURVEYOR AND MAKE A SURVEY OF SAID TOWN.

The General Assembly of North Carolina do enact:

Section 1. That the mayor and town commissioners of the town of Swansboro be and they are hereby authorized and empowered to employ a competent surveyor or civil engineer for the purpose of making a survey and plat of all lands, lots, and streets of the town of Swansboro, which survey and plat, when duly approved by the said mayor and town commissioners, is
hereby authorized to be registered in the office of register of deeds for Onslow County as the official survey and plat of the town of Swansboro.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 119

AN ACT TO REPEAL HOUSE BILL 61, SENATE BILL 168, KNOWN AS AN ACT TO AMEND THE CHARTER OF THE CITY OF THOMASVILLE.

The General Assembly of North Carolina do enact:

Section 1. That an act heretofore passed at this session of the General Assembly of North Carolina, viz, the session of the year nineteen hundred and seventeen, which act passed as House Bill number sixty-one, Senate Bill number one hundred and sixty-eight, be and the same is hereby repealed. This act bears the title "An act to amend chapter three hundred and one thousand nine hundred and fifteen known as the charter of the city of Thomasville," and was ratified on the ninth day of January, one thousand nine hundred and seventeen, and is not to be confused with an act bearing the same title which was ratified on the eighth day of January, one thousand nine hundred and seventeen, and passed the General Assembly as House Bill number four hundred and twenty-six, Senate Bill number three hundred and twenty-eight. The last named bill is not hereby intended to be repealed.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 120

AN ACT TO AMEND CHAPTER 212 OF 1905, RELATING TO THE CONDEMNING OF LAND FOR PUBLIC SCHOOLS.

The General Assembly of North Carolina do enact:

Section 1. That section two (2) of chapter two hundred and twelve (212) of the Public Laws of one thousand nine hundred and five, relating to the condemnation of land in the city of Durham for school sites, and all other special acts providing for
the condemnation of land in the city of Durham for school sites, be and the same are hereby repealed.

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

Ratified this the 7th day of February, A. D. 1917.

CHAPTER 121

AN ACT TO AMEND SECTION 4, CHAPTER 243, PRIVATE LAWS 1901, RELATIVE TO GRADED SCHOOLS IN THE TOWN OF MOUNT OLIVE, COUNTY OF WAYNE.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter two hundred forty-three of the Private Laws of one thousand nine hundred and one be and the same is hereby amended by striking out the word "forty" in line eleven and inserting the word "fifty," and by striking out the word "twenty" in line twelve and inserting the word "fifty" in lieu thereof.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 122

AN ACT TO AUTHORIZE AND EMPOWER THE MAYOR AND THE BOARD OF ALDERMEN OF THE TOWN OF TARBORO, N. C., TO CONVEY, WITHOUT MONEY CONSIDERATION, TO THE BOARD OF TRUSTEES OF THE HOWARD MEMORIAL PRESBYTERIAN CHURCH OF TARBORO, N. C., A PART OF THE PRESBYTERIAN CHURCH OF THE UNITED STATES OF AMERICA, A CERTAIN LOT OF LAND BELONGING TO THE SAID TOWN, AND TO RATIFY AND CONFIRM TWO CERTAIN CONVEYANCES HERETOFORE MADE BY SAID TOWN OF TARBORO TO THE BOARD OF TRUSTEES OF SAID CHURCH.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor and board of aldermen of Tarboro, N. C., be and they are hereby authorized and empowered, upon a resolution properly adopted by said board, to convey in fee simple, or otherwise, without money consideration, to the board of trustees of Howard Memorial Presbyterian Church of Tarboro, N. C., a part of the Presbyterian Church of the United
States of America, that certain lot or parcel of land lying and being in the said town of Tarboro, being a part of lot number sixty-four on the plat of said town, more particularly described as follows: Beginning at the southeastern intersection of St. James and St. Patrick streets, thence running in a southerly direction with and along St. Patrick Street one hundred and seventy-five feet, cornering; thence in an easterly direction at right angles with St. Patrick Street one hundred and thirty-feet, cornering; thence in a northerly direction parallel with St. Patrick Street one hundred and seventy-five feet to St. James Street, and thence with St. James Street in a westerly direction to the beginning, upon part of which lot the Howard Memorial Presbyterian Church building is now located.

Sec. 2. That the mayor of said town of Tarboro, or his successor in office, be and he is authorized and empowered to execute a deed for said property.

Sec. 3. That two certain conveyances heretofore executed, one by N. L. Staton, mayor of Tarboro, to Orren Williams, F. S. Royster, and A. N. MacNair, trustees, recorded in book forty-seven, page five hundred and thirty-eight, Edgecombe County registry; the other, by James Pender, mayor of the town of Tarboro, to George Howard, Harry Smith, and R. B. Peters, trustees, recorded in book one hundred and thirty, page ninety-nine, Edgecombe County registry be and they are hereby in all respects ratified, confirmed, and validated to the same extent as if special legislative authority had been given prior to said conveyances.

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 123

AN ACT TO REPEAL CERTAIN SECTIONS OF CHAPTER 236 OF THE PRIVATE LAWS OF SESSION 1913, IT BEING AN ACT AMENDING THE CHARTER OF THE TOWN OF FREMONT.

The General Assembly of North Carolina do enact:

SECTION 1. That sections nineteen, twenty, twenty-one, and twenty-two of chapter two hundred and thirty-six of the Private Laws of North Carolina, session one thousand nine hundred and thirteen, be and the same are hereby repealed.

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

Ratified this the 12th day of February, A. D. 1917.
CHAPTER 124

AN ACT TO AMEND SECTION 6 OF CHAPTER 96 OF THE PRIVATE LAWS OF THE EXTRA SESSION, 1913, RELATIVE TO LEVYING AND COLLECTING TAXES UNDER SAID ACT.

The General Assembly of North Carolina do enact:

Section 1. That section six of chapter ninety-six of the Private Laws of the extra session of one thousand nine hundred and thirteen be amended by striking out in lines nineteen and twenty the following words: "levied and collected as the other town taxes in said town, and in that portion of said district in Robeson County shall be," the effect being that the county commissioners shall levy and the sheriff shall collect the taxes provided for in said chapter.

Sec. 2. That this act shall be in full force and effect on and after its ratification.

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 125

AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN OF THE TOWN OF ELM CITY TO ISSUE BONDS IN A SUM NOT TO EXCEED $3,000 FOR THE PURPOSE OF PAYING OFF CERTAIN INDEBTEDNESS INCURRED BY THE SAID BOARD OF ALDERMEN, WHICH INDEBTEDNESS GREW OUT OF THE CONSTRUCTION AND MAINTENANCE OF A WATER AND SEWERAGE SYSTEM IN SAID TOWN, AND TO PROVIDE FOR THE PAYMENT OF THE INTEREST ON SAID BONDS AND OTHER BONDS BY TAXATION.

Whereas the General Assembly of North Carolina in regular session, one thousand nine hundred and thirteen, passed an act entitled "An act to authorize the board of aldermen of the town of Toisnot to issue bonds in the sum of ten thousand dollars for the construction and maintenance of a water and sewerage system in said town"; and whereas the said act was ratified the twelfth day of March, A. D. one thousand nine hundred and thirteen, as will appear more fully by reference to chapter four hundred and seventy of the Private Laws of North Carolina, session one thousand nine hundred and thirteen; and whereas it was declared in said act that the issue of said bonds was a lawful exer-
Preamble: Special tax.

Exercise of power of the town of Toisnot, and the purposes for which the said bonds were to be issued were also declared to be a municipal necessity; and whereas the said act authorizing the said bonds to be issued provided that there should be levied and collected each year upon the taxable property and polls of said town, for the purpose of paying the interest and creating a sinking fund for the ultimate payment of said bonds, annually a tax of not more than thirty cents on each taxable poll and not more than ten cents on each one hundred dollars worth of taxable property; and whereas the said bonds were issued by the said board of aldermen; and whereas the General Assembly of North Carolina in extra session, one thousand nine hundred and thirteen, passed an act entitled "An act to change the name of Toisnot to Elm City"; and whereas, under the provisions of said act, all laws theretofore enacted governing the town of Toisnot were made to apply to the government of Elm City; and whereas said act was ratified the eleventh day of October, one thousand nine hundred and thirteen; and whereas the General Assembly of North Carolina in regular session, one thousand nine hundred and fifteen, passed an act entitled "An act to authorize the board of aldermen of the town of Elm City to issue bonds in a sum not to exceed seven thousand dollars ($7,000) for the purpose of paying off certain indebtedness incurred by the said board of aldermen in the construction and maintenance of a water and sewerage system in said town and to provide for the payment of said bonds by taxation"; and whereas the said act authorizing the issue of the said bonds provided that there should be levied and collected each year upon the taxable property and polls of said town for the purpose of paying the interest and creating a sinking fund for the ultimate payment of said bonds annually a tax of not more than thirty cents on each taxable poll and not more than ten cents on each one hundred dollars ($100) worth of taxable property; and whereas the said act was ratified the second day of March, A. D. one thousand nine hundred and sixty, Private Laws of North Carolina, session one thousand nine hundred and fifteen; and whereas the said bonds were issued; and whereas the issue of said bonds was declared in the said act to be a lawful exercise of the power of the town of Elm City, and the purposes for which issued was also declared to be a municipal necessity; and whereas the tax authorized to be levied and collected under the two acts, as aforesaid, has been insufficient to pay the interest on the bonds issued under the said two acts, which said bonds aggregate seventeen thousand dollars ($17,000); and whereas the sum of about two thousand dollars ($2,000) has been paid out of the general funds of the town of Elm City to meet the interest on the aforesaid bonds;
and whereas the board of aldermen of the town of Elm City has expended the sum of about one thousand dollars ($1,000) in extending the water and sewerage system established and created under the two acts as aforesaid, and has paid said amount out of the general funds of the town of Elm City; and whereas, in order to pay the said one thousand dollars ($1,000), together with the said two thousand dollars ($2,000), the said board of aldermen had to borrow from the bank the sum of about one thousand dollars ($1,000) and pledge the credit of the said town to the payment of said sum; and whereas, in order to pay the said note and to reimburse the general funds of the said town for the two thousand dollars ($2,000) paid out of said general funds as aforesaid, a bond issue in the sum of three thousand dollars ($3,000) will be necessary: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the board of aldermen of the town of Elm City be and the same are hereby authorized, empowered, and directed to issue the bonds of the said town in the name of the town of Elm City, North Carolina, in such denominations and forms as it may determine, and to an amount not to exceed the sum of three thousand dollars ($3,000), payable twenty years after the date of issuance thereof and at such places as the board of aldermen may prescribe. The said bonds shall bear interest at the rate of six per cent per annum from the date of issuance, said interest to be payable semiannually, and to be so expressed upon the face of said bonds. The said bonds may be either registered or coupon or partly registered and partly coupon, and all other matters in detail connected with the issuance of said bonds may be prescribed by the board of aldermen of said town. The said bonds when issued shall be signed by the mayor and by the town clerk, and the seal of the town shall be attached thereto. The issue of said bonds is hereby declared to be a lawful exercise of power of the town of Elm City, and the purposes for which issued are hereby declared to be a municipal necessity. For the purpose of paying the interest on the said bonds, together with the interest on the two other issues, as more fully set out in the preamble to this act, and for the purpose of creating a sinking fund for the ultimate payment of the said bonds, including the other two issues, as aforesaid, there shall be levied and collected each year upon the taxable property and polls of said town a tax of not more than ninety cents on each taxable poll and not more than thirty cents on each one hundred dollars ($100) worth of taxable property: Provided, that nothing herein shall be so construed as to enable the board of aldermen of said town to levy and collect more than ninety cents on each poll and more than thirty cents on each one hundred dollars ($100) worth

Preamble: Expense incurred.
Preamble: Money borrowed.
Preamble: Bond issue necessary.
Appropriations.

of taxable property, including the tax which may be levied and collected under the other two acts as set out in the preamble. Out of the moneys so collected the interest shall be paid as it becomes due, and the balance remaining of said taxes shall be invested in the sinking fund, the purpose of which is to ultimately pay off said bond; and the board of aldermen are hereby authorized to invest the said money in any of the bonds so issued or in other securities which they may consider most advantageous to said town.

Proviso: Right to reject bids.

Sec. 2. That the bonds issued under this act shall be for the sole purpose of paying off the indebtedness incident to the construction, extending, and maintaining a water-works and sewerage system of the town of Elm City, together with the necessary expense incident to the issuance and sale of said bonds.

Record of bonds.

Sec. 3. That the clerk of the town of Elm City shall provide a record in his office in which shall be entered and kept the names of all purchasers of said bonds and the number and amount of the bonds purchased, and also a record of the bonds redeemed, and the bonds and coupons when redeemed shall be recorded as redeemed and canceled, and a record of said redemption and cancellation shall be made.

Advertisement for sale of bonds.

Sec. 4. That before selling said bonds the board of aldermen of the town of Elm City shall advertise same for twenty days immediately preceding date of sale in some newspaper published in Wilson County, and such other papers as in their discretion they may deem best, giving the time and place where bids will be opened for the sale of the said bonds and the terms upon which said bonds are issued: Provided, that the said board of aldermen shall have the right, in their discretion, to reject any and all bids for said bonds and may sell the same privately: Provided, that the said bonds shall not be sold for less than par except by a four-fifths vote of said board, when the said bonds may be sold for not less than two and one half (2½) per cent below par. That the proceeds arising from the sale of said bonds issued under the provisions of this act shall be applied and appropriated only for the purpose of paying the balance of the indebtedness incurred in constructing, extending, and maintaining the water and sewerage system in said town and the necessary expenses incident thereto, together with the expense incident to the issuance and sale of said bonds as aforesaid.

Proviso: Sale below par.

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 12th day of February, A. D. 1917.
CHAPTER 126

AN ACT TO REPEAL CHAPTER 384 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION 1907, INCORPORATING THE TOWN OF NEW HILL, WAKE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and eighty-four of the Laws repealed.

Private Laws of North Carolina, session one thousand nine hundred and seven, be and the same is hereby repealed.

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

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

Ratified this the 12th day of February, A. D. 1917.

CHAPTER 127

AN ACT TO AUTHORIZE THE ISSUING OF BONDS BY THE WHITEVILLE SUPPLEMENTAL SCHOOL DISTRICT, NO. 1, FOR THE WHITE AND COLORED RACES OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Columbus County, upon a written application of a majority of the board of trustees of "Whiteville Supplemental School District, Number One, for the White and Colored Races," hereinafter called the Whiteville District, is authorized and directed to submit on the fourth Tuesday in April, one thousand nine hundred and seventeen, to the qualified voters of said Whiteville District, under such rules and regulations as now exist or may be hereafter established for the election of members of the General Assembly, the question of issuing bonds for the erection, repairing, and equipping of suitable school buildings in said district; and there shall be an entirely new registration under the provisions of the general election laws of the State of all voters who are entitled to register in Whiteville School District, and only such persons who register under the provisions of this act shall be entitled to vote in said election; and at such election each voter shall be entitled to vote a written or printed ballot with the words "For Bonds" or "Against Bonds" thereon.
Sec. 2. In the event a majority of the voters of said Whiteville District shall cast ballots upon which are written or printed the words "For Bonds," then and in that event it shall be lawful for the board of trustees of Whiteville District to issue bonds in an amount not exceeding twenty thousand dollars, said bonds to be signed by the chairman and attested by the secretary of said board, to be in denominations of five hundred dollars, each to bear interest at a rate not exceeding six per cent, payable semiannually and to run for a period of thirty years. The said bonds shall be sold at not less than par and the proceeds derived from the sale used in the erection of suitable school buildings in said district.

Sec. 3. For the purpose of paying the interest and providing a sinking fund for the payment of the principal of said bonds it shall be the duty of the board of commissioners of Columbus County, in the event that a majority of the qualified voters of the said Whiteville District shall vote "For Bonds," to levy a tax to be collected in the same manner as provided by law for the levying and collection of State and county taxes. The sheriff of Columbus County shall collect the taxes of said school district so levied and shall pay over the same to the treasurer of Columbus County under the same liabilities as are now provided by law for the collection and paying over of county school taxes; and Provided, that the special tax so levied and collected shall be only on the property in said district and shall not exceed thirty cents on each one hundred dollars worth of real and personal property and ninety cents on each poll in said district.

Sec. 4. That the school trustees of said Whiteville School District are hereby authorized and empowered to loan any money or moneys that may accumulate as a sinking fund against the bonded indebtedness of said school district under the restrictions herein set out.

Sec. 5. That any money loaned as authorized in this act shall not be loaned for a longer period than five years, and shall only be loaned on security approved by the board of education of Columbus County and the superintendent of public schools of Columbus County.

Sec. 6. That the treasurer of Columbus County shall turn over to the said school trustees upon their warrant of written order, approved by the county superintendent of schools of Columbus County, such fund as may accumulate from time to time for the purpose and under the rules set forth in this act.

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 21st day of February, A. D. 1917.
CHAPTER 128

AN ACT TO AUTHORIZE THE "SCHOOL BOARD OF AULAN- 
DER GRADED SCHOOL" TO ISSUE ADDITIONAL BONDS 
AND LEVY AN ADDITIONAL SPECIAL TAX IN THE AU- 
LANDER GRADED SCHOOL DISTRICT IN BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the bonds heretofore issued, 
the "School Board of Aulander Graded School" be and are here- 
by authorized and empowered to issue additional bonds of said 
Aulander Graded School District in Bertie County, North Caro- 
lina, to an amount not exceeding fifteen thousand dollars ($15,-
000), of such denominations and of such proportion as said 
school board may deem advisable, bearing interest from the date 
thereof at a rate not to exceed six per cent per annum, with inter- 
est coupons attached payable annually; said bonds to be of such 
form and tenor and transferable in such way and the principal 
thereof payable or redeemable at such time or times, not exceed- 
ing thirty years from the date thereof, as said school board may 
determine.

SEC. 2. That the proceeds arising from the sale of said bonds, 
or such part thereof as may be necessary, shall be expended by 
said school board in paying off any and all floating or outstanding 
debtedness of the said school board of Aulander Graded School, 
or of the Aulander Graded School District, and in installing, 
equipping, and maintaining heating plants and sewerage systems 
for the schools of said school district, and in further equipping 
and maintaining the schools of said school district.

SEC. 3. That for the purposes of this act and in addition to the 
particular tax heretofore authorized to be levied in said school 
district by chapter four hundred and eighty-five of the -Private 
Laws of North Carolina, session one thousand nine hundred and 
thirteen, the said school board of Aulander Graded School shall 
and they are hereby authorized and empowered to levy and cause 
to be collected annually an additional particular tax not to ex- 
ceed twenty-one and two-thirds cents on the one hundred dollars 
valuation on all taxable property in said school district and sixty- 
five cents on each taxable poll in said district: Provided that 
the valuation of all property in said district shall be the same 
as that at which it is assessed for county and State purposes, 
and that the taxes levied under this act shall be due, payable, 
and collectible in like time and manner as are the taxes for 
county and State purposes.

SEC. 4. That the taxes herein provided for shall be used and 
expended by the said school board, together with the particular 
tax heretofore authorized in chapter four hundred and eighty- 
five of the Private Laws of North Carolina, session one thousand
Sale of bonds.

Sale below par forbidden.

Specific appropriation.

Election.

Law governing election.

Election officers.

New registration.

Ballots.

Canvas and returns.

Record.

Effect of election.

nine hundred and thirteen, for the purpose of paying said bonds herein authorized and interest on same, together with the bonds of said school district heretofore issued, and interest on same, and for the purpose of paying the necessary expenses in conducting, operating, and maintaining the schools of said graded school district.

Sec. 5. That the sale of the bonds herein provided for shall be made at public sale after due advertisement giving notice of time and place of sale, but none of said bonds shall be disposed of by sale, exchange, hypothecation, or otherwise, for less than their par value, nor shall said bonds or their proceeds be used for any other purposes than that declared in section two of this act.

Sec. 6. That for the purposes of this act it be and is hereby made the duty of the said school board of Aulander Graded School to order and provide for an election to be held in the town of Aulander at a time to be named by said school board, which said election shall be held under the laws, rules and regulations governing elections for mayor and other town officers in said town of Aulander, after first making publication thereof in five public places in said school district; and said school board shall appoint a registrar and two judges of election for the purpose of holding said election, and shall cause a new registration to be made of all qualified voters in said school district after first giving the notice required by law, and shall provide ballots without device for all qualified voters in said district, on which shall be written or printed the words "For Additional Bond Issue and Special Tax," and also shall provide like ballots on which shall be written or printed the words "Against Additional Bond Issue and Special Tax"; and at the close of said election the officers holding same shall canvass the vote and certify the returns to the said school board of Aulander Graded School, which shall be duly recorded in the records of the said school board; and if said returns show that at such election a majority of the qualified voters of said school district voted "For Additional Bond Issue and Special Tax," then the provisions of this act shall be in full force and effect and it shall be the duty of said school board to issue and sell said bonds and levy said particular tax as herein provided; but if said returns show that at such election a majority of the qualified voters of said school district voted "Against Additional Bond Issue and Special Tax," then this act shall be null and void, and shall in no wise affect any of the provisions of chapter four hundred and eighty-five of the Private Laws of North Carolina, session one thousand nine hundred and thirteen.

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

Ratified this the 21st day of February A. D. 1917.
CHAPTER 129

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF BELMONT GRADED SCHOOL DISTRICT TO ISSUE ADDITIONAL BONDS FOR THE PURPOSE OF ERECTING AND EQUIPPING A GRADED SCHOOL BUILDING AT BELMONT, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of raising additional money to build and equip a graded school for the Belmont Graded School District, the board of trustees of the said Belmont Graded School District is hereby authorized and empowered to issue additional bonds to an amount not exceeding ten thousand dollars, payable at such places as it may designate, which bonds shall bear interest not exceeding six per cent per annum, payable semiannually at such time and place as said board may designate and evidenced by coupons attached to said bonds. Said bonds shall be signed in the name of the board of trustees of the Belmont Graded School District by the chairman of said board, attested by its secretary, and shall mature in not less than twenty nor more than thirty years from the date of their issue.

SEC. 2. That the said bonds shall not be sold for less than their par value, and the proceeds from the same shall not be used for any purpose other than the purpose mentioned in section one of this act. Said bonds shall be sold in denominations of one hundred dollars, five hundred dollars, and one thousand dollars, to suit the purchaser or purchasers thereof: Provided, the purchaser or purchasers of said bonds shall not be required to see to the application of the proceeds of the sale thereof.

SEC. 3. That the board of commissioners of Gaston County shall annually, at the time of levying other taxes, levy and lay a special tax of not more than fifteen cents on every one hundred dollars worth of property and not more than forty-five cents on every poll subject to taxation within the said graded school district, to meet the annually accruing interest on said bonds and provide a sinking fund for the payment of the same. The taxes provided for in this section shall be collected by the sheriff of Gaston County and by him paid over to the treasurer of said graded school district, and shall be applied exclusively to the purpose for which they are collected.

SEC. 4. That it shall be the duty of said trustees to pay the interest on said bonds out of the moneys collected for that purpose, and to lend any and all moneys, and the accruing interest on the same, remaining from the special taxes or sinking fund, upon notes secured by first mortgage on real estate, to be approved by said board of trustees.
Interest. Sec. 5. That any money of said sinking fund so loaned shall bear the legal rate of interest in North Carolina, and any interest thereon shall be annually loaned in the same way.

Order for election. Sec. 6. That for the purpose of submitting to the qualified voters of the Belmont Graded School District the question of issuing said bonds and levying and collecting all taxes herein-before provided for, the county board of commissioners of the county of Gaston, upon petition of the board of trustees of the Belmont Graded School District, or upon petition of one-fourth of the freeholders of said district, indorsed and approved by the county board of education, shall within thirty days thereafter order an election to be held in said district at the usual polling place in Belmont, appoint a registrar and two judges of election, and shall give thirty days notice in some newspaper published in Gaston County, and shall order an entire new registration of voters for said election.

Law governing election. Sec. 7. That at said election those voting for issuing said bonds and levying and collecting all the taxes herein provided for shall vote a written or printed ballot containing the words “For School Bonds,” and those voting against issuing said bonds and levying and collecting said taxes as herein provided for shall vote a written or printed ballot containing the words “Against School Bonds.” Said election shall be held under the same rules and regulations as are now provided for election of members of the General Assembly.

Canvass and returns. Sec. 8. That the registrar and judges of election at the close of said election shall canvass the votes and declare the result of election and make returns thereof to the county board of commissioners of Gaston County, and the board of commissioners shall order said returns recorded in the office of the register of deeds of Gaston County.

Record of returns. Sec. 9. That if at the election a majority of the qualified voters of the Belmont Graded School District shall vote for bonds, then the board of school trustees shall proceed to issue and sell the bonds or so many thereof as shall be necessary, in their judgment and discretion, for the purposes aforesaid.

Effect of election. Sec. 10. That if the majority of the qualified voters shall fail to vote in favor of issuing said bonds and levying and collecting the particular tax, the said board of county commissioners of Gaston County, upon petition of said board of trustees of Belmont Graded School District, or upon petition of one-quarter of the freeholders, approved by the board of education for said county, may order another election every twelve months after said first election for a period of three years thereafter; and if at any one of said elections a majority of the qualified voters shall vote “For School Bonds” it shall have the same force and effect as if no election had been previously held.
SEC. 11. The expense of this election shall be borne by the Expense of election.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 130

AN ACT SUPPLEMENTAL TO HOUSE BILL 56 AND SENATE BILL 196, SESSION 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill fifty-six and Senate Bill one hundred and ninety-six, session one thousand nine hundred and seventeen, shall be supplemented in section one by adding the names of Lonnie Miller, Henry Shore, West Johnson, Will Smith, and L. J. Horne: Provided, the men mentioned not in the school district come in under the general law before the election on the said school bonds.

SEC. 2. That section nine of said bill is hereby made null and void.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 131

AN ACT TO CORRECT TYPOGRAPHICAL ERROR IN HOUSE BILL 6, SENATE BILL 221, ENACTED BY THE GENERAL ASSEMBLY OF 1917, AND ENTITLED “AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM, CHAPTER 235 OF THE PRIVATE LAWS OF 1899, AS AMENDED BY CHAPTER 178 OF THE PRIVATE LAWS OF 1901.”

Whereas it appears that in House bill six, Senate bill two hundred and twenty-one, a typographical error has occurred, in that in section one of said act and in the last sentence thereof beginning “Provided further, that the city shall have,” and before the words “any and all” in the same sentence the following words have been omitted by mistake, to wit: “water mains in and under”: Now, therefore, in order to correct the said typographical error and to make plain the meaning of the clause and sentence in which said omission occurs, and to bring the same into conformity with the purport of the other provisions of said section,
The General Assembly of North Carolina do enact:

SECTION 1. That section one of House bill six, Senate bill two hundred and twenty-one, be amended by inserting the following words, "water mains in and under," in the last sentence of said section beginning "Provided further, that the city shall have," and after the word "constructing" in said sentence, and before the words "any and all" in said sentence.

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

Ratified this the 21st day of February, A.D. 1917.

CHAPTER 132

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ENLARGE THE JURISDICTION OF THE MAYOR OF THE TOWN OF RUTHERFORDTON."

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill five hundred and five, Senate Bill four hundred and twenty-eight, passed at the present session of the General Assembly and ratified January ninth, nineteen hundred and seventeen, entitled "An act to enlarge the jurisdiction of the mayor of the town of Rutherfordton," be and the same is hereby repealed.

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

Ratified this the 21st day of February, A.D. 1917.

CHAPTER 133

AN ACT TO AMEND CHAPTER 556 OF THE PUBLIC LAWS OF 1905, AND THE PRIVATE LAWS OF THE EXTRA SESSION OF 1908, CHAPTER 19, PAGE 19, RELATING TO ISSUANCE OF BONDS FOR INCREASED SCHOOL FACILITIES FOR THE MOORESVILLE GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and fifty-six of the Public Laws of one thousand nine hundred and five and chapter nineteen of the Private Acts of the extra session of one thousand nine hundred and eight be amended as follows: "The commissioners of Mooresville may submit to the qualified voters of the Mooresville Graded School District the question of whether bonds shall be issued for the purpose of building additional school buildings for
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the said graded school district or not, at an election to be held at any time they may deem proper, after notice of same has been published once a week, in some newspaper published in Iredell County, for thirty days. The election under this act shall be held and conducted under the general laws governing municipal elections. Those who favor the issuance of bonds for the purpose of building additional school buildings for the said graded school district shall vote a ballot on which shall be written or printed the words "For Bonds," and those opposed thereto shall vote a ballot on which shall be written or printed the words "Against Bonds." If a majority of the qualified voters of the said graded school district shall vote "For Bonds," the trustees of the Mooresville Graded School District shall have the right to issue the said bonds hereinafter provided for: Provided, said bonds shall not bear more than six per cent interest, and shall not be sold for less than par value, but on failure of a majority of the qualified voters to vote "For Bonds," then the said trustees shall not have authority.

Sec. 2. That section two of chapter nineteen, Private Acts of extra session of one thousand nine hundred and eight, be amended by adding at the end of said section the following: "making the total amount of bonds issued already under authority of the original act of one thousand nine hundred and five, the act of one thousand nine hundred and eight, extra session, Private Laws, chapter nineteen, and by virtue of authority contained in this act to be issued, not to exceed thirty thousand dollars ($30,000) in the aggregate. The amount of bonds provided for in this act is ten thousand dollars ($10,000)."

Sec. 3. That section seven of chapter five hundred and fifty-six, Tax rate. Public Laws of one thousand nine hundred and five, be amended by striking out the words "thirty-three and one-third" in lines ten and eleven and insert in lieu thereof the word "fifty," and after the word "dollars" in line twelve add the words "and fifty cents:" Provided, this shall not be operative and in force until the same shall have been ratified by a majority vote of the qualified voters of the Mooresville Graded School District. That for the purpose of finding out if the majority of the qualified voters of the said school district are in favor of increasing the school tax rate in said district, the commissioners of the town of Mooresville, upon written request of the trustees of the said Mooresville Graded School District, shall call an election to be conducted under the laws governing municipal elections, and if at said election a majority of the qualified voters vote a ballot on which shall be written or printed the words "For Taxes," then the trustees of the said graded school district may levy such tax as may be necessary for running the schools and other legitimate purposes in said school district: Provided, the amount shall not exceed fifty cents on the one hundred dollars of property or one dollar and fifty
cents on each poll. If a majority of the qualified voters shall not vote "For Taxes," then the said trustees shall not be allowed to levy more than the amount of taxes authorized by the original act of one thousand nine hundred and five, to wit, thirty-three and one-third cents on the hundred dollars worth of property and one dollar on each poll. Those who shall oppose such increase in the tax rate may vote a ballot on which shall be written or printed the words "Against Taxes." The election under this section may be held at the same time as the election for increased bonds, or the commissioners may call an election to vote on the question of increasing the tax rate, and not for issuing bonds.

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

Ratified this the 21st day of February, A. D. 1917.

CHAPTER 134

AN ACT TO REPEAL THE CHARTER OF THE TOWN OF BONSAL, LOCATED IN WAKE AND CHATHAM COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and seventeen of the Private Laws of nineteen hundred and seven be and the same is hereby repealed.

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 135

AN ACT TO AMEND CHAPTER 147 OF THE PRIVATE LAWS OF 1913, THE SAME BEING AN ACT TO ESTABLISH GLENWOOD GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That so much of chapter one hundred and forty-seven of the Private Laws of one thousand nine hundred and thirteen as creates the body corporate by the name and style of "Glenwood Graded School," as fixes the number, terms of office, and election of the school committee, and as declares how the said graded school shall be managed, be and the same is hereby repealed, and the management and control of said school be and they are hereby transferred to and vested in the county board of education of McDowell County.
CHAPTER 135

AN ACT TO PAY MARY A. JONES, WIDOW OF ELIJAH JONES, OF WASHINGTON COUNTY, THE PENSION OF HER HUSBAND DUE IN 1913.

The General Assembly of North Carolina do enact:

Section 1. The treasurer of the State of North Carolina is hereby authorized and directed to pay Mary A. Jones, of Wash-
Preamble: Passage of act.

Whereas the General Assembly of North Carolina, at its session of one thousand nine hundred and seventeen, passed an act entitled "An act to authorize the city of Durham to extend and construct a system of sewerage and to provide the funds necessary therefor," same being House bill number ten, Senate bill number one hundred and fifty-nine; and whereas a typographical error appears in the last sentence of section three of said bill, in that the word "signature" is omitted in said sentence: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That section three of House bill number ten, Senate bill number one hundred and fifty-nine be and the same is hereby amended by inserting after the words "the coupons thereto attached shall bear the facsimile'" and before the words "of the mayor of the said city," in the last sentence of said section, the word "signature," so that the said bill will read when amended: "The coupons thereto attached shall bear the facsimile signature of the mayor of said city engraved or lithographed thereon."

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

Ratified this the 23d day of February, A. D. 1917.
under the name and style of the "Macedonia Pentecostal Church," and by that name may acquire, hold, and convey real and personal property, sue and be sued, plead and be impleaded in any of the courts of this State, and have continued succession for ninety-nine years.

Sec. 2. That the officers of said church, selected in accordance with the rules and regulations and discipline, under the style of "Trustees of Macedonia Pentecostal Church," shall be empowered to carry out the provisions of this act in regard to the holding and conveying of property and other powers incident thereto.

Sec. 3. That it shall be unlawful for any person to be found drunk or under the influence of liquor, to willfully and wantonly shoot, halloo, or make any other loud noise on or near said church grounds to disturb the worship at said church.

Sec. 4. It shall be unlawful for any person to chew tobacco in said church, or spit on the floor, or in any other manner efface or disfigure the church or disturb the worshipers. Any person violating any of the provisions of this act shall be guilty of a misdemeanor.

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 140

AN ACT TO AUTHORIZE THE SCHOOL COMMITTEE OF RAILEIGH TOWNSHIP TO SUBMIT THE QUESTION TO THE VOTE OF THE SAID TOWNSHIP OF ISSUING $100,000 IN BONDS FOR SCHOOL BUILDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That upon the written request of a majority of the school committee of Raleigh Township the board of county commissioners of Wake County shall order an election to be held in said township at such time and places as may be specified by said school committee, to determine the question, "Shall the school committee of Raleigh Township, Wake County, issue one hundred thousand dollars in bonds (par value) of the said township, with interest coupons attached, bearing five per cent interest per annum, in aid of the construction and equipment of new public school buildings, and in addition to existing public school buildings in the said township?" 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.
Law governing election.

Sec. 2. That said election shall be held and conducted in the same manner and under the same requirements of law as are now in force or may hereafter be prescribed by law for holding elections for members of the General Assembly, and there shall be a new registration of all the qualified voters residing in said township, and for this purpose the said board of county commissioners is hereby empowered to prescribe such rules and regulations for the opening and closing of said registration books as may be fit and proper: Provided, that the said board of county commissioners shall appoint the necessary registrars and judges of election; and the registration of voters except as hereinafter provided, and the challenges of voters, shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly. That the vote shall be counted at the close of the polls and return of the count made to the said board of county commissioners at the courthouse in the city of Raleigh, N. C., on the day after the election, at twelve o'clock m.; and the said board of county commissioners shall meet on said day and canvass, tabulate, and declare the result of the election which shall be recorded in the minutes of the said board of county commissioners, and no other recording or declaration of said election shall be necessary.

Proviso: Election officers.

Count and return of votes.

Canvas of returns.

Record of result.

BalLOTS.

Sec. 3. That at said election ballots tendered and cast shall have written or printed upon same, "For School Bonds" or "Against School Bonds," and all qualified registered electors who may favor the issue of bonds shall vote a ticket on which shall be written or printed the words "For School Bonds," and all qualified registered electors who may be opposed to the issue of bonds shall vote a ticket on which shall be written or printed the words "Against School Bonds."

Preparation of bonds.

Denominations.

Amount.

Interest.

Maturity.

Authentication.

Entitlement of bonds.

Sec. 4. That if a majority of the qualified voters in said election shall vote "For School Bonds," and the result shall be declared and recorded as aforesaid, then it shall be the duty of the board of county commissioners of Wake County to prepare bonds in the usual form, in denominations not exceeding one thousand dollars and not less than one hundred dollars, and the total amount not to exceed one hundred thousand dollars, which said bonds shall bear interest at the rate of five per cent per annum, interest coupons being attached thereto, payable semiannually on the first days of January and July in each year. The principal thereof shall be payable or redeemable at such time or times, not exceeding thirty years from the date of the issue, as said board of county commissioners of Wake County may determine upon. That said bonds shall be signed by the school committee of Raleigh Township, Wake County, in its name, by its chairman, and attested by the secretary of said committee, who shall attach the seal of said school committee to each of said bonds. Said
bonds shall be styled "Bonds to aid in the construction and equipment of new public school buildings and in addition to existing public school buildings in Raleigh Township, Wake County, North Carolina."

Sec. 5. That upon the preparation, signing, and executing of said bonds, the said school committee of Raleigh Township, Wake County, shall deliver the same to the chairman of the school committee of Raleigh Township, Wake County, who shall, after due advertisement for bids, sell said bonds at such times and in such manner as the said school committee of Raleigh Township, Wake County, may direct. That none of said bonds or the proceeds thereof shall be used by the said school committee of Raleigh Township for any other purpose than provided for in this act.

Sec. 6. That said bonds shall be numbered consecutively and the coupons attached shall bear the number of the bonds to which they are attached, and the said coupons shall bear the printed or engraved facsimile of the autograph signature of the chairman of the school committee of Raleigh Township, Wake County. The bonds and coupons shall state the time and place when they are due and by what authority issued. The school committee of Raleigh Township, Wake County, shall record all the proceedings in respect to said bonds in minutes of its meetings, and, when sold, the number of bonds or bond, the denomination thereof, to whom sold, and the number of coupons attached.

Sec. 7. That when the said bonds shall have been issued and sold the proceeds thereof shall be deposited with the chairman of the school committee of Raleigh Township, Wake County, in such manner and for such uses and purposes in the building and equipment of new public school buildings or in additions to existing public school buildings in Raleigh Township as a majority of the school committee of Raleigh Township herein mentioned shall direct, and no other. That the chairman of the school committee of Raleigh Township, Wake County, shall keep the proceeds of said bonds provided for in this act, which may come into his hands, separate from all other funds, and shall keep separate account of the same, and for the faithful performance of his duties in this respect the said chairman shall execute an official bond payable to the school committee of Raleigh Township, Wake County, in the usual manner, in such amount as the school committee of Raleigh Township may direct.

Sec. 8. That when said bonds shall have been issued the board of county commissioners of Wake County shall levy annually on the first Monday of June, or whenever it shall make the annual levy of taxes in each year, a special tax not exceeding four cents on the hundred dollars of property and twelve cents on the poll in Raleigh Township, Wake County, to provide for the payment of the interest upon said bonds and to create a sinking fund sufficient
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 foresaid. 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 bond as the school committee of Raleigh Township, Wake County, shall direct for the safe keeping of said funds and the faithful performance of his duties as commissioner, and shall make such reports from time to time as the school committee of Raleigh Township, Wake County, or a majority thereof shall direct.

Sec. 9. That if at any election held under the provisions of this act the majority of qualified voters shall fail to vote "For School Bonds" it shall not prevent the board of county commissioners, upon written request of a majority of the school committee of Raleigh Township, from ordering another election under this act, under the same rules and provisions herein provided for the first election, at any time after the lapse of two months from date of such former election; and if at such other election a majority of the qualified voters shall vote "For School Bonds," it shall have the same force and effect as if no other election had been previously held under this act.

Sec. 10. That this act shall apply only to Raleigh Township, Wake County, North Carolina.

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

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

Ratified this the 23d day of February, A. D. 1917.

CHAPTER 141

AN ACT TO AMEND CHAPTER 411 OF THE PRIVATE LAWS OF 1911 TO AUTHORIZE THE BOARD OF EDUCATION OF UNION COUNTY, NORTH CAROLINA, TO APPOINT TRUSTEES FOR WESLEY CHAPEL GRADED SCHOOL.

The General Assembly of North Carolina do enact:

Section 1. That all of section three of chapter four hundred and eleven, Private Laws of North Carolina, session nineteen hundred and eleven, be stricken out and the following to be inserted
in lieu thereof and to be known as section three of said act, namely: “That chapter four hundred and twenty-one of the Public Laws of one thousand nine hundred and one shall be amended by striking out the names of the trustees in section seven thereof, and that the board of education of Union County shall at its meeting on the first Monday in July, nineteen hundred and seventeen, appoint three trustees for said school: one Term of office for a term of two years, one for a term of four years, and one for a term of six years; and said county board of education shall appoint a successor of each as his term expires, for a term of six years, and shall fill all vacancies on said board of trustees occurring by death, resignation, or otherwise. Said trustees shall qualify within ten days after receiving notice of their appointments, by taking the usual oath prescribed by law.”

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 142

AN ACT TO REPEAL CHAPTER 364 OF THE PRIVATE LAWS OF 1899, IT BEING AN ACT RELATING TO THE TOWN OF SWANSBORO.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred and sixty-four of the Private Laws of the State of North Carolina of the session of eighteen hundred and ninety-nine, entitled “An act to amend chapter two hundred and seven of the Private Laws of eighteen hundred and ninety-five, relating to the town of Swansboro,” be and the same is hereby repealed.

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 143

AN ACT TO AMEND CHAPTER 324, PUBLIC LAWS OF NORTH CAROLINA, 1903, ENTITLED “AN ACT TO ESTABLISH GRADED SCHOOLS IN THE TOWN OF WELDON, AS AMENDED BY CHAPTER 162, PRIVATE LAWS 1905.”

The General Assembly of North Carolina do enact:

That whereas the terms of the trustees of the graded schools in the town of Weldon have expired; and whereas the trustees...
holding the said office as trustees of said graded schools have
dheld the same pending the election and qualification of their suc-
cessors:

SECTION 1. That W. E. Daniel, G. W. Fulghum, J. A. Musgrove,
J. L. Shepherd, W. W. Wiggins, W. J. Ward, I. E. Green, J. W.
Sledge, and A. S. Allen be and they are hereby appointed and
constituted a board of trustees of the graded public schools of
the Weldon Graded Schools of the district, who shall serve with-
out compensation; that the three first named shall hold their
office until the second Friday in July, one thousand nine hundred
and seventeen; that the second three named shall hold their
office until the second Friday in July, one thousand nine hundred
and nineteen; and the last three named until the second Friday
in July, one thousand nine hundred and twenty-one. Upon the
termination of said dates the vacancies occurring by reason of
the expiration of the terms of office of the trustees aforesaid
shall be filled by the said board of trustees at a meeting for that
purpose, the said terms of office being for six years.

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

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

Ratified this the 27th day of February, A. D. 1917.

CHAPTER 144

AN ACT TO AMEND CHAPTER 770, PUBLIC-LOCAL LAWS
1911, AND TO AUTHORIZE GREENSBORO, NORTHERN
AND ATLANTIC RAILWAY COMPANY TO SUSPEND CON-
STRUCTION WORK FOR A PERIOD OF FIVE YEARS.

Whereas, by chapter seven hundred and seventy, Public-Local
Laws of North Carolina of one thousand nine hundred and
eleven, as amended by chapter one hundred and ninety-one,
Public-Local Laws of one thousand nine hundred and thirteen,
and as amended by chapter one hundred and ninety, Public-Local
Laws of one thousand nine hundred and fifteen, a charter was
granted to "Greensboro, Roxboro and Norfolk Railway Company"
(whose name was heretofore duly changed to "Greensboro,
Northern and Atlantic Railway Company"), for the purpose, pri-
marily, of authorizing the construction of a line of railway from
Greensboro, in the county of Guilford and State of North Caro-
olina, through the counties of Guilford, Alamance, Orange, and
Durham, and thence to the Atlantic coast, or to a connection
with some line of railway already extending thereto: And
whereas, by section ten of said chapter seven hundred and
seventy Public-Local Laws of one thousand nine hundred and eleven, it is provided that "The board of directors shall, as soon as they deem it practicable, proceed to locate the said railroad, and may have one or more locations, from time to time, as they may deem expedient, and the construction of some of said railroad shall be begun within five years after the ratification of this act"; and whereas the board of directors of said corporation have heretofore proceeded to locate the said railroad, and have caused maps, profiles, and other incidental preliminary work to be done upon said contemplated line of railroad, and within five years after the ratification of said act of one thousand nine hundred and eleven, and up to the present time, have actually completed the physical graduation of approximately one-half mile of said line of railroad between the town of Chapel Hill in Orange County, a point on said road as surveyed and the city of Durham in Durham County, and entered upon the said work of grading said road, upon what then appeared satisfactory assurances of adequate financial support, at least, to carry to completion the section of line of railway between the cities of Greensboro and Durham; and whereas the general disturbance of economic conditions incident to and resulting from the occurrence and continuance of the existing world war has not only increased greatly the original estimated cost of constructing said road, but as well has caused to be withheld, for the time, the financial support on which reliance was had in entering upon the construction of said road, and has rendered necessary, for the time being, suspension of further work of construction: Now, therefore, 

The General Assembly of North Carolina do enact:

SECTION 1. That Greensboro, Northern and Atlantic Railway Company be and it is hereby fully authorized and empowered to suspend, for a period of five years from and after the ratification of this act, the work of construction of its chartered railway, without prejudice to any of the rights, powers, and privileges contained in its existing charter and amendments thereto, with full power and authority also to resume construction work, in the meantime, at its pleasure, or as soon as, in its judgment, it may effect such financial arrangements as may warrant such resumption.

Sec. 2. That all the powers, rights, privileges, and benefits contained in the charter of said railroad and amendments thereto are hereby validated, perpetuated, and carried forward as fully as if the construction of said road heretofore entered upon had been prosecuted, without suspension, to completion.

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

Ratified this the 1st day of March, A. D. 1917.
CHAPTER 145

AN ACT TO REPEAL CHAPTER 124, PRIVATE LAWS OF 1907, WHICH IS ENTITLED AN ACT TO INCORPORATE THE TOWN OF STOUT IN UNION COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and twenty-four (124) of the Private Laws of nineteen hundred and seven (1907) be and the same is hereby repealed.

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

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

Ratified this the 28th day of February, A. D. 1917.

CHAPTER 146

AN ACT TO AMEND CHAPTER 204 OF THE PRIVATE LAWS OF 1903, RELATIVE TO THE PAYMENT OF TAXES IN THE CITY OF BURLINGTON.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and four of the Private Laws of one thousand nine hundred and three (1903) be amended by inserting immediately following section twenty thereof and immediately preceding section twenty-one thereof, the following: “That all taxes levied by the proper authorities of the city of Burlington for any and all purposes shall be due and owing on September first of each year. That to those parties paying taxes during the month of October there shall be allowed a discount of one per cent; to those parties paying during the month of November there shall be allowed a discount of one-half per cent; if parties should fail to pay taxes on or before January first, following the year they are levied, then they shall pay a penalty of one-half of one per cent per month on all deferred payments, and this penalty shall be in all respects collectible as are the taxes so levied and assessed.”

Sec. 2. That chapter three hundred and ten of the Private Laws of one thousand nine hundred and thirteen be and the same is hereby repealed from and after September first, one thousand nine hundred and seventeen.

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

Ratified this the 1st day of March, A. D. 1917.
CHAPTER 147

AN ACT TO REGULATE PRIMARY ELECTIONS IN THE CITY OF WASHINGTON.

The General Assembly of North Carolina do enact:

SECTION 1. That every political party, association, or organization in the city of Washington, North Carolina, whose gubernatorial candidates at the preceding election received as many as five hundred votes in the county of Beaufort shall nominate its candidates for municipal offices in said city by a primary election held as hereinafter provided, and the primary for all political parties shall be held on the third Monday preceding the regular municipal election.

SEC. 2. Candidates for nomination shall file with the city clerk, at least ten days prior to holding any primary, written notices of their intention to be candidates, stating for what nomination and at the hands of what party. The city clerk shall compare and cause to be printed the primary ballot of each political party for each ward or precinct in said city, and said ballot shall be arranged and printed substantially in the manner following:

(1) At the top of the ballot shall be printed in large capital letters words designating the ballot; if a Democratic ballot, the designating words shall be “Democratic Primary Ballot”; if a Republican ballot, the designating words shall be “Republican Primary Ballot”; and in like manner for each political party.

(2) Beginning not less than one inch below the designating word, the name of each office to be filled shall be printed in capital letters, the candidates for mayor coming first. Below the name of each office shall be printed in small letters the directions to the voters. “Vote for one”; “Vote for two”; “Vote for three,” or a spelled number designating the number of the persons under that head that are to be voted for. Below the name of each office shall be printed in capital letters the names of all candidates (arranged in the order in which their declaration for nomination were filed) for the nomination of said office which are entitled to be placed upon the respective primary ballot. The names of all candidates on the primary ballot shall be printed in type of uniform size, and the names shall be printed in column. Immediately opposite in front of the name of each candidate shall be printed a square, and all squares upon the primary ballot shall be of uniform size. Spaces below the names of candidates under each office shall be uniform, and sufficient space shall separate the names of candidates for one office from the names of candidates for another office to avoid confusion. The size of the ballot shall be determined by the city
candidates without opposition. The names of candidates nominated by ward or precinct shall only appear on the ballot with the names of candidates for mayor in the ward or precinct they are nominated.

Sec. 3. In all cases where there is only one aspirant for nomination for mayor to be voted for by his political party, and only two aspirants for nomination for aldermen in one ward, the city clerk, upon the expiration of the time for filing the notice as required in section two, shall declare him or them the nominee or nominees of his or their party, and his or their name shall not thereafter be placed on the primary ballot. In case there shall be any office for which no one has filed his declaration for nomination during the proper time, if the vacancy shall be for the office of mayor, it shall be filled by the members of the precinct executive committee of the several wards; and in case the vacancy shall be for an office to be voted for by a ward or precinct only, it shall be filled by the precinct executive committee of said ward; such vacancies shall be filled at least five days before the primary, and their nomination shall be certified by the city clerk as provided in this section.

Sec. 4. The city clerk shall cause to be delivered to the registrar of each precinct not less than twenty-four hours before the time fixed for the opening of the polls the official primary ballot of each political party, and the number thereof for each political party in each precinct shall be one hundred for each fifty votes cast in each precinct by the said political party at the last preceding election.

Sec. 5. All electors who are duly qualified to register and vote under the provisions of the general election law of the State, and who is a member of any political party participating in said primary, shall have the right to register and vote in said primary election under the same penalties and subject to the same punishments for violations of the provisions of this act as are prescribed by the laws of the State of North Carolina. No person who has not paid his poll tax prior to May first preceding the primary shall be a qualified voter in said primary.

Sec. 6. The board of elections of Beaufort County during the first week in March preceding a primary under this act shall appoint a registrar and two poll-holders for each ward or precinct, and the poll-holders in each ward shall be members of different political parties. The registrars shall open the municipal registration books for a period of ten days and said registration books shall be closed on the second Saturday preceding the day for holding the primary, and challenge shall be made, heard, and determined during the week preceding the day for holding the primary: Provided, the foregoing provisions shall not be construed to prevent any electors from challenging any one who offers to vote on the primary day. If there are no candidates to
be voted on in said primary of the same political party of the
poll-holder, then such poll-holder shall not serve on primary
day, nor shall he be entitled to any compensation. Any person
offering to vote may be challenged by any elector, and if the
party affiliation of the voter is in doubt, he shall be required to
make oath of such affiliation. Any person otherwise qualified
who has not voted in the last two November general elections
shall have the right to elect his party affiliation, provided he
does not vote against any candidate of the party in whose pri-
mary he enters at the ensuing general or municipal election.
The test in all cases shall be the party affiliation of the person in
the last general election, subject to the foregoing provisions,
and any person who voted in said general elections for can-
didates of one political party, and who desires to enter the pri-
mary of another political party, shall make oath, upon being
challenged, either to support the candidates of the political party
that he enters, in the ensuing general or municipal elections, or
that he will not vote in opposition to any candidate of that party.
No person shall be allowed to vote in said primary for candidates
of but one political party. Nothing in this section shall be con-
strued to prevent any elector from scratching his ticket in any
election. The registration books shall be open for the period
hereinbefore mentioned for the registration of those voters who
are not registered, but the county board of elections may call a
new registration upon giving notice of same fifteen days prior
to the time for opening the registration books.

Sec. 7. The polls shall be open on the day of the primary from Hours of voting.
sixty-thirty a.m. to six o'clock p.m., and no longer.

Sec. 8. One poll-holder of each political party shall keep a Polling lists.
polling list, with the name of each voter voting in said primary
of his respective political party. At the close of the primary the
Count of votes.
poll-holders and registrars shall proceed publicity to count the
votes and to declare the results of their respective primaries.
They shall certify the results of such primary and transmit with Returns.
the poll lists all other papers relating to such primary, on the
day after the primary, to the city clerk, who shall on the second
day after said return open and canvass said returns and declare
the results thereof. In the event that two names are marked or
Canvass of re-
checked on the ballot for the same office, when the law provided
counted.
only one can be elected, no credit shall be given either candidate
as a vote for that office except in cases when more than one
person can be nominated for the same office.

Sec. 9. The candidate who received a plurality of the votes Nominees,
cast for the office for which he was a candidate shall be the nomi-
nee of said party for such office.

Sec. 10. To provide funds for holding such primary and pay-
ning the expenses thereof, each candidate shall at the time of Con-
tribution to ex-
pense by candi-
dates.
their declaration of nomination pay to the city clerk the amounts named in this section, and, failing to pay the same, shall not be entitled to participate in the said primary. All candidates for mayor shall pay the sum of ten dollars and all candidates for aldermen or any other elective office shall pay the sum of two dollars ($2). Should the city clerk find, after paying all expenses of the primary out of the funds raised by these assessments, that there is a deficit, then the city of Washington shall pay the remainder of said expense. In the event there is a balance in the hands of the city clerk after the expenses have been paid out of the assessments, then it shall be his duty to refund said balance pro rata to the candidates paying same. The registrars and poll-holders shall receive the same compensation allowed for conducting a general election, but no compensation shall be allowed for making the returns of said primary on the day after same. The city clerk shall receive no extra compensation for the duties imposed upon him in this act.

**Sec. 11.** It shall be unlawful for any person to make or cause to be made any copy or copies of the official ballots as sent out by the city clerk, and no other ballots other than those provided in section two shall be used or voted in said primary. Any violation of this section by any person shall constitute a misdemeanor. Nothing in this act shall prevent any elector from writing or otherwise inserting any name on the ballot of a person for whom he wishes to vote.

**Sec. 12.** Should any political party provided for in this act fail to enter the primary as herein prescribed and nominate their candidates accordingly, in that event no tickets bearing the name of any candidate or member of the political party so failing to comply with this act shall be permitted to be voted at the ensuing municipal election.

**Sec. 13.** The election officials in each precinct may provide a table or shelf not less than ten feet from the ballot boxes, which table or shelf shall be supplied with pencils with which the voter may prepare his ballot for voting, checking, or marking in the square opposite the name of the candidate the person he desires to vote for. Each political party shall have one ballot box, which shall be labeled with the name of the political party, and the poll-holders of each political party shall keep before them at the ballot boxes the ballots of their respective party, and no ticket shall be placed on the shelf or table herein provided for, nor shall the poll-holders allow any person to carry away from said voting precinct any official ballot. The voter shall demand of the poll-holder the ballot that he desires, and may then take same to the table or shelf to prepare same. After the voter has prepared his ballot he shall take it to the ballot box of his political party and may deposit it himself in said box if he so desires. Any
voter shall have the right to request any one elector to assist him in marking and preparing his ballot.

Sec. 14. All the provisions of chapter ninety of the Revisal of one thousand nine hundred and five and the amendments thereto, together with any other section of said Revisal or amendments thereto, or other laws which relate to primaries or elections, not inconsistent with this act, shall apply as fully to the primary herein provided and to the acts and things done thereunder as to the general election; and all acts made criminal if committed in connection with a general election shall likewise be criminal, with the same punishment, if committed with reference to a primary election under this act.

Sec. 15. It shall be the duty of the city clerk to publish in some newspaper printed in the city of Washington, at least two weeks prior to the opening of the registration books, a notice stating the dates when said books will be open, the names of the registrars and location of the polling places, together with the date of the primary. Said notice shall be published at least three times.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 148

AN ACT TO AUTHORIZE THE LEVY OF A SPECIAL TAX IN BURGAW SPECIAL SCHOOL DISTRICT, No. 1, PENDER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of enabling the board of education of Pender County to enlarge the high school building in Burgaw to enable the said building to accommodate the pupils of said school, the county commissioners of Pender County shall levy a special tax not to exceed twelve cents on the one hundred dollars valuation of property and thirty-six cents on the poll on all the property and polls in the Special School-tax District, No. 1, of Burgaw Township, Pender County.

Sec. 2. That said tax shall not be levied for a period of more than ten years.

Sec. 3. The board of education shall notify the county commissioners from year to year of the amount necessary to be levied.

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

Ratified this the 1st day of March, A. D. 1917.
CHAPTER 149

AN ACT TO AMEND CHAPTER 55 OF THE PRIVATE LAWS OF 1915, ENTITLED "AN ACT TO PROVIDE FOR THE RAISING AND MANAGING OF A PENSION FUND FOR THE POLICE OF WILMINGTON."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter fifty-five of the Private Laws of one thousand nine hundred and fifteen, entitled "An act to provide for the raising, and managing of a pension fund for the police of Wilmington," be and the same is hereby amended as follows:

In lines ten and eleven of section one strike out the following:

"Trustees and terms.

"That J. T. King is hereby appointed a trustee to serve for two years, Walter G. McRae to serve for four years, and B. C. Moore to serve for six years;" and insert in lieu thereof the following:

"That F. A. Lord is hereby appointed a trustee to serve for six years, C. C. Cashwell to serve for four years, and C. P. Bolles to serve for two years."

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 150

AN ACT TO AMEND CHAPTER 3 OF THE PRIVATE LAWS OF 1905, WITH REGARD TO TAX IN LINCOLN GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That section five, chapter three, of the Private Laws of nineteen hundred and five, be and the same is hereby amended by striking out the word "thirty" in line three and inserting in lieu thereof the word "forty," and by striking out the words "one dollar and fifty cents" in lines four and five and inserting in lieu thereof the words "one dollar and twenty cents": Provided, that these amendments be adopted by a majority of the qualified voters in said district as is provided by this act.

Vote at municipal election.

Sec. 2. That at the municipal election to be held in the town of Lincolnton in nineteen hundred and seventeen the commissioners or governing body of said town shall submit to the voters of the Lincolnton Graded School District the question of the change in the special school-tax rate provided for in section one of this act. For this purpose a separate box shall be provided at each election precinct, marked "Special School Tax"
and those persons desiring to vote for the amendments shall cast ballots. a ballot with the words “For School Tax Amendments” written or printed thereon; and those with a contrary opinion may cast a ballot with the words “Against School Tax Amendments” written or printed thereon. Notice of the submission of such Notice. proposition shall be published in a newspaper published in the town of Lincolnton for four weeks prior to the election, and at the courthouse door and five other places in said town. 

Sec. 3. That if the proposition shall be adopted by a majority Effect of election. of the qualified voters of the said school district, the amendments provided for in section one of this act shall be in full force and effect; but if the proposition be not so adopted, the provisions of chapter three of the Private Laws of nineteen hundred and five shall remain in full force and effect.

Sec. 4. That this act shall be in force from and after its Ratification. Ratified this the 1st day of March, A. D. 1917.

CHAPTER 151
AN ACT TO AUTHORIZE A SPECIAL TAX LEVY FOR SELMA GRADED SCHOOL DISTRICT.
The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Johnston County are hereby authorized and directed and shall on the Question to be submitted. order for election. one thousand nine hundred and seventeen, order an election to be held to ascertain the will of the people within Selma Graded School District whether there shall be levied a special tax, not to exceed twenty cents on the one hundred dollars valuation of property and not to exceed sixty cents on the poll, on all property liable for taxation in Selma Graded School District, for the purpose of paying the salaries of additional school teachers and for supplementing the school fund of said district.

Sec. 2. Said election shall be held in said district under the law governing general elections as near as may be. At said election those who are in favor of the levy and collection of said tax shall vote a ballot on which shall be printed or written the words “For Special Tax,” and those who are opposed shall vote a ballot on which shall be printed or written the words “Against Special Tax.” In case a majority of the qualified voters at said election is in favor of said tax, the same shall be annually levied in the manner prescribed for the levy of other taxes, and shall be collected by the sheriff of Johnston County and by him paid over as now authorized by law.
Further elections. Sec. 3. In case a majority of the qualified voters at said election cast ballots on which are printed or written the words "Against Special Tax," then and in that event the board of county commissioners of Johnston County are hereby authorized and empowered to order another election for the same purpose as set forth in section one of this act at any time thereafter they may deem it proper, said election to be held in the same manner and under the same provisions as the election provided for in section two of this act.

Application of funds. Sec. 4. That said special tax provided for by this act shall be first applied towards the payment of the salaries of the additional teachers employed by the board of trustees of the Selma Graded School District, and after the payment of said salaries, if there be any surplus the same shall be used for the purpose of supplementing the fund now derived from all other sources for operating and maintaining the schools of said district.

Present levies. Sec. 5. That this act shall in no wise affect the present levies and collections made for school purposes in said district, but all laws otherwise in conflict with this act are hereby repealed.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 152

AN ACT TO CONFER POLICE POWERS ON THE SHERIFFS AND CONSTABLES OF HANES, FORSYTH COUNTY, AND TO PROHIBIT PUBLIC DRUNKENNESS AND DISORDERLY CONDUCT THERE.

The General Assembly of North Carolina do enact:

Section 1. It shall be the duty of the sheriff, deputy sheriffs, or constables residing in the village of Hanes, Southfork Township, Forsyth County, North Carolina, or those appointed by the sheriff of Forsyth County for that section of Southfork Township in which the village of Hanes is situated, and he or they shall have power and authority to suppress all disturbance of the quiet and good order of and in the said village of Hanes, and to arrest all offenders against the same, and to prevent so far as possible all injury to property in said village.

Sec. 2. Such sheriffs, deputy sheriffs, or constables when on duty shall severally wear a metal shield or badge with the word "Policeman" inscribed thereon, and the said shield or badge shall always be worn in plain view except when said officers are employed as detectives.
Sec. 3. That every person who shall engage in boisterous and disorderly conduct on any of the public highways in the village of Hanes, and every person who shall engage in such conduct within one mile of the Bethesda Moravian Church in said village shall be guilty of a misdemeanor and shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

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

Ratified this the 1st day of March, A. D. 1917.

CHAPTER 153

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE DUNN GRADED SCHOOL DISTRICT IN HARNETT COUNTY TO ISSUE BONDS AND LEVY A SPECIAL TAX, SUBJECT TO THE APPROVAL OF A MAJORITY OF THE QUALIFIED VOTERS RESIDING THEREIN.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of funding an indebtedness of the board of trustees of the Dunn Graded School in the county of Harnett, contracted in the enlargement and equipment of the Dunn Graded School buildings, and for the purpose of further enlarging and equipping said building, the board of trustees of Dunn Graded School District be and said board is hereby authorized to issue bonds in a sum not exceeding ten thousand dollars ($10,000), in denominations of not more than one thousand dollars ($1,000) each, maturing not more than twenty years after date, and bearing interest, payable annually or semiannually, at a rate of not exceeding six per centum per annum, said bonds to be executed by the chairman of said board of trustees, sealed with its common seal, and attested by its secretary, and to have interest coupons attached thereto calling for the payment of interest as the same shall become due, said coupons to be executed by the facsimile signature of the chairman of said board engraved or lithographed thereon, such bonds and coupons to be payable at such place as the board of trustees may designate.

Sec. 2. That said bonds shall not be sold, hypothecated, or otherwise disposed of for less than their par value, and the proceeds arising from said bonds shall be used for no other purpose than that stated in section one of this act, but the purchaser or purchasers shall not be responsible for the disposition of any moneys arising from any sale of said bonds.

Sec. 3. That for the purpose of providing funds for the payment of the interest on said bonds as it shall become due, and for the purpose of paying the principal of said bonds at maturity.
and for the purpose of creating a sinking fund for said purpose, it shall be the duty of the board of commissioners of Harnett County annually at the time other taxes are levied for general purposes in the county of Harnett to levy upon all subjects of taxation in the Dunn Graded School District a sufficient annual tax to discharge said interest as it shall become due and said bonds as they may severally become due, and to create a sinking fund sufficient for the discharge of said bonds at maturity. Such special tax shall be collected by the sheriff of Harnett County as other taxes are collected, and shall be paid over to the treasurer of the Dunn Graded School District, and the same shall be held as a separate and distinct fund and shall be used for no purpose other than for the payment of the interest on said bonds as the same shall become due, or securely invested under the authority of said board of trustees for the payment of said bonds as the same may become due, or for the payment of said bonds as they shall severally become due: Provided, that the board of commissioners of Harnett County shall not levy a special tax on subjects of taxation within said school district exceeding forty cents (40c) on every one hundred dollars ($100) valuation of property therein nor exceeding one dollar and twenty cents ($1.20) on each taxable poll therein, including the regular levy of thirty cents on each one hundred dollars valuation of property therein and ninety cents on each taxable poll therein, for the purpose of maintaining and conducting schools in said district: Provided further, that if for any cause the additional special tax of ten cents (10c) on each one hundred dollars valuation of property and thirty cents (30c) on each taxable poll be insufficient to pay the interest on said bonds as the same shall become due, or to pay the principal of said bonds as the same shall become due, then so much of said entire levy of forty cents (40c) on each one hundred dollars valuation of property and one dollar and twenty cents ($1.20) on each taxable poll as shall be necessary for said purpose shall be set apart and so used by the treasurer of the board of trustees of Dunn Graded School as shall be necessary for said purpose.

Sec. 4. That the additional tax herein authorized shall not be levied, however, until the same shall have been ratified and approved by a majority of the voters of said school district at an election to be called and held as hereinafter provided.

Sec. 5. That the board of trustees of said school district are hereby authorized and empowered to call an election in said district, of which twenty days notice shall be given in some newspaper published in said district, at which those voters who favor the levy of the additional tax herein authorized shall vote a written or printed ballot containing the words "For School Bonds," and those voters opposing the levy of additional tax
shall vote a ballot containing the words, printed or written, "Against School Bonds."

Sec. 6. That for the purpose of conducting said election said Election officers, board of trustees shall appoint a registrar and two judges and shall cause an entirely new registration of the voters in said New registration, district to be made, and otherwise as nearly as may be said registration and election shall be conducted as is now provided by law for the conduct of elections in the town of Dunn, and the Declaration of result of said election shall be declared by the registrar and judges of the election, and a report thereof shall be filed and recorded in the office of the register of deeds of Harnett County and on the minutes of the board of trustees of said Dunn Graded School District.

Sec. 7. That should a majority of the ballots cast be for school bonds, then said additional school tax shall be levied as hereinbefore authorized; that should a majority of the voters fail to vote in favor of school bonds, then no additional tax shall be levied.

Sec. 8. That all laws and clauses of law in conflict with this Repealing clause, act be and the same are hereby repealed.

Ratified this the 1st day of March, A. D. 1917.

CHAPTEr 154

AN ACT TO REPEAL CHAPTER 92 OF THE PRIVATE LAWS OF THE EXTRA SESSION OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter ninety-two of the Private Laws of the Law repealed, extra session of one thousand nine hundred and thirteen be and the same is hereby repealed.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTEr 155

AN ACT TO EMPOWER AND TO REQUIRE THE SHERIFF OF WATAUGA COUNTY TO COLLECT THE SPECIAL TAXES IN BOONE SPECIAL-TAX SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Watauga County be and he is Collection and hereby empowered and directed to collect the school tax now due, settlement of tax, and which may hereafter become due, in Boone Special-tax School
Intent of act.

District, and account for such funds in the manner now provided by law; the intention of this act being to repeal all laws now authorizing the collection of said special taxes by local collectors.

Repealing clause.

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

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 156

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY TO LEVY A SPECIAL TAX IN MARSHALL SCHOOL DISTRICT, THE SAME BEING DISTRICT No. 1 OF TOWNSHIP No. 1 OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Madison County shall upon the written request of the county board of education of Madison County, at the time of levying other taxes, levy a special tax of not exceeding fifteen cents on each one hundred dollars worth of taxable property in Marshall Special-tax School District, the same being District Number One of Township Number One of Madison County.

Sec. 2. That said tax shall be collected as other taxes are collected, and the proceeds of the same shall be applied to the payment of the indebtedness of said school district, and for the furnishing and repairing of the buildings of said district as the same shall be necessary from time to time.

Sec. 3. That said tax shall only be levied for two years and shall only be used for the purposes herein named, and none other.

Sec. 4. That said board of county commissioners shall not levy or collect said tax until they have been authorized and empowered so to do by a majority of the qualified votes cast by the voters of said district at an election to be held at such time as the board may appoint, not later than the tenth day of April, nineteen hundred and seventeen, of which election notice shall be given one each week for three weeks in some newspaper published in the town of Marshall. The board of county commissioners shall appoint a registrar and two poll-holders, and shall designate a polling place and order a new registration for such district, and the election shall be held in the district under the laws governing general elections, as near as may be, except that the registrar shall only keep open his books for the registration of voters for ten days, not including Sundays, and shall close
the same on the Saturday preceding the election, and the registrar and poll-holders shall canvas the votes cast and declare the result, and shall duly certify the returns to the board of county commissioners, and the same shall be recorded in the records of said board of commissioners. At said election those who are in favor of the levy and collection of the tax shall vote a ticket on which shall be written or printed the words "For Special Tax," and those who are opposed shall vote a ticket on which is written or printed the words "Against Special Tax."

SEC. 5. That in the event a majority of the votes cast at any election held hereunder are "Against Special Tax," then said board of county commissioners shall, upon petition of one-third of the qualified voters of said district, indorsed by the county board of education of said county, call another election from time to time to pass upon said question, until a majority of the votes cast shall be "For Special Tax": Provided, no other election shall be called within six months of any election so held.

SEC. 6. In case a majority of the qualified votes cast at any election held hereunder are in favor of the tax, the same shall be levied and collected as hereinafter provided.

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

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 157

AN ACT TO AMEND CHAPTER 451, PRIVATE LAWS 1907, RELATING TO THE PUBLIC SCHOOL DISTRICT IN CROWDER'S MOUNTAIN TOWNSHIP IN GASTON COUNTY, WHICH IS NOW PART OF CLEVELAND COUNTY, AND THE ACTS AMENDATORY THEREOF.

Whereas, by chapter four hundred and fifty-one of the Private Laws 1907, entitled "An act to establish a public school district in Gaston County," etc., and acts amendatory thereof, and the elections held thereunder, a public school district was created and has been in existence in the territory in said acts defined, and whereas, by chapter two hundred and three, Public Laws of one thousand nine hundred and fifteen, and the election held pursuant thereto, and by an act of the General Assembly of one thousand nine hundred and seventeen, entitled "An act to establish the boundary line between the counties of Cleveland and Gaston," the territory covered by the aforesaid school district is now within the bounds of and a part of Cleveland County; and whereas it is desired to continue said school district and place same in the jurisdiction of the board of education of Cleveland County:

Now, therefore,
The General Assembly of North Carolina do enact:

Section 1. That the public school district created by chapter four hundred and fifty-one of the Private Laws of one thousand nine hundred and seven, and the election held thereunder, and the acts amendatory thereof, shall be continued as a public school district.

Sec. 2. That the county board of education of Cleveland County shall appoint a school committee for said public school district as prescribed by the general school law of this State.

Sec. 3. That the board of education of Cleveland County shall apportion to said district its proper share of the proper school fund of said county as is now or may hereafter be prescribed by the public school laws of the State.

Sec. 4. That section five of said chapter four hundred and fifty-one, Private Laws one thousand nine hundred and seven, be amended by striking out the words "except by the county of Gaston," at the end of said section five, and substituting therefor "except by the county of Cleveland."

Sec. 5. That a special tax of not exceeding fifteen cents on the one hundred dollars worth of property and forty-five cents on the poll shall be levied to supplement the school fund of said district, and shall be used for that purpose alone, and said tax shall be levied annually by the board of county commissioners of Cleveland County, and the same shall be collected as other taxes and paid to the treasurer of the school fund of said county for the benefit of said school district.

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

Sec. 7. That this act shall be in full force and effect from and after its ratification.

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 158

AN ACT REGULATING THE DISTRIBUTION OF THE PUBLIC SCHOOL FUNDS IN THE GRADED SCHOOLS OF MT. AIRY.

The General Assembly of North Carolina do enact:

Section 1. That the county board of education of Surry County, in apportioning the school fund of the said county, shall ascertain and determine the amount of the said fund to be used each year for the public graded schools of the town of Mount Airy by dividing the whole amount of school funds received by the county treasurer of Surry County, less his commissions or a part of his salary which is to be paid out of said funds, and less
the amount reserved by said county board of education for the
close expenses and salary of the county superintendent of edu-
cation and for the per diem and mileage of the said county board
of education, by the total number of children of school age in
said county as determined by the last census preceding such
apportionment, and by multiplying the quotient so obtained by
the total number of school children in the town of Mount Airy as
determined by the last school census preceding such apportion-
ment; and the amount so ascertained and determined is to be
paid by the treasurer of the said county of Surry to the treasurer
of the public schools of the town of Mount Airy, or such other
official as may be legally designated to receive the same, to be
used for the said public schools of the said town and under the
control and direction of the board of school commissioners of the
said town of Mount Airy.

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

fication.

Ratified this the 2d day of March, A. D. 1917.

CHAPTER 159

AN ACT AUTHORIZING THE COMMISSIONERS OF THE TOWN OF HAMPTON IN RUTHERFORD COUNTY, AND THE TOWN COUNCIL OF THE TOWN OF RUTHERFORD TON IN RUTHERFORD COUNTY, TO DECREASE THEIR CORPORATE LIMITS.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of the town of Hampton
in Rutherford County, North Carolina be and they are hereby
authorized and empowered to change the corporate limits of the
said town of Hampton by decreasing the same, at a regular or
special meeting of the mayor and commissioners of said town,
by a majority vote of the commissioners thereof, in such way
and manner as may seem best to the said commissioners: Pro-
vided, said change shall only affect that part of the corporate
limits of said town lying north of Green Street which intersects
with the Southern Railway at or near the southeastern boundary
of the corporate limits of said town; and Provided, that said
change shall likewise only affect the said corporate limits be-
tween the point above mentioned and the point on the road or
street leading from the public square of the town of Rutherford-
ton to the Southern depot in the town of Hampton, where said
corporate limits of the town of Hampton cross the said road or
street.
Change as to Rutherfordton.

Sec. 2. That the mayor and town council of the town of Rutherfordton be and they are hereby authorized and empowered to change the corporate limits of the town of Rutherfordton, Rutherford County, North Carolina, by decreasing the same, at a regular or special meeting of the mayor and town council of said town, by a majority vote of the town council thereof, in such way and manner as may seem best to the said town council: Provided, said change shall only affect that part of the corporate limits lying north of Green Street, and between Green Street and the street or road leading from the public square in the town of Rutherfordton by way of the cemetery, and by the residences of Judge M. H. Justice and A. L. Grayson, and intersecting with the ridge road at or near the residence of Polly Hunt.

Proviso: Limitation.

Sec. 3. That the commissioners of the town of Hampton and the town council of the town of Rutherfordton are hereby authorized to make the changes hereinbefore set forth at any time after the passage of this act, and are authorized to employ a surveyor to survey out and designate the said boundary according to the said change or changes; and it shall be the duty of the said commissioners and town council to adopt the report of the said surveyor and the calls of his survey as the new lines and boundaries of said incorporations, and when so adopted by an order of said commissioners and said town council, or either of them, and spread upon the minutes of the said town or towns, the same shall be and constitute the new corporate limits of the said town or towns, within the points and at the points specified and designated herein.

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

Ratified this the 2d day of February, A. D. 1917.

CHAPTER 160

AN ACT TO AMEND CHAPTER 87, PRIVATE LAWS OF NORTH CAROLINA FOR SESSION 1905, AND CHAPTER 191 OF PRIVATE LAWS OF NORTH CAROLINA FOR SESSION 1909, AND TO ALLOW THE COMMISSIONERS OF THE TOWN OF GRAHAM TO APPROPRIATE CERTAIN SUMS FOR PUBLIC SCHOOLS, AND PROVIDING FOR THE APPOINTMENT OF TRUSTEES FOR SINKING FUNDS FOR BONDS ISSUED BY SAID TOWN.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter one hundred and ninety-one of the Private Laws of North Carolina of the session of one thousand nine hundred and nine be amended by striking out the
word “sixty” in line five of said section and inserting in lieu thereof the words “seventy-five”; and by striking out the words “one dollar and eighty cents” in line eight of said section and inserting in lieu thereof the words “two dollars and twenty-five cents.”

Sec. 2. The board of commissioners of the town of Graham may each year from the funds received from taxes levied for general municipal purposes by said town pay the interest upon and the amount necessary to set aside a sinking fund for the retiring of the bonds issued by said town under the provisions of chapter eighty-seven of the Private Laws of North Carolina for session one thousand nine hundred and five, and known as school bonds. In the event said commissioners of said town should deem it best and should order the payment of said sums from the general funds of said town, then all provisions of said chapter eighty-seven of Private Laws of North Carolina of one thousand nine hundred and five and all other provisions of law conflicting with this right and privilege given said commissioners are hereby repealed.

Sec. 3. That at the first meeting of the board of commissioners of the town of Graham held after the first day of June, one thousand nine hundred and seventeen, there shall be elected by the commissioners of said town a board of trustees, consisting of three members, all of whom shall be citizens and residents of the town of Graham, to be known as sinking fund trustees. That when said trustees are elected they shall be designated as trustee number one, trustee number two, and trustee number three. That the term of office of trustee number one shall be five years; that the term of office of trustee number two shall be four years; that the term of office of trustee number three shall be three years. That the terms of office of all of said trustees shall begin the first day of July succeeding their election, and said trustees shall hold office until their successors are elected and qualified. The vacancies caused in the board of trustees by the expiration of their term of office shall be filled by the board of commissioners of the town of Graham, and the person elected to fill the vacancy shall hold office for three years and until his successor is elected and qualified. A vacancy arising in said board of trustees from any other cause shall be filled by the commissioners of the town of Graham, and the person elected to fill such vacancy shall hold office until the expiration of the term of the trustees whose place he takes, and until his successor is elected and qualified.

Sec. 4. The commissioners of the town of Graham shall cause all funds and investments representing funds set aside by said town of Graham in previous years for the retiring of all bonds to be delivered to said trustees immediately after their election.
Annual payments. issued by said town. Once in each year the commissioners of said town shall cause to be paid and delivered to said trustees all sums provided by law to be set aside by said town as sinking funds for the retiring of bonds. Said trustees shall keep all funds placed in their hands so invested as that they shall be able to collect at least four per cent interest thereon, and to compound the same semiannually, and they shall once each year report to the commissioners of the town of Graham the sums in their hands and how the sums are invested. Said trustees shall receive no compensation, but the commissioners of said town shall pay the actual expenses necessarily incurred by said trustees in administering their trust.

Sec. 5. That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

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

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 161

AN ACT TO AUTHORIZE THE TOWN OF SHELBY TO ISSUE BONDS FOR GRADED SCHOOL PURPOSES.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of paying for additional grounds and of improving and enlarging the graded school building or buildings, making needed repairs, and providing necessary equipment for the graded schools, the board of aldermen of the town of Shelby is hereby authorized and empowered, and it shall be its duty, to submit to the qualified voters of said town a proposition to issue not more than twenty-five thousand dollars ($25,000) in coupon bonds of said town, said proposition to be submitted at a general or special election whenever requested so to do by the trustees or school committee of the Shelby Graded Schools. The board of aldermen of the town of Shelby shall determine the amount of bonds proposed to be issued, the rate of interest, the time at which said bonds are to become due, the denomination of said bonds, and other details thereof, and shall submit to the qualified voters of said town the question of the approval of said issue of said bonds and the levying of the necessary taxes to pay the interest thereon and the principal.

Notice of election. Notice of said election shall be published in a newspaper published in the town of Shelby for thirty (30) days prior to said election, and said notice shall explain the purposes of the pro-
posed issue and give the details thereof; that the vote on the said proposition shall be by ballot, which shall be written or printed, and those voting for the issue of said bonds shall have written or printed on their ballots "For Better Graded Schools;" and those voting against the proposition shall have written or printed on their ballots "Against Better Graded Schools"; that if the proposition shall be adopted by a majority of the qualified voters of said town at said election it shall be the duty of the board of aldermen of said town to cause bonds to be issued in the name of the said town of Shelby in such denominations as they shall deem best bearing interest at a rate not exceeding six per cent per annum and payable semiannually at such time and place as shall be determined by said board. Said bonds when issued shall be signed by the mayor of said town and countersigned by the secretary, or clerk, of the said board of aldermen, and shall have the common seal of said town affixed thereupon, and said board of aldermen shall sell said bonds and pay the proceeds arising therefrom into the town treasury, subject to the orders of the board of trustees or school committee of the Shelby Graded Schools, in paying for the expenditures for which said bonds were issued. It shall be the duty of said board of aldermen, when said bonds are issued and sold, to provide by taxation on all the subjects of taxation within the corporate limits of said town to meet the interest on said bonds and the principal as may become due.

Sec. 2. That when the proposition shall be submitted to the qualified voters of the said town, as hereinbefore provided, if a majority of the qualified voters of said town shall vote against the proposition, then at any time after one year from the date of said election, and when requested in writing by the said trustees or school committee of the Shelby Graded Schools, it shall be the duty of the said board of aldermen to submit at a general or special election again the question of the issue of said bonds to the qualified voters of the said town, and if the proposition shall then be approved by a majority of such qualified voters, then said board of aldermen shall issue said bonds as hereinbefore provided; and the said proposition may be submitted at a general or special election to the said qualified voters of the said town as often as the said graded school committee may desire, or until the proposition is indorsed by a majority of said qualified voters: Provided, there shall not be an election on said issue oftener than once every twelve months.

Sec. 3. That the election or elections herein provided for shall be held and conducted in pursuance of the provisions of chapter seventy-three of the Revisal of one thousand nine hundred and five, and acts amendatory thereof, the exception of the town of Shelby by section two thousand nine hundred and forty-four.
The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and fourteen, Private Laws of one thousand nine hundred and fifteen, be and the same hereby is amended by striking out in line five of section two the words “two thousand” and inserting in lieu thereof the words “five thousand.” By striking out in line three of section three the word “six” and inserting in lieu thereof the word “eleven,” and by striking out in line four of said section three the word “twenty” and inserting in lieu thereof the words “thirty-five.”

Sec. 2. That as thus amended the said chapter two hundred and fourteen, Private Laws of one thousand nine hundred and fifteen, shall be and remain in full force and effect.

Sec. 3. That this act shall be enforce from and after its ratification.

Ratified this the 3d day of March, A. D. 1917.

CHAPTER 163

AN ACT TO RAISE ADDITIONAL REVENUE FOR THE SUPPORT OF SHELBY GRADED SCHOOLS.

The General Assembly of North Carolina do enact:

Section 1. That the board of aldermen of the town of Shelby is hereby authorized and empowered, and it shall be its duty so to do whenever said board shall be so requested by the trustees or school committee of the Shelby Graded Schools, to sub-

of the Revisal of one thousand nine hundred and five not being applicable to this act: Provided, that said board of aldermen of the town of Shelby shall order a new registration of the voters of said town for any election held under the provisions of this act.

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

Ratified this the 3d day of March, A. D. 1917.
mit to the qualified voters of said town whether an additional special tax shall annually be levied thereunder for the support of the public or graded schools of said town, said additional special tax not to be more than ten (10) cents on the one hundred dollars valuation of property nor more than thirty (30) cents on the poll, said tax when levied and collected to be applied exclusively to the support and maintenance of the public or graded schools in the town of Shelby, and to be levied, collected, and disbursed in the same manner as the special tax now authorized is levied, collected, and disbursed. At any election held under the provisions of this act those favoring the levying of such special tax shall vote on a written or printed ballot "For Additional School Tax," and those who are opposed to the levying of such tax shall vote on a written or printed ballot "Against Additional School Tax."

Sec. 2. That if a majority of the qualified voters in said town shall vote in favor of such tax, the same shall be levied, collected, and disbursed in the same manner as the special tax for schools already authorized and existing is levied, collected, and disbursed.

Sec. 3. If a majority of the qualified voters of said town shall fail to vote in favor of said additional tax at said election, then at any time after one year from the date of said election, and when requested in writing by the said trustees or school committee of the Shelby Graded Schools, it shall be the duty of the board of aldermen to resubmit said question at another election, and if the proposition shall then be approved by a majority of such qualified voters, then said tax shall be levied, collected, and disbursed as hereinbefore provided, and such election may be held as often as the graded school trustees or school committee may desire until the levying of said additional tax shall be indorsed by a majority of the qualified voters of the town of Shelby: Provided, there shall not be an election on said question oftener than once in every twelve months.

Sec. 4. That the election or elections herein provided for shall be held and conducted in pursuance of the provisions of chapter seventy-three of the Revisal of one thousand nine hundred and five, and acts amendatory thereof, the exception of the town of Shelby by section two thousand nine hundred and forty-four of the Revisal of one thousand nine hundred and five not being applicable to this act: Provided, the said board of aldermen of the town of Shelby may order a new registration of the voters of said town for any election held under the provisions of this act.

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

Ratified this the 3d day of March, A. D. 1917.
AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN OF THE CITY OF GOLDSBORO TO EMPLOY A CITY MANAGER.

The General Assembly of North Carolina do enact:

Section 1. There shall be employed by the board of aldermen of the city of Goldsboro at its first meeting after the regular municipal election in May, nineteen hundred and seventeen, or as soon thereafter as practicable, and from time to time thereafter as may be necessary, a competent person to be known as city manager, whose employment shall be at the pleasure of the board of aldermen and who shall receive such compensation as the board of aldermen determine.

Sec. 2. The city manager shall have charge of and be the head of all the administrative departments of the city, subject to the supervision and direction of the board of aldermen. All of said departments shall be directly responsible to the city manager, and he shall be directly responsible to the board of aldermen for the conduct of each of said departments. In order to facilitate the business of the departments the city manager may designate any officer or employee in any department as the director of such department. All directors of departments shall be responsible to the city manager.

Sec. 3. He shall see that the laws and ordinances are enforced.

Sec. 4. He shall see that all terms and conditions imposed in favor of the city or its inhabitants in any public utility franchise are faithfully kept and performed; and upon knowledge of any violation thereof he shall call the same to the attention of the city attorney, who is hereby required to take such steps as are necessary to enforce the same.

Sec. 5. He shall attend all meetings of the board of aldermen, with the right to take part in the discussions, but having no vote.

Sec. 6. He shall recommend to the board of aldermen for adoption such measures as he may deem necessary or expedient.

Sec. 7. He shall make monthly detailed financial reports of each department to the board of aldermen, and such other reports and statements as said board may require.

Sec. 8. The fiscal year of the city shall be from May the first to April the thirtieth, inclusive, and, not later than one month before the end of each fiscal year, the city manager shall prepare and submit to the board of aldermen an annual budget for the ensuing fiscal year, based upon detailed estimates furnished...
by the several departments and other divisions of the city government, according to a classification as nearly uniform as possible. The budget shall present the following information:

(a) An itemized statement of the appropriations recommended by the city manager for current expenses and for permanent improvements for each department and each division thereof for the ensuing fiscal year, with comparative statements, in parallel columns, of the appropriations and expenditures for the current and next preceding fiscal year, and the increase in the appropriations recommended;

(b) An itemized statement of the taxes required and of the estimated revenues of the city from all other sources for the ensuing fiscal year, with comparative statements, in parallel columns, of the taxes and other revenues for the current and next preceding fiscal year, and of the increases or decreases estimated or proposed;

(c) A statement of the financial condition of the city; and

(d) Such other information as may be required by the board of aldermen. Such budgets when adopted by the board of aldermen cannot be changed except at a regular meeting and upon a two-thirds vote of the whole board of aldermen.

Sec. 9. He shall act as purchasing agent for the city, but shall not be personally interested in any contract or purchase to which the city is a party. He shall act as sales agent for the city.

Sec. 10. He shall transmit to the heads of the several departments notice of all acts of the board of aldermen relating to the duties of their departments and see that the same are carried out, and shall make designation of officers to perform duties ordered to be performed by the board of aldermen.

Sec. 11. He shall have access at all times to the books, vouchers, and papers of any officer or employee of the city, excepting the treasurer's books, which he may have access to only in the presence of the treasurer or some person designated by the board, and he shall have power to examine, under oath, any person connected therewith.

Sec. 12. He shall have power to revoke privilege licenses pending the action of the board of aldermen.

Sec. 13. He shall have authority and charge over all public works, the erection of buildings for the city, the construction of all improvements, paving, curbing, sidewalks, streets, bridges, viaducts, and the repair thereof; he shall approve all estimates of the cost of public works and improvements, and recommend to the board of aldermen the acceptance or rejection of the work done or improvements made; he shall have control, management, and direction of all public grounds, bridges, viaducts, and public buildings; and he shall secure all rights of way and

Itemized statement of appropriations.

Itemized statement of taxes and revenue.

Statement of financial condition.

Other information.

Change of budget.

Notices to heads of departments.

Detail of officers.

Access to books and papers.

Revocation of licenses.

Charge of public works.

Approval of estimates.

Acceptance of work.

Management of public grounds and buildings.
Control of board of aldermen.

Officers to be appointed by aldermen.

Appointments recommended by manager.

Proviso: Consolidation and abolition of offices.

Power of manager to suspend or dismiss officers.

Appeal to aldermen.

Dismissal by aldermen.

Annual statement.

Publication.

Other duties.

Official bond.

Act to be voted on.

easeaments connected with the water-works or sewerage systems or the extension of the streets, etc. All powers herein enumerated, however, shall be exercised subject to the supervision and control of the board of aldermen.

Sec. 14. The board of aldermen shall at its first meeting in May, nineteen hundred and seventeen, and biennially thereafter, appoint a treasurer, a clerk, an auditor, an attorney, a sinking fund commissioner, and an electric light fund commissioner, and said board of aldermen shall during the month of May, nineteen hundred and seventeen, and biennially thereafter, appoint, from a list to be submitted by the city manager, a sanitary inspector and health officer, a tax collector, a superintendent of water-works, an engineer and street superintendent, a chief of police and assistant police, a chief of fire department and building inspector, and such other officers and employees as the board of aldermen may designate; and if the board of aldermen is unable or refuses to elect from the list so furnished, it shall call on the city manager from time to time for other lists, which it shall be his duty to furnish: Provided, however, that one person may fill one or more offices named in this section, and that said board of aldermen shall have the right to abolish and terminate any of the offices herein in this section provided for. The city manager shall have power to suspend and dismiss for incompetency or nonattendance to duties any member of any department who has been appointed by the board of aldermen from lists furnished by him. Any person so suspended or dismissed may appeal to the board of aldermen and the board of aldermen shall hear such appeal and affirm or reverse the action of the city manager. The board of aldermen on its own initiative shall have the right to dismiss any officer or employee of the city for incompetency or nonattendance to duties.

Sec. 15. He shall, on or before the first Monday in May in each year, prepare and submit to the board of aldermen a detailed financial statement of all receipts and disbursements of the general fund and of each department of said city. After the acceptance of the same by the board of aldermen, the city manager shall publish such statement in some newspaper in the city.

Sec. 16. He shall have and perform such other and further duties as the board of aldermen may prescribe.

Sec. 17. He shall give bond for the faithful performance of his duties and in such amount as the board of aldermen may prescribe.

Sec. 18. That at the regular municipal election in May, nineteen hundred and seventeen, for mayor and aldermen in the city of Goldsboro there shall be an election held in said city of Goldsboro for the purpose of determining whether it is the
will of the qualified voters of said city that the foregoing and
purposed amendments to the charter of the city of Goldsboro
shall become law applicable to the city of Goldsboro.

Sec. 19. That said election shall be held by the same officers
who hold the next regular municipal election for mayor and
aldermen in the city of Goldsboro, and the same shall be held,
except as may be herein prescribed, under the same rules and
regulations, and the result thereof ascertained in the same man-
ner, as near as is practicable, as regular municipal elections for
mayor and aldermen are now held and ascertained in said city.
The officers who hold said election shall before entering upon
their duties, take an oath to honestly and impartially con-
duct said election. The polling places for the election here-
in provided for shall be the same as are provided for the
said regular municipal election, and the qualifications for voters
shall be the same as are now prescribed by law for voters
at regular municipal elections for mayor and aldermen in
said city. A notice of said election shall be published in
some newspaper in said city at least once a week for four suc-
cessive weeks immediately preceding said election. Those voters
of the city of Goldsboro at said election who are in favor of said
amendment to the charter of the city of Goldsboro shall vote a
ballot on which shall be written or printed the words "For
Amendment," and those voters at said election who are opposed
to said amendment shall vote a ballot on which shall be written
or printed the words "Against Amendment"; and if at such elec-
tion the majority of the votes cast be "For Amendment," then
the said amendment to the charter of the city of Goldsboro shall
become law applicable to said city of Goldsboro; but if a majority
of the votes cast at said election be "Against Amendment," then
said amendment shall not become law applicable to said city.
Registration books, ballot boxes, ballots, and all necessary equip-
ment for holding said election shall be furnished by the board of
aldermen of said city.

Sec. 20. That all laws, clauses or parts of law in conflict with
this act be and the same are hereby repealed.

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 165

AN ACT TO REPEAL CHAPTER 242 OF THE PRIVATE LAWS
OF NORTH CAROLINA, SESSION 1915.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and forty-two of the Law repealed.
Private Laws of North Carolina, session one thousand nine hun-
CHAPTER 165

AN ACT TO VALIDATE THE PROCEEDINGS AND ACTION COMMENCED AND DONE UNDER AND BY VIRTUE OF SAID CHAPTER TWO HUNDRED AND FORTY-TWO OF SAID PRIVATE LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED AND FIFTEEN.

Acts validated. dred and fifteen be and the same is hereby repealed. All proceedings and action commenced and done under and by virtue of said chapter two hundred and forty-two of said Private Laws of North Carolina, session one thousand nine hundred and fifteen, are hereby made valid and binding as if the Public Laws of the General Assembly of North Carolina, session one thousand nine hundred and fifteen.

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

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 166

AN ACT TO INCREASE THE TRUSTEES OF THE ROWLAND HIGH SCHOOL DISTRICT FROM THREE TO FIVE MEMBERS.

Appointment.

Terms.

Appointment and terms of successor.

The General Assembly of North Carolina do enact:

SECTION 1. That A. W. Walker and A. T. McKellar be and the same are hereby appointed trustees of the Rowland High School District. That the term of office of A. T. McKellar shall begin the first Monday of July, nineteen hundred and seventeen, and continue for four years, and that the term of office of A. W. Walker shall begin the first Monday in July, nineteen hundred and seventeen, and continue for six years. Their successors in office shall serve for a term of six years and shall be appointed as provided in chapter fifty, section eleven, of the Private Laws of the State of North Carolina, extra session of nineteen hundred and thirteen.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 167

AN ACT TO AMEND CHAPTER 398 OF THE PRIVATE LAWS OF 1905, ENTITLED “AN ACT TO INCORPORATE THE TOWN OF CREEDMOOR IN THE COUNTY OF GRANVILLE.”

The General Assembly of North Carolina do enact:

Section 1. That section six of chapter three hundred and ninety-eight of the Private Laws of nineteen hundred and five
be amended by striking out the word "thirty" in line four and inserting in lieu thereof the words "fifty-five," and by striking out the word "ninety" in line five and inserting in lieu thereof the words "one dollar and sixty-five."

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 168

AN ACT TO AMEND THE CHARTER OF THE GRADED SCHOOLS OF THE TOWN OF ROANOKE RAPIDS.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and eighty-nine of the Private Laws of North Carolina, session nineteen hundred and seven, as amended by the several laws amendatory thereof, be and the same is hereby repealed and the following enacted as a substitute therefor:

"SECTION 1. That all territory lying within the corporate limits of the town of Roanoke Rapids, and all of the portion of Halifax County not embraced within said corporate limits, but lying contiguous thereto within the following boundaries, to wit: Beginning at a point on Roanoke River, being the dividing line between the farms of the estate of M. A. Hamilton, deceased, and the late B. W. Bass tract; thence south to the canal of the Roanoke Navigation and Water Power Company; thence down the canal to Medlin and Fulghum's line; thence a straight line to the Weldon and Gaston County road; thence west along said county road to Tilghman's Cross Roads; thence along the southern fork of the county road to Chocoyote Creek; thence up Chocoyote Creek as it meanders to the dividing line between J. G. Simmons' tract and John D. Shaw's line; thence along the western line of J. G. Simmons' tract to the northwestern corner of said tract on the canal bank of the Roanoke Navigation and Water Power Company; thence from this last named point due north to the banks of the Roanoke River; thence down said river as it meanders to the point of beginning, shall be and is hereby constituted a public school district for white and colored children, to be known as the 'Roanoke Rapids Graded School District.'

"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.

"Sec. 3. That the board of school trustees hereinafter provided
for shall be and is hereby authorized and empowered to issue
bonds of said school district to an amount not exceeding seventy-
five thousand dollars, of such denomination and of such propor-
tion as said board of trustees may deem advisable, bearing in-
terest 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 re-
quired to meet the expenditures hereinafter provided for in sec-
tion four of this act.

"Sec. 4. That the proceeds arising from the sale of said bonds,
or such part thereof as may be necessary, shall be expended by
said board of trustees in providing, by purchase or otherwise,
such graded school buildings as may be required, and in furn-
ishing the same with school furniture and other necessary
equipment.

"Sec. 5. That none of said bonds shall be disposed of by sale,
exchange, hypothecation, or otherwise, for less price than their
par value; nor shall said bonds, nor their proceeds, be used for
any other purpose than that declared in section four of this act.

"Sec. 6. That said bonds and their coupons shall not be sub-
ject to taxation by the town of Roanoke Rapids until they become
due, and tender of payment shall have been made, and such
coupons shall be receivable in payment of all taxes and other
dues of said town for any fiscal year in which said coupons be-
come due or thereafter; and if the holder of said coupons shall
fail to present the same for payment at the time or times and
at the place or places therein named, he shall not be entitled to
interest thereon for the time they shall have been outstanding
after maturity.

"Sec. 7. That for the purpose of providing for the payment of
said bonds and the interest thereon, and of defraying the expenses
of the public graded schools provided for in this act, the board of
school trustees shall annually and at the time of levying the
municipal taxes in the town of Roanoke Rapids, or as soon
thereafter as practicable, commencing with the fiscal year begin-
ning the first day of May, nineteen hundred and seventeen, levy and lay a particular tax on all persons and property subject to taxation within the said limits of said school district, said par-
ticular tax to be not more than sixty cents on the one hundred dollars assessed valuation of property and not more than one dollar and eighty cents on each taxable poll.

"Sec. 8. That said tax shall be collected by a tax collector to be appointed annually on the first day of May of each and every year, or as soon thereafter as practicable, by said board of school trustees, and shall be collected by said tax collector at the time and in the manner that the municipal taxes of the town of Roanoke Rapids are collected, and said tax collector shall pay over said taxes so collected to the treasurer of said board of school trustees, who shall be appointed by said board of school trustees at the same time that said tax collector is appointed. Said treasurer shall keep said taxes so paid over to him safely in his hands in such bank or banks as said board of school trus-
tees 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 war-
rant 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 munici-
pal elections in said town. Those qualified voters approving the issue of bonds provided for in section three, and the levy and collection of the particular taxes provided for in section seven of this act, shall deposit a ballot containing the written or printed words 'For Schools,' and those disapproving the same shall deposit a ballot containing the written or printed words 'Against Schools.' If a majority of such voters shall vote 'For Schools' it shall be deemed and held that a majority of the qualified voters of said school district are in favor of granting the aforesaid board of school trustees authority to issue such bonds and levy such par-

Proviso: Record of election. "Sec. 10. S. F. Patterson, C. A. Wyche, W. D. Tillery, J. B. Boyd, William Ivey, L. S. Cannon, John L. Patterson, R. W. Brown, and Louis Grimmer are hereby appointed and constituted a board of trustees for the graded schools of said district, who shall serve without compensation. The first three named shall hold their office for the term of two years, the second three named for a term of four years, the last three named for the term of six years. Vacancies occurring by reason of the expiration of the terms of office of trustees aforesaid, by death or otherwise, shall be filled by the said board of trustees at a meeting called for that purpose, and shall be for the unexpired term of trusteeship so filled, except when the vacancy occurs by reason of the expiration of the terms of office, when the term shall be for six years; a majority of the board shall constitute a quorum: Provided, that the acceptance of said office of school trustees shall not disqualify any person so accepting from holding any other office of trust or profit whatsoever under the laws of the State of North Carolina.

Proviso: Further elections. "Sec. 11. That said board of trustees and their successors be and are hereby constituted a body corporate by the name and style of the 'Board of School Trustees of Roanoke Rapids' and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, acquire by gift, purchase, or devise real and personal estate, hold, exchange, mortgage, or sell same, and exercise such rights and privileges as are incident to other corporations. And said corporation shall have a corporate seal, which it may break and change at pleasure.

Proviso: Trustees not disqualified for other offices. "Sec. 12. That it shall be the duty of said board of trustees to establish graded public schools for the white and colored children of said district; and said board of trustees shall appropriate and use the funds derived from said particular taxes and from
other sources in such manner as shall be deemed just to both races, providing equal school facilities for each, due regard being paid, however, to the difference in the cost of maintaining such schools: Provided, that all donations to said schools shall be applied as directed by the donors.

"Sec. 13. That said board of trustees shall have exclusive control of all public schools in said school district; shall pre-
scribe rules and regulations not inconsistent with this act for their own government, and for the government of such schools; shall employ, prescribe the qualifications, and fix the compensa-
tion of all officers and teachers of such schools; shall cause to be taken from time to time, in accordance with the general school law of the State, an accurate census of the school population of the said school district, and shall exercise such other powers as may be necessary for the successful control and operation of said graded schools: Provided, that nothing in this act shall be held to authorize the county board of school directors nor the county superintendent of schools of Halifax County to exercise any authority or control whatever over the graded public schools of said school district or the officers and teachers thereof: Pro-
vided, 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.

"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 dis-
 Proviso: County board and super-
Proviso: General law.
Proviso: Application of donations.
Proviso: Powers of trus-
Proviso: Officers and teach-
ment 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.

"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.
"Sec. 17. That said board of school trustees, together with the superintendent, are hereby authorized, in their discretion, to fix a curriculum of studies, and to adopt text-books for said graded schools, and to admit pupils residing without the limits of said school district upon such terms as said board of trustees may deem just and reasonable.

"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.

"Sec. 20. Said board of school trustees may, in their discretion, upon two weeks published notice in some newspaper published in Roanoke Rapids, North Carolina, or if there be none, then in some paper published in Halifax County, prescribe an eight months compulsory attendance for all children embraced within the limits of the general compulsory attendance law, and may employ a truant officer to enable them to enforce attendance. The provisions of the general compulsory attendance statute as to penalties imposed on both parent and child shall apply to any additional attendance term prescribed hereunder.

"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 5th day of March, A. D. 1917.

CHAPTER 169

AN ACT TO CONSOLIDATE THE CITY OF ASHEVILLE AND THE TOWN OF WEST ASHEVILLE IN THE COUNTY OF BUNCOMBE.

The General Assembly of North Carolina do enact:

SECTION 1. That on the first Saturday after the first Monday in June, one thousand nine hundred and seventeen, there shall be held in the city of Asheville and also in the town of West Asheville an election for the purpose of determining whether there shall be a consolidation of the city of Asheville and the town of West Asheville into a municipality to exist thereafter under the corporate name and style of the City of Asheville, with all the rights, powers, privileges, and immunities now belonging
to and vested in the city of Asheville by and under its charter which shall, if said consolidation is had, be and continue to be the charter of the city of Asheville. The effect of such consolid-

SEC. 2. That said election shall in all things be held and conducted in the manner provided by law for the election of members of the General Assembly of North Carolina, and shall be advertised by the respective mayors of the city of Asheville and the town of West Asheville for twenty days prior to holding thereof, and at such election all registered and duly qualified voters of the two respective municipalities shall be entitled to vote. Those voting in favor of a consolidation shall vote a ballot on which there shall be printed or written the words "For a Consolidation," and those against a consolidation shall vote a ballot on which shall be printed or written the words "Against Consolidation."

SEC. 3. It shall be the duty of the respective mayors of said municipalities to provide the necessary judges and poll-holders to hold and conduct said election, and, after the polls are closed, to count the ballots cast and certify the result of said election to the mayors of the said respective municipalities within forty-eight hours after said election is held; and within seventy-two hours thereafter the mayor and board of aldermen of the town of West Asheville and the mayor and commissioners of the city of Asheville shall meet in joint session in the city of Asheville at the city hall, and canvass the said vote and announce and declare the result of the said election, and cause said results to be spread upon the minutes of their respective municipalities. If it shall be ascertained that a majority of the ballots cast in each municipality at said election are for a consolidation of the respective municipalities, then and in such event the town of West Asheville shall be and become a part and parcel of the city of Asheville, and the mayor and board of aldermen of the town of West Asheville shall immediately take all necessary steps to properly and legally transfer to the city of Asheville all and every of the property of every kind, real, personal, and mixed, now belonging to the town of West Asheville, and the city of Asheville shall succeed to all the rights and title of the town of West Asheville thereto, and the municipal government of the town of West Asheville shall cease and determine, shall be and is abrogated and repealed.

SEC. 4. That in the event of said consolidation the said city of Asheville as then constituted shall and does assume all legal
obligations and contracts of the said town of West Asheville, and obligates and binds itself by the acceptance of the provisions of this act to pay all such obligations and to carry out and perform all such contracts, and after said consolidation the city of Asheville as then constituted shall be liable for all debts and obligations of the two respective municipalities consolidated by and under the provisions of this act.

Sec. 5. That the boundaries of the city of Asheville as constituted and created by the said consolidation shall be the present boundaries of the town of West Asheville and the present boundaries of the city of Asheville, and in addition thereto the following boundaries: Beginning at a stake in the west bank of the French Broad River in the corporate line of West Asheville, ten feet south of the bridge across said river, known as Smith's bridge, and runs thence parallel with the southern line of said bridge to a stake in the eastern bank of said river ten feet south of said bridge, and the corporate line of the city of Asheville; thence with said corporate line of the city of Asheville southwardly to a stake ten feet north of and below the new concrete bridge now connecting the city of Asheville with the town of West Asheville; thence parallel with the northern line of said bridge to a stake in the western bank of said river ten feet north of and below said bridge, and in the corporate line of the town of West Asheville.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 170

AN ACT TO AUTHORIZE AND ALLOW THE BOARD OF COMMISSIONERS OF THE TOWN OF GRIFTON TO ISSUE BONDS FOR PUBLIC IMPROVEMENTS AND LEVY TAXES FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of the town of Grifton, North Carolina, be and the same are hereby authorized and empowered to issue coupon bonds in an amount not exceeding ten thousand dollars ($10,000) in such denominations as may be fixed by the said board of commissioners, for the purpose of providing funds with which to pay for the present electric light plant and lighting system already installed, and to further extend, improve, construct, maintain, and operate the said plant and lighting system, and with which to pave and generally
improve the streets of said town, and with which to generally improve in other and additional ways the town of Grifton, as to the town board of commissioners may seem fit and proper.

Sec. 2. That the town board of commissioners may divide said bonds into classes and have them mature at different and convenient dates to be fixed by the town board of commissioners, but none of said bonds may mature later than the first day of January, one thousand nine hundred and thirty-eight (1938). That said bonds shall bear interest from the date of issue, at the lowest rate of interest obtainable, not exceeding six per cent per annum, to be due and payable semiannually on the first days of January and July of each year. That the said bonds shall be issued in the name of the town of Grifton, and all of such bonds and coupons thereto attached shall be numbered and shall be signed by the mayor of the town of Grifton, and countersigned by its clerk, and have the corporate seal of the said town affixed thereto; and the coupons thereto attached shall bear the lithographic or engraved facsimile of the signatures of the said mayor and the said clerk.

Sec. 3. That the bonds hereby authorized to be issued shall not be sold below par; that records shall be kept of said bonds showing the numbers and denominations thereof, to whom sold, the dates of issuing thereof and when the same will mature, and the interest-bearing rate thereof, the amount received from the sale of said bonds and the date of paying the proceeds into the town treasury, and such other dates and data in relation to the same as the town board of commissioners may direct to be kept.

Sec. 4. That the moneys derived from the sale of said bonds shall be paid to and received by the treasurer of the town of Grifton, and shall be held by him as a special fund of said town until expended for the purpose and as mentioned in section one of this act. No part of said money shall be disbursed except as ordered by said town board of commissioners, and the treasurer shall give and maintain a bond for the faithful accounting for all of said money which may be paid into his hands, which bond shall be approved by the town board of commissioners, and if approved shall be paid for from the funds realized from the sale of said bonds.

Sec. 5. That in order to pay the interest on said bonds as the same becomes due, and to create a sinking fund for the retirement of said bonds at their maturity, it is required and directed that a special tax shall be levied and collected in addition to all other taxes in the town of Grifton, which special tax shall not exceed forty cents on each one hundred dollars worth of taxable property and one dollar and twenty cents on each poll in said town, observing the equation of taxation between property and polls fixed by the Constitution of the State of North Carolina.
Proviso: Taxes kept separate.

Investment of sinking fund.

Repealing clause.

for the purpose of State and county taxation: Provided, that the taxes collected under this act for the purposes aforesaid shall be kept separate and apart from all other taxes and shall be used for no other purposes than those expressed above.

Sec. 6. That the sinking fund set aside each year for the retirement of the aforesaid bonds shall be handled in such manner and invested in such securities as may be approved by a majority of the members of the said board of commissioners acting at any regular meeting thereof.

Sec. 7. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 171

AN ACT TO AUTHORIZE THE ISSUE OF BONDS AND LEVYING TAX IN AID OF THE GRADED SCHOOLS OF MOUNT AIRY.

Preamble.

Whereas the proceeds derived from a sale of bonds heretofore voted under the provisions of various acts of the General Assembly was insufficient for the purposes for which they were voted and issued; and whereas the number of pupils attending the graded schools of Mount Airy has so increased as to render necessary the erection of and improvement of other buildings, and an addition to its grounds requisite and necessary to meet the needs and requirements of the said schools, both white and colored: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That it shall be the duty of the board of commissioners of the town of Mount Airy to issue coupon bonds in the name of the town of Mount Airy in such denomination and form as the said board of commissioners may determine, to an amount not to exceed thirty thousand dollars ($30,000), and for the purposes hereinafter specified, which bonds are to bear interest from the date of issue at a rate not to exceed five per cent per annum, payable semiannually, and are payable thirty years after date at such place as the board of commissioners may determine. That the said bonds shall be signed by the mayor of the town and attested by the secretary and issued under the corporate seal of the town; and the interest upon said bonds shall be evidenced by interest coupons thereto attached in the usual form, and the said
bonds when issued, and the interest accumulating thereon, shall be fully binding upon the said town and its property and shall show upon their face that they were issued for school purposes.

Sec. 2. That said bonds when issued shall be delivered to the treasurer of the said town, who is ex officio treasurer of the board of school commissioners of Mount Airy, to be by him, under the direction of the board of commissioners of the town of Mount Airy, sold and converted into money after advertisement for thirty days, and the proceeds thereof disposed of under the direction of the board of school commissioners of Mount Airy for the purposes of paying off any indebtedness against the school board and for purchasing additional school grounds and erecting new school buildings and adding to and improving the present school ground and buildings, and for such other purposes as may be necessary for equipping and conducting successfully the said school: Provided, the said bonds shall not be sold for less than par value.

Sec. 3. That the board of commissioners of the said town, upon issuing the said bonds, shall be authorized and empowered to levy and collect a tax annually upon all subjects of taxation which are now or may hereafter be embraced in the subjects of taxation under the charter of the town of Mount Airy sufficient to meet the interest on said bonds and pay the principal thereof when it shall become due and payable, and that the said taxes shall be levied by the board of commissioners of the town of Mount Airy on Tuesday after the first Monday of July of each year and shall be collected in like manner as the other taxes of the town and paid into the hands of the treasurer thereof for the purposes aforesaid.

Sec. 4. That said bonds shall not be issued nor said taxes levied until authorized by a vote of the majority of the qualified voters of the said town at a public election to be held as herein-after provided. That the board of commissioners of the town of Mount Airy shall order the said election to be held at such time as the board of school commissioners of Mount Airy may suggest. That at the time of the ordering of the said election the board of Election officers. commissioners of the town of Mount Airy shall appoint a resident of each of the wards or precincts in the said town as registrar for said election and two residents of each ward or precinct as judges for said election, and should the persons so named as registrars or judges refuse or decline to act, that the mayor of the town of Mount Airy is hereby authorized to fill said vacancy by appointing a suitable person in each ward to fill such position; that notice of said election shall be made twenty days before the day of election and shall be published in one or more newspapers in the town of Mount Airy. Said notice shall state the amount of the bond issue, the rate of interest, and the purposes for which
New registration. the bonds are to be issued. There shall 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 ten days preceding the last Saturday before the election, excluding Sundays, and shall keep the books open on said days from nine o'clock a.m. until sunset; that the registration books shall be kept open at some convenient place in each ward every day, and on Saturdays 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 judges in each ward shall meet at the polling precinct for the purpose of hearing and determining any challenges that may be made of any voter who has registered; that challenges will be allowed to be made on the day of election; that on the morning of the election the polls shall be opened at seven o'clock a.m. and shall close at sundown; that immediately upon the closing of the polls the registrar and judges of the election shall count the ballots cast and shall place the returns in a sealed envelope and deliver same to the person selected by the registrar and judges, and he shall deliver same to the mayor of the town of Mount Airy, and the mayor shall immediately call together the board of commissioners of the town of Mount Airy and submit to the board the returns so delivered to him, and they shall announce the result of said election and shall spread the same upon the record book of the town, and no other record of said election shall be necessary to be kept. That those favoring the issue of said bonds shall vote a written or printed ballot with the words "For Schools"; those opposed to the issue of bonds shall vote a written or printed ballot with the words "Against Schools"; and if at such election the majority of the qualified voters of the said town shall vote ballots for schools written or printed thereon, then the said board of commissioners shall issue said bonds and levy tax sufficient to meet interest and principal thereof when used as herein specified; and the money from the sale of the said bonds shall be applied to the purposes and upon the terms and conditions herein stated: Provided, that if at the election hereinbefore provided for a majority of the qualified voters shall vote against schools, then authority is hereby conferred upon the said board of commissioners of the town of Mount Airy to order a second election at such time as the board of school commissioners of Mount Airy may suggest, and said second election shall be conducted in all respects as is provided for herein for the conduct of the first election; and that if at the second election the majority of the qualified voters of the town shall vote for schools, that then and in that event the board of commissioners of the town of Mount Airy shall issue said bonds and levy sufficient tax to meet the interest and principal in the Challenge day. Count and return of votes. Canvass and record of returns. Ballots. Proviso: Further elections.
same way as is provided in case the majority of the qualified voters of the first election shall vote for schools.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 172

AN ACT TO AMEND AND SUPPLEMENT CHAPTER 173 OF THE PUBLIC LAWS OF 1913, AND TO ENLARGE SCHOOL ATTENDANCE PERIOD FOR TRYON GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and seventy-three of the Public Laws of nineteen hundred and thirteen be amended and supplemented by adding at the end of section nine of said chapter the following: "Provided, the compulsory attendance period for Tryon Graded School District shall be eight months, and that said period shall begin at the beginning of the school term."

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

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 173

AN ACT TO AMEND CHAPTER 126, SECTION 2, PRIVATE LAWS OF 1909, EXTENDING THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and twenty-six, section two, of the Private Laws of one thousand nine hundred and nine, be and the same is hereby amended to read as follows: "That the corporate limits of the said town, until otherwise ordered, shall be as follows: Beginning at a stake in the easterly right-of-way line of the Snow Hill branch of the Norfolk and Southern Railway, where said line is intersected by the southern boundary line of the said town of Farmville, which line divides the R. L. Davis and Whitehurst lands, said beginning stake being the southeast corner of the said
town of Farmville; thence north forty-one degrees forty minutes east along the said easterly right-of-way line of the said Snow Hill branch of the said Norfolk Southern Railway one thousand two hundred feet to a staked corner located about sixty feet south of the section house of the said Norfolk Southern Railway; thence north seventy-two degrees nineteen minutes south seven hundred and ninety-one and five-tenths feet to a staked corner in the southerly right-of-way line of the said Norfolk and Southern Railway Company’s main line running between Raleigh and Chocowinity; thence south seventy-five degrees twenty minutes east along said southerly right-of-way line of the said Norfolk and Southern Railway’s main line, seven hundred and fifty-six feet to a staked corner, said corner being on a line dividing the lands of M. T. Horton and R. L. Davis; thence north thirty-eight degrees fifty minutes east along said dividing line between the M. T. Horton and R. L. Davis lands and crossing the said Norfolk and Southern main line, six hundred feet, to a staked corner located at Pitt and Church streets, in the same town; thence north forty-two degrees five minutes east along the easterly line of said Pitt Street one thousand six hundred and seventy-six feet to a staked corner located at Pitt Street and Horne Avenue; thence north fifty-five degrees ten minutes west along the northerly line of said Horne Avenue five hundred feet to a staked corner located at Horne Avenue Waverly Street; thence north forty-two degrees five minutes east long the easterly line of said Waverly Street, produced through the Murphrey lands, four hundred and sixteen and seven-tenths feet to a staked corner in the Murphrey lands; thence north fifty-five degrees ten minutes west through Murphrey’s lands and on a line parallel with Horne Avenue four hundred and sixteen and seven-tenths feet to a staked corner in the easterly line of Green Street; thence north thirty-eight degrees ten minutes east along a line through the said Murphrey lands two hundred and twelve and eight-tenths feet to the southeasterly corner of the Farmville Cemetery; thence north forty-one degrees fifty minutes east along the easterly line of the said Farmville Cemetery four hundred and twenty feet to the northeast corner thereof, said northeast corner of said cemetery being the northeasterly corner of the said town of Farmville; thence north fifty-two degrees thirty minutes west along the north line of said cemetery four hundred and twenty feet to its northwest corner, it being on the easterly line of Contentnea Street; thence running diagonally to intersection of Jones Street and Moore’s Lane; thence southerly with Moore’s Lane to Lang Street; thence with Lang Street westerly to George Street, extended; thence with George Street southerly to the north line of Horne Avenue; thence with the north line of Horne Avenue westerly to the western side of the East Carolina Railway right of
way; thence with the west side of the East Carolina Railway right of way in a southerly direction to a staked corner near the center of Wilson Street; thence south nine degrees thirty minutes west along the right of way lands of the said East Carolina Railway and crossing the said Norfolk and Southern Railway Company's main line again, four thousand seven hundred and eight feet to a staked corner in R. L. Davis's lands, being the southwest corner of the said town; thence south forty-two degrees twenty minutes east, crossing the said East Carolina Railroad and along a line through the R. L. Davis lands four hundred and sixty-four and four-tenths feet to a staked corner on a line dividing the R. L. Davis and Whitehurst lands, thence south seventy-three degrees twenty minutes east on said line between R. L. Davis and Whitehurst lands, and crossing Main Street (formerly called the Marlborough road) and the Snow Hill Branch of the Norfolk and Southern Railway, one thousand one hundred and seven feet to a staked corner, the place of the beginning at the southeast corner of the said town of Farmville, North Carolina.

Sec. 2. This act shall be in force from and after its ratification. Ratified this the 5th day of March, A. D. 1917.

CHAPTER 174

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINETOPS.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and sixty-four of the Private Laws of the State of North Carolina of one thousand nine hundred and three, A. D., entitled "An act to incorporate the town of Pinetops, Edgecombe County," be amended and read as follows: "That the corporate limits of the said town shall extend from the center intersection of the main line of the East Carolina Railway and Hamlet Street with said railway track north twenty-nine degrees thirty minutes forty chains to a stake in the center of said track; thence north sixty degrees thirty minutes west forty chains to a stake on the W. L. Dunn land; thence south twenty-nine degrees thirty minutes west eighty chains to a stake on A. J. Walston land; thence south sixty degrees thirty minutes east eighty chains to a stake on W. W. Walston land; thence north twenty-nine degrees thirty minutes east eighty chains to a stake on land of W. B. Pitt's estate; thence north sixty degrees thirty minutes west forty chains to the said stake in the center of the said railway track."

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

Ratified this the 5th day of March, A. D. 1917.
CHAPTER 175

AN ACT TO PROVIDE FOR AN ELECTION IN THE CITY OF STATESVILLE ON THE QUESTION OF EXTENDING THE CORPORATE LIMITS OF SAID CITY AND TO DESIGNATE THE WARDS IN SAID CITY IN THE EVENT SAID ELECTION SHALL RESULT IN EXTENDING SAID CORPORATE LIMITS.

The General Assembly of North Carolina do enact:

Date for election.

SECTION 1. That an election shall be held in the city of Statesville on the fourth day of September, one thousand nine hundred and seventeen, at which election there shall be submitted to the qualified voters residing within the boundaries hereinafter set out the question of extending the corporate limits of the city of Statesville so as to make said corporate limits include and circumscribe all the territory situated within the following boundaries:

Beginning at a stake thirty-two feet north of the center of the Mocksville road at a point where the new road connects East Broad Street with the Mocksville road; thence south eighty-four degrees, thirty minutes, west four thousand eight hundred and twenty-eight feet to a stake intersecting with Tradd Street, in the bottom, seventy-five feet north of the branch; thence north fifty-two degrees thirty minutes, west three thousand one hundred and eighty feet to an iron pipe in the Hartness woods and one hundred feet west of the corner of said woods; thence south forty-nine degrees thirty minutes, west one thousand four hundred and seventy-three feet to a stake on the east bank of the old Tanyard road about three hundred feet north of Orr's; thence south twenty-four degrees east one thousand eight hundred and twenty feet to a stake on the bank of a ditch sixty feet north of the center of the Statesville Air Line Railroad; thence with said railroad north eighty-eight degrees, west one thousand eight hundred and thirty-seven feet to a stake on east bank of Oakland Avenue; thence south sixty-seven degrees, fifteen minutes west two thousand three hundred and eighty-nine feet to a stake on the east side of the road, lying east of the pines owned by T. D. Miller; thence south one degree, thirty minutes west two thousand and fifty feet, crossing the Taylorsville Railroad to a stake one hundred feet from a negro church; thence south thirty-nine degrees, east five thousand four hundred feet to a stake and a small post oak fifty feet south of the Western North Carolina Railroad and one thousand two hundred and twenty-seven feet east of the twenty-seven mile-post of the Western North Carolina Railroad; thence north sixty-eight degrees, ten
minutes east, parallel with said railroad one thousand seven hundred and eighty-four feet to a stake near the present yard-limit post; thence south seven degrees, ten minutes east, passing twenty-five feet south of the Southern Power Company's switchboard three thousand nine hundred and sixty-seven feet to a stake in the path on the bank of the road one hundred and twenty-four feet east of a large persimmon tree at the forks of the road; thence north seventy-eight degrees, forty-five minutes east, crossing the Boulevard and the Charlotte road two thousand and forty-eight feet to the northwest corner of the Southern Power Company's tower standing thirty feet east of the Charlotte road; thence north nineteen degrees, thirty minutes west, one thousand seven hundred feet to a persimmon tree on the bank of a ditch fifty feet from the center of the Charlotte road; thence north eighty-five degrees, ten minutes east, one thousand four hundred and sixty-two feet to a stake forty-two feet east of the A. T. and O. Railroad, passing through whistle-post south of the second crossing below station of A. T. and O. Railroad; thence north ten degrees, forty minutes east, parallel with the A. T. and O. Railroad one thousand three hundred and twenty-three feet to a stake twenty feet north of Mills Street; thence north seventy-eight degrees, twenty-five minutes east two thousand one hundred and fifty-four feet to a stake in the edge of a field one hundred and forty feet north of the road; thence north five degrees, twenty-five minutes east, eight hundred and twenty-four feet to a stake forty-four feet north of the Western North Carolina Railroad; thence north thirteen degrees, thirty minutes west two thousand two hundred and fifty-nine feet to a stake in an old road one hundred and fifty feet south of the Salisbury Branch; thence north thirty-one degrees, five minutes west two hundred and twenty-nine feet to a manhole at the northwest corner of the bridge over the Salisbury Branch; thence north sixty degrees, fifteen minutes east two thousand and nineteen feet to an oak tree at or near the present southeast corner of the city of Statesville; thence about north one thousand six hundred feet to a stake on the north side of Broad Street at the western end of the fill; thence about east with the north side of Broad Street to a stake on the west side of the new road that connects the Mocksville road and Broad Street; thence north nineteen degrees, thirty-three minutes west one thousand nine hundred and eleven feet with the west side of the said new road to the beginning.

Sec. 2. That at said election all qualified voters residing within the boundaries set out on section one of this act and who shall register for said election shall be entitled to vote. The call of election board of aldermen shall at a special meeting to be held in the office of the mayor of the city of Statesville, at eight o'clock
p. m., on Monday night, the fourth day of June, one thousand nine hundred and seventeen, by resolution call said election to be held on said fourth day of September, one thousand nine hundred and seventeen, said election to be held at the polling places in the city of Statesville provided for holding the regular municipal elections in said city. The said resolution shall appoint two judges and a registrar for each one of the four wards of the city, and said registrars shall open their books on Monday, the ninth day of July, one thousand nine hundred and seventeen, and shall keep said books open until sundown on Saturday, the first day of September, one thousand nine hundred and seventeen, for the purpose of registering all voters residing within the boundaries set out in section one of this act, who may desire to vote in said election and who possess the qualifications required of voters in the general State elections. Said registrars shall all be at the respective polling places in said city on each Saturday during the period in which the registration books are required to be kept open, from nine o'clock a. m. until sundown, for the purpose of registering all qualified voters who present themselves for registration. On the day of said election said registered voters shall be subject to challenge to be passed upon and determined by the registrar and judges of election. At said election all voters in favor of the said extension shall cast a written or printed ballot bearing the words "For Extension," and all voters opposing said extension shall cast a written or printed ballot bearing the words "Against Extension." Said judges and the registrars shall at the close of said election count the ballots and make a written return over their hands of the result of said election in their respective wards to the city clerk and treasurer on or before twelve o'clock m. on Thursday, the sixth day of September, one thousand nine hundred and seventeen. At twelve o'clock m. on Thursday, the sixth day of September, one thousand nine hundred and seventeen, the board of aldermen shall canvass and declare the result of said election. If a majority of the qualified voters registered for said election shall vote the ballots having written or printed thereon "For Extension," then on and after the thirtieth day of April, one thousand nine hundred and eighteen, the corporate limits of the city of Statesville shall include and embrace all the territory embraced in the boundaries set out in section one of this act.

Sec. 3. That the city clerk and treasurer of the city of Statesville shall be required to publish in the Statesville Sentinel and the Landmark newspapers, published in the city of Statesville, for four consecutive weeks immediately following the passage of the resolution by the board of aldermen, a notice of said election, the time of holding the same, the voting places in the various
wards, the names of the registrars appointed by the board of aldermen, together with all essential parts of said resolution.

Sec. 4. In said election held under the provisions of this act Voting precincts. voters living within the present corporate limits of the city of Statesville shall vote at the following places in their respective wards, and the place of voting for all voters living outside the present corporate limits of the city of Statesville, but within the boundaries set out in section one of this act, shall be as follows:

(a) All outside voters living north of Broad Street and east of Center Street and the present Wilkesboro road shall register and vote in the polling place provided for voters in the First Ward.

(b) All outside voters living south of Broad Street and the Second ward, road forming the extension of said street and east of Center Street and the A. T. and O. Railroad shall register and vote in the polling place provided for voters in the Second Ward.

(c) All outside voters living west of Center Street and the Third ward, A. T. and O. Railroad and south of the Taylorsville road shall register and vote in the polling place provided for voters in the Third Ward.

(d) All outside voters living north of the Taylorsville road in Fourth ward, and west of Center Street shall register and vote in the polling place provided for voters in the Fourth Ward.

Sec. 5. If at the election held under the provisions of this act Wards if limits a majority of the registered votes shall be cast "For Extension," be extended, then the wards of the city of Statesville shall be described and defined as follows:

Ward One: All that part of the territory included in the boundaries set out in section one of this act, lying north of Broad Street and east of Center Street.

Ward Two: All that part of the territory included in the boundaries set out in section one of this act lying south of Broad Street and east of Center Street and the A. T. and O. Railroad.

Ward Three: All that part of the territory included in the boundaries set out in section one of this act lying west of Center Street and the A. T. and O. Railroad and south of a line with the center of Broad Street from the square west to Statesville Female College; thence north around the college building; thence with the center of Cherry Street to the point where the said line intersects with Patterson Street; thence with Patterson Street with the center of Front Street; thence with the center of Front street and the Taylorsville Road to the corporate limits.

Ward Four: All that part of the territory included in the boundaries set out in section one of this act lying west of Center Street and north of the line forming the northern boundary line of the Third Ward.
Law governing election.

Sec. 6. That the election held under this act shall be held under the rules and regulations prescribed by the general law of the State of North Carolina for the holding of municipal elections except as said rules and regulations may be changed by the provisions of this act.

Repealing clause.

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

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 176

AN ACT TO AMEND THE CHARTER OF THE TOWN OF GREENVILLE CHANGING THE CORPORATE LIMITS OF SAID TOWN.

The General Assembly of North Carolina do enact:

Corporate limits.

Section 1. That the corporate limits of the town of Greenville on the western end shall be enlarged by beginning at the Norfolk Southern Railroad on T. R. Moore's line and running up his eastern line to north side of old plank road, of Dickerson Avenue; thence eastwardly along Dickerson Avenue to the western side of Manhattan Street; thence along Manhattan Street to the northern side of Myrtle Avenue; thence along Myrtle Avenue to the old corporate line on said avenue, embracing and including all territory between this and the old line.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 177

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF WEST BLADENBORO IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Limits extended.

Section 1. That the corporate limits of the town of West Bladenboro, in Bladen County, be and they are hereby extended so as to include the following three tracts or territories:

First Tract. Beginning at a stake in the east edge of Bladenboro public road, corner of five-acre tract Bladenboro Cotton Mill now owns, and runs with said line north 76 east 4.45 chains to a stake, corner aforesaid tract; thence north 16 west with said
line 7 chains and 75 links to Pait's corner in said line; thence with said Pait line north 76 east 5.60 chains to a stake, Pait's corner; thence north 16 west with a ditch, Pait's line 3 chains, and .58 to Pait's corner in R. M. Hilburn's line; thence north 76 east 11 chains and .90 links with Hilburn line to a stake in R. M. Hilburn's line; thence south 16 east 13 chains and .58 with Ferguson line to a stake; thence south 76 west 21.95 chains to a stake in the east edge of said road; thence north 16 east 2.25 chains to the beginning, containing 22 3/4 acres of land.

Second Tract. Beginning at the eighth corner of the first tract described and runs with said line north 76 east 4.45 chains to a stake in said line; thence south 16 east 2.71 chains to a stake; thence south 76 west 4.45 chains to a stake in the edge of said road; thence with said road north 16 west 2.71 chains to the beginning, containing 1.2 acres of land.

Third Tract. Beginning at a stake, J. P. Hester's corner, in the cotton mill's line and runs with Hester's line north 16 1/2 west 5.52 chains to a stake, R. M. Hilburn's corner; thence north 76 east 5.76 chains with Hilburn's line to a stake in same; thence south 16 east 11.40 chains to a stake; thence south 76 west 4.72 chains to a stake in the edge of said road the cotton mill's line; thence with said line north 16 west 5.40 chains to a stake corner of said cotton mill's tract of land; thence with said line north 83 west 1.22' chains to the beginning, containing 5.6 acres, more or less.

Sec. 2. That the said additional and extended territory shall be a part of the town of West Bladenboro, and shall be subject to all the rules, regulations, and ordinances which now or may hereafter exist in and for the town of West Bladenboro, and subject to all the provisions set forth in chapter one hundred and seventy-five of the Private Laws of one thousand nine hundred and thirteen, just as if the same were originally included in the boundary of the original charter of said town.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 178

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF ELLENBORO.

The General Assembly of North Carolina do enact:

SECTION 1. That the following territory be included in the corporate limits of the town of Ellenboro: Begins at a stake in present corporate line, which is south 47 west 40.00 chains
from the Ellenboro depot, and runs south 47 west 70.00 chains to a stake northwest of overhead signal and twenty-four feet from railroad cut; then south 71½ east 65.50 chains to a stake south of Southern Railway and on east side of branch; thence north 12 east 62.50 chains to a stake in old corporate line, which is one-half mile from the Seaboard Air Line depot; thence a curved line to the right, whose radius is 40.00 chains, to the place of beginning.

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

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 179

AN ACT TO AMEND CHAPTER 101 OF THE PRIVATE LAWS OF 1903, CREATING TRYON GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

Section 1. That section six of chapter one hundred and one of the Private Laws of one thousand nine hundred and three be amended by striking out all of said section and adding in lieu thereof the following: "That for the purposes of this act there is created a board of school commissioners of said district, and this board shall consist of five members, divided into two classes, one consisting of three members, whose term of office shall expire at the end of two years from their election, and one consisting of two members, whose term shall expire at the end of four years from their election."

Sec. 2. That section seven of chapter one hundred and one of the Private Laws of one thousand nine hundred and three be amended by striking out all of said section and adding in lieu thereof the following: "That on the first Tuesday in May, one thousand nine hundred and seventeen, and biennially thereafter, an election shall be held at the polling place in said district for the purpose of electing such school commissioners; at the first election five of such commissioners shall be elected, three for two years and two for four years, and biennially thereafter such as whose term will expire at the date of such election, for the long and short terms as the terms expire. In the event of any vacancy on the said board the remaining commissioners shall elect a commissioner or commissioners to fill such vacancy or vacancies until the next general election, when a commissioner or commissioners shall be elected to fill the unexpired term. All
such elections shall be conducted by the judges and poll-holders selected or appointed for the municipal elections of the town of Tryon, but such elections shall be conducted according to the provisions of this act and of the general school law. The present commissioners of said graded school district shall hold office until their successors are elected as provided for by this act.

Sec. 3. 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 5th day of March, A. D. 1917.

CHAPTER 180

AN ACT TO ALTER AND CHANGE THE BOUNDARY LINES OF THE CITY OF WINSTON-SALEM.

The General Assembly of North Carolina do enact:

Section 1. That the charter of the city of Winston-Salem, being chapter one hundred and eighty of the Private Laws of the General Assembly of one thousand nine hundred and fifteen, be and the same is hereby amended as follows:

That section two thereof be stricken out and the following inserted in lieu thereof as section two of said charter:

“That the corporate boundary lines of the city of Winston-Salem shall be as follows, to wit: Beginning at the bridge on the Belews Creek road over Brushy Fork Creek; thence up the westerly side of Brushy Fork Creek as it meanders to a point, the corner of Home Real Estate, Loan, Insurance Company and W. D. Temples; thence north five degrees sixteen minutes (5 degrees 16 minutes) east five hundred and forty (540) feet to an iron; thence north thirty-nine degrees, forty-four minutes (39 degrees 44 minutes) west eight hundred and twelve (812) feet to an iron; thence north twenty-one degrees, thirty-four minutes (21 degrees 34 minutes) west eight hundred twenty-five (825) feet to an iron; thence north eighty-nine degrees, four minutes (89 degrees 4 minutes) west eight hundred thirty-four (834) feet to an iron; thence north seven (7 degrees) west two thousand one hundred and eighty-two (2,182) feet to an iron in the south side of Fourteenth Street; thence along the south side of Fourteenth Street north sixty-one degrees, fifty-one minutes (61 degrees 51 minutes) west two hundred and thirty (230) feet to an iron; thence north five degrees, twenty-one minutes (5 degrees 21 minutes) west three thousand seven hundred twenty-two (3,722) feet to an iron; thence north seventy-six...
degrees, one minute (76 degrees 1 minute) west three hundred sixty-five (365) feet to an iron, the present northeast corporation corner of the city of Winston-Salem; thence north seventy-nine degrees and thirty-five minutes (79 degrees 35 minutes) west two thousand one hundred and eighty and three-tenths (2,180.3) feet to the center line of the siding of the Norfolk and Western Railway Company; thence north forty-nine degrees and fifteen minutes (49 degrees 15 minutes) west two thousand nine hundred and seventy-four (2,974) feet to the southeast corner of the Old Fair Ground tract on the west side of Patterson Avenue (Depot Street), the same being the north side of a ten-foot alley or drive; thence with the north side of drive and where the south fence of the Old Fair Ground formerly stood south eighty-nine degrees and no minutes (89 degrees 0 minutes) west one thousand and seventeen and eight-tenths (1,017.8) feet to an iron in the line where the west fence of the Old Fair Ground formerly stood; thence approximately parallel to Patterson Avenue (Depot Street) south one degree and fifty-five minutes (1 degree 55 minutes) west four thousand two hundred and forty-one and two-tenths (4,241.2) feet to a point in a field adjoining the Old Water-works tract, referenced by an iron south eighty-eight degrees and five minutes (88 degrees 5 minutes) east seventy-seven and eighty-four one-hundredths (77.84) feet from the point (iron being near a fence); thence south thirty-one degrees and fifty-five minutes (31 degrees 55 minutes) west two thousand seven hundred and forty and ninety-five one-hundredths (2,740.95) feet to an iron north of the abattoir, in line of the face extended, and fifty-three and six-tenths (53.6) feet from the northeast corner; thence north eighty-nine degrees (89 degrees) west five thousand five hundred and five and six-tenths (5,505.6) feet to an iron on the east side of Bethania road; thence with the east side of the Bethania and Brookstown roads to the right of way of the North Carolina Midland Railway Company; thence in a southwesterly direction with the right of way of the said railway company to a point where the said right of way intersects with the old Shallowford road at the overhead bridge on said road, the said place being known as Atwood Hill; thence with the north side of the Old Shallowford road in a south-easterly direction to the easterly side of Peter's Creek; thence in a southeasterly direction down the easterly side of Peter's Creek as it meanders to the Paper Mill bridge over Peter's Creek; thence south sixty-four degrees and thirty minutes (64 degrees 30 minutes) east eight hundred and fifty-two and seven-tenths (852.7) feet to an iron on the north side of Academy Street and in the old corporation line; thence south five degrees and thirty-five minutes (5 degrees 35 minutes) east two thousand two hundred and thirty-eight and seven-tenths (2,238.7) feet to an iron
in the field; thence north eighty-four degrees and twenty-five minutes (84 degrees and 25 minutes) east one thousand three hundred and twenty (1,320) feet to a stake in a field; thence south five degrees and thirty-five minutes (5 degrees 35 minutes) east seven hundred and sixty (760) feet, more or less, to the northerly side of Salem Creek; thence up the northerly side of Salem Creek as it meanders to the mouth of Brushy Fork Creek; thence up the westerly side of Brushy Fork Creek as it meanders to the bridge over said creek at the Belews Creek road, the point of beginning.

Sec. 2. That all acts and parts of acts in conflict with this Repealing clause, amendment be and the same are hereby repealed.

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

Ratified this the 5th day of March, A. D. 1917.

CHAPTER 181

AN ACT TO REPEAL HOUSE BILL 492, SENATE BILL 491, OF THE SESSION OF 1917, RELATIVE TO ALLOWING BOARD OF ALDERMEN OF TOWN OF HILLSBORO TO REMOVE BODIES AND SELL PRESENT SITE OF COLORED CEMETERY.

The General Assembly of North Carolina do enact:

SECTION 1. That House bill four hundred and ninety-two, Sen. Law repealed. bill four hundred and ninety-one, passed at the session of nineteen hundred and seventeen of the General Assembly of North Carolina, be and the same is hereby repealed.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 182

AN ACT FOR THE RELIEF OF WILLIAM M. NORMAN.

Whereas William M. Norman, now nineteen years of age, while Preamble. engaged in the performance of his duties on the farm owned by the State at Blantyre in Transylvania County, on January fourth, one thousand nine hundred and fifteen, was irreparably injured by having his right arm torn off by a corn shredder, so that he has been rendered unable to earn his living; and whereas the Preamble. board of agriculture is without authority to grant relief; and,
Preamble.

whereas the said Board of Agriculture has disposed of said farm at a large profit over the purchase price thereof, and has a large part of said money on hand: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the Board of Agriculture be and it is hereby authorized and directed forthwith to furnish said William M. Norman a four-year course at Cullowhee Training School and actual living expenses while a student at said school, not to exceed in amount two hundred and fifty dollars per year.

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

Ratified this the 6th day of March, A.D. 1917.

CHAPTER 183

AN ACT AMENDATORY OF THE ACT ESTABLISHING THE GUILFORD GRADED SCHOOL, GUILFORD COUNTY, IN 1901.

The General Assembly of North Carolina do enact:

Section 1. That the word “graded” in said title is hereby changed to “high,” and wherever in the original act or subsequent amendments thereto the word “graded” occurs, the word “high” is substituted therefor.

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

Ratified this the 6th day of March, A.D. 1917.

CHAPTER 184

AN ACT TO RATIFY THE $5,000 SCHOOLHOUSE BOND ISSUE OF DISTRICT No. 4, WHITE, LIMESTONE TOWNSHIP, KNOWN AS BEULAVILLE SPECIAL-TAX DISTRICT, IN DUPLIN COUNTY.

Preamble.

Whereas, on the third day of April, one thousand nine hundred and sixteen, pursuant to chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen, upon petition of the board of education of Duplin County, the board of commissioners of Duplin County ordered an election to be held on the thirteenth day of May, one thousand nine hundred and sixteen in District Number Four, White, Limestone Township, Duplin County, North Carolina, known as Beulaville Special-tax District, bounded as follows: Beginning at the Miller bridge on
Limestone Creek; thence with the road to Beulaville road; thence down the Beulaville road to A. C. Sandlin's to an old path leading by J. G. Bostic's to Mr. Carroll's; thence with said old path to the Muddy Creek road; thence with the Muddy Creek road to Hanty Branch; thence down the Hanty Branch to Muddy Creek; thence with said creek to J. S. Thomas's line; thence with his line to Bryant Thomas's line; thence with his line to Muddy Creek; thence up Muddy Creek to Haystack Branch; thence up said branch to the Haw Branch public road; thence with the said road to Taylor's Branch; thence down Taylor's Branch to Limestone Creek; thence down the creek to the beginning. Said election to ascertain whether the voters of said district were in favor of issuing bonds in the sum of five thousand dollars ($5,000) bearing interest at the rate of six per centum, payable semiannually, to run not over fifteen years, to be paid by levying a tax in said district of thirty cents on the one hundred dollars valuation of property and ninety cents on the poll, said bonds to be used for the purpose of building, rebuilding, and repairing schoolhouses in said district, as provided for in said act of the General Assembly; and, whereas said election was regularly held on said day, and said bond issue was duly approved by a majority of the qualified registered voters of said district, and whereas the board of commissioners of Duplin County did on the first day of January, one thousand nine hundred and seventeen, pursuant to request of the county board of education of Duplin County, order said bonds to be issued bearing date of the first day of January, one thousand nine hundred and seventeen, with interest from said date at six per centum, payable semiannually, in the denomination and due on the following dates, to wit: First bond, in the denomination of seven hundred and fifty dollars ($750), due and payable on the first day of January, one thousand nine hundred and seventeen; second bond, in the denomination of five hundred dollars ($500), due and payable on the first day of January, one thousand nine hundred and eighteen; third bond, in the denomination of five hundred and twenty-five dollars ($525), due and payable on the first day of January, one thousand nine hundred and nineteen; fourth bond, in the denomination of five hundred and twenty-five dollars ($525), due and payable on the first day of January, one thousand nine hundred and twenty; fifth bond, in the denomination of six hundred dollars ($600), due and payable on the first day of January, one thousand nine hundred and twenty-one; sixth bond, in the denomination of six hundred and fifty dollars ($650), due and payable on the first day of January, one thousand nine hundred and twenty-two; seventh bond, in the denomination of seven hundred dollars ($700), due and payable on the first day of January, one thousand nine hundred and
Bond issue legalized.

Execution and delivery of bonds.

Special tax.

Repealing clause.

twenty-three; and the eighth bond, in the denomination of seven hundred and fifty dollars ($750), due and payable on the first day of January, one thousand nine hundred and twenty-four, and ordered the same to be delivered to the board of education of Duplin County, to be disposed of according to law; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the said five thousand dollars ($5,000) bond issue of said District Number Four, white, Limestone Township, Duplin County, known as Beulaville Special-tax District, authorized by an order of the board of commissioners of Duplin County on the third day of April, one thousand nine hundred and sixteen, upon petition of the board of education of Duplin County, and heretofore referred to in the preamble of this act, be and the same is hereby in all respects legalized, ratified, and confirmed; and the board of commissioners of Duplin County is hereby authorized and empowered to prepare, execute, and deliver said bonds to the board of education of Duplin County, as provided by law, and the said board of commissioners of Duplin County is hereby authorized and directed to levy an annual special tax in said district of thirty cents on the one hundred dollars valuation of property and ninety cents on the poll, for the purpose of paying the principal of the said bonds at maturity and interest thereon as it becomes due; and the said bonds when issued and sold shall become binding obligations of said special-tax district to the amount of principal and interest of said bonds.

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

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 185

AN ACT TO ABOLISH THE MUNICIPAL CORPORATION OF WALNUT, MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the municipal corporation of Walnut, Madison County, North Carolina, be and the same is hereby abolished.

Sec. 2. That chapter one hundred and fifty-nine of the Private Laws of one thousand nine hundred and fifteen, creating the municipality of Walnut, be and the same is hereby repealed.
SEC. 3. That for the protection of the schools and churches located at Walnut, the sheriff of Madison County is hereby authorized and required to appoint a special deputy sheriff, who shall be a man of good moral character and who shall reside at Walnut.

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

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 186

AN ACT TO AMEND CHAPTER 341, PRIVATE LAWS OF NORTH CAROLINA, SESSION 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That section one hundred and twenty-four of chap. Penalties rescinded.
ter three hundred and forty-one of the Private Laws of North Carolina, session one thousand nine hundred and fifteen, be amended by striking out all after the word "collector" in line four of section one hundred and twenty-four, down to the word "provided" in line sixteen of said section.

SEC. 2. That this act shall be in force from and after July When act effective.
first, one thousand nine hundred and seventeen.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 187

AN ACT FOR THE RELIEF OF W. M. WALKER, CLERK OF THE COURT OF CUMBERLAND COUNTY, AND THE SURETIES ON HIS OFFICIAL BOND.

Whereas W. M. Walker, the clerk of the Superior Court of Cumberland County, on the twenty-fourth day of January, one thousand nine hundred and sixteen, deposited with the Fourth National Bank of Fayetteville, North Carolina, the sum of six hundred forty-nine dollars and thirty cents ($649.30), which he had collected subsequent to the first Monday in January, of one thousand nine hundred and sixteen, as inheritance tax due the State of North Carolina by certain parties and estates of the county of Cumberland, State of North Carolina; and whereas, Preamble. under chapter two hundred and eighty-five of the Public Acts of North Carolina, session one thousand nine hundred and fif-
Preamble.

Preamble.

Preamble.

Preamble.

Preamble.

Payment and assignment.

Receipt in full.

Liabilities released.

teen, and section twenty-one thereof, the clerks of the several courts of the counties of the State of North Carolina were required to pay over the funds collected as inheritance tax on the first Monday of the succeeding month after the collections were paid to the clerks of the court; and whereas the first Monday succeeding the collection of this fund by W. M. Walker, as clerk of the Superior Court of Cumberland County, was February seventh, one thousand nine hundred and sixteen; and whereas the said W. M. Walker, as clerk of the court, had no intimation nor reason to believe that the Fourth National Bank of the city of Fayetteville was insolvent or in imminent danger of becoming so, and deposited said funds in said bank in good faith; and whereas, on the third day of February, one thousand nine hundred and sixteen, which was four days before the time in which the statute permitted him to settle with the State of North Carolina for said inheritance tax, the Fourth National Bank of Fayetteville was closed by the National Bank examiner, and not permitted to do further business; and whereas the said W. M. Walker did faithfully and honestly fulfill the duties of his office in collecting said tax according to law, except in so much as he was unable to do by reason of the failure of said bank four days before he could have made his return on the payment thereof to the State Treasurer of North Carolina under the act aforesaid; and whereas the receiver of the Fourth National Bank of Fayetteville has paid a dividend of fifty per cent to the depositors in said bank; and whereas the said W. M. Walker, clerk of the Superior Court of Cumberland County, now has on hand the sum of three hundred and twenty-four dollars and sixty-five cents, being the dividend paid by the receiver of said bank, and it appears that there is the likelihood of the receiver of said bank paying additional dividends on the amount owed to said bank:

The General Assembly of North Carolina do enact:

Section 1. That the said W. M. Walker shall pay to the Treasurer of the State of North Carolina the amount of the funds that he now has on hand, and assign to the Treasurer of the State of North Carolina on behalf of the State of North Carolina all claims against the Fourth National Bank of Fayetteville, or its receiver, by virtue of the remaining part of said deposit now unpaid, accompanied by a transfer, conveyance, and proper assignment to that effect.

Sec. 2. That thereupon the said Treasurer of the State of North Carolina is hereby authorized to issue to said W. M. Walker, clerk of the Superior Court of Cumberland County, receipt in full for the amount of the tax as above stated, and upon the issuance of said receipt the said W. M. Walker, clerk...
of the Superior Court of Cumberland County, and the sureties on his bond as such, shall be and they are hereby relieved from all liability by virtue of the tax aforesaid.

Sec. 3. That all future dividends paid by said bank after the future dividends, assignment of said claim by the said clerk to the Treasurer of the State shall be collected by the Treasurer of the State and credited to his account.

Sec. 4. All laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 5. This law shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 188

AN ACT TO PROVIDE FOR THE PAYMENT OF A PENSION WARRANT ISSUED TO MRS. SARAH H. BROWN OF ONSLOW COUNTY TO THE SON OF SAID PENSIONER.

The General Assembly of North Carolina do enact:

Section 1. That the State Treasurer be and he is hereby authorized and directed to pay pension warrant number four thousand two hundred and six, issued for the year nineteen hundred and sixteen to Mrs. Sarah H. Brown of Onslow County, to Ephriam Brown, son of said deceased pensioner.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 189

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF AYDEN IN PITT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred and sixty-seven of the Private Laws of North Carolina of one thousand nine hundred and thirteen be amended by striking out all boundaries as set forth in said chapter, that conflict with the following boundaries, which following boundaries shall hereafter be the corporate limits and boundaries of the town of Ayden, to wit:

Beginning at an iron post on J. S. Harts land 65 feet east from the center of the right of way of the Atlantic Coast Line Railroad; thence 300 feet east to a point parallel with Blount Street;
thence south to the original line; thence with the original line to a point at the east end of Third Street; thence south 300 feet; thence a westerly course parallel with Third Street to a point opposite the eastern boundary of Ayden Cemetery; thence a direct course to the southeast corner of said cemetery; thence a south westerly course to the east end of the alley between M. F. Sumrell's land and R. C. Cannon and C. L. Tyson; thence with said alley to the Ayden-Grifton road; thence a southerly course with said road to Jessie Hart, Jr., line; thence a westerly course with said Hart's line and Mrs. J. J. Smith's line to the northeast corner of the Jessie Garris land; thence a westerly course with said Garris line and F. S. Harris south line to the Ayden-Snow Hill road; thence a westerly course with said road to Harrison-ton Avenue; thence with said avenue north to Sixth Street; thence westerly with said street to Juanita Avenue; thence north with said avenue to a ditch on the west side of said avenue; thence a northwestwardly course with said ditch to Laurinburg Street; thence north with said street to Second Street; thence a northeastwardly course direct to the northwest corner of the original line, said corner being at a pine tree as shown on the charter as amended by the General Assembly of one thousand nine hundred and thirteen; thence with said line, as amended, to the beginning.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 190

AN ACT TO AMEND THE CHARTER OF THE CITY OF WINSTON-SALEM, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the charter of the city of Winston-Salem, it being chapter one hundred and eighty (180) of the Private Laws of one thousand nine hundred and fifteen (1915), be and the same is hereby amended by adding at the end of section two the following: "Provided, that on the petition of at least twenty-five per cent of the voters of any territory adjacent to the foregoing, presented in writing to the board of aldermen of said city of Winston-Salem, asking that said contiguous territory be taken in the corporated limits of said city of Winston-Salem, the board of aldermen may, by resolution, define the territory to be annexed and may order an election to be held in said adjacent territory; that the appointment of registrars and judges to hold said election, the advertisement thereof, the holding of
said election and canvassing of the returns, and all other matters pertaining to said election shall be as provided by law for the holding of bond elections of said city; the city shall also furnish ballots, size to be defined by it, on which shall be written or printed the words ‘For Annexation,’ or ‘Against Annexation’; and should, at said election, a majority of the voters resident in said territory and qualified to vote for members of the General Assembly, vote for ‘For Annexation,’ the board of aldermen shall so declare, and thereupon said territory shall be a part of the said city and subject to the government thereof as fully and to the same extent as the original territory described in section two amended.”

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 full force and effect from and after its ratification.

Ratified this the 6th day of March, A. D. 1917.

AN ACT TO AMEND THE CHARTER OF SNOW HILL.

The General Assembly of North Carolina do enact:

Section 1. That the mayor and the board of commissioners of the town of Snow Hill, out of any funds available from bonds sold or from other available funds, shall have full power and authority to grade, pave, macadamize, and otherwise improve for travel and drainage the streets of said town and to construct sidewalks, pave the same and put down crossings, curbings, and cross-drains, and otherwise properly improve them.

Sec. 2. In order to more effectually carry out the authority now existing and by this act delegated, to improve the streets and sidewalks of said town, the said mayor and board of commissioners shall have the right to assess not exceeding three-fourths of the cost of grading, paving, and otherwise improving the sidewalks of said town and necessary curbing for the same, on the real estate abutting on the streets and on the side of the streets on which sidewalks are so improved, and each lot shall be charged with its ratable proportion of said assessment according to its frontage.

Sec. 3. In order to more effectually carry out the authority now existing and by this act delegated, to improve the streets and sidewalks of said town, the mayor and the board of commissioners shall have the right to assess not exceeding one-third of the cost of grading, paving, macadamizing, constructing side-drains, cross-drains, and all other necessary drains and
crossings, or otherwise improving the roadway or street proper, on the real estate abutting on each side of the street so improved or repaired, and each lot shall be charged with its ratable proportion of said assessment according to its frontage.

SEC. 4. That every owner of a lot, or person having as great an interest therein as a lease for three years, which shall front any street on which a sidewalk has been established, shall improve in such manner as the mayor and board of commissioners may direct such sidewalk as far as it may extend along such lot, and on failure to do so within twenty days after notice by the town government to said owner, or, if he be a nonresident of the county of Greene, to his agent, or if such nonresident have no agent in Greene County, then after publication of a notice by the board of commissioners for ten days in some newspaper published in Greene County, calling on the owner to make such repairs, the commissioners may cause the same to be repaired, either with brick, gravel, or other material, at their discretion, and the cost thereof may be assessed upon said property and entered upon the tax lists of said town against said property.

SEC. 5. The amount of such assessments for the improvement of the streets and sidewalks as authorized in the three preceding sections on each piece of real estate or lot shall be and constitute a lien upon said property, and the same may be collected either in the same manner that other taxes are collected or by an action instituted in the name of the town of Snow Hill against said owner in the Superior Court of Greene County in the nature of an action of foreclosure, in which action judgment may be taken for the sale of said property to satisfy the amount due said town from the owner thereof as aforesaid.

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 192

AN ACT TO ENLARGE THE CORPORATE LIMITS OF THE TOWN OF GREENVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That the incorporate limits of the town of Greenville shall be enlarged so as to include the territory between the old line and the line hereinafter recited, as follows: "Beginning on the southern side of the Washington and Greenville road on the line between the Munford and Johnson property, and being the old town line; thence with the said southern side of the said road to the eastern side of Biltmore Street; thence
along the said eastern side of said Biltmore Street southwardly
to and across Fifth Street to the present old line.”

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 193

AN ACT TO AMEND CHAPTER 16, PRIVATE LAWS OF 1903,
INCORPORATING CHARLOTTE CARNEGIE PUBLIC LIBRARY.

The General Assembly of North Carolina do enact:

Section 1. That section five of chapter sixteen, Private Laws of nineteen hundred and three, be and the same is hereby amended by striking out the words “the General Assembly of this State and,” in the last clause of said section, so as to make said clause read: “It shall not have the power to sell and convey its real Conveyance of estate without the assent of the board of aldermen of the city of Charlotte.”

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

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

Ratified this the 6th day of March, A. D. 1917.

CHAPTER 194


The General Assembly of North Carolina do enact:

Section 1. Amend section one, House bill number seven, Senate bill number one hundred and sixty-seven, of the Private Laws of one thousand nine hundred and seventeen, relating to special laws of Durham, by striking out the words in the latter part of said section: “the mayor or any other city official or employee or any other.”

Sec. 2. That if this act or any part of this act should be con-
strued to be unconstitutional, it shall not have the effect of in-
validating any other laws or clauses of law.

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

Ratified this the 7th day of March, A. D. 1917.
CHAPTER 195

AN ACT FOR THE RELIEF OF M. C. STANLEY FOR INJURY SUSTAINED WHILE GRATUITOUSLY AIDING THE PASQUOTANK HIGHWAY COMMISSION.

Whereas M. C. Stanley was seriously injured while voluntarily helping to construct the highway of Pasquotank County, and said assistance given by said Stanley was without compensation; and that whereas the injury sustained by said Stanley is apparently permanent and said injury has rendered the said M. C. Stanley helpless so far as the use of one of his legs is concerned: Now, therefore, for the reason above set out,

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Pasquotank County be and they are hereby authorized and empowered to pay to M. C. Stanley, for a period of two (2) years from March first, one thousand nine hundred and seventeen, the sum of ten dollars ($10) per month, payable on the first day of each month, beginning with March first, one thousand nine hundred and seventeen.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 196

AN ACT TO REPEAL HOUSE BILL 182, SENATE BILL 326, OF THE GENERAL ASSEMBLY OF 1917, IT BEING AN ACT RELATING TO THE CHARTER OF THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

Section 1. That an act entitled "An act to amend chapter one hundred and sixty-nine of the Private Laws of one thousand nine hundred and fifteen," relating to the charter of the city of High Point, ratified on the ninth day of January, one thousand nine hundred and seventeen, and being House bill one hundred and eighty-two, Senate bill fifty-nine. session of nineteen hundred and seventeen, be and the same is hereby repealed.

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

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

Ratified this the 7th day of March, A. D. 1917.
CHAPTER 197

AN ACT TO AMEND SECTION 1, CHAPTER 17 OF THE PRIVATE LAWS OF 1911, RELATING TO THE CORPORATE LIMITS OF THE TOWN OF MARBLE IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the corporate limits of Marble as set out in section one of chapter seventeen of the Private Laws of North Carolina, session one thousand nine hundred and eleven, be changed so as to conform to the following survey, to wit: Starting in line of number fifty-one, and District Number Six, on bank of State road and running with same to the corner of number fifty-four, thence with line of number fifty-four east direction to Valley River.

Sec. 2. All laws in conflict with this act are hereby repealed.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 198

AN ACT TO AMEND THE CHARTER OF THE TOWN OF WINTERVILLE, PITT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That upon the petition of the majority of the property owners, both in running foot frontage and signers along any one street, the board of aldermen of Winterville shall borrow such money as is necessary to build a paved sidewalk, with curbing, along said street, and build a drainway and improve said street. The expense of the sidewalk to be taxed against the adjacent property, and the expense of improving the said street, with curbing and drainway, shall be divided one-third to the property owner on each side and one-third to be borne by the town, which the expense of said improvements, with interest, shall be a lien against the adjacent property, and shall be collected in ten installments, as all other taxes.

Sec. 2. That all property owners shall be required to connect all drains into drainways provided by the town, the expense of the connections to be borne by the property owner, but installed by the town, and collected as provided above.

Sec. 3. That the board of aldermen shall have power and authority to condemn and require property owners to remove
all such buildings, trash and garbage as shall become a nuisance, fire-traps or sources of disease, and shall have authority to require all property owners to fill holes and cover drains, with authority to condemn and open up streets and crossways and all authority that is necessary to protect the health and safety of the town, and impose proper penalties for the enforcement of ordinances, in compliance with this purpose.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 199

AN ACT TO REGULATE THE SALE OF SOFT DRINKS, CIDER, ETC., AT THE ANNUAL MASONIC PICNIC IN HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm, or corporation to offer for sale within one mile of the Stony Creek Picnic Grounds in Ahoskie Township, Hertford County, on the day of the annual Masonic Picnic, any food, fruits, confectioneries, cider, or other drinks of any kind whatsoever, without the written permission of the Masonic committee in charge of said picnic.

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

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 200

AN ACT TO INCREASE PUBLIC EDUCATIONAL FACILITIES IN SCHOOL DISTRICT No. 2, WHITE RACE, HOUSE'S CREEK TOWNSHIP, WAKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the county board of education of Wake County shall build a new schoolhouse in School District Number Two, white race, House's Creek Township, in Wake County, under such rules and regulations as it may adopt.
Sec. 2. That the county board of education of Wake County may maintain two schools for the white race in said School District Number Two, white race, House's Creek Township, Wake County, and shall have the power to designate which of said schools the children of said district shall attend.

Sec. 3. That so much of section four thousand one hundred and twenty-nine of the Revised of one thousand nine hundred and five, and the laws of North Carolina amendatory thereof, as provide that the county board of education shall establish no new school in any township within less than three miles by the nearest traveled route of some school already established in said township, shall not apply to said School District Number Two, white race, House's Creek Township, Wake County, North Carolina.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 201

AN ACT TO RATIFY AND MAKE EFFECTIVE AN AGREEMENT BETWEEN SPECIAL SCHOOL-TAX DISTRICT OF BILTMORE, WEST CHAPEL, AND GASH’S CREEK SPECIAL SCHOOL-TAX DISTRICTS IN BUNCOMBE COUNTY.

Whereas the following agreement was entered into March eighth, one thousand nine hundred and sixteen, by and between the school committeemen of Biltmore School District, West Chapel School District, and Gash's Creek School District, in the county of Buncombe, which agreement is in words and figures as follows:

1. That the board of education of Buncombe County be requested to allot the Biltmore general school fund to West Chapel and Gash’s Creek districts as it may be required.

2. That any pupil from West Chapel and Gash’s Creek School District above the seventh grade may attend the Biltmore school free of tuition.

3. That said general school fund mentioned in paragraph one be equally divided between West Chapel and Gash’s Creek School districts: Provided, that the board of education may vary the allotted amount, except that neither of these school districts receive more than sixty per cent of this fund.

4. That Biltmore District agrees to operate an automobile truck for West Chapel and Gash’s Creek High School pupils, and to transport them to and from the Biltmore school free of 21—Priv.
charge: Provided, that said truck be operated within a reasonable walking distance of pupils, not beyond John Sorrells'.

5. That the chairman of the board of education and Mr. J. P. Kitchen, draft a bill asking the Legislature to give the board of education the power to carry out these provisions: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the county board of education of Buncombe County is hereby authorized and fully empowered to apportion the school funds so as to effect said agreement, and the county board of education is hereby fully empowered to carry out the above agreement in good faith according to its tenor and terms, and the county board of education is hereby given the necessary power to carry out the spirit and purpose of said agreement.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 202

AN ACT TO PROVIDE FOR THE PAYMENT OF CERTAIN INDEBTEDNESS OF LILLINGTON HIGH SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of trustees of Lillington High School District be and they are hereby authorized to issue in their corporate name interest-bearing certificates of indebtedness, maturing serially over a period of not exceeding five years, for a gross amount of not more than five thousand dollars; and out of the proceeds derived from the sale of such certificates of indebtedness to pay any indebtedness that has been incurred by said board of trustees of Lillington High School District for necessary expenses in providing buildings, equipment, and purchase of land for carrying on the work of the schools of said district.

Sec. 2. That the said board of trustees of Lillington High School District are authorized and directed to pay the interest and principal of said certificates of indebtedness as they shall severally mature out of the current income of said district as now provided by law: Provided, that not more than fifteen hundred dollars of said funds in any one school year shall be used for said purpose.
Sec. 3. That all laws and clauses of laws in conflict with the Repealing clause, provisions of this act, in so far as they conflict, are hereby repealed.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 203

AN ACT TO REIMBURSE MRS. NOLAN KNIGHT FOR AMOUNT EXPENDED BY HER IN THE CASE OF STATE v. MRS. NOLAN KNIGHT.

The General Assembly of North Carolina do enact:

SECTION 1. That the State Treasurer be and he is hereby authorized to pay Mrs. Nolan Knight the sum of forty-nine and sixty-five one hundredths dollars out of any unappropriated funds in his hands, for the purpose of reimbursing her for the amounts paid out in fees for her commission as notary public and costs in testing the constitutionality of the act of the General Assembly of North Carolina.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 204

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF TODD IN ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the corporate limits of the town of Todd, in Ashe County, be extended so as to include all the territory in a circle within a radius of one-half a mile in every direction from the depot of the Virginia-Carolina Railway in that town.

Sec. 2. That the said additional and extended territory shall be a part of the town of Todd and shall be subject to all the rules, regulations, and ordinances which now or may hereafter exist in and for the town of Todd, and subject to all the provisions set forth in the original charter of said town and all amendments thereto, just as if the same were originally included in the boundary of the original charter of said town.

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

Ratified this the 7th day of March, A. D. 1917.
CHAPTER 205

AN ACT TO AMEND CHAPTER 173 OF THE PRIVATE LAWS OF 1909, RELATIVE TO THE TOWN OF STANTONSBURG IN THE COUNTY OF WILSON.

The General Assembly of North Carolina do enact:

Section 1. That that part of section five of chapter one hundred and seventy-three, Private Laws of one thousand nine hundred and nine, which refers to and follows that section of the general law as outlined in section two thousand nine hundred and twenty-four of the Revisal of one thousand nine hundred and five, relative to the amount of taxes to be levied by municipal corporations, be and is hereby amended in so far as it applied to the town of Stantonsburg, and no farther, by striking out the words “fifty cents” in line three of section two thousand nine hundred and twenty-four of the Revisal of one thousand nine hundred and five and inserting in lieu thereof the words “sixty-six and two-thirds cents,” and by striking out the words “one dollar and fifty cents” in lines three and four of this section and inserting in lieu thereof the words “two dollars”; said section as herein amended reading as follows: “The board of commissioners may annually levy and cause to be collected for municipal purposes a tax not exceeding sixty-six and two-thirds cents on the hundred dollars, and two dollars on each poll, on all persons and property within the corporation which may be liable to taxation for State and county purposes, etc.”

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

Ratified this the 7th day of March, A.D. 1917.

CHAPTER 206

AN ACT TO INCORPORATE THE BATTLE OF KINGS MOUNTAIN MEMORIAL ASSOCIATION.

Preamble. Whereas the citizens of the town of Kings Mountain and vicinity aim to perpetuate the memory of the victory of the American patriots at the Battle of Kings Mountain in the decisive conflict of October seventh, one thousand seven hundred and eighty, “which turned the tide of battle in favor of the American Colonies,” and to celebrate publicly from time to time the said victory, and otherwise carry into execution the educational and patriotic purposes for which the said association is formed, its members desire a corporate existence: Now, therefore,
The General Assembly of North Carolina do enact:

SECTION 1. That W. A. Ridenhour, F. E. Finger, C. K. Bell, R. L. Mauney, L. A. Kiser, M. E. Herndon, J. B. Thomasson, J. R. Davis, and H. T. Fulton, together with their associates and successors, are hereby formed into an incorporate body, with its principal at Kings Mountain, N. C.

Incorporation. Principal office.

Sec. 2. That the name of said corporation shall be "The Battle of Kings Mountain Memorial Association," and that by said name it shall have perpetual succession, with the rights, privileges, immunities, and powers incident to or belonging to corporations under the law.

Corporate name. Corporate powers.

Sec. 3. That said corporation may, by purchase, devise, gift or bequest, take and hold such real estate and all such personal property as may be deemed by its members or directors necessary or in any way conducive to the interest, welfare, and purposes of said corporation, and may sell and convey the same at pleasure: Provided, however, that any or all of aforesaid property shall not be held or used for personal or individual gain or profit, but shall be for civic and patriotic purposes only.

Power to purchase and hold property. Proviso: Uses of property.

Sec. 4. That the said corporation shall adopt such constitution and by-laws as it may deem proper, and change or modify the same from time to time, in order to further the purposes and aims of the association.

Constitution and by-laws.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 207

AN ACT TO AUTHORIZE THE BOARD OF TOWN COMMISSIONERS OF AURORA TO ISSUE BONDS FOR WATER, SEWERAGE, AND STREET PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of Aurora is authorized and empowered to issue bonds in an amount not exceeding twenty-five thousand dollars, for water, sewerage, and street purposes.

Bond issue authorized. Amount and purpose.

Sec. 2. That said bonds shall bear interest from the date of issue at a rate not exceeding six per cent per annum, to be due and payable semiannually on the first days of January and July of each year. Such bonds shall be in denominations of one hundred dollars or multiples thereof. Said bonds shall be issued in the name of the town of Aurora and be made payable to bearer at a time to be fixed by the said board of commissioners and Interest. Denominations. Maturity.
Authentication. named therein, not to be more than thirty years from the date thereof. Such bonds and coupons shall be numbered and shall be signed by the mayor of the town and countersigned by its clerk, and have the corporate seal of the town attached thereto; and the coupons thereto attached shall bear a fasimile signature of the mayor of the town engraved or lithographed thereon; that a record shall be kept of said bonds, showing the numbers and denominations thereof, when the same shall mature, and the interest-bearing rate thereof; the amount received from the sale of the same, and any other data in relation thereto that may be ordered kept by the board of commissioners.

Sec. 3. That none of the bonds authorized by this act shall be disposed of either by sale, exchange, hypothecation, or otherwise, for a less price than par value. Nor shall said bonds or their proceeds be used for any other purposes than those declared in this act.

Sec. 4. That said bonds shall not be issued until authorized by a majority of the qualified voters of the said town of Aurora at an election to be held on a date to be designated by the board of commissioners of said town, at any time after the ratification of this act prior to May the first, one thousand nine hundred and seventeen. At such election those qualified voters favoring the issuance of said bonds for water, sewerage, and street purposes may vote a written or printed ballot containing the words "For Improvement Bonds"; and those who oppose the issuance of said bonds may vote a written or printed ballot containing the words "Against Improvement Bonds." Such election shall be held after thirty days notice published in some newspaper of Beaufort County. That the result of said election, stating the number of votes cast for bonds and the number of votes cast against bonds, shall be certified to the register of deeds of Beaufort County and to the mayor of the town of Aurora by the registrar and judges of said election; such certificates shall be made and forwarded within forty-eight hours after the closing of the books for said election. Such returns shall be recorded by the register of deeds in his office.

Sec. 5. That the said election shall be conducted under the same rules, regulations, and penalties as are provided by law for the election of members of the General Assembly, except as herein otherwise provided. The registrars and judges for holding such election shall be appointed by the board of town commissioners of said town prior to the publication of the said notice of election. There shall be an entirely new registration of voters, under the provisions of the general election laws of the State, of all voters who are entitled to register in said town of Aurora, and only such persons who register under the provisions of this act shall be entitled to vote in said election. The registration books shall be
open for ten consecutive secular days next preceding the Saturday before the holding of the election, and said Saturday next before holding said election shall be challenge day, and all challenges shall be heard and determined by the registrar and judges of election; but challenges may be made, heard, and determined on election day.

SEC. 6. That the board of commissioners of said town shall have authority to purchase and condemn property for the purposes herein expressed, and to hold such real estate and to acquire all such rights and privileges as may be deemed necessary for the improvement and extension of the water, sewerage, and street systems of said town.

SEC. 7. That for the purposes aforesaid the commissioners shall have the authority to enter upon the lands of all persons for the purpose of constructing, erecting, and maintaining the improvements herein set forth, and to make all surveys, drains, and to do such other things as may be necessary to carry into effect the provisions of this act.

SEC. 8. That the said board of commissioners of the town of Aurora shall levy a tax on all the taxable property and polls, observing the constitutional equation, within the said town, annually, sufficient to pay the interest on said bonds as the same shall fall due, and to provide a sinking fund for the redemption of said bonds at maturity.

SEC. 9. That the sinking fund set aside each year shall be invested in such securities as may be approved by a majority of the members of the said board acting at any regular meeting thereof.

SEC. 10. That if at the election herein provided for a majority of the qualified voters of the said town of Aurora shall vote "For Improvement Bonds," then the board of commissioners of said town shall issue such bonds in accordance with the provisions of this act. Should a majority of the ballots cast at said election be "Against Improvement Bonds," then and in that instance no bonds shall be issued on authority of this act.

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

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 208

AN ACT TO PLACE CERTAIN PERSONS ON THE CONFEDERATE PENSION ROLL.

The General Assembly of North Carolina do enact:

SECTION 1. That the pension board of Mitchell County are hereby authorized and directed to place the name of James R. Huskin of Mitchell County on the pension rolls of his county.
SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 7th day of March, A. D. 1917.

CHAPTER 209

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE RAEFORD GRADED AND HIGH SCHOOL DISTRICT TO ISSUE BONDS IN THE SUM OF $10,000 FOR THE ERECTION OF A SCHOOL BUILDING AND TO PROVIDE FOR THE PAYMENT OF SAID BONDS BY TAXATION.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of erecting a public school building in the Raeford Graded and High School District the board of trustees of said district are hereby authorized and empowered to issue bonds of said district, not to exceed the sum of ten thousand dollars, to draw a rate of interest not to exceed six per centum per annum, and to mature at such time or times and to be payable at such place or places and to be in such denominations as the said board of trustees may determine.

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 Hoke are hereby authorized and empowered to levy annually on property and polls taxable in said district a special tax of sufficient sum to pay the interest on said bonds as it becomes due and the principal at maturity.

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 of levying a special tax as provided for in this act, the board of county commissioners of the said county of Hoke, upon request of the board of trustees of said district, shall order an election to be held in said district on a day certain and shall duly advertise the same for at least thirty days immediately preceding said day certain, and if said board of commissioners deem it advisable, a new registration shall be had of the voters in said district for the purposes of said election. Those who favor the purpose of this act shall vote a ticket with the words “For School Bonds”
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.

Sec. 6. That the board of county commissioners of the said county of Hoke, in case the bond issue is approved by the voters as aforesaid, shall levy annually the special tax provided for in section three of this act, the levy to be made at the time of the levy of the county tax, commencing with the fiscal year beginning next after the approval of the bond issue by the voters at the aforementioned election.

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

Ratified this the 7th day of March, A. D. 1917.
State of North Carolina,
Office of Secretary of State.

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

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this 18th day of May, in the year of our Lord 1917.

J. Bryan Grimes,
[Official Seal]
Secretary of State.
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