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CHAPTER 1
AN ACT REGULATING THE COMPENSATION OF COTTON WEIGHER FOR MONROE, UNION COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That the Cotton Weigher for Monroe, Union County, North Carolina, shall only receive eight cents per bale as compensation for the weighing of cotton by him as public weigher.

Sec. 2. That cotton buyers who buy cotton on the cotton market of Monroe, Union County, North Carolina, shall pay one-half of the eight cents to the Cotton Weigher and the seller shall pay one-half of the eight cents per bale to the Cotton Weigher of Monroe, Union County, North Carolina.

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 That all laws and clauses of law in conflict with this act are hereby repealed.

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

Ratified this the 20th day of January, A.D., 1931.

CHAPTER 2
AN ACT REGARDING THE ELECTION OF COTTON WEIGHER FOR MONROE, UNION COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That all electors residing in Lanes Creek Township, Union County, North Carolina, shall have the right to vote in the Primary and General Election for the nomination and election for Cotton Weigher for Monroe, North Carolina.
SEC. 2. That all electors residing within the boundary formerly for the election of Cotton Weigher for the town of Wingate, Union County, North Carolina, shall be transferred and allowed to vote in the Primary and General Election for Cotton Weigher for Monroe, Union County, North Carolina.

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 That all laws and clauses of laws in conflict herewith are repealed.

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

Ratified this the 20th day of January, A.D., 1931.

CHAPTER 3

AN ACT TO AMEND CHAPTER ONE HUNDRED AND NINETY-ONE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN, FOR THE RELIEF OF CERTAIN CITIZENS OF THE INCORPORATED TOWN OF BENTON HEIGHTS, UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-one, Private Laws of one thousand nine hundred and twenty-seven, be amended by adding at the end of section one thereof the following: "Provided, that where transfer of any said abutting property was made since the paving of said highway, the person or persons who owned the abutting property at the time of the passage of this act, bought by private purchase, shall receive the amount paid by the State for the paving in front of said property."

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

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

Ratified this the 30th day of January, A.D., 1931.

CHAPTER 4

AN ACT TO REPEAL CHAPTER EIGHTY-SEVEN, PRIVATE LAWS, ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN, AND TO PROVIDE FOR THE ELECTION OF A MAYOR AND FOUR ALDERMEN FOR THE TOWN OF EAST SPENCER.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eighty-seven, Private Laws, one thousand nine hundred and twenty-seven, be and the same is hereby repealed.
AN ACT TO AMEND CHAPTER FOUR HUNDRED THIRTY-FIVE OF THE PRIVATE LAWS OF NORTH CAROLINA OF ONE THOUSAND NINE HUNDRED THIRTEEN, AND CHAPTER TWO HUNDRED THREE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-ONE, PERTAINING TO THE CHARTER OF THE TOWN OF BEAUFORT.

The General Assembly of North Carolina do enact:

SECTION 1. That sub-section two of Section fifty-three of Chapter four hundred and thirty-five of the Private Laws of North Carolina of nineteen hundred and thirteen be and the same is hereby amended by striking out the word "June" in lines one and three of said sub-section twenty-one and inserting in lieu thereof the word "July."

SEC. 2. That section one of Chapter two hundred and three of the Private Laws of North Carolina, one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out all of said section from the first word "That" in line five of said section to and including the word "services" in line thirteen of said section, and substituting in lieu thereof the following:

"That the commissioners shall form one body, and a majority of them shall constitute a quorum and be competent to perform all the duties prescribed for the commissioners, unless otherwise provided. On the first Monday in July after their election they shall convene for the transaction of business and organize and shall meet on the first Monday in every calendar month thereafter, at such hour as the commissioners may name for such meeting, and they shall be allowed the sum of five dollars per day for their said services."

Ch. 435, Private Laws 1913, amended, regarding Beaufort Town Charter.

Ch. 203, Private Laws 1921, likewise amended.

Duties of newly elected commissioners.

Regular meetings.

Compensation $5 per day.
Ch. 203, Private Laws 1921, again amended.

SEC. 3. That section three of Chapter two hundred and three of the Private Laws of one thousand nine hundred and twenty-one be further amended by striking out the words "twenty-one" in line two of said section and inserting in lieu thereof the words "thirty-one."

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

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

Ratified this the 5th day of February, A.D., 1931.

CHAPTER 6

AN ACT TO AMEND SECTION ONE OF CHAPTER ONE HUNDRED EIGHTY-NINE, PRIVATE LAWS, ONE THOUSAND NINE HUNDRED AND TWENTY-FIVE RELATING TO THE CRIMINAL JURISDICTION OF THE MAYOR OF FARMVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred eighty-nine of the Private Laws of one thousand nine hundred and twenty five, be and the same is hereby amended by striking out the period at the end of said section and adding the following: "and within one mile of the corporate limits of said town of Farmville."

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

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

Ratified this the 5th day of February, A.D., 1931.

CHAPTER 7

AN ACT TO EXTEND THE POWERS AND JURISDICTION OF POLICEMEN OF THE TOWNS OF BENTON HEIGHTS AND WEST MONROE IN UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the powers and jurisdiction of the policemen of the town of Benton Heights in Union County, North Carolina, be and the same are hereby extended for a distance of one mile from the corporate limits of said town on the west, north and east lines of the corporate limits of said town of Benton Heights.

SEC. 2. That the powers and jurisdiction of the policemen of the town of West Monroe in Union County, North Carolina, be and the same are hereby extended for a distance of one mile
from the corporate limits of said town on the south, west and
north line of the corporate limits of said town of West Monroe.

Sec. 3. That the policemen of the said towns of Benton
Heights and West Monroe, Union County, North Carolina, shall
have full power and authority to patrol all the above territory
for one mile outside of the corporate limits of said towns of
Benton Heights and West Monroe respectively, and to make all
arrests for the violation of the criminal laws of the State of
North Carolina therein and to execute all criminal processes
delivered to them and make due returns thereof to the court
from which same were issued.

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

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

Ratified this the 10th day of February, A. D. 1931.

CHAPTER 8

AN ACT TO AMEND CHAPTER NINETY-SIX OF THE
PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED
AND THIRTEEN OF NORTH CAROLINA, RELATING
TO THE CHARTER OF THE CITY OF GASTONIA, CRE-
ATING AND ESTABLISHING A MUNICIPAL COURT
FOR THE CITY OF GASTONIA IN THE COUNTY OF
GASTON AND TO PRESCRIBE THE JURISDICTION
AND PROCEEDINGS OF THE SAID COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That Section six of an Act entitled “An Act
to amend the Charter of the Town of Gastonia, and to create
and establish a Municipal Court for the City of Gastonia in
Gaston County, and to prescribe the jurisdiction and proceedings
of said Court”, ratified February twenty-second, one thousand
nine hundred and thirteen, and known as Chapter ninety-six,
“Private Laws of one thousand nine hundred and thirteen”;
be and the same is hereby amended by striking the same out
and inserting in lieu thereof, the following: “Section 6. Said
Court shall have final, exclusive, original jurisdiction of all
misdemeanors occurring or committed within the corporate
limits of the City of Gastonia and within the boundaries of
Gastonia Township, as follows:

Carrying concealed weapons; gaming; keeping gambling
houses; keeping disorderly or bawdy houses; larceny, or receiv-
ing stolen goods, knowing them to be stolen, wherein the value
of the article or articles stolen do not exceed $20.00; failure
to list taxes; simple assault; assault and battery with a deadly

Increased authority of patrol, arrest and service of process.

Conflicting laws repealed.

Ch. 96, Private Laws 1913, amended as to Gastonia Munici-
pal Court.

Jurisdiction extended to township boundaries.

Jurisdiction of certain misdemeanors enumerated.
weapon, or when serious damage is done; assault upon a female; fornication and adultery; abandonment and non-support; cruelty to animals; resisting officers or resisting arrest; breaking jail or escape from prison; malicious injury to real or personal property; trespassing on lands after being forbidden; forcible trespass; temporary use of vehicles; enticing servants to leave masters; prostitution; indecent exposure of person; retailing spirituous liquors without a license; selling or giving away spirituous liquors to a minor; all violations of the motor vehicle laws and regulations now in force in the State of North Carolina, which constitute a misdemeanor, as defined in the law relating to the same, and any and all amendments and acts amendatory thereof; driving while under the influence of intoxicating liquor or narcotic drinks; all violations of the Prohibition Law now in force in the State of North Carolina, which constitute a misdemeanor, as defined in the law relating to the same, and any and all amendments and acts amendatory thereof; reckless driving; the selling or giving away cigarettes to a minor; obtaining advancements by false pretense; bastardy; disposing of mortgaged property; and all other crimes against the public health, as contained in the revision of one thousand nine hundred and five of North Carolina, inclusive of all misdemeanors, as contained in Chapter eighty-one of the revision of one thousand nine hundred and five of North Carolina, and acts amendatory thereof, where the punishment does not exceed a fine of $200.00 and imprisonment for one year; and all other crimes which, under the common law, are misdemeanors wherein the punishment is in the discretion of the Court. All of the foregoing offenses are hereby declared to be petty misdemeanors. Said Municipal Court shall also have final and exclusive, original jurisdiction in the territory included in the City of Gastonia, or within the bounds of Gastonia Township, as to criminal matters and proceedings arising under the laws of the State or ordinances of the City of Gastonia, wherein the Mayor or Justices of the Peace now or shall hereafter have jurisdiction."

Sec. 2. That Chapter ninety-six of the Private Laws of one thousand nine hundred and thirteen, be and the same is hereby amended as follows: By inserting after the word "Gastonia" and before the word "wherein" in line five in Section seven, the following words: "or within Gastonia Township"; and by adding in line two, Section ten, after the word "city" and before the word "in", the following words "or other salaried officer"; and by adding in line five, Section ten, after the word "city" and before the word "except" the following words "or other salaried officer"; and by striking out the words "one mile of the corporate" in line four of Section fourteen, and the word
"limits" in line five, Section fourteen, and by inserting in lieu thereof the following words "or Gastonia Township"; and by adding the words "and fifty cents" after the word "dollar" and before the word "for" in line six, Section eighteen; and by striking out the words "one dollar and fifty cents" in line nine of Section eighteen and by inserting in lieu thereof, the following words "two dollars"; and by striking out of lines twenty-one and twenty-two, Section nineteen, the words "six hundred" and inserting in lieu thereof, the words "fifteen hundred"; and by striking out of line fifteen, Section twenty, the words "eight hundred", and inserting in lieu thereof the words "three thousand"; and by striking out of line ten, Section four, the words "one thousand" and inserting in lieu thereof the words "three thousand"; and by adding the words "and in Gastonia Township" after the word "Gastonia" and before the word "in" in line two, Section thirty-one; and by adding after the word "thereof" in line five, Section thirty-one, the following words "the police officers of the City of Gastonia shall have the same power and authority to make arrest for the violation of the criminal law and to serve all process issuing from said Court within Gastonia Township that they now have in the City of Gastonia"; and by adding the words "desk sergeant" after the word "Judge" and before the word "for" in line two of Section eight.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed, and in the event that this Act, or any part thereof, for any reason shall be declared unconstitutional by any court of competent jurisdiction, the same shall not affect or repeal the Act or Acts now existing for the establishment of a Municipal Court in the City of Gastonia, North Carolina.

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

Ratified this the 10th day of February, A. D. 1931.

CHAPTER 9

AN ACT RELATIVE TO THE COLLECTION OF STREET ASSESSMENTS IN THE TOWN OF BESSEMER CITY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Bessemer City, North Carolina, are hereby authorized, empowered and directed to collect each and every matured installment, plus all accrued interest, of the street assessments heretofore levied by the governing body of said town against any property in the said town of Bessemer City for the pavement or other improvement of streets or sidewalks.
Not barred till December 31, 1940.

Conflicting laws repealed.

Sec. 2. That none of the installments of said street assessments, whether matured or unmatured, including the interest on the same, shall, for any reason whatsoever become barred from collection before the thirty-first day of December, nineteen hundred and forty.

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

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

Ratified this the 14th day of February, A. D. 1931.

CHAPTER 10

AN ACT TO CREATE A COMMISSIONER OF THE WILLOW DALE CEMETERY FUND FOR THE CITY OF GOLDSBORO, N. C.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Aldermen of the City of Goldsboro, shall, at its first meeting in May, nineteen hundred thirty-one, after the regular municipal election and every four years thereafter appoint some suitable person to be styled and to be known as "Commissioner of Willow Dale Cemetery Fund", who shall hold his office for a period of four years from the date of his appointment and until his successor is appointed and qualified. Such Commissioner shall give such bond as may be prescribed by the Board of Aldermen of the City of Goldsboro.

Sec. 2. That any person owning a lot in Willow Dale Cemetery, Goldsboro, N. C., may deliver to the Commissioner of Willow Dale Cemetery Fund a sum of money, a fair and continuous income from which, will, in the opinion of the Board of Aldermen of the City of Goldsboro, reasonably and perpetually maintain the lot so owned by such person and it shall be the duty of the Commissioner of Willow Dale Cemetery Fund to accept every such sum of money and thereupon invest the same in bonds of the United States of America and/or of the State of North Carolina, and the name of every such person who delivers a sum of money to said Commissioner of Willow Dale Cemetery Fund shall be immediately given to the Treasurer of Willow Dale Cemetery and the income from every such sum shall be paid over to the Treasurer of Willow Dale Cemetery by the Commissioner of Willow Dale Cemetery Fund quarterly or as soon as such income is received by such Commissioner.

Sec. 3. That the Treasurer of Willow Dale Cemetery shall furnish to the Superintendent of said Cemetery the name of every person who has delivered such sum of money for such
purpose to said Commissioner as soon as the name of such person has been given to said Treasurer by said Commissioner and thereupon it shall be the duty of said Superintendent to reasonably and perpetually clean and maintain the Cemetery lot of every such person.

Sec. 4. The words "clean" and "maintain" as herein used, mean and refer to the ground surface of the lot, the grass, bushes, shrubbery and trees thereon and does not apply or refer to any kind or class of improvement on such lot.

Sec. 5. That all laws, clauses or parts of laws, in conflict with this Act are hereby repealed.

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

Ratified this the 16th day of February, A. D. 1931.

CHAPTER 11

AN ACT TO REPEAL CHAPTER NUMBER FORTY OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-ONE, ENTITLED "AN ACT TO INCORPORATE THE FIRST BAPTIST CHURCH OF LINCOLNTON, NORTH CAROLINA, LINCOLN COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter (40) forty of the Private Laws of nineteen hundred twenty-one, be and the same is hereby repealed.

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

Ratified this the 16th day of February, A. D. 1931.

CHAPTER 12

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF TRUSTEES OF THE GREENVILLE GRADED SCHOOL DISTRICT TO CONVEY A CERTAIN LOT OF LAND TO THE TOWN OF GREENVILLE, PITTINGTON COUNTY.

Whereas, the board of trustees of the Greenville Graded School District are now in possession of, and have title to, a certain lot of land situated on the west side of Evans Street in the town of Greenville and known as the Academy property, and upon which the Sheppard Memorial Library now stands; and
 Whereas, through the munificence of Mr. Harper D. Sheppard a modern library building has been erected upon said lot and donated as a free library for the use of the people of Greenville and Pitt County; and

 Whereas, the maintenance of said library will be of great educational value, and it is to the best interest of the people of Greenville and Pitt County that said property shall be conveyed to the town of Greenville, which said town has agreed to maintain and support the said library for the use and benefit of the people of Greenville and Pitt County, now therefore

The General Assembly of North Carolina do enact:

SECTION 1. That the trustees of the Greenville Graded School District be, and they are hereby authorized and empowered to convey to the town of Greenville, by good and sufficient deed in fee simple, the said lot, tract, piece or parcel of land, the same being known as the Academy property, upon which lot the Sheppard Memorial Library now stands, and being situated on the west side of Evans Street in the town of Greenville, Pitt County.

SEC. 2. That upon the execution and delivery of deed for said property as aforesaid, full title in fee simple shall pass to and vest in the town of Greenville, and thereupon, the appropriate authorities of said town are authorized and empowered to maintain and support the said free public library, known as the Sheppard Memorial Library, for the use and benefit of the people of Greenville and Pitt County.

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

Ratified this the 19th day of February, A. D. 1931.

CHAPTER 13

AN ACT "TO REPEAL THE ACT CREATING THE ANDREWS POWER AND LIGHT COMMISSION FOR THE TOWN OF ANDREWS, NORTH CAROLINA", SAID ACT BEING CHAPTER NUMBER TWO HUNDRED FOURTEEN OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF THE SESSION OF ONE THOUSAND NINE HUNDRED TWENTY-SEVEN OF THE GENERAL ASSEMBLY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter number two hundred fourteen of the Public-Local Laws of North Carolina, which was enacted at the session of the General Assembly of one thousand nine hundred twenty-seven said act being entitled: "An act to
create the Andrews Power and Light Commission for the Town of Andrews, Cherokee County, North Carolina, and to authorize and define their duties" be and the same is hereby repealed.

SEC. 2. That all powers, duties and functions which were given by said act which is Chapter number two hundred fourteen of the Public-Local laws of North Carolina of the one thousand nine hundred twenty-seven General Assembly shall after the ratification of this act devolve upon and be performed by the Mayor and Board of Aldermen of the Town of Andrews, N. C.

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 19th day of February, A. D. 1931.

CHAPTER 14

AN ACT TO AMEND SECTION TEN, CHAPTER TWO HUNDRED TWENTY-FIVE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTEEN, RELATING TO THE KINGS MOUNTAIN GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact.

SECTION 1. That section ten, chapter two hundred and twenty-five of the Private Laws of North Carolina, one thousand nine hundred and thirteen, be repealed and the following enacted instead:

"Sec. 10. That the Board of Trustees of the Kings Mountain Graded School District shall be composed of five members and that the three members composing the Board at the present time shall serve until the expiration of their term of office, which will be in May, one thousand nine hundred and thirty-one, in May, one thousand nine hundred and thirty-three and in May, one thousand nine hundred and thirty-five, only one going out in each of said years; that the present Board of Trustees shall appoint two additional members to serve on the Board until the regular municipal election in the town of Kings Mountain in May, one thousand nine hundred and thirty-one, when there shall be elected three members, one of whom shall serve for a term of two years, one for a term of four years and one for a term of six years and at said election each member voted for shall be elected for a term that shall be designated on the ballot cast for him, whether for the two, four or six-year term and that at each biennial municipal election thereafter two members shall be elected for a six-year term except every sixth
year when only one member shall be elected for a six-year term. Any vacancies in such Board of Trustees shall be filled by appointment by the remaining members of such Board until the next regular municipal election when a member shall be elected to fill the unexpired term. And the Board of Trustees so elected shall have the powers and be charged with the duties now provided for by the law relating to the Kings Mountain Graded School District. The said Board of Trustees shall appoint a Treasurer to handle all moneys belonging to the Kings Mountain Graded School District and it shall be the duty of the Treasurer for the town of Kings Mountain to turn over to said Treasurer at the end of each month all money in the hands of said Town Treasurer belonging to said School District; that the Treasurer for said School Board shall be required to give a bond in some surety company approved by said Board of Trustees in a sum not less than five thousand dollars for the protection of said School District."

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

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

Ratified this the 19th day of February, A. D. 1931.

CHAPTER 15

AN ACT TO APPOINT A MEMBER OF THE BOARD OF WATER COMMISSIONERS OF THE CITY OF HENDERSONVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That pursuant to provisions contained in chapter one hundred and thirteen, pages one hundred and fifty to one hundred and fifty-nine of the Public-Local and Private Laws, entitled "AN ACT TO AMEND THE CHARTER OF THE CITY OF HENDERSONVILLE", ratified December nineteenth, one thousand nine hundred and twenty-one, William Reddin Kirk be and he is hereby re-elected and appointed a member of the Board of Water Commissioners of the City of Hendersonville for a term of six years. His term of office shall begin at the expiration of his present term to which he was elected by remaining board members upon resignation of K. G. Morris, former member, all as provided in the above-mentioned act.

SEC. 2. That all laws and parts of laws conflicting 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 20th day of February, A. D. 1931.
CHAPTER 16

AN ACT TO AMEND CHAPTER ONE HUNDRED AND SEVENTY-THREE, SECTION ONE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND SEVENTEEN, 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 seventy-three, Section one, of the Private Laws of one thousand nine hundred and seventeen, be and the same is hereby amended to read as follows: "That the corporate limits of the Town of Farmville, 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 Town of Farmville; thence north forty-one degrees forty minutes east along the said right-of-way line of the said Snow Hill branch of the Norfolk and Southern Railway one thousand two hundred feet to a staked corner located about sixty feet south of the section house of the said Norfolk and 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 line, seven hundred and fifty-six feet to a staked corner, said corner being on a line dividing the lands of M. T. Horton, deceased, and R. L. Davis; thence north thirty-eight degrees, fifty minutes east along said dividing line, between M. T. Horton, deceased, 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 said town; thence with the northerly line of Church Street south forty-six—forty-five east three hundred thirty-three feet to a stake on the R. L. Davis lands; thence through the said R. L. Davis lands north forty-two—forty east to an iron stake on the south side of Wilson Street; thence north thirty-four—twenty-five east through the Davis lands eight hundred and twenty-three feet to an iron stake on the northerly line of Grimmersburg Street, south fifty-three—twenty east two hundred and twenty-five feet to an iron stake at the southeast corner of said Grimmersburg Street and Cemetery Street; thence with the easterly line of said Cemetery
Street north thirty-seven east six hundred and thirty-four feet to an iron stake in the southerly line of the Hollywood Cemetery; thence with the southerly line of the said Hollywood Cemetery south fifty-four—twenty-five east two hundred feet to an iron stake at the southeast corner of said cemetery; thence with the easterly line of said cemetery north thirty-six—twenty-five east five hundred feet to an iron stake at the northeast corner of said cemetery; thence with the northerly line of said cemetery north forty-five—fifteen west six hundred and eighty-five feet to a stake on a big ditch in W. E. Murphey's line; thence through said W. E. Murphey's field north twenty-eight—twenty-five west seven hundred and eighty-three feet to an iron stake at the northeast corner of the Town old cemetery; thence on through W. E. Murphey's land and field north ten—twenty west nine hundred and thirty-eight feet to the southerly line of the Center Bluff road, leading out from Farmville, North Carolina, to Center Bluff on the Tar River; thence with the southerly and easterly line of said road south sixty-two—thirty-five west one hundred and twenty-six feet, south fifty-two—forty west two hundred and thirty-six feet, south forty-four—twenty west four hundred and nineteen feet to the present corporate limits of said Town at the northerly end of Main Street; thence with the present corporation line north sixty-six—fifteen west, crossing the said Main Street and taking in the Doctor P. E. Jones residence five hundred and fifty feet to an iron stake at the intersection of Jones Street and Moore's lane; thence leaving the present corporation line and running through the lands known as the Lang land and the Belcher land north sixty-one—ten west eight hundred and forty-five feet, to the northeast corner of a tobacco barn; thence on through the said Belcher land north sixty-five—twenty west one thousand feet to a point in said field or lands; thence with a diagonal line across said field or land so as to take in the factories and buildings south sixty-four—forty west six hundred and eighty feet to the northerly line of Horne Street and in the present corporate limits line of said town; thence along and with the northerly line of said Horne Street extending westerly the present limits of said town north fifty-four—fifty west nine hundred and ninety-two feet, to a point on the westerly line of the East Carolina Railroad right-of-way and being the northwesterly corner of said town; thence along the westerly right-of-way line of said East Carolina Railroad, the present town limits south ten—twenty west one thousand one hundred and fifty feet to the southerly line of Church Street; thence with the southerly line of Church Street north forty-six—forty-five west seven hundred and twenty feet to an iron stake in the line of Mrs. Travis (May) Hooker's lands; thence with her line south
twelve—five west one thousand and twenty-three feet, to a pine tree (marked) in the dividing line between the said Mrs. Travis (May) Hooker and the Sheppard-DeVisconti (May) land; thence through said Tabitha DeVisconti (May) land south thirty-six east eight hundred and eighty feet, to the westerly right-of-way line of the said East Carolina Railroad right-of-way; thence along and with the westerly right-of-way line of the said East Carolina Railroad and with the present corporate limit line around with the several lines thereof back to the beginnings at the northeast corner of Church and Pitt Streets."

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

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

Ratified this the 21st day of February, A. D. 1931.

CHAPTER 17
AN ACT TO PROVIDE A PENSION FOR MRS. H. MACK GODWIN, WIDOW OF H. MACK GODWIN, LIEUTENANT OF PLAIN CLOTHES SQUAD OF THE CITY OF WILMINGTON, AND TO AUTHORIZE THE PAYMENT THEREOF BY THE BOARD OF COMMISSIONERS.

Whereas, H. Mack Godwin, Lieutenant of the plain clothes squad of the City of Wilmington Police Force, served efficiently and honorably as a police officer for a number of years; and

Whereas, in the performance of his duty the said Lieutenant Godwin received a wound from which he never recovered and which finally resulted in his death and that he left a widow and one small child; and

Whereas, the Board of Commissioners of the City of Wilmington have requested legislative authority for pensioning the widow of Lieutenant Godwin: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the City of Wilmington be and they are hereby authorized and empowered to pay to Mrs. H. Mack Godwin, widow of Lieutenant H. Mack Godwin, the sum of twenty-five dollars per month out of the general fund so long as she shall remain a widow.

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

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

Ratified this the 21st day of February, A. D. 1931.
CHAPTER 18

AN ACT RELATING TO THE APPLICATION AND INVESTMENT OF PROCEEDS OF SALE, IF MADE, OF THE ELECTRIC LIGHT AND POWER PLANT OF THE CITY OF LEXINGTON, DAVIDSON COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That in the event a sale shall be made of the Electric Light and Power Plant of the City of Lexington, in the manner provided by law for sales of municipal property, the proceeds from such sale shall be held and applied and invested by the Board of Commissioners of Lexington for the payment of outstanding bonds of the City of Lexington issued by the City for any purpose whatsoever, for the payment of said bonds and interest thereon as the same may mature and as hereinafter provided.

SEC. 2. That the Board of Commissioners of Lexington shall have the power to anticipate the maturity of any bonds, when it is provided in such bonds that payment thereof may be anticipated, and shall pay off the said bonds and retire the same with said funds as rapidly as may be lawfully done and said Board of Commissioners are also empowered to purchase any outstanding bonds that may be had for the payment of not more than the par value thereof, and upon such purchase the bonds so acquired shall be cancelled at once.

SEC. 3. That all of the proceeds from such sale that may not be used for the payment or retirement or purchase of such outstanding bonds of the City of Lexington as herein provided shall be invested by the Board of Commissioners either in bonds of the State of North Carolina or of the United States of America and the same used and applied together with the interest collected thereon to the payment or retirement of City of Lexington bonds as hereinbefore authorized, and after the entire bonded indebtedness of the City of Lexington has been paid off the surplus derived from such sale or from the investment of the proceeds thereof may be used by the Board of Commissioners of Lexington for any lawful municipal purpose. But debts due the City of Lexington for street and sidewalk assessments shall not be cancelled against abutting property owners.

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

Ratified this the 21st day of February, A. D. 1931.
CHAPTER 19

AN ACT AUTHORIZING THE TOWN OF GRAHAM TO RE-ASSESS THE COSTS OF PERMANENT STREET IMPROVEMENTS AGAINST CHURCH PROPERTIES ABUTTING THEREON.

The General Assembly of North Carolina do enact:

SECTION 1. That the Governing Body of the Town of Graham is hereby authorized and empowered to re-assess the costs of the construction of street and sidewalk construction, where such streets and sidewalks have been paved by the Town of Graham and the costs thereof assessed against the abutting property owners, in those cases where such costs have been assessed against the real properties abutting on such streets and sidewalks, which are used for church purposes, and on which church buildings are erected within the said Town.

SEC. 2. The said Governing Body of the Town of Graham in making such re-assessments against such church properties will take into consideration the original costs of such permanent improvements and the benefits of such permanent improvements to such church properties, and the accrued interest on the costs for such improvements, and it will then arrive at the balance owing on such improvements, and will re-determine the total amount that should be paid by and assessed against said church properties; provided, however, in no event shall the said amount so assessed be less than fifty per cent of the total costs of such permanent improvements abutting upon said church properties, as determined upon the lineal feet of frontage, and after taking into consideration the original costs plus interest from the time of the original assessment, less such payments as have been made thereon.

SEC. 3. That in the event the said Governing Body of the Town of Graham shall determine to re-assess the costs of said permanent improvements against any of such church properties, then when it shall have determined the amount to be re-assessed against such real property, the said Governing Body is hereby authorized and empowered to make said re-assessment, and to divide the same into equal annual installments, not to exceed ten in number, and to permit the said assessment to be paid in said annual installments, together with interest thereon from the date of such re-assessment until paid, at six per cent per annum, and such assessment shall constitute a first and prior lien on said real property, and in the event there are other outstanding liens of record against any such real property, at the time of making said re-assessment, then the lien of such
AN ACT TO ALLOW THE BOARD OF TRUSTEES OF THE WOODFIN SANITARY WATER AND SEWER DISTRICT TO AID IN RE-OPENING THE FARMERS AND TRADERS BANK, OF WEAVERVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Trustees of the Woodfin Sanitary Water and Sewer District be, and they are hereby authorized, in their discretion, to enter into a contract with the Farmers and Traders Bank, of Weaverville, in the event that said bank is permitted to re-open by the Corporation Commission, whereby the funds of said Woodfin Sanitary Water and Sewer District on deposit in said bank at the time of its suspension of business, may remain in said bank and not be withdrawn except at certain stated times and intervals to be mutually agreed upon by and between the Board of Directors of said bank and the Board of Trustees of said Woodfin Sanitary Water and Sewer District.

SECTION 2. That the Woodfin Sanitary Water and Sewer District shall retain the collateral and/or any guaranty it now holds securing its deposit in said bank at the time said bank suspended; provided, however, that as such collateral is collected by the said Woodfin Sanitary Water and Sewer District, the amount so collected shall be credited against the deposit for which the collateral was given as security; provided further, that nothing in this act shall relieve said bank, or any guarantors, upon any bond or contract heretofore executed to guarantee the deposits heretofore placed in said bank, nor shall it
relieve said bank from its duty to allow withdrawal of deposits in accordance with the terms and conditions of any contract which may be entered into pursuant to the provisions of this act.

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

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

Ratified this the 23rd day of February, A. D. 1931.

CHAPTER 21
AN ACT RELATIVE TO A CHANGE IN MONROE'S CITY GOVERNMENT.

The General Assembly of North Carolina do enact:

SECTION 1. The five wards of Monroe, numbers one, two, three, four and five respectively are hereby abolished as political divisions in so far as they are concerned as districts to be individually represented by an Alderman in each Ward.

SEC. 2. The number of Aldermen of the City of Monroe is hereby reduced from five to three in number to be elected at large from the qualified bona fide registered citizens of Monroe.

SEC. 3. The governing body of the City of Monroe shall consist of a Mayor and three Aldermen, to be elected by the duly qualified registered voters of Monroe, with a view of securing the best government. In the event a vacancy is created in the office of Mayor or of Aldermen by death, resignation or otherwise, the other members of the governing body shall at once call an election to be held within thirty days to select an official by popular vote to fill the said vacancy.

SEC. 4. The Mayor and the Board of Aldermen shall be required to meet once a month or oftener to discuss and attend to the city's business. The meeting shall be opened to all citizens of Monroe and shall be held at such place and time and in such manner that any and all citizens may attend. The cooperation of all citizens shall be sought in the interest of good government.

SEC. 5. The Mayor and the Board of Aldermen as a whole, shall constitute the Purchasing Agency of the City of Monroe. All purchases shall be audited and published monthly. The taxpayers of Monroe shall be given the benefit of all money saved in purchases. No rebates to Purchasing Agents shall be allowed; provided, that the Mayor and the Aldermen as a whole, may delegate purchasing power to some other duly authorized agent. In this case the said delegated Purchasing Agent shall
not accept rebates, and shall report all purchased items, duly invoiced, to the governing body, who in turn shall publish the same.

SEC. 6. An annual budget of receipts and expenditures shall be made and published.

SEC. 7. All sections and all provisions in the Charter of the City of Monroe which conflict in any way with this Amending Act are hereby repealed.

SEC. 8. This Act shall be in force on and after the day of its ratification.

Ratified this the 23rd day of February, A. D. 1931.

CHAPTER 22

AN ACT FOR THE RELIEF OF RESIDENTS OF ELIZABETH CITY AND REGULATING THE MANNER OF FIXING RATES FOR SEWER SERVICE.

The General Assembly of North Carolina do enact:

SECTION 1. That Section five of Chapter one hundred ninety-four of Private Laws of one thousand nine hundred and twenty-five be amended by adding at the end thereof the following:

Provided further, that the charge for sewer service shall not exceed fifty percentum of the charge for water service for the same or like premises.

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

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

Ratified this the 23rd day of February, A. D. 1931.

CHAPTER 23

AN ACT TO INCORPORATE THE TOWN OF HATTERAS IN DARE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Hatteras in the County of Dare, be and the same is hereby incorporated under the name and style of "Town of Hatteras," and it shall be subject to all the provisions of the laws of North Carolina now existing in reference to incorporated towns.

SEC. 2. The corporate limits of said town shall be and include all that certain territory in Hatteras Township, Dare County, known and designated as Hatteras School District; and that the boundaries of said school district shall be embraced within the corporate limits of said town of Hatteras.
Sec. 3. That the officers of said corporation shall consist of a mayor, three commissioners, and one town constable, to be elected by the qualified voters of said town upon and after the adoption of this corporate enactment, as hereinafter provided, by an election to be called and held by the County Board of Elections of Dare County, as soon as practicable thereafter, and said election to be called, held and governed by the general election laws of North Carolina; and that said mayor and commissioners elected at said election, and their successors in office, shall constitute a governing board of said town, and shall have the power and authority to designate and appoint such other officers as they deem necessary in the government of said town.

Sec. 4. That the tax rate on property and polls within said town shall be fixed by said governing board composed of said mayor and three commissioners, said tax rate on property not to exceed twelve cents on the one hundred dollars' valuation of property, and the poll tax to be comparable to the tax levy on property and within the constitutional limitation.

Sec. 5. That all elections for the election of the elective town officers, after the election herein provided for the first officers of said town, shall be held in said town on the first Saturday in May, one thousand nine hundred and thirty-two, and biennially thereafter, for the purpose of electing the officers provided for in this act: to wit, a mayor, three commissioners, and a town constable, said election to be held under the general election laws pertaining to towns and cities.

Sec. 6. That the mayor and commissioners shall constitute a governing body and form a council and make, publish and enforce such ordinances for the government of said town as they may deem wise and expedient, not inconsistent with the constitution and statutes of North Carolina.

Sec. 7. That the officers provided for by this act shall qualify within thirty days after their election, as herein provided for, before a Justice of the Peace or Clerk of the Superior Court of Dare County; and all officers hereafter elected shall qualify in like manner.

Sec. 8. That before this act shall become effective and operative, there shall be called and held an election in said Hatteras School District for the purpose of giving the qualified voters of said district the privilege of adopting or rejecting this act of incorporating the town of Hatteras; and for that purpose the County Board of Elections of Dare County is hereby authorized and directed to call said election under the general laws pertaining to elections in North Carolina; and preceding the holding of said election to cause a new registration of the qualified voters residing within said Hatteras School District, at
which election the said qualified voters of said school district, said school district being the purported territory to be embraced within the town limits of the town of Hatteras, will vote a ballot as follows: Those who favor the incorporation of the town of Hatteras shall cast a ballot upon which shall be written or printed the words "For Incorporation of the Town of Hatteras," and those opposed to incorporating the town of Hatteras shall cast a ballot upon which shall be written or printed the words "Against Incorporation of the Town of Hatteras"; and if a majority of the votes cast at said election be for incorporating the town of Hatteras, then this act shall be in full force and effect.

SEC. 9. That all laws and clauses of laws in conflict herewith are repealed.

SEC. 10. That this act shall become effective from and after its ratification.

Ratified this the 23rd day of February, A. D. 1931.

CHAPTER 24

AN ACT TO AMEND CHAPTER TWENTY-FIVE, PRIVATE LAWS, ONE THOUSAND NINE HUNDRED AND ELEVEN, INCORPORATING THE TOWN OF ELLERBE IN RICHMOND COUNTY AND TO PROVIDE FOR THE APPOINTMENT OF THE CHIEF OF POLICE BY THE GOVERNING BODY OF SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter twenty-five of the Private Laws of one thousand nine hundred and eleven, be and the same is hereby amended by striking out all of section four of said chapter and inserting in lieu thereof the following:

"Sec. 4. There shall be an election held for the offices of mayor and commissioners on the first Monday in May, one thousand nine hundred and thirty-one, and biennially thereafter, under the same rules and regulations that govern state and county elections and the mayor and commissioners shall appoint a registrar and two judges of election to conduct same, and provide for the registration of the voters in the corporate limits of the town. All persons qualified to vote for members of the General Assembly shall be allowed to register and vote in the town election. The mayor and commissioners immediately after their election and at their first meeting after their election and qualification, shall elect a town marshal for such term as they may determine and shall fix the compensation of said officer; provided, however, that the present marshal shall hold his office for the term for which he was elected."
SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 23rd day of February, A. D. 1931.

CHAPTER 25
AN ACT TO EXTEND THE CORPORATE LIMITS OF THE CITY OF REIDSVILLE, ROCKINGHAM COUNTY, AND TO PROVIDE FOR AN ELECTION TO DETERMINE THIS QUESTION.

The General Assembly of North Carolina do enact:

SECTION 1. That the inhabitants of the city of Reidsville, Rockingham County, as the boundaries and limits of said town are herein set forth and established, shall be and continue a body politic incorporate and as such, vested with all the property and rights of property which may now or hereafter belong to said city, and have all the power, rights and privileges conferred upon it by any general, special, public-local or private laws relating to such city.

SEC. 2. That the corporate limits of said city of Reidsville shall be as follows:

"Beginning at the southeast corner of Pennrose Park N. 49 deg. E. 4356' to an iron stake in new cemetery on the east of the Southern Railway; thence N. 30 deg. 15' east 1076' to a corner in fence back of Walker house; thence North 7 deg. 30' east 1453' to an iron cornering on the east side of the Stallings house; thence North 34 deg. east 4072', crossing on Lawsonville Avenue at a maple tree on the north side of Lawsonville Avenue; thence north 37 deg. 15' west 2397' to a corner on the south side of Hubbard Street extension; thence north 18 deg. 12' west 4800' to a stake on the west side of the old dirt road to Danville; thence north 73 deg. 00' west 3130' to a stake on the east side of the lower Leakesville Road (North Scales Street extension) near Stone's Store; thence south 69 deg. 30' west 2208' to a pine tree on the west side of street in the new Stokes development; thence south 58 deg. 40' west crossing a two-inch line 2623' to a corner in Carroll field near a ravine on the north side of Wentworth highway; thence south 5 deg. west crossing State Highway No. 54 and No. 48, 3238' to a stake on the south side of New Street in Ware's subdivision; thence south 26 deg. 30' west 3414' crossing old Wentworth Road west of old Anderson home; thence south 33 deg. 30' east 2866 feet to an iron pipe in Courtland.
Place; thence south 31 deg. 30' east crossing Richardsen Road to a pipe and corner in Pennrose Park 2567 feet; thence south 53 deg. east 333 feet to an iron stake on the southwest side of the old Hillsboro Road; thence south 45 deg. 30' east 268½ feet to a stake on the northeast side of old Hillsboro road; thence south 48 deg. 45' east to an iron stake on old Hillsboro Road 595 feet; thence south 44 deg. 45' east 138½' to an iron stake on old Hillsboro Road; thence south 44 deg. 30' east 231' crossing Trent Road to an iron stake on northeast side of old Hillsboro Road; thence south 36 deg. 30' east 100.5' to an iron stake on northeast side of old Hillsboro Road; thence south 37 deg. east 332' to an iron stake on northeast side of old Hillsboro Road; thence south 29 deg. 30' east 282' to an iron stake on northeast side of old Hillsboro Road; thence south 36 deg. 30' east 157' to a stake on old Hillsboro Road; thence south 54 deg. east 64' crossing branch to an iron stake on northeast side of old Hillsboro Road; thence south 83 deg. 30' east 174' to an iron stake on northeast side of old Hillsboro Road; thence south 50 deg. 30' east 377' to an iron stake on northeast side of old Hillsboro Road; thence south 37 deg. 30' east crossing the old Hillsboro Road 221' to an iron stake on southwest side of said road; thence south 23 deg. east 252' to an iron stake; thence south 4 deg. 30' east 429.9' to iron stake; thence south 70 deg. 30' east 215.3' to an iron stake; thence south 61 deg. 30' east 151.9' to point of beginning.

Provided, however, that the extension of the limits of said city so as to include all the area as described in this section shall be adopted by a vote of the people within said boundary lines at election to be held in the manner set out in this act.

SEC. 3. That the question of the extension of the corporate limits of the said city of Reidsville shall be submitted to the qualified voters of the territory set out and described in section two of this act, the same being the territory now within the limits of said city and that proposed to be annexed thereto, the said election to be held on Monday, the thirtieth day of March, one thousand nine hundred thirty-one, in accordance with the provisions of this act.

SEC. 4. That the city council of the said city of Reidsville is authorized and empowered to adopt an ordinance calling for an election in conformity with this act, the said ordinance to be published in a newspaper published in the city of Reidsville once a week for four weeks prior to said election. The said city council is also authorized, empowered and directed to provide for a new or special registration of the voters within said ter-
ritory, to designate the precinct or precincts and polling places for such election, and to name a registrar and two judges of election for each precinct.

SEC. 5. That the said city council shall print, prepare and distribute the necessary ballots for said election upon which shall be printed in appropriate places the words “for extension” and “against extension”. At the left of each there shall be printed a voting square, one above the other, and in which the voter may indicate his choice as being “for extension” or “against extension” by making a cross-mark as he may choose. At the top of the ballot shall be printed the following instructions:

1. To vote “Yes” on this proposition, make the cross-mark in the square to the left of the words “For extension”.

2. To vote “No” on this proposition, make a cross-mark in the square to the left of the words “Against extension”.

3. Mark only with a pencil or pen and ink.

4. If you tear or deface or wrongly mark this ballot, return and get another.

The said election shall be held under the provisions of the Australian Ballot Act, chapter one hundred sixty-four Public Laws of one thousand nine hundred twenty-nine, and generally under other appropriate provisions of law governing elections in cities and towns.

SEC. 6. The registrars and judges of election shall, upon the conclusion thereof, count and ascertain the result of the election in their respective precincts and make returns thereof to the city council of the city of Reidsville. The said council shall, upon the receipt of said returns and not later than the fifth day thereafter, at a meeting to be held for said purpose, canvass and judicially determine the result of the election upon the returns so made to it by such registrars and judges of election from the several election precincts.

SEC. 7. If a majority of the votes cast at such election shall be for extension, then from and after the declaration of the result thereof as so made by the city council of the city of Reidsville, the corporate limits of the said city of Reidsville shall be as described and set out in section two hereof, and the said territory so described, and its citizens and the property therein, shall in all respects be the city of Reidsville and be subject to all the laws, ordinances and regulations of said city at said time, and entitled to all the privileges and benefits as conferred upon said citizens by all laws, public, special, public-local or private, relating to said city. If a majority of the votes cast shall be against extension, there shall be no extension of the
In event election is lost, another may be called after six months.

This Act to apply to new election if called.

corporate limits as the result of said election, and the corporate limits of the said city of Reidsville shall be and remain as they were before the holding of said election.

SEC. 8. In the event a majority of the votes cast at said election shall be against extension, the question of the extension of the said city limits under the terms of this act shall not be again submitted to a vote within six months after the date of said election; but at any time or times after six months from the date of said election, the city council of Reidsville may, by ordinance duly adopted, call another election or elections for the purpose of resubmitting to the voters within said territory the question of an extension of the city limits, and if such other election or elections shall be called, the same shall be called, notice thereof given, registration had, the election held, the returns canvassed and the result declared, and all other details with respect to said election performed in accordance with the provisions of this act as hereinbefore set out with respect to the said first election.

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

Ratified this the 24th day of February, A. D. 1931.

CHAPTER 26

AN ACT TO AMEND THE CHARTER OF SILER CITY AS CONTAINED IN CHAPTER TWO HUNDRED AND EIGHT, PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED AND NINETY-NINE, FIXING THE PLACE FOR TAX SALES.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter two hundred and eight, Private Laws of one thousand eight hundred and ninety-nine, be amended by striking out all of said section following the word “provided” in line five thereof, and inserting in lieu thereof the following: “Any and all lands sold for taxes or street assessments shall be sold at the door of the Municipal building in said town”.

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

Ratified this the 24th day of February, A. D. 1931.
CHAPTER 27

"AN ACT TO AMEND CHAPTER TWO HUNDRED FOURTEEN OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED FIVE," BEING THE ChARTER OF THE TOWN OF SOUTHERN PINES.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter two hundred fourteen of the Private Laws of one thousand nine hundred five (being the charter of the Town of Southern Pines, amended, revised and consolidated), be, and hereby is, amended by striking out the word "Biennially" and inserting in lieu thereof the word "Annually"; and also by inserting after the words "First Monday in May", the following: "one thousand nine hundred thirty-one, and every two years thereafter".

SEC. 2. That section five of the chapter two hundred fourteen of the Private Laws of one thousand nine hundred five be, and hereby is, amended by striking out, in the first sentence thereof, the words "Each year", and inserting in lieu thereof the following: "one thousand nine hundred thirty-one, and every second year thereafter".

SEC. 3. That section twenty-two of chapter two hundred fourteen of the Private Laws of one thousand nine hundred five be, and hereby is, amended by striking out the words "One year" in the first sentence thereof, and inserting in lieu thereof the following: "Two years".

SEC. 4. That section twenty-three of chapter two hundred fourteen of the Private Laws of one thousand nine hundred five be, and hereby is amended by striking out, from the first sentence thereof, the words "One year", and inserting in lieu thereof the following: "Two years".

SEC. 5. That section twenty-four of chapter two hundred fourteen of the Private Laws of one thousand nine hundred five be, and hereby is, amended by striking out, from the first sentence thereof, the words "One year", and inserting in lieu thereof the following: "Two years".

SEC. 6. That section twenty-five of chapter two hundred fourteen of the Private Laws of one thousand nine hundred five be, and hereby is, amended by striking out, from the first sentence thereof, the words "One year", and inserting in lieu thereof the following: "Two years".

SEC. 7. That all laws and clauses of laws in conflict with this act, to the extent only of such conflict, be and hereby are repealed.

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

Ratified this the 25th day of February, A. D. 1931.
CHAPTER 28

AN ACT TO PREVENT THE WEIGHING OF COTTON IN BALES WITHIN THE CORPORATE LIMITS OF THE TOWN OF WAXHAW BY ANY OTHER PERSON EXCEPT THE OFFICIAL COTTON WEIGHER AT WAXHAW AND TO FIX THE CHARGE FOR WEIGHING COTTON IN MARSHVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any cotton buyer to buy cotton in bales, within the corporate limits of the town of Waxhaw, unless such cotton shall have been weighed by the cotton weigher provided for the town of Waxhaw under Chapter two hundred and sixty-two of the Public Laws of North Carolina, one thousand nine hundred and nine, or his assistant, or by some other cotton weigher provided by law, or his assistant.

SEC. 2. That any cotton buyer violating the provisions of Section one of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court.

SEC. 3. That the fee of the cotton weigher of Marshville, Union County, shall be twelve cents per bale for all cotton weighed by him.

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

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

Ratified this the 26th day of February, A.D. 1931.

CHAPTER 29

AN ACT TO AUTHORIZE THE MAYOR AND COMMISSIONERS OF THE TOWN OF KINGS MOUNTAIN, NORTH CAROLINA, TO SELL OR DONATE A VACANT LOT TO THE WOMAN'S CLUB.

The General Assembly of North Carolina do enact:

SECTION 1. That the Mayor and Board of Commissioners of the Town of Kings Mountain, North Carolina, are authorized and empowered to sell or donate to the Woman's Club of the Town of Kings Mountain a vacant lot off of the south side of the town lot now used for a city hall fronting on Piedmont Street in the town of Kings Mountain not exceeding forty feet front and running back one hundred and sixty-nine feet deep.

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

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

Ratified this the 27th day of February, A.D. 1931.
CHAPTER 30

AN ACT TO AMEND CHAPTER ONE HUNDRED AND FORTY-ONE OF PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND ONE, BY REPEALING SECTION SIX THEREOF RELATIVE TO THE ELECTION OF TRUSTEES FOR THE GRADED SCHOOLS OF THE TOWN OF ROCKINGHAM AND TO MAKE NEW PROVISION THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That Section six of Chapter one hundred forty-one of the Private Laws of one thousand nine hundred and one be and the same is hereby repealed.

SEC. 2. That the trustees of the graded schools of the Town of Rockingham who are now in office shall continue to hold office until the first Tuesday after the first Monday in May, one thousand nine hundred and thirty-one, at which time their term of office shall expire; and the said trustees of the Rockingham Graded Schools who are now in office shall not enter into any contract of employment with any teacher, superintendents or other person for the performance of any duties in said schools which duties are to be performed after June thirtieth, one thousand nine hundred and thirty-one. Any such contract entered into or attempted to be entered into by the said trustees in violation of this provision shall be null and void.

SEC. 3. That on the first Tuesday after the first Monday in May of the year one thousand nine hundred and thirty-one, at the time of the election of other municipal officers, there shall be elected two trustees for the Rockingham Graded Schools to serve for a period of four years, and three trustees to serve for a term of two years, and in order that there may be a majority of trustees for the said schools elected every two years thereafter, there shall be elected on the first Tuesday after the first Monday in May, one thousand nine hundred and thirty-three, and every two years thereafter, on the first Tuesday after the first Monday in May, two trustees for a period of four years and one trustee for a period of two years.

SEC. 4. That the said trustees as herein provided for shall have all the powers and authorities conferred upon the trustees of the Rockingham Graded Schools by Chapter one hundred and forty-one of the Private Laws of one thousand nine hundred and one, and amendments thereto, and as otherwise provided by law.

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

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

Ratified this the 27th day of February, A.D. 1931.

Ch. 141. Private Laws 1901. amended.

Rockingham Graded School Trustees to hold office till May, 1931.

No contracts to be made extending beyond that time.

Election of new Trustees in May, 1931.

Term of office.

Election in May, 1933.

Powers and duties of new Trustees.

Conflicting laws repealed.
CHAPTER 31

AN ACT TO IMPOSE THE DUTIES OF TAX COLLECTOR UPON THE SECRETARY-TREASURER OF THE TOWN OF SPRUCE PINE AND PROVIDE BOND THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the secretary-treasurer or any other bonded officer appointed by the Board of Aldermen of the town of Spruce Pine shall be and is hereby designated as tax collector for said town and all duties and powers now imposed and conferred by law upon the tax collector shall be imposed and conferred upon the secretary-treasurer or any other bonded officer appointed by the board of Aldermen.

SEC. 2. That the secretary-treasurer, as secretary-treasurer and tax collector or other person appointed by said Board of Aldermen, shall furnish bond for the faithful performance of his duties and for the proper accounting for all money received by him in an amount to be approved by the Board of Aldermen; the premium on said bond to be paid out of the general fund of the town.

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 28th day of February, A.D. 1931.

CHAPTER 32

AN ACT TO AMEND SECTION ONE, CHAPTER SEVENTY, PRIVATE LAWS, ONE THOUSAND NINE HUNDRED AND TWENTY-THREE, PROVIDING FOR THE ELECTION OF FIVE MEMBERS OF THE SCHOOL COMMITTEE FOR THE TOWN OF EAST SPENCER.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of Chapter seventy, Private Laws, one thousand nine hundred and twenty-three, be and the same is hereby amended by striking out the words: "The Board of Aldermen of the town of East Spencer shall elect or appoint" and inserting in lieu thereof the following: "That at the next election to be held for municipal officers in the town of East Spencer and biennially thereafter there shall be elected five persons who shall constitute the".

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

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

Ratified this the 28th day of February, A.D. 1931.
CHAPTER 33

AN ACT TO DECREASE THE NUMBER OF COMMISSIONERS OF THE TOWN OF BAILEY, NASH COUNTY, FROM FIVE TO THREE.

The General Assembly of North Carolina do enact:

SECTION 1. That at the next municipal election to be held in the town of Bailey, Nash County, and biennially thereafter, there shall be elected three commissioners of said town instead of five commissioners as heretofore, and said three commissioners, when duly elected and qualified, shall constitute the governing body of said town, having such powers and duties as provided for in the charter of said town, and as otherwise provided by law.

SEC. 2. That said commissioners shall receive as compensation for their services the sum of one hundred dollars each, per year, and said compensation shall be paid out of the treasury of said town, as in case of other expenditures.

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

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

Ratified this the 2nd day of March, A.D. 1931.

CHAPTER 34

AN ACT TO REQUIRE THE FILING OF CLAIMS WITH AND REGULATING ACTIONS AGAINST THE TOWN OF BLACK MOUNTAIN.

The General Assembly of North Carolina do enact:

SECTION 1. That no action shall be instituted or maintained against the Town of Black Mountain upon any claim or demand whatsoever of any kind or character, until the claimant shall have first presented his or her claim or demand in writing to the Board of Aldermen of said town and said Board of Aldermen shall have declined to pay or settle the same as presented, or for ten days after such presentation neglected to enter or cause to be entered upon its minutes its determination in regard thereto, but nothing herein contained shall be construed to prevent any statute of limitations from commencing to run at the time such claim accrued or demand arose, or in any manner interfere with its running.

Sec. 2. That no action for damages against the Town of Black Mountain of any character whatever to either person or property shall be instituted against said town, unless within ninety days after the happening or infliction of the injury com-
plained of, the complainant, his executors or administrators, shall have given notice to the Board of Aldermen 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 the happening or infliction of such injury or in any manner interfere with its running.

SEC. 3. All debts and liabilities of said town heretofore or hereafter contracted or incurred, shall be paid and discharged alone by taxation upon subjects properly taxable by it to the extent allowed by law, and no such debt or liability shall be subject to be levied upon or collected by execution against said town, or any property, real or personal, held by it, and no execution therefor shall issue against said town on any judgment obtained thereon.

SEC. 4. That said town shall not be required to make any bond for costs upon the institution of any civil action in the courts of the State of North Carolina, nor shall it be required to pay in advance any fees upon any lawsuit so instituted for issuance of summons, subpoena or other process, but that such costs shall be taxed upon rendition of judgment, and paid as judgment of the court in such case may direct.

SEC. 5. That all laws and clauses of laws in conflict herewith be and the same are hereby repealed.

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

Ratified this the 2nd day of March, A.D. 1931.

CHAPTER 35

AN ACT AMENDING CHAPTER ONE HUNDRED AND FIFTY-SIX OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE RELATING TO THE ESTABLISHING OF THE BOXING COMMISSION FOR THE CITY OF ASHEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That Section one of Chapter one hundred and fifty-six of the Private Laws of one thousand nine hundred and twenty-nine be amended by inserting the words "and wrestling" after the word "boxing" and before the word "commission" in line one of said section.

SEC. 2. That Section two of said chapter be amended by inserting the words "and wrestling" after the word "boxing" and before the word "commission" in line one of Section two.
of said act. That line four of Section two be amended by inserting the words "and wrestling" after the word "boxing" and before the word "exhibition". That line seven of said Section two be amended by inserting the word "wrestling" after the word "such" and before the word "match".

SEC. 3. That Section three, be and the same is hereby repealed, and there is inserted in lieu thereof the following:

"That it shall be lawful to engage in, manage, or promote boxing or wrestling exhibitions or matches in the city of Asheville: Provided, said boxing exhibit shall not exceed fifteen rounds in length: and Provided, further, that said wrestling match or boxing exhibition has the written consent and approval of the Wrestling and Boxing Commission."

SEC. 4. That Section four of said act be amended by inserting the word "wrestling" after the word "any" and just before the word "match" in line three of said section.

SEC. 5. That this act is to enlarge upon and not repeal any of the powers given to the said commission.

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

Ratified this the 2nd day of March, A.D. 1931.

CHAPTER 36

AN ACT TO REPEAL CHAPTER TWO HUNDRED NINE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-SEVEN, CREATING A POWER AND WATER COMMISSION FOR THE TOWN OF PLYMOUTH.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred nine of the Private Laws of one thousand nine hundred twenty-seven, creating a power and water commission for the town of Plymouth be and the same is hereby in all respects 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 2nd day of March, A.D. 1931.
CHAPTER 37
AN ACT TO AMEND THE CHARTER OF THE TOWN OF HIGHLANDS, MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section six, of Chapter one hundred fifty-six, of the Private Laws of North Carolina, Session of one thousand nine hundred one, entitled "An Act to Amend the Charter of the Town of Highlands, Macon County," be and the same is hereby amended by striking out of said Section, the following words, "Which sum shall be at least double the amount of the taxes levied the previous year."

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

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

Ratified this the 3rd day of March, A.D. 1931.

CHAPTER 38
AN ACT TO RESTORE THE CORPORATE LIMITS OF THE TOWN OF PEACHLAND IN ANSON COUNTY TO WHAT THEY WERE ORIGINALLY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter one hundred ten, Private Laws of North Carolina, Session of one thousand nine hundred nineteen be, and it is hereby, limits of Peachland repealed.

Sec. 2. ch. 197, Private Laws 1895, thus re-enacted. Conflicting laws repealed.

SECTION 2. That Section two of Chapter one hundred ninety-seven, Private Laws of one thousand eight hundred ninety-five be, and it is hereby, re-enacted.

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

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

Ratified this the 3rd day of March, A.D. 1931.

CHAPTER 39
AN ACT TO REPEAL AND ABROGATE THE CHARTER OF THE TOWN OF WEST SOUTHERN PINES IN MOORE COUNTY, AND TO ANNEX THE TERRITORY WITHIN THE TERRITORIAL LIMITS THEREOF TO THE TOWN OF SOUTHERN PINES.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred ten, Private Laws of one thousand nine hundred twenty-three, the same being "An act to incorporate the town of West Southern Pines in
Moore County", be, and the same is hereby, repealed, it being the purpose and intent of this section to abrogate the charter and terminate the existence of said municipality.

SEC. 2. That all the powers conferred upon any and all officers of said town of West Southern Pines by said Chapter two hundred ten Private Laws of one thousand and nine hundred twenty-three, or by any other acts of the General Assembly of this State, be, and they are hereby, terminated, and from and after the ratification of this act such officers shall have no further power or authority to perform any duties under, or conferred upon them by, said act or laws as such officers of said town of West Southern Pines.

SEC. 3. That the territory comprehended within the limits of said town of West Southern Pines as described and set out in Section two of said Chapter two hundred ten Private Laws of one thousand nine hundred twenty-three, together with certain small segments or sections of land adjacent and contiguous thereto, be, and the same is hereby, annexed to and made a part of the town of Southern Pines in Moore County, the said territory so annexed, which includes the territory embraced in said town of West Southern Pines, together with said additional territory is bounded and described as follows:

Beginning at a point in the present town line of Southern Pines, (being the center of the run of McDeed's Creek,) where the same is intersected by the Southwest line of Rhode Island Avenue, as shown upon the official Map of the Town of Southern Pines, and running thence:

(1) With said line of Rhode Island Avenue, as extended in a northwesterly direction (which avenue becomes Fairway Road, as shown upon the Map of Knollwood), for about two thousand nine hundred feet, to the northwest line of Pine Street extended. Thence,

(2) With said line of Pine Street extended, Fifty-three degrees fifteen' W, for about three thousand seven hundred fifty feet to a point in the original line of the corporate limits of the town of Southern Pines between Iowa and Michigan Avenues, as shown upon the official Map of Southern Pines which is of record in the office of the Register of Deeds for Moore County, in Book Ten of Deeds.

All the courses of the said Rhode Island Avenue extended, (also called Fairway Road), and of Pine Street, Iowa and Michigan Avenues, etc., being shown upon the new official Map of Southern Pines and its environs, recently filed in the office of the Register of Deeds aforesaid.

SEC. 4. That the Mayor, Commissioners, and other officers of the said town of West Southern Pines are hereby authorized, empowered and directed to turn over and deliver to the Mayor of Southern Pines.
and Board of Commissioners of the town of Southern Pines all public or municipal property which at the time of the ratification of this Act shall belong to the town of West Southern Pines, and thereupon it shall become the duty of the authorities of the said town of Southern Pines to perform all the duties with respect to the territory comprised within the limits of the town of West Southern Pines which are or may hereafter be conferred upon the said public authorities of the town of Southern Pines with respect to the said original town of Southern Pines.

Sec. 5. That it shall be the duty of the governing authorities of the town of Southern Pines to assume and pay all valid indebtedness of the town of West Southern Pines existing at the time of the ratification of this Act.

Sec. 6. Upon the ratification of this Act and the termination of the corporate powers of said town of West Southern Pines, the citizens and residents within said territory as described and set out in Section three of this Act shall become citizens and residents of the town of Southern Pines in Moore County, and shall have all the rights and privileges conferred upon, and be subject to all the liabilities of, citizens and residents of the town of Southern Pines.

Sec. 7. This Act shall be in force and effect from and after its ratification.

Ratified this the 3rd day of March, A.D. 1931.

CHAPTER 40

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE TO ENTER INTO A CONTRACT WITH THE SUSPENDED BANK OF WEST ASHEVILLE WITH REFERENCE TO ITS REOPENING.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the City of Asheville be and are hereby authorized in their discretion to enter into a contract with the Bank of West Asheville, in the event that it is permitted to reopen by the State Corporation Commission, whereby the funds of said city on deposit in such bank at the time of its discontinuance of business may remain in said bank and not be withdrawn except at certain stated times or intervals mutually agreed upon by and between the Board of Directors of said bank and the Board of Commissioners of said city.
Sec. 2. That the City of Asheville shall retain the collateral or any guarantee it now holds securing deposits in said bank at the time it closed: Provided, however, that as such collateral is collected by the city the amount so collected shall be charged against the deposit for which the collateral was given as security: Provided, however, that nothing in this act shall relieve said bank or any guarantors upon any bond or contract heretofore executed guaranteeing the deposits heretofore placed in said bank, nor shall it relieve said bank from its duty to allow withdrawal of deposits in accordance with the terms and conditions of any contract entered into pursuant to the provisions of this act.

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

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

Ratified this the 3rd day of March, A.D. 1931.

CHAPTER 41

AN ACT FOR THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF HICKORY, FOR AN ELECTION IN FURTHERANCE THEREOF, FOR THE REPEAL OF THE ChARTERS OF OTHER TOWNS WITHIN THE EXTENDED LIMITS, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Section 1. Subject to an election to be held in the manner hereinafter provided, the corporate limits of the City of Hickory shall be extended by adding to the present corporate limits all the territory which is now embraced within the corporate limits of the town of West Hickory, by adding to the present corporate limits all the territory now embraced within the corporate limits of the town of Highland. Reference is hereby made to the present charters of the towns of Highland and West Hickory, and all amendments thereto, for definite description of their corporate limits.

Sec. 2. That the question of such extension of the corporate limits of the City of Hickory shall be submitted to a vote of the qualified voters of the said city and of the territory proposed to be annexed.

Sec. 3. The election shall be held on the first Monday of July, one thousand nine hundred and thirty-one, under the supervision of the Catawba County Board of Elections, and in all particulars, other than those provided in this act, shall be held and conducted, and the qualifications of the voters at the
election be determined, in accordance with the general law relating to election of members to the General Assembly of North Carolina. The voters in said election shall be duly qualified persons who have been residents of the State of North Carolina for one (1) year, and of the city or territory proposed to be annexed for four (4) months immediately preceding the election. The Registration books shall be kept open during a period of thirty days and in the same manner as the general law now provides for the registration of voters. The registrars in the four precincts hereinafter described shall be present at the voting places of their respective precincts on each Saturday during the period, prior to the election, where the books for the registration of voters are required to be kept open. The Catawba County Board of Elections shall appoint a registrar and two judges for each precinct, and shall publish a notice of said registration for thirty days in a newspaper published in the City of Hickory.

SEC. 4. That for the purpose of an election, the territory of Greater Hickory, as hereinbefore described, is hereby divided into four precincts as follows: The portion of said territory situated south of the Southern Railway and east of a line drawn due south through the center of the Post Office of the City of Hickory to the southern boundary of the proposed territory is Precinct number two: the territory situated west of the said line is Precinct number three: the territory situated north of the Southern Railway and west of a line drawn due north through the center of said Post Office to the northern boundary of Greater Hickory is Precinct number four: and the territory situated north of said Railway and east of said line is Precinct number one.

SEC. 5. That at such election, those voters who favor extending the city limits shall vote ballots on which shall be printed the words, “For Extension”: and those opposed shall vote ballots on which shall be printed the words, “Against Extension”. If a majority of the votes cast shall be “For Extension”, then from and after the first day of September, one thousand nine hundred and thirty-one, the corporate limits of said City of Hickory shall be extended as herein provided. If a majority of the votes cast shall be “Against Extension”, there shall be no extension of the corporate limits as the result of such election. The County Board of Elections shall declare the result of the election and certify it to the Council of the City of Hickory who shall cause it to be entered upon its records.

SEC. 6. In the event a majority of the votes shall be against extension, the question of the extension of the City limits shall not be re-submitted to a vote within twelve months of the time of said election; but at any time thereafter, if twenty-five per
cent of the qualified voters of the City of Hickory, or twenty-five per cent of the qualified voters of said proposed additional territory shall sign a petition, addressed to the City Council of Hickory, asking that another election be held to determine whether such territory shall be added to and become a part of the City of Hickory, then it shall be the duty of the Council to request the Board of Elections of Catawba County to order another election and submit the question of extension of the corporate limits of said City. Any subsequent elections shall be held in accordance with the general laws applicable to the election of members for the General Assembly of North Carolina, and in accordance with the provisions of this act.

SEC. 7. If the majority of the votes cast shall be for extension, then all of the property, real and personal, of said towns, or of either of them, shall pass to and vest in said City of Hickory, and thereafter shall be common public property held for the use and benefit of the enlarged municipality; and the Secretary and Treasurer of the Town of West Hickory, and the Secretary and Treasurer of the Town of Highland shall file with the City Council of Hickory a complete, itemized, detailed statement, certified by a registered Public Accountant, of all outstanding indebtedness and liability which their respective towns are obligated to pay, whether as bonds, interest, notes, open accounts, salary, labor or any other work, and such indebtedness and liability shall become an indebtedness and liability of the City of Hickory to the same extent as it was of said towns.

SEC. 8. All taxes due by the property owners to the Town of West Hickory or the Town of Highland, at the time the corporate limits of Hickory are extended as herein provided, shall be collected by the City Manager of Hickory under the same rules, regulations and the same authority of distress and levy upon property, personal and real, as is now or may be given to the City of Hickory.

SEC. 9. After the extension of the city limits as herein provided, the City Council of Hickory shall, for the purpose of raising revenue or paying the indebtedness, liabilities and expenses incident and necessary for the government of the Greater City of Hickory, annually levy a uniform ad valorem tax on all real and personal property within the entire limits of the city as extended.

SEC. 10. In the event the proposed territory shall be embraced in the corporate limits of the City of Hickory, under the provision of this act, the City so consolidated shall before the next annual municipal election, be divided by the City Council into six (6) wards of equal population, or as nearly so as possible. The Board of Aldermen of the Town of Highland is hereby
authorized and empowered to choose by majority vote of its body a member of the Council of Greater Hickory to serve for the time elapsing between the going into effect of this act and the next municipal election; and the Board of Aldermen for the Town of West Hickory, by a majority vote of its own body, is also authorized to elect a member of the City Council of Greater Hickory to serve for said time.

SEC. 11. Upon the extension of the city limits as herein provided, the City Council, including the two members elected as hereinbefore stated, shall cause a census to be taken of Greater Hickory and shall divide the City of Hickory into six (6) wards as hereinbefore stated. Thereafter all Councilmen shall be nominated and chosen by wards and not at large as now provided by the City of Hickory's charter, but the Mayor shall be nominated and elected at large as heretofore. The qualified voters of each city ward shall, at the time provided by law and following the provisions of the charter of Hickory, nominate and elect their respective members of the Council, and the City Manager, in his published notice of calls for the election, shall designate a voting place in each ward of the City.

SEC. 12. The division of the City into wards shall not affect the terms in office of those persons who are members of the City Council at the time of the extension of the City limits, and the City Council, including the two new members, shall designate three wards which shall thereafter elect their respective members of the City Council in odd years, and three wards which shall thereafter elect their respective members in even years; and the City Council shall also designate the new ward whose first member shall be elected to serve a term of only one (1) year. Thereafter all members of the City Council shall be elected to serve for a term of two years.

SEC. 13. Section eighteen, of Article two of Chapter sixty-eight, of Private Laws of one thousand nine hundred and thirteen, known as the Charter of the City of Hickory, is hereby amended by striking out all after the word "elected" in the second sentence, and in lieu thereof inserting the following: "The City Council may, by majority of vote, fill the vacancy so created until the next regular election."

SEC. 14. In the event the corporate limits of the City of Hickory shall be extended as hereinbefore provided, four (4) members shall constitute a quorum of the City Council of Hickory to transact business, and three (3) members may adjourn from day to day and compel the attendance of absent members.
AN ACT TO REPEAL SECTION TEN OF CHAPTER ONE HUNDRED TWENTY, PRIVATE LAWS OF NINETEEN HUNDRED NINETEEN, RELATING TO THE APPOINTMENT OF A BOARD OF TRUSTEES, AND PROVIDING FOR ELECTION OF SCHOOL TRUSTEES OF THE BOARD OF SCHOOL TRUSTEES OF ROANOKE RAPIDS BY THE QUALIFIED VOTERS OF THE ROANOKE RAPIDS GRADED SCHOOL DISTRICT UPON THE EXPIRATION OF THE TERMS OF OFFICE OF THE TRUSTEES HEREIN APPOINTED.

The General Assembly of North Carolina do enact:

SECTION 1. That section ten, Chapter one hundred and twenty, Private Laws of North Carolina, Session one thousand nine hundred and nineteen, be, and the same is hereby repealed and the following enacted as a substitute therefore:

"Section 10. That W. L. Manning, Dr. T. W. M. Long, R. L. Towe, W. D. Tillery, J. T. Chase, T. W. Mullen, L. S. Cannon, J. R. Allsbrook and A. N. Martin are hereby appointed and constitute a Board of Trustees for the graded schools of said district, who shall serve without compensation. The first three named shall hold their office until the first Monday in November, nineteen hundred and thirty-one, the second three named until the first Monday in November, nineteen hundred and thirty-three, and the third three named until the first Monday in November, nineteen hundred and thirty-five. On the first Tuesday after the first Monday in October, nineteen hundred and thirty-one, there shall be elected by the qualified voters of the Roanoke Rapids Graded School District three school trustees to fill the vacancies caused by the expiration of the terms of the first three
trustees hereinbefore named, and each two years thereafter on the first Tuesday after the first Monday in October there shall be elected a sufficient number of trustees to fill the vacancies occurring by reason of the expiration of the terms of office of the trustees herein appointed and to be hereafter elected. The terms of office of all trustees and their successors elected hereunder shall be for a term of six years. In all elections held under this act the mayor and the board of town commissioners shall designate the polling place or places, appoint the registrars and judges, and canvass and judicially determine the results of said election when the returns have been filed with them by the officers holding the election, and shall record such determination on their records. The notice of the election shall be given by publication at least three times in some newspaper published or circulating in the district. A new registration of the qualified voters of the district shall be ordered by the mayor and board of town commissioners, and a notice of said new registration shall be deemed to be sufficiently given by publication once in some newspaper published or circulating in said district at least thirty days before the close of the registration books. Such published notice of registration shall state the dates on which the books will open for registration of voters and the place or places on which they will be open on Saturday. The books of such new registration shall close on the second Saturday before the election. The Saturday before the election shall be challenge day, and except as otherwise provided in this act such election shall be held in accordance with the same rules, laws and regulations governing the election of municipal officers in the town of Roanoke Rapids and the holding of municipal elections in the town of Roanoke Rapids shall be and are hereby extended to that portion of said school district lying without the corporate limits or 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. The ballot to be cast and all other details of said election shall be fixed by the mayor and the board of town commissioners. The trustees so elected shall qualify and their term of office shall begin the first Monday in November immediately following their election on the first Tuesday after the first Monday in October in the year in which the election to their respective offices shall be held. The successors in office of the respective trustees herein appointed and to be hereafter elected shall be elected at an election to be held on the first Tuesday after the first Monday in October every two years thereafter under the same rules and regulations as hereinbefore provided, such election to elect successors to the trustees whose terms expire during that year."

Terms of office of newly elected Trustees, 6 years.

Details of elections.

Notice of election. Publication of notice. New registration.

Challenge day.

Laws applicable.

Territory outside corporate limits made election ward.

Commencement of term of Trustees elected.

Time of first election.
SEC. 2. That the said trustees herein appointed shall qualify and enter upon their duties as such trustees on the first Monday in April, nineteen hundred and thirty-one; the said first three trustees so elected shall qualify and enter upon their duties as such trustees on the first Monday in November, nineteen hundred and thirty-one, and the said trustees subsequently elected as hereinbefore provided shall qualify and enter upon their duties as such trustees on the first Monday in November next following their election on the second Monday after the first Monday in October of that year and the trustees herein appointed together with those trustees respectively elected upon the expiration of the terms of the appointed trustees and their successors as hereinbefore provided shall have all the powers, authorities and duties conferred and imposed upon the trustees now acting as Trustees of the said Roanoke Rapids Graded School District.

SEC. 3. That the said Trustees herein provided for shall, at their first meeting, elect from among their number a Chairman who shall serve for the two following years, and that thereafter at the first meeting after each election they shall elect a Chairman to serve for the two following years.

SEC. 4. All vacancies in said Board of Trustees caused by death, resignation, removal from the district or otherwise shall be filled by the remaining members of the board and the person so chosen shall fill and serve out the unexpired term when his successor shall be duly elected.

SEC. 5. That the expenses of the elections herein provided for shall be paid from the general funds of the Board of School Trustees of Roanoke Rapids.

SEC. 6. That the trustees of the Board of School Trustees of Roanoke Rapids now holding office shall serve with the same powers, duties and authorities as now held and exercised by them until the trustees herein provided for shall have been qualified.

SEC. 7. That nothing in this act shall be construed to change to change or alter the said Roanoke Rapids Graded School District, or the duties or powers of its trustees, except the manner of their election, the time of their election and the term of their office.

SEC. 8. That all persons residing within the limits of the said Roanoke Rapids Graded School District qualified to vote in the general State and County elections shall be considered as qualified voters in the elections herein provided for trustees.

SEC. 9. The names of all persons who shall be voted on for a trustee shall be filed with the Registrar of the election at least five days before the election. Any person may file in person or his name may be filed by any qualified voter. The three persons...
receiving the highest votes cast shall be declared to be elected for a term of six years.

Sec. 10. That nothing in this act shall be construed to violate any contract made by or with the Board of School Trustees of Roanoke Rapids as heretofore existing under Chapter one hundred and twenty, Private Laws of one thousand nine hundred and nineteen.

Sec. 11. If any section, clause or sentence of this act shall be declared invalid, no other section, clause or sentence of said act shall be affected thereby.

Sec. 12. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 4th day of March, A.D., 1931.

CHAPTER 43

AN ACT TO EXTEND THE TIME FOR PAYMENT OF STREET ASSESSMENTS IN THE CITY OF HENDERSONVILLE.

The General Assembly of North Carolina do enact:

Section 1. That the time for payment of all assessments heretofore levied by the Commissioners of the City of Hendersonville against abutting property owners for and on account of paving, grading or otherwise improving any of the public streets or sidewalks in the City of Hendersonville, is hereby extended so as to be payable in twenty equal annual installments beginning July first, nineteen hundred and thirty-one. The amount of said installments shall draw interest from July first, nineteen hundred and thirty-one, at the rate of six per centum per annum, provided, that if any property owner or other person legally liable therefor shall fail to pay any of said installments or interest as the same becomes due as provided for in this act, the Board of Commissioners of said City of Hendersonville may, at its option, declare the whole of said assessments and interest accrued thereon immediately due and payable, and may proceed to enforce collection of said assessments by the sale of the real estate against which said assessments have been levied in the same manner and under the same laws as real estate is sold for unpaid city taxes. The whole assessment may be paid at any time by the payment of principal and all interest accrued to that date.

Sec. 2. That it shall be the duty of the Board of Commissioners of the City of Hendersonville, as soon as practicable
after the ratification of this act and before the first day of July, one thousand nine hundred and thirty-one, to cause to be compiled the amounts and accrued interest on all uncollected assessments heretofore levied against property owners on account of paving, grading or otherwise improving any of the public streets or sidewalks of the City of Hendersonville, said uncollected assessments and interest to be computed to the first day of July, one thousand nine hundred and thirty-one, and thereafter the total amount of said assessments and interest accrued thereon shall be paid by the property owners against which said assessments have been made in twenty equal annual installments beginning July first, one thousand nine hundred and thirty-one, and thereafter said assessments and interest as so computed shall draw interest at the rate of six per centum per annum.

Sec. 3. That as soon as said assessments have been computed as hereinbefore provided, the City Clerk shall prepare an assessment roll and record the same in a well bound book styled "Special Assessment Book" which shall be ruled so as to conveniently show:

1. Name of such property.
2. Number of lot or part of lot as shown on the tax sheets.
3. The frontage of such lot.
4. Amount that has been assessed against said lot.
5. Amount of such installment and the date on which the installments shall become due.

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

Sec. 4. That the amount of said assessments shall continue as heretofore to be a lien against the property so assessed and this act shall not be construed as in any manner impairing the validity of the lien aforesaid.

Sec. 5. That all provisions of the charter of the City of Hendersonville and general laws of the State applicable to said assessments or the enforcement thereof shall remain in full force and effect except to the extent as the same may be modified by this act.

Sec. 6. That nothing contained in this act shall be construed to effect any assessments heretofore paid, or where payment has been provided for by securities, assignments or otherwise.

Sec. 7. That all laws or parts 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 4th day of March, A.D., 1931.
CHAPTER 44

AN ACT TO AMEND CHAPTER THREE HUNDRED EIGHTY-TWO PUBLIC LAWS OF ONE THOUSAND NINE HUNDRED AND THREE RELATING TO THE SINKING FUND OF THE CROSS CREEK GRADED SCHOOL DISTRICT AND ITS SUCCESSOR.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter three hundred and eighty-two Public Laws of one thousand nine hundred and three be amended by changing the period at the end of Section thirteen to a comma, and by adding thereafter the following: "Or to invest same in United States bonds, North Carolina bonds, or other approved county and municipal bonds, including bonds issued by the Cross Creek Graded School District and its successor by whatever name called."

Sec. 2. That all laws and clauses of laws in conflict herewith be and they are hereby repealed to the extent of such conflict.

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

Ratified this the 4th day of March, A.D., 1931.

CHAPTER 45

AN ACT TO REVISE, CONSOLIDATE AND AMEND THE CHARTER OF THE TOWN OF CHAPEL HILL.

The General Assembly of North Carolina do enact:

SECTION 1. That the inhabitants of the Town of Chapel Hill in Orange County, shall be and continue as they have been, a body politic and corporate, under the name and style of the Town of Chapel Hill, and as such the corporation is hereby vested with all the property and rights of property which now belong to the corporation, under any other names or name, and in this name may acquire and hold such estate in lands and property as may be devised, bequeathed, sold to, or in any manner conveyed to it or acquired by it, and may from time to time, under the general law governing municipal corporations, invest, sell or dispose of any said lands or property, including lands and property held for municipal purposes, and under said name shall have power to contract and be contracted with, to sue and be sued, and shall have all the powers, rights and privileges now or hereafter conferred upon municipal corporations by the general law of the State, including powers, rights and privileges necessary or belonging to or usually appertaining to municipal corporations, or appropriate to the exercise of the powers now
or hereafter conferred on municipal corporations by the general law of the State.

**Sec. 2.** That the territory embraced within the following boundaries shall, from and after the ratification of this act, constitute the boundaries of the Town of Chapel Hill: Beginning at a stone post six hundred (600) yards Northwesterly from the intersection of the center line of Franklin Street and the west boundary line of Merritt Street; in a line at right angles to the main part of Franklin Street; thence two thousand six hundred and twenty-two (2,622) yards in a Northeasterly direction parallel to the main part of Franklin Street to a marked stone and pointers; thence in a Southeasterly direction at right angles to the main part of Franklin Street fifteen hundred and forty-nine (1,549) yards to a marked stone and pointers; thence two thousand six hundred and twenty-two (2,622) yards in a Southwesterly direction parallel to the main part of Franklin Street to a marked stone and pointers; thence Northwesterly fifteen hundred and forty-nine (1,549) yards at right angles to the main part of Franklin Street to the beginning.

**Sec. 3.** That the governing body of the Town of Chapel Hill shall consist of a mayor and six aldermen, who shall exercise the corporate powers of said town, and provide by ordinance, rule or resolution for the proper and efficient management of said town. They shall have and exercise all powers now or hereafter conferred upon governing bodies of municipalities by the general law of the State.

**Sec. 4.** The mayor of the town of Chapel Hill shall hold office for a term of two years and until his successor is elected and qualified. He shall be elected biennially. Aldermen shall be elected for a term of four years, and shall hold office until their successors are elected and qualified; the Judge of the Recorder’s Court shall be elected biennially and hold office until his successor is elected and qualified. Biennially, beginning on Tuesday after the first Monday in May, one thousand nine hundred and thirty-one, there shall be held an election which shall be conducted in the manner provided for by the general law of the State governing elections in municipalities for the purpose of electing a mayor and three aldermen for the terms herein set forth, to succeed the mayor and aldermen whose term of office expires at such time. If there shall become a vacancy in any office due to the death, resignation or otherwise, of the mayor, Board of Aldermen or any office to which the Officer is elected by a popular vote of the people, the Governing Board shall elect a successor to fill the vacancy until the next regular municipal election at which time a person shall be elected by a vote of the qualified voters to fill the unexpired term of the officer whose
office shall have been vacated. Until Tuesday after the first Monday in May, one thousand nine hundred and thirty-one, the present governing body shall remain, be and constitute the governing body of the town.

Sec. 5. The names of any candidate for mayor or aldermen of the town of Chapel Hill shall be printed upon an official ballot: Provided, there is filed with the Town Clerk, not less than five days previous to the holding of such election, the names of such candidate and the office for which he is candidate. The official ballot shall be in such form as the board of aldermen may determine, and shall bear instructions to the voter as to the number of candidates to be voted for and the method of designating his choice. Nothing herein shall be construed as preventing any qualified elector from becoming a candidate for any office at any election, but unless the notice of such candidacy shall be filed with the Clerk as herein provided, such candidate shall, at his own cost and expense, prepare ballots bearing his name.

Sec. 6. The governing body at its first meeting after the election, or as soon thereafter as convenient, shall fix stated dates for the meetings, which shall be not less than once in every calendar month, and shall provide by resolution for the calling of special meetings whenever same may become necessary; they shall appoint a Clerk and a Treasurer, and in their discretion may appoint the same individual to fill both offices, who shall hold office at the will of the Board, fix the compensation to be paid such officers and the amount of bond to be furnished by them.

Sec. 7. The Governing Body shall appoint a City Manager, who shall be the administrative head of the City Government, and shall be responsible for the administration of all departments. He shall be appointed with regard to merit only, and he need not be a resident of the Town when appointed. He shall hold office during the pleasure of the Governing Body and shall receive such compensation as it shall fix by ordinance: Provided, the Governing Body may in its discretion appoint the Mayor City Manager. Orders to the employees of the Town shall be given only through and by the City Manager.

Sec. 8. The City Manager shall: (1) be the administrative head of the municipal government; (2) see that within the town the laws of the State and the ordinances, resolutions, and regulations of the governing body are faithfully executed; (3) attend all meetings of the Board of Aldermen, and recommend for adoption such measures as he shall deem expedient; (4) make reports to the governing body from time to time upon the affairs of the town, keep the governing body fully advised of the town's financial conditions and its future financial needs;
(5) he shall, under the control of the Governing Body, supervise the work of all heads of departments, superintendents, and other employees of the town, unless otherwise provided herein.

Sec. 9. Such officers and employees as the Governing Body shall determine are necessary to the Town, including the Prosecuting Attorney and Clerk of the Recorder's Court, shall be appointed by the City Manager, by and with the advice and approval of the Governing Body, and any such officers or employees may be removed by him; but the City Manager shall report to the Board of Aldermen at their next meeting every such removal for such Board's approval or rejection, and the action of the said Board thereon shall be final. The officers and employees of the Town shall perform such duties as may be required of them by the City Manager under general regulations of the Governing Body.

Sec. 10. The general powers of the town shall especially include those powers conferred upon municipal corporations by sections two thousand six hundred and twenty-three (2,623) and two thousand seven hundred and eighty-seven (2,787) of the Consolidated Statutes of the State of North Carolina, but the granting of such powers herein shall not be construed as a limitation, but the said town shall have all powers now or hereafter conferred by the general law of the State of North Carolina, and shall especially have the power of acquiring property by condemnation of the same for public uses, such acquisition to be made in the same manner and under the same procedure as is provided under article two (2) of Chapter thirty-three (33) of the Consolidated Statutes entitled, "Eminent Domain."

Sec. 11. That in the absence of any contracts with said town in relation to the lands used or occupied by it for the purpose of streets, sidewalks, alleys, or other public works of said town signed by the owner or owners thereof, or his agent, it shall be presumed that the said land has been granted to the said town by the owner or owners thereof, and said town shall have good right and title thereto, and shall have, hold and enjoy same. Unless the owner or owners of said land, or those claiming under them shall make claim or demand, in writing addressed to the Board of Aldermen, for compensation within two years next after said land was taken, he or they shall be forever barred form recovering said land or having any compensation therefor: Provided, nothing herein contained shall affect the right of femmes covert or infants until two years after the removing of their disabilities.

Sec. 12. (1) For the purpose of raising revenue for defraying the general expenses incident to the proper government of the municipality, the Board of Aldermen shall have the power

City Manager to appoint subordinate officers and employees by consent of governing body.

Removal for cause.

General law applicable as to powers of town.

Power of condemnation.

Presumption as to grant to town of lands used for public purposes.

Claim for compensation to be made by owners of lands.

Levying of taxes: for general expenses.
to levy and collect an annual ad valorem tax on all taxable property within the municipality, at a rate not exceeding one dollar on the one hundred dollars of said valuation of property, and one dollar on each poll, notwithstanding any other law, general or special, heretofore or hereafter enacted, except a law hereafter enacted expressly repealing or amending this section; (2) and shall annually levy and collect a tax ad valorem and without limitations as to the amount, upon all the taxable property within the municipality sufficient to pay the principal and interest of all bonds of the town now outstanding or which may hereafter be issued, as such principal and interest becomes due; (3) for the purpose of levying the tax on property located within the corporate limits of the Town of Chapel Hill, the tax abstractions made for the County of Orange, may be used by the Town of Chapel Hill, insofar as they apply to property situated within the Town and the Town shall have the right to force a collection on these taxes in the same manner as if a separate listing of property was had for the Town; (4) and may annually lay a tax on all trades, professions and franchises carried on or enjoyed within the Town, unless otherwise provided by law; (5) and may lay a tax on all shows and exhibitions for reward and on all dogs as are taxed by the General Assembly. The Governing Body shall have the power to graduate any of the License Taxes on trades, professions, franchises or any subject of taxation by dividing same into classes, but said taxes shall be uniform to all or any class.

SEC. 13. The governing body shall have the authority to charge and collect a sewer rental or fee on all houses connected with the municipal sewer system, and to levy special assessments as is provided by the General Law, which rentals and assessments are hereby declared a Lien against the property served and the officer charged with the collection of the same shall have the power to collect by distress and sale as provided herein for the collection of ad valorem taxes.

SEC. 14. On or before the first day of August of each year the Board of Aldermen shall lay and extend for collection the taxes on such subjects of taxation as are allowed by law. On all taxes paid on or before the tenth day of December, there shall be allowed a discount of one per cent; all taxes paid after the tenth day of December and before the eleventh day of January shall be payable net; and on all taxes unpaid on the eleventh day of January there shall be added a penalty of one per cent, and a like penalty for all taxes unpaid on the eleventh day of each calendar month thereafter. Except as herein otherwise provided, the General Law of the State governing the levy and collection of municipal taxes, and the duties of the officer charged therewith shall apply in the Town of Chapel Hill.
SEC. 15. That if any person liable for taxes on subjects to be listed shall fail to pay them on or before the first day of May of the year next succeeding the day of listing, the officer charged with the collection of taxes shall proceed forthwith to collect the same in the manner authorized for the collection of County Taxes.

SEC. 16. The Town of Chapel Hill may issue its Negotiable Bonds or Notes for any or all purposes authorized by the General Law of the State, and such Notes or Bonds shall be issued in accordance with and pursuant to the general law of the State then in effect governing the issuance of Notes and Bonds.

SEC. 17. The Governing Body shall cause to be kept clean and in good repair the streets, sidewalks, and alleys of the Town. It may establish the width and ascertain the location of streets already provided, and may lay out and open others. It may also lay out, open and regulate public grounds or parks, and care for the same, and protect the shade trees of the Town. It may require the owner of or lessee of the land abutting upon any sidewalks to repair same at such owner's or lessee's expense, and to require that the same be kept in good passable condition; or it may require the owners of property to pave at their own expense, the sidewalks immediately fronting said lot, or upon the failure of the owner, after due notice to so pave such sidewalk, such work may be done by the Town, and the cost thereof assessed against the lot immediately abutting said sidewalk, and such assessment shall be a Lien against such abutting lot, collectible as and when the taxes for the next fiscal year are due.

SEC. 18. That all ordinances, rules, resolutions and regulations of the Town of Chapel Hill in force at the time of taking effect of this act, not inconsistent with its provisions, shall continue in full force and effect until amended or repealed.

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

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

Ratified this the 4th day of March, A.D., 1931.

CHAPTER 46

AN ACT TO PROVIDE THE SUBMISSION TO THE QUALIFIED VOTERS OF THE TOWN OF LANDIS THE SALE OF ITS ELECTRIC LIGHT PLANT.

The General Assembly of North Carolina do enact:

SECTION 1. That the Commissioners or Board of Aldermen and their successors in office of the Town of Landis shall not have the right to sell, lease, or otherwise dispose of the electric light plant, transformers, wires, poles, meters, or anything per-

Sale of property for taxes.

Issuerance of bonds and notes.

Care of streets and sidewalks.

Parks and playgrounds.

Paving.

Assessments.

Present ordinance unaffected.

Conflicting laws repealed.

Sale of electric light plant in Landis prohibited without vote of people.
Conflicting laws repealed.

Town of Weaverville authorized to aid in re-opening Farmers and Traders Bank by freezing deposits.

Collateral now held unaffected.

Collection of security and application of proceeds.

Guarantors of deposits not relieved.

Conflicting laws repealed.

taining to the municipally owned electric light plant until the question of sale or other disposal of said plant shall be first submitted to the voters of the incorporated town of Landis, and such sale shall not take place unless ratified by a majority of the qualified voters of the town of Landis.

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

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

Ratified this the 4th day of March, A.D., 1931.

CHAPTER 47

AN ACT TO ALLOW THE GOVERNING BODY OF THE TOWN OF WEAVERVILLE IN THE COUNTY OF BUNCOMBE TO AID IN RE-OPENING THE FARMERS AND TRADERS BANK OF WEAVERVILLE.

The General Assembly of North Carolina do enact:

Section 1. That the Governing Body of the Town of Weaverville be, and they are hereby, authorized, in their discretion, to enter into a contract with the Farmers and Traders Bank of Weaverville, in the event that said Bank is permitted to re-open by the Corporation Commission, whereby the funds of said Governing Body of the Town of Weaverville on deposit in said Bank at the time of its suspension of business, may remain in said Bank and not be withdrawn except at certain stated times and intervals to be mutually agreed upon by and between the Board of Directors of said Bank and the Governing Body of the Town of Weaverville.

Sec. 2. That the Governing Body of the Town of Weaverville shall retain the collateral and/or any guaranty it now holds securing its deposit in said Bank at the time said Bank suspended; provided, however, that as such collateral is collected by the said Governing Body of the Town of Weaverville, the amount so collected shall be credited against the deposit for which the collateral was given as security; provided, further, that nothing in this act shall relieve said Bank, or any guarantors, upon any bond or contract heretofore executed to guarantee the deposits heretofore placed in said Bank, nor shall it relieve said Bank from its duty to allow withdrawal of deposits in accordance with the terms and conditions of any contract which may be entered into pursuant to the provisions of this act.

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

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

Ratified this the 5th day of March, A.D., 1931.
CHAPTER 48
AN ACT RELATING TO THE DUTIES OF THE CLERK OF THE TOWN OF SCOTLAND NECK RELATIVE TO THE COLLECTION OF TAXES AND OTHER LEGAL ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. The Clerk of the Town of Scotland Neck shall have the same power to collect the taxes and other legal assessments, imposed by the Commissioners of said town, or required by law to be collected, as sheriffs have to collect the taxes imposed by the County Commissioners; and he is hereby vested with the same power and authority that is given by the State to Sheriffs for like purpose, and shall be subject to the same fines and penalties on failure or neglect of duty. He shall give such bond as is now required of tax collectors for the faithful performance of his duties.

SEC. 2. All acts of any Clerk of the town of Scotland Neck in the collection of taxes and other legal assessments, and all receipts given by any such Clerk for taxes collected or for other legal assessments collected, and all sales of real or personal property heretofore made by any such clerk as tax collector, under authority from the Board of Commissioners of said town, for non-payment of taxes or other legal assessments, are hereby validated; and all deeds heretofore executed by any clerk of said town, as tax collector, for non-payment of taxes or other legal assessments, are hereby validated and declared to be of the same force as if signed by the sheriff, town Constable, or other duly authorized tax collector.

SEC. 3. All laws and clauses of laws to the extent that they are inconsistent with this Act are repealed.

SEC. 4. Nothing contained in this Act shall affect pending litigation.

SEC. 5. This Act shall be in effect from and after its ratification.

Ratified this the 5th day of March, A.D., 1931.

CHAPTER 49
AN ACT FOR THE RELIEF OF LAND OWNERS OF THE TOWN OF MOUNT HOLLY, NORTH CAROLINA, EXTENDING THE TIME TO ENFORCE LIEN, COLLECTION AND COMMENCE ACTION FOR LOCAL IMPROVEMENT ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the lien given to the Town of Mount Holly, North Carolina, on land of any owner, along its streets, for paving streets or sidewalks, or for any other local improvements,
authorized under chapter fifty-six of the Public Laws of one thousand nine hundred and fifteen of North Carolina, and ordinances or resolutions in pursuance of the same, shall be extended for a period of seven years from the completion of the work for which the lien is given, and the assessment or charge made; and the collection of the assessment or charge, and any action to enforce said lien or the collection of such assessment or charge, may be commenced within seven years next after the completion of the work for which the lien is given, and the assessment or charge made.

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

Ratified this the 6th day of March, A.D., 1931.

CHAPTER 50

AN ACT TO AMEND CHAPTER TWO HUNDRED FOUR PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-THREE RELATING TO THE ELECTION OF SCHOOL TRUSTEES FOR CANTON GRADED SCHOOL DISTRICT, AND ALSO RELATING TO THE TREASURER OF SAID DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That Section Four of Chapter Two Hundred Four Private Laws of the session of One Thousand Nine Hundred Twenty-Three be, and the same is hereby, amended as follows: That the Board of Trustees of Canton Graded School District, as said district was enlarged and as it now exists, shall be composed of five members, and that the present Board of Trustees shall serve as Trustees of the enlarged District until their present terms expire. That the members of said Board of Trustees may be either male or female, and shall be qualified electors of said District as enlarged and is it now exists. That as the terms of any members expire, their successors shall be elected by the qualified voters of said District at the same time that the election is held for officers for the Town of Canton, and that the same registrars and judges and other officials that hold the Town election may hold the election for said Trustees, and that the registrars and judges of said election shall be appointed by the Board of Aldermen of the Town of Canton in the same manner as for holding the Town election, and that the expense of said election shall be paid out of the funds of said District. That the registration books used in the Special election in said District on the 1st day of October, One Thousand Nine Hundred Twenty-nine, may be used for said election, and the qualified
electors on said books shall be and constitute the qualified electors for said election, *provided* that the books shall be open for the registration of electors preceding the election as provided in the general election laws for the registration of voters; *provided* that if it is necessary in order to properly hold said election for said District, the Board of Aldermen of the Town of Canton may call a new registration of said District.

SEC. 2. That the Treasurer of the Town of Canton shall be ex-officio Treasurer of said Canton Graded School District as enlarged and as it now exists, and may receive such salary, in addition to that paid by the Town of Canton, as the Board of Trustees of said District may fix from time to time, and that said salary and the premium on the bond of said Treasurer shall be paid out of the funds of said District.

SEC. 3. That the Board of Aldermen of the town of Canton is hereby directed, authorized and empowered to levy and collect a sufficient amount of tax not exceeding the authorized levy upon the taxable real and personal property in said school district for the operation and maintenance of the schools of the district and to pay the bonds and interest for which said district may be liable and said school district shall pay the expenses of the collection of said taxes. The tax collector of the town of Canton shall be the tax collector of said school district. The taxes so levied shall be and constitute a lien upon the property in said district as provided by law for other taxes and the tax collector as aforesaid in case of default in the payment of taxes shall foreclose and collect the same as provided for the collection of taxes under the general law; the action to be brought in the name of the tax collector. The tax collector shall make a weekly report to the Board of Trustees of said school district of the amount of taxes collected and at the same time shall pay over to said Trustee all moneys collected unless the Board of Trustees of said school district extends the time for said report. The tax collector shall keep an accurate set of books showing a complete list of all taxes, of the collection and disbursements thereof, and shall file a bond with proper surety in an amount to be approved by the Trustees of said school district to guarantee the delivery of all taxes collected to the school board and to otherwise faithfully discharge the duties of his office, which bond shall be filed with the Board of Trustees.

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

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

Ratified this the 6th day of March, A.D., 1931.
CHAPTER 51

AN ACT AMENDING CHAPTER TWO HUNDRED THIRTY-TWO OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE, RELATING TO DISCOUNTS AND PENALTIES ON TAXES LEVIED BY THE CITY OF WINSTON-SALEM.

The General Assembly of North Carolina do enact:

SECTION 1. All ad valorem taxes assessed and/or levied by the City of Winston-Salem, in accordance with law, shall be due and payable on the first Monday of November of the year in which so assessed and/or levied, and if actually paid in cash:

(a) On or before the first day of December next after due and payable, there shall be deducted a discount of one per cent.

(b) After the first day of December, and on or before the first day of January next after due and payable, there shall be deducted a discount of one-half of one per cent.

(c) After the first day of January, and on or before the first day of March next after due and payable, the tax shall be paid at par or face value.

(d) After the first day of March, and on or before the first day of April next after due and payable, there shall be added to the tax a penalty of one per cent.

(e) After the first day of April, and on or before the first day of May next after due and payable, there shall be added to the tax a penalty of two per cent.

(f) After the first day of May, and on or before the first day of June next after due and payable, there shall be added to the tax a penalty of three per cent.

(g) After the first day of June, and on or before the first day of July next after due and payable, there shall be added to the tax a penalty of four per cent.

(h) After the first day of July, and on or before the first day of August next after due and payable, there shall be added to the tax a penalty of five per cent.

SEC. 2. Section twenty-nine of Chapter two hundred thirty-two of the Private Laws of North Carolina is hereby amended so as to read as follows:

"That, as soon as the Tax Collector shall have furnished the assessment rolls, as provided, and the same shall have been issued by the Board, the Board of Aldermen shall proceed to levy the tax on such subjects of taxation as provided in the charter, and shall place the tax list in the hands of the Tax Collector, who shall collect the same as speedily as practicable, and shall pay the moneys as they are collected to the Treasurer."
The City Tax Collector shall, by virtue of his office, be vested with all power and authority within the City of Winston-Salem as is now vested in sheriffs."

SEC. 3. Section thirty-one of Chapter two hundred thirty-two of the Private Laws of North Carolina is hereby amended so as to read as follows:

"That when the tax due on any lot or other land, which is hereby claimed to be a lien on the same, shall remain unpaid on the second day of August, and there is no other visible estate belonging to the person in whose name it is listed liable to distress and sale, or is known to the Collector, he shall report the fact to the Aldermen, together with a particular description of the real estate, and thereupon the Aldermen shall direct the same to be sold, subject to the rules and regulations and the law providing for the sale of for taxes by the sheriff."

SEC. 4. All laws and clauses of laws in conflict herewith are hereby repealed; provided, that all penalties incurred under any act which is wholly or partly repealed hereby shall not be affected by such repeal, but shall remain in full force and effect.

SEC. 5. This act shall be in force and effect from and after its ratification, and the penalties herein provided shall apply to taxes assessed and/or levied for the year one thousand nine hundred and thirty, and all of its provisions shall apply to taxes assessed and/or levied in the year one thousand nine hundred and thirty-one, and subsequent years.

Ratified this the 6th day of March, A.D., 1931.

CHAPTER 52

AN ACT TO REENACT CHAPTER SEVENTEEN, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND ELEVEN, RELATING TO THE CHARTER OF THE TOWN OF MARBLE, NORTH CAROLINA, AND TO REPEAL CHAPTER THREE HUNDRED AND THIRTY-FIVE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND FIFTEEN, AND CHAPTER ONE HUNDRED AND NINETY-SEVEN OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND SEVENTEEN.

The General Assembly of North Carolina do enact:

SECTION 1. That the inhabitants of all that territory in Cherokee County included within the boundary beginning on the Valley River at the mouth of the Rhea Creek and running with the meanders of the river to the Cynthia Valley ford; thence a north direction running with Plamer Lane to the foot of the
mountain; thence with J. Q. Adams road to the Irwindale ditch on the mountain side; thence with the meanders of the ditch a southwest direction to the old flume at the Rhea Creek; thence down said creek to the beginning, be and they are hereby incorporated under the name Marble.

SEC. 2. That the administration and government of said town shall be vested in its mayor and board of five aldermen, and such other officers as are provided for in chapter seventy-three, volume one of the Revisal of one thousand nine hundred and five.

SEC. 3. That said town shall have all the rights, powers and privileges conferred upon cities and towns by chapter seventy-three, volume one of the Revisal of one thousand nine hundred and five, and be subject to the duties therein and thereby enjoined.

SEC. 4. That until the first election and qualification of mayor and aldermen James H. Bryson, shall be mayor of said town and N. W. Abernathy, Richard Wilson, J. L. Webb, J. A. Parker and Joe H. Bryson shall be the aldermen thereof.

SEC. 5. That chapter three hundred and thirty-five of Public-Local Laws of one thousand nine hundred and fifteen and chapter one hundred and ninety-seven of Public-Local Laws of one thousand nine hundred and seventeen are hereby repealed.

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

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

Ratified this the 6th day of March, A.D., 1931.

CHAPTER 53

AN ACT TO AMEND THE CHARTER OF THE TOWN OF ROANOKE RAPIDS, IN HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The inhabitants of the city of Roanoke Rapids shall continue as they have heretofore been, a body, politic and corporate, under the name and style of “Roanoke Rapids,” and by that name have perpetual succession, may sue and be sued, may contract and be contracted with, may acquire and hold all such property, real and personal, as may be devised, bequeathed, sold, or in any manner conveyed or dedicated to it, and may invest, sell or dispose of same, and may have a common seal and alter and renew the same at pleasure, and may have and exercise all the powers, rights and privileges necessary for its proper government or usually appertaining to municipal corporations.
Sec. 2. All property, real, personal and mixed, of whatsoever character and description, and wheresoever situate, now held, controlled or used by the town or city of Roanoke Rapids for any purpose and by the territory embraced within the boundaries described in Section Three hereof, or which may hereafter be held, controlled or used by said town or city or which may have been vested in said town or city by virtue of any laws of the State of North Carolina, and any and all judgments, liens, rights of liens and causes of action of any and all kinds in favor of said town of Roanoke Rapids shall vest, remain and inure to the said city of Roanoke Rapids, its successors and assigns; and no debts, obligations or bonds which now exist against said town shall be impaired or in any wise affected by the provisions of this act.

Sec. 3. That subject to an election to be held in the manner hereinafter provided, the corporate limits of the city of Roanoke Rapids, in Halifax County, shall be enlarged and extended so as to include all the territory within the following boundaries:

Beginning at an iron stake located at the Northwest corner of the intersection of the North side of Eleventh street and the West side of Marshall street; thence in a Southerly direction along the West side of Marshall street extended to the center of Chockoyotte Creek; thence in a Westerly direction along the center of Chockoyotte Creek to a point where the center line of the alley West of Rapids street, extended intersects Chockoyotte Creek; thence in a Northerly direction along the center line of the alley West of Rapids street, to a point where said line intersects with the South side of Eleventh street; thence in an Easterly direction along the South side of Eleventh street to a point where the South side of Eleventh street intersects the East side of Henry street; thence in a Southerly direction along the East side of Henry street to a point where said line intersects the North side of Thirteenth street, extended; thence Easterly along the North side of Thirteenth street to a point where said line intersects the West side of Roanoke Avenue; thence in a Northerly direction along the West side of Roanoke Avenue to a point where said line intersects the North side of Twelfth street extended; thence along the North side of Twelfth street in a Westerly direction to the center line of the alley located between Roanoke Avenue and Jackson street; thence along the center line of the alley located between Roanoke Avenue and Jackson street in a Northerly direction to a point where said line intersects the South side of Eleventh street; thence along the South side of Eleventh street, in a Westerly direction to a point where said line intersects the West side of Madison street; thence along the West side of Madison
street in a Northerly direction to a point where said line intersects the South side of Tenth street; thence along the South side of Tenth street in a Westerly direction to a point where said line intersects the East side of Henry street; thence along the East side of Henry street in a Southerly direction to a point where said line intersects the North side of Eleventh street; thence along the North side of Eleventh street in a Westerly direction to a point where said line intersects the South side of Fifth street, extended; thence in an Easterly direction along the South side of Fifth street to a point where the said line intersects the East side of Monroe street; thence in a Southerly direction along the center line of the alley to the West of Rapids street to a point where said line intersects the South side of Fifth street, extended; thence in an Easterly direction along the South side of Fifth street to a point where the said line intersects the East side of Monroe street; thence in a Southerly direction along the East side of Monroe street, to a point where said line intersects the center line of the Seaboard Airline Railroad Siding; thence along the center line of the Seaboard Airline Railroad Siding in a Southerly direction to a point where said line intersects the North side of Seventh street; thence along the North side of Seventh street in an Easterly direction to a point where said line intersects the West side of Jackson street; thence along the West side of Jackson street in a Northerly direction to a point where the said line intersects the South side of Fifth street; thence along the South side of Fifth street, in a Westerly direction to a point where the said line intersects the West side of Madison street, extended; thence along the West side of Madison street in a Northerly direction to a point where the said line intersects the South side of Fourth street; thence along the South side of Fourth street in a Westerly direction to a point where said line intersects the East side of Monroe street; thence along the East side of Monroe street in a Southerly direction to a point where the said line intersects the North side of Fifth street; thence along the North side of Fifth street in a Westerly direction to a point where the said line intersects the center line of the alley located to the West of Rapids street; thence along the center line of the alley located to the West of Rapids street in a Northerly direction to a point in said line located three hundred feet North of the Roanoke Navigation and Water Power Company's canal, now owned by the Virginia Electric and Power Company; thence in an Easterly direction on a line located at all points three hundred feet from said center line of said canal and parallel thereto to a point of intersection of the West side of Marshall street, extended; thence in a Southerly direction along the West side of Marshall street, extended, to a point where said line intersects the South side of Eighth street; thence along the South side of Eighth street in a Westerly direction to a point
where said line intersects the East side of Jefferson street; thence along the East side of Jefferson street in a Southerly direction to a point where said line intersects the North side of Eleventh street; thence along the North side of Eleventh street in an Easterly direction to the point of beginning.

Sec. 4. The corporate powers of the city of Roanoke Rapids shall be exercised by a Mayor and Board of Commissioners consisting of six members, to be elected in accordance with the general laws regulating elections in cities and towns, except as herein otherwise provided, and such other officers, agents and employees as may be chosen by the Board of Commissioners. The present Mayor of the town of Roanoke Rapids shall hold office until the next general election and until his successor is elected and qualified, and the present members of the Board of Commissioners shall constitute the said board until the expiration of their present term of office and until their successors are elected and qualified, and the said Mayor and Board of Commissioners, as such, shall have the same power and authority heretofore conferred upon them in the area within the present corporate limits of said town and may exercise all such authority within the area mentioned in Section Three hereof together with all such additional powers and authority conferred by this act.

Sec. 5. That subject to an election to be held in the manner hereinafter provided, the territory comprised within the corporate limits of said city, is hereby laid off into two wards, as follows: North Ward shall be comprised of all the territory of the said city lying on the North side of the center line of Seventh street if extended in a straight line from the Eastern to the Western boundaries of the corporate limits of said city as hereinafter described; the South Ward shall be comprised of all the territory of said city lying on the South side of the center line of Seventh street as extended from the Eastern to the Western boundaries of the corporate limits of said city as hereinafter described. For the purpose of elections, the city of Roanoke Rapids shall be divided into such precincts as the Board of Commissioners of said city may create, provided the Board of Commissioners shall make the voting places and the boundaries of said precincts conform, as nearly as may be practicable, to those designated and prescribed by the general law for the election of State and County Officers.

Sec. 6. The officers of said town shall consist of a Mayor and six Commissioners. The said officers shall have authority to appoint such officers and servants as may be necessary for the conduct and management of the city of Roanoke Rapids and such other rights, powers and authorities prescribed under the general laws for such office.
Sec. 7. The general municipal elections shall take place on the first Tuesday after the first Monday in May, one thousand nine hundred thirty-one, when a Mayor and six Commissioners shall be selected by the registered voters of the city of Roanoke Rapids, of which Commissioners, for their first term of office, two shall be elected for one year, two for two years and two for three years, and thereafter all of said Commissioners shall be elected for a term of three years, the annual municipal elections to be held on the first Tuesday after the first Monday in May of each year. At such first election, there shall be elected three Commissioners who shall reside in the North Ward of said city, one of whom shall be elected for a term of one year, one for two years and one for three years, for their first term of office, and thereafter their successors in office shall be elected for a term of three years, and three Commissioners who shall reside in the South Ward of said city, one of whom shall be elected for one year, one for two years and one for three years for their first term of office, and thereafter their successors in office shall be elected for a term of three years. The Mayor shall be elected for a term of two years and shall be elected from the city at large. That no persons shall be entitled to vote at such elections unless, in addition to his qualifications as a voter in State and County elections under the general law, he has resided within the corporate limits of the city of Roanoke Rapids four months immediately preceding said election. The officers so elected shall qualify and be inducted into office on the first Monday in June following their election, and shall continue in office for their respective terms as hereinbefore provided and until their successors have been duly elected and qualified.

Sec. 8. That the question of such an amendment or extension of the corporate limits of the city of Roanoke Rapids shall be submitted to a vote of the qualified voters of said city and the territory to be annexed and contained within the boundaries hereinbefore set forth, all voting together.

Sec. 9. That the said election shall be held on Monday, the twenty-seventh day of April one thousand nine hundred and thirty-one, under the supervision of a special board of elections to be hereinafter created, and in all particulars other than those provided in this act, shall be held and conducted and the qualification of the voters determined as nearly as may be practicable in accordance with the general laws relating to the election of officers for the city of Roanoke Rapids. The test of qualification of voters in said election shall be whether they are residents of the territory proposed to be annexed outside of the town of Roanoke Rapids and whether the residents of the city shall be qualified voters of the city of Roanoke Rapids, and the resi-
dents of the territory proposed to be annexed shall be qualified voters of Roanoke Rapids Township, Halifax County, as shown by the registration books. The registration books for those precincts in the County of Halifax which include the territory outside of said city proposed to be annexed shall be kept open during the same period provided for the registration of voters in the town or city of Roanoke Rapids. The Registrars in such precincts shall be present at the polling places of each precinct each Saturday during the period of registration from sunrise until sunset for the registration of voters which are not already registered. The Special Board of Elections shall publish, preceding the date of election, a notice of said election once a week for four successive weeks in a newspaper published in the town or city of Roanoke Rapids. All voters shall vote at the voting places of the precincts for general elections in which they reside. The registration books used at the last general election held in Halifax County shall be used at the election in all precincts in the city and the territory to be annexed.

SEC. 10. For the purposes of this act and for the purposes of the Special Election herein ordered, a Special Board of Elections is hereby created to consist of three members, one of whom shall be Chairman, and Kelly Jenkins, W. F. Joyner and L. G. Shell, be and they are hereby appointed as said Special Board of Elections, and in case of resignation, death or removal of any member hereof, the Mayor and Commissioners of the town or city of Roanoke Rapids shall appoint a successor. The members of the said Board of Elections, after taking the oath of office shall elect one of their members as Chairman. The said Board of Elections shall be vested with the same power and authority in the performance of their duties as the County Board of Elections, and the Registrars and Judges and other election officials shall have the same power and authority as is conferred upon officials appointed by the Halifax County Board of Elections, and the provisions of the general election laws governing the election of municipal officers of the city of Roanoke Rapids shall apply in full force and effect in said Special Election when not inconsistent with the provisions of this act, and it shall be the duty of said Board of Elections to appoint the Registrars and Judges and to have general supervision and control over the election ordered by this act. The costs and expense of said election shall be borne by the city of Roanoke Rapids.

SEC. 11. That at such elections those voters who favor extending the city limits as provided herein, shall vote ballots upon which shall be written or printed the words "For City Extension" and those opposing shall vote ballots upon which shall be written or printed the words "Against City Extension." And
the proposition for city extension and the proposition against city extension shall be upon a single ballot, and shall be prepared so as to conform with the general law governing municipal elections in the town or city of Roanoke Rapids. If at such election a majority of the votes cast shall be “For City Extension,” then, from and after the twenty-first day of April one thousand nine hundred and thirty-one, the corporate limits of the said city of Roanoke Rapids shall be extended as herein provided, and the territory above described shall be a part of the corporate territory of the city of Roanoke Rapids, and such territory, its citizens and property, shall be subject to the charter and all laws, ordinances and regulations in force in said city. The said Board of Elections shall declare the result of the election and certify it to the Board of Commissioners of the city of Roanoke Rapids, who shall cause it to be entered upon the records of said city.

SEC. 12. That if the corporate limits of the city of Roanoke Rapids shall be extended as herein provided, the property outside of the present corporate limits of the town of Roanoke Rapids and inside of the corporate limits of said city as fixed by this act, shall be listed for taxes as of and beginning with the first day of May one thousand nine hundred and thirty-one, and all residents in said territory, subject to a poll and personal property tax shall be required to list the same for the year beginning May first, one thousand nine hundred and thirty-one. It being the intent of this section that the city of Roanoke Rapids shall have power and authority to collect taxes for the year one thousand nine hundred and thirty-one upon all property real, personal and poll located within the limits described in Section Three of this act. That taxes shall be collected on all property owned by tax payers within said district on the first day of May, one thousand nine hundred and thirty-one, and listed accordingly. Commencing with the year one thousand nine hundred and thirty-two and subsequent thereto, all property real, personal and poll shall be listed for taxation and taxes collected under the general laws prescribed by the General Assembly.

SEC. 13. All matters pertaining to the administration of the government of the town of Roanoke Rapids, and not provided for in this act, shall be governed by the laws of the State of North Carolina as contained in Chapter fifty-six of the Consolidated Statutes of North Carolina.

SEC. 14. That if the corporate limits of the city of Roanoke Rapids shall be extended, as herein provided, the Mayor and Board of Commissioners of said city shall immediately cause to be made by a competent surveyor, a survey of the territory with-
in the corporate limits of the city of Roanoke Rapids and the corporate limits of said city described in Section Three hereof and a map prepared therefrom and recorded in the office of the Register of Deeds for Halifax County, North Carolina; the expenses thereof being borne by the city of Roanoke Rapids.

Sec. 15. That wherever the word "town" appears in Chapter fifty-three of the Private Laws of one thousand eight hundred and ninety-seven, and all amendments thereto, the same shall be stricken out and word "city" shall be inserted in lieu thereof.

Sec. 16. If any section, clause or sentence of this act with respect to boundaries shall be declared invalid, then every section, clause or sentence of said act shall be null and void; otherwise no other section, clause or sentence of said act shall be affected thereby.

Sec. 17. That all laws and parts of laws in conflict with this act, be and the same are hereby repealed.

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

Ratified this the 6th day of March, A.D., 1931.

CHAPTER 54

AN ACT TO AMEND CHAPTER TWO HUNDRED AND TWELVE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE, AUTHORIZING THE BOARD OF COMMISSIONERS OF THE TOWN OF MOCKSVILLE, IN DAVIE COUNTY, TO EXPEND THE FUNDS DERIVED FROM THE SALE OF ELECTRIC LIGHTING AND POWER SYSTEM.

The General Assembly of North Carolina do enact:

Section 1. That Chapter two hundred and twelve, Public-Local Laws of one thousand nine hundred and twenty-nine, be amended by adding at the end of section one thereof the following: "Provided, that if said electric lighting and power bonds cannot be bought at a price satisfactory to said Board of Town Commissioners, the said board may buy any other bonds outstanding against the town of Mocksville to an amount not exceeding seventy-five thousand dollars."

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

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

Ratified this the 6th day of March, A.D., 1931.
CHAPTER 55

AN ACT TO AMEND CHAPTER ONE HUNDRED SIXTY-EIGHT, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-NINE, RELATING TO ELECTIONS IN THE TOWN OF ANGIER.

The General Assembly of North Carolina do enact:

SECTION 1. That Section four of chapter one hundred and sixty-eight of the Private Laws of one thousand nine hundred and twenty-nine, be, and the same is hereby amended as follows: Strike out the period in the end of the first paragraph of said section and substitute therefor a semi-colon and add the following: “Provided, that the governing body of said town may, in its discretion, designate only one registration and voting precinct in said town.”

SEC. 2. That all laws and clauses of laws in conflict here-with are hereby repealed.

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

Ratified this the 7th day of March, A.D., 1931.

CHAPTER 56

AN ACT AUTHORIZING THE SETTING ASIDE OF A CERTAIN PORTION OF THE TOWN COMMONS IN TARBORO, NORTH CAROLINA, FOR THE ERECTION OF A PUBLIC BUILDING FOR CERTAIN CIVIC AND PATRIOTIC INTERESTS.

Whereas the Reverend James Moye, Lawrence Toole Mercer, Captain Acquila Sugg, Elisha Battle and Benjamin Hart were, by a recorded instrument, dated the twenty-fourth day of September, one thousand seven hundred sixty, appointed and qualified as bonded commissioners to lay off certain lands formerly belonging to Joseph Howell into a town to be known as the Town of Tarboro, they being charged with the further duty of excepting from the lands referred to, to be so laid off, fifty acres, more or less, of said land to be used as a Town Commons: and,

Whereas in pursuance to said commission, said commissioners did lay off said lands into a Town and did set aside and reserve fifty acres more or less, of the lands formerly belonging to Joseph Howell, as the Town Commons, all of which is platted and is recorded under date of September one thousand seven hundred sixty, is Book D at Page five hundred twenty-four of the Edgecombe Registry; and,
Whereas the Eason Tiney Post, Chapter of the American Legion, in conjunction with other civic, patriotic and educational organizations are desirous of erecting, as a result of private subscriptions (but not out of public funds), a building in the Town Commons and in that portion thereof that lies between the following boundaries: on the West by Albemarle Avenue, on the South by Wilson Street, on the East by Trade Street, and on the North by Park Avenue (or Park Avenue if extended westwardly), which lies just immediately south of the property lines as they now exist of Dr. S. N. Harrell, Mrs. F. G. Davis, H. P. Foxhall and others; and,

Whereas said organizations propose, as a result of private funds to be raised as soon as possible, to erect in said confines a creditable building to cost not less than thirty thousand ($30,000.00) Dollars, which said building is to be used for patriotic gatherings, educational purposes, and as a public library, and in which is to be installed as soon as practicable, a gymnasium, and in which or outside of which, at the option of the trustees to be appointed as hereinafter stated, is to be erected a public swimming pool: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Mayor and Town Commissioners of the Town of Tarboro be and they are hereby expressly authorized, empowered, and permitted to lease that portion of the Town Commons or so much thereof as in their discretion they may deem expedient and proper that lies inside the following boundaries, to-wit: On the West by Albemarle Avenue, on the South by Wilson Street, on the East by Trade Street, and on the North by Park Avenue, (or Park Avenue if extended westwardly), to a Board of Nine Trustees, said trustees to be selected in the following manner, to-wit, All nine of said trustees shall be elected by the Mayor and the Board of Commissioners of the Town of Tarboro, but three of said nine trustees shall be nominated to said Board and Mayor by the Eason Tiney Post of the American Legion, and three more of said trustees shall be nominated to said Board and Mayor by the Edgecombe Public Library, the remaining three trustees to be nominated and selected by the Board of Commissioners and the Mayor of the Town of Tarboro. One out of each group of three trustees shall be nominated and elected to serve for one year, and one each of the second group of three trustees shall be nominated and elected to serve for two years, and one each from the last or third group of trustees shall be nominated and elected to serve for three years. And thereafter one each out of each group of trustees shall be selected to serve for three years. Said trustees shall serve without compensation.
Sec. 2. The said Mayor and Board of Commissioners of the Town of Tarboro are not authorized, however, to lease said land to said trustees, as provided for in Section one, until such time as the Eason Tiney Post of the American Legion and the Edgecombe Public Library, and other civic, patriotic or educational organizations, co-operating with said Post and Library, shall give definite and satisfactory assurance to the Mayor and Board of Commissioners of the Town of Tarboro, that they have on hand or available sufficient money to erect a building, the plans of which shall be approved by the Mayor and the Board of Town Commissioners, and the cost of which shall be in at least the sum of thirty thousand ($30,000.00) Dollars.

Sec. 3. When the assurance provided for in Section Two hereof shall have been successfully given to the Mayor and Board of Commissioners of the Town of Tarboro, as in their discretion they may require, the said Mayor and Board of Commissioners are authorized to lease said land to said trustees as provided for in Section one hereof: Whereupon said trustees, through their duly constituted agents, shall within two years of said lease, begin to erect a building to cost at least thirty thousand ($30,000.00) Dollars as provided for in Section two hereof, and shall complete said building as expeditiously as possible. Said lease for said premises shall be for an indefinite duration of time with the condition and proviso, however, that if said trustees shall fail to properly keep and maintain said building (it being understood, however, that the governing body of said Town shall furnish lights and water to said building without charge), and further should they fail to properly keep said building devoted to the objects and purposes hereinafore stated, that the said Mayor and Board of Commissioners may declare said lease forfeited, in which event, the building and all other property placed or installed on said leased premises by said trustees shall immediately revert to and become the property of the Town of Tarboro.

Sec. 4. The said building when built and erected out of private funds as aforesaid, shall be utilized only for the maintenance of the public library therein, and for patriotic, educational, athletic, social and civic purposes. In addition thereto said Mayor and Board of Commissioners in said lease are hereby especially authorized and empowered to in turn authorize and empower said trustees to, out of private funds, install in said building a gymnasium for the purposes of promoting the general health of the youth and people generally of the Town of Tarboro. In addition thereto said Mayor and Board of Commissioners are further authorized to empower said trustees in said lease to install or erect either in said building or outside said
building but on said leased premises, a swimming pool for the use of the public, under such restrictions as may be imposed subject to the approval of the Mayor and Board of Commissioners, by said trustees.

SEC. 5. After and when said lease is given to said trustees under the authority hereinbefore extended, then said trustees may make such by-laws as to them may seem reasonable; in regard to the use of said building and swimming pool.

However, such by-laws or regulations as may be adopted by said trustees must be subject first to the approval of the Mayor and Board of Commissioners of the Town of Tarboro.

SEC. 6. This Act shall be in full force and effect from and after its ratification.

Ratified this the 7th day of March, A.D., 1931.

CHAPTER 57
AN ACT TO AMEND THE CHARTER OF BEAUFORT, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter four hundred and thirty-five of the Private Laws, one thousand nine hundred and thirteen, as amended by Chapter ninety-three Private Laws one thousand nine hundred and twenty-five, be amended as follows:

Add at the end of Section twenty-four, after the word "Commissioners" the words "Not exceeding three hundred dollars per annum."

Strike out sections seventy-five, seventy-six, seventy-seven, seventy-eight and seventy-nine, and insert in lieu thereof the following:

"SEC. 75. That for the management of said water and light systems, a Commission, to be called 'Beaufort Water and Light Commission,' is organized, which Commission shall consist of three members, to be elected by the Board of Commissioners of said town, for terms of two, four and six years respectively; and in case of vacancy, on said Commission, either by expiration of term or otherwise, the Board of Commissioners shall appoint such person as may be recommended by the remaining members of the Commission to fill such vacancy. Said Commission shall organize by electing one of its members Chairman, and may elect such other officers as said Commission deems expedient or advisable."

"SEC. 76. That the said Commission shall have entire supervision and exclusive control of the maintenance, improvement
and management of said systems, and shall fix such uniform rates for water and lights and electric power and current as conditions shall determine; Provided, that any person may appeal to the Board of Commissioners from the decision as to rates, and the decision of the Board shall be final.”

“Sec. 77. That the Commission shall keep its funds, which shall be paid out only on the order of said Commission, and at the end of each fiscal year, or calendar year as said Commission may determine, said Commission shall report to the Board of Commissioners its receipts and a schedule of its disbursements and if a net gain shown shall recommend to the Board such amount, if any, as may be turned over to the general fund of the town.”

“Sec. 78. That said Commission shall elect or appoint all officers, agents and employees necessary to the operation of said systems, and fix their remuneration and may require bond in any case.”

“Sec. 79. That the Board of Commissioners may allow remuneration to the members of the Commission, but such remuneration shall not exceed the per diem allowed to members of the Board of Commissioners, except the Chairman of the Commission whose compensation, not exceeding Three Hundred Dollars per annum, may be fixed by the Commission and be payable out of its funds on its order.”

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 7th day of March, A.D., 1931.

CHAPTER 58

AN ACT TO PREVENT THE ERECTION OF A TOWN HALL IN THE TOWN OF LEXINGTON WITHOUT A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

SECTION 1. That no bonds shall be issued or obligation incurred for the purpose of erecting a town hall in the town of Lexington without submitting the question of such erection to the vote of the people of said town.

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

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

Ratified this the 7th day of March, A.D., 1931.
CHAPTER 59

AN ACT TO AMEND CHAPTER TWO HUNDRED AND EIGHT OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN RELATING TO THE SALARY OF THE MAYOR OF THE TOWN OF WARSAW IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all of Section one of Chapter two hundred and eight of the Private Laws of one thousand nine hundred and twenty-seven be and the same is hereby repealed, and the following is inserted in lieu thereof as a new Section to be known as Section one:

"The Mayor of the town of Warsaw, North Carolina, shall receive such compensation as may be fixed by the Board of Commissioners of the town of Warsaw, who are hereby authorized and directed to fix the salary of the Mayor and the payments thereof, which compensation shall be in lieu of all fees as now or may hereafter be provided by law."

SEC. 2. That the Chief of Police or any other Police officer of the town of Warsaw, shall have authority to make arrests and serve all criminal process in Warsaw Township, Duplin County.

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

Ratified this the 7th day of March, A.D., 1931.

CHAPTER 60

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

Whereas by section two of Chapter one hundred and five of the Private Laws of North Carolina Session one thousand nine hundred and seventeen the boundaries of the Town of Nashville were fixed by reference to a map recorded in Book one of Maps, at page sixty-four in the office of the Register of Deeds of Nash County, and whereas it has been made to appear that the said map does not contain description by meets and bounds, and does not sufficiently describe the boundaries of the Town of Nashville; and whereas the governing body of the said town has caused an actual survey to be made locating the boundaries of the town as nearly as practicable according to said map; and
whereas the governing body and the citizens of said town desire that the boundaries be made definite: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That section two of Chapter one hundred and five of the Private Laws of North Carolina, Session one thousand nine hundred and seventeen, entitled "An Act to Revise The Charter of The Town of Nashville," be and it is hereby repealed.

SEC. 2. That the following be substituted in the place of section two, Chapter one hundred and five of the Private Laws of North Carolina, Session one thousand nine hundred and seventeen, to-wit:

"That the corporate limits of the Town of Nashville shall hereafter be, and the said town is hereby bounded and described as follows, to-wit:

"Beginning at an iron stake, 769 feet S. 75° 36' E. of a granite marker lettered N. C. G. S., U. S. G. S., and being the North stone of a base line 350 feet long, designating the true North and South meridian, located in the Nashville Cemetery by the U. S. Coast and Geodetic Survey (See Bulletin Serial Number 303); thence N. 75° 36' W. over and across the center of said marker, 2877 feet to an iron stake on the East bank of Stoney Creek; thence up Stoney Creek as it meanders 1572.2 feet to an iron stake on the South bank of the aforesaid creek; thence S. 37° 18' W. 836.1 feet to an iron stake on the Northeast bank of Stoney Creek; thence with said Stoney Creek as it meanders 1350 feet to an iron stake on the South bank of the aforesaid creek; thence S. 0° 26' W. 2443.8 feet to an iron stake, located 290 feet Southwest of the switching flag of the A. C. L. Railroad; thence S. 86° 23' E. 1520 feet to an iron stake in the roots and on the North side of a pine tree located on the West side of Alston Street, 225.2 feet from the center of the A. C. L. Railroad; thence S. 71° 22' E. 2752.5 feet to an iron stake, located 149.1 feet E. of the Eastern side of the Wilson Road, and 829.9 feet from the center of the A. C. L. Railroad Track; thence N. 12½° E. 4516.3 feet to the beginning.

"Surveyor's Notes:

"All angles are measured to the nearest minute and the magnetic bearings calculated from a true North and South Meridian, the North stone of which forms a part of this description. All main Highway intersections are marked by iron stakes, and Highway 90, leading to Rocky Mount, North Carolina, is crossed where the asphalt paving narrows from eighteen to sixteen feet in width.
“Survey and Map by B. J. Downey, Engineer, dated February 15, 1931, a copy of which is recorded in Book 352, page 255, Nash Registry, which map and survey is made a part of this description.”

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

Ratified this the 7th day of March, A.D., 1931.

CHAPTER 61
AN ACT TO AMEND CHAPTER ONE HUNDRED NINETY OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED TWENTY-THREE, RELATING TO THE CHARTER OF THE TOWN OF ROBBINSVILLE, IN GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter one hundred and ninety of the Private Laws of North Carolina, Session nineteen hundred and twenty-three, be and the same is hereby amended as follows:

By striking out the period at the end of Section one and inserting in lieu thereof a comma, and the following:

“Provided, however, that the following described piece or parcel of land is excepted from the foregoing boundary, to-wit:

Beginning on a stake on the East bank of Long Creek near the Buffalo Snowbird Railway bridge and on the South side of the Buffalo Snowbird Railway, and runs South sixty-five degrees and forty-five minutes East eighty-four feet to a stake; thence South eighty-six degrees and fifty-five minutes East and with the old town corporation line one thousand one hundred thirty-seven feet to a stake on the West side of Bemis Lumber Company's loading dock railroad line; thence North thirty degrees and ten minutes west seven hundred sixty-four feet to a stake; thence seventy-one degrees and fifty-seven minutes west three hundred fifteen feet to a stake on the South side of Buffalo Snowbird Railway; thence South forty-five degrees and forty-two minutes West eight hundred sixteen feet to the beginning.”

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 March, A.D. 1931.
CHAPTER 62

AN ACT TO AMEND CHAPTER THIRTY-SEVEN OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-THREE, BEING THE CHARTER OF THE CITY OF GREENSBORO.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter thirty-seven of the Private Laws of one thousand nine hundred and twenty-three, entitled, "An act to Incorporate The City of Greensboro, etc.", and amendments thereto, be further amended as follows:

a. That Section eighty-three of the said Chapter thirty-seven of the Private Laws of one thousand nine hundred and twenty-three, as heretofore amended, be further amended by adding at the end thereof the following sentence:

"The said City may establish and maintain separate cemeteries for white persons and for negro persons, and in order so to do, the City Council may authorize and direct the removal of dead bodies from one city cemetery to another city cemetery."

b. That Section 78(c) of the said Chapter thirty-seven of the Private Laws of one thousand nine hundred and twenty-three, as heretofore amended, be further amended by adding thereafter a new section as follows:

"78(c) 1. That there be and hereby is confirmed and declared valid in all respects a supplemental agreement dated the twenty-third day of February, one thousand nine hundred and thirty-one, between the City of Greensboro and the Southern Railway Company, the same being supplemental to a certain contract or agreement dated the twenty-ninth day of November, one thousand nine hundred and twenty-six, as heretofore amended, the said supplemental agreement hereby confirmed and validated providing for the substitution of a vehicular underpass at East Street in lieu of a pedestrian underpass at Dean's Street, and further providing for an extension of time for the completion of the work required in the said original contract."

c. That Section 78(d) of the said Chapter thirty-seven, Private Laws of one thousand nine hundred and twenty-three, as amended, by adding thereafter a new sub-section as follows:

"Section 78(d) 1. All acts heretofore done and all steps taken by the City of Greensboro in the widening, paving and repair of the streets and sidewalks of the City and in the construction in the City of water mains and laterals, sanitary sewer mains and laterals, storm sewers, curbs and gutters, grass plot improvements and all special assessments levied therefor are hereby in all respects approved and validated."
SEC. 2. That all laws and parts of laws in conflict with this act are repealed insofar as they affect this act.
SEC. 3. That this act shall be in effect from and after its ratification.
Ratified this the 9th day of March, A.D., 1931.

CHAPTER 63
AN ACT TO AMEND CHAPTER EIGHTY-FIVE, PRIVATE LAWS OF NINETEEN HUNDRED AND TWENTY-SEVEN, RELATIVE TO THE CHARTER OF THE TOWN OF PILOT MOUNTAIN, AND TO REPEAL CHAPTER FORTY-FOUR, PRIVATE LAWS OF NINETEEN HUNDRED AND TWENTY-NINE.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter eighty-five, Private Laws of nineteen hundred and twenty-seven, be amended by striking out all of said section one, and substituting in lieu thereof section two of chapter two hundred and eighty-seven, Private Laws of eighteen hundred and ninety-one. The boundaries of the Town of Pilot Mountain shall be and remain as set out in section two, Private Laws of eighteen hundred and ninety-one, chapter two hundred and eighty-seven.
SEC. 2. That chapter forty-four, Private Laws of nineteen hundred and twenty-nine, be and the same is hereby repealed.
SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
SEC. 4. That this act shall be in force and effect from and after its ratification.
Ratified this the 9th day of March, A.D., 1931.

CHAPTER 64
AN ACT TO AMEND CHAPTER NINETY-ONE, PRIVATE LAWS, ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN, SO AS TO CONTRACT THE LIMITS OF THE TOWN OF BREVARD.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter ninety-one, Private Laws, one thousand nine hundred and twenty-seven, be and the same is hereby amended by striking out all of section two of said chapter and inserting in lieu thereof the following:
"SEC. 2. That the limits of the town of Brevard in said county shall embrace all of that territory within a radius of three-quarters of a mile of the Court House in said town; Provided, that this contraction of the limits of the town shall not
affect the agreement made by citizens of the territory excluded from that embraced in section two of chapter ninety-one, Private Laws, one thousand nine hundred and twenty-seven, to pay water rents and taxes not to exceed fifty cents on each one hundred dollars, heretofore levied or hereafter to be levied for the cost of that part of the water line extending beyond the three-quarters of a mile corporate limit."

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

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

Ratified this the 9th day of March, A.D., 1931.

CHAPTER 65
AN ACT TO AUTHORIZE THE TOWN OF TARBORO TO ENLARGE AND EXTEND ITS ELECTRIC LIGHT FACILITIES AND FURNISH LIGHTS BEYOND THE CORPORATE LIMITS.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of the Town of Tarboro are hereby authorized and empowered to enlarge and extend its electric light facilities beyond the corporate limits of the Town of Tarboro, and to properly effectuate and carry out the plan of extension hereunder, are authorized and empowered to construct or buy, maintain and operate electric light and power lines outside the corporate limits of the Town of Tarboro and in rural districts, and to sell and furnish either its present electric light plant or other power plant electric current and lights not only to inhabitants of the Town of Tarboro but to persons, firms, or corporations outside of the corporate limits of the Town of Tarboro; and the said Board of Commissioners is authorized and empowered to charge for the use of said lights and current such rate as may be fixed by said board.

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

Ratified this the 10th day of March, A.D., 1931.

CHAPTER 66
AN ACT TO RESTRICT AND LIMIT THE POWERS OF THE BOARD OF COMMISSIONERS OF THE TOWN OF EAST FLAT ROCK IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the first day of June, one thousand nine hundred and thirty-one, the Commissioners of the town of East Flat Rock in Henderson County shall have no
power to levy any taxes for any purpose whatever except for
the payment of principal and interest on outstanding obliga-
tions of said town as of said date, except as hereinafter pro-
vided.

SEC. 2. That from and after the first day of June, one thou-
sand nine hundred and thirty-one, the Commissioners of the
town of East Flat Rock in Henderson County shall annually
levy and collect a sufficient tax against all property within the
incorporate limits of said town to meet all principal and interest
of any obligation maturing in each current year against said
town and for no other purpose, except as hereinafter provided.

SEC. 3. That all the taxes levied and collected pursuant to
this act shall be used for the exclusive purpose of retiring obliga-
tions of the town of East Flat Rock as the same shall become
due, and for no other purpose, except as hereinafter provided.

SEC. 4. That the Commissioners of the town of East Flat
Rock shall have no power from and after the ratification of this
act to contract or create any new debts or obligations in the name
of said town, and their power shall be limited to the retirement
of only such obligations as may exist against said town, except
as hereinafter provided.

SEC. 5. That it shall be the duty of the Commissioners of
said town of East Flat Rock to collect all street assessments
due said town and to see that all money so collected is applied to
the payment of such bonds as were issued for the purpose of
building said streets.

SEC. 6. That all taxes levied and collected under this act
shall be levied and collected in the manner and at the same time
as taxes, heretofore, levied and collected by the Town of East
Flat Rock.

SEC. 7. In addition to the levying and collecting of taxes by
the Commissioners of the town of East Flat Rock for the pur-
pose of retiring the outstanding indebtedness of said town, it
shall be lawful for the commissioners of said town to levy an
additional tax sufficient to provide office space where the tax
records shall be kept and where the meetings of the Board of
Commissioners may be held, and to provide for the necessary
stationery and postage incident to the conduct of the affairs of
said town, and to provide for the cost of such elections held in
said town as are authorized by law.

SEC. 8. It shall be lawful for the Commissioners of the town
of East Flat Rock to issue such bonds as may be necessary, in
their discretion, to refund any bonds now outstanding, in the
name of the Town of East Flat Rock, and it shall be lawful for
the Commissioners of the town of East Flat Rock to issue and
sell notes in anticipation of the collection of taxes. All notes
and bonds issued pursuant to this paragraph shall be issued under the general laws of the State providing for the issuing of bonds and notes by municipal corporations, but all proceeds of the issuing and sale of any bonds and notes pursuant to the foregoing shall be used for the sole and exclusive purpose of retiring outstanding bonds and notes of the town of East Flat Rock at the time of any new issue under this paragraph.

SEC. 9. That the office of Chief of Police of the town of East Flat Rock is hereby abolished.

SEC. 10. That there shall be created for the town of East Flat Rock the office of Special Constable.

SEC. 11. Immediately after the ratification of this act it shall be the duty of the Commissioners of the town of East Flat Rock to appoint a Special Constable to serve until the next regular town election. The said Special Constable shall have the same power and authority as the regular Constable of Hendersonville Township, in Henderson County, and shall receive for his services as Special Constable the same fees as are now authorized by law for the said regular constable of Hendersonville Township.

SEC. 12. The Special Constable authorized by this act shall, before entering upon his duties, take and subscribe to the same oath as required of the regular constable of Hendersonville Township, and shall enter into a good and sufficient bond for the faithful performance of his duties as Special Constable in a sum to be fixed by the Board of Commissioners of the town of East Flat Rock.

SEC. 13. That at the next regular election in the town of East Flat Rock, and every two years thereafter, there shall be elected by the qualified voters thereof a Special Constable to serve for a period of two (2) years and until his successor is elected and qualified, the term of office of said Special Constable to begin at the same time as that of the Mayor of said town.

SEC. 14. The Commissioners of the town of East Flat Rock may in their discretion appoint the Special Constable tax collector for the town of East Flat Rock, in which event the Special Constable shall be vested with the same power and authority in the collection of taxes in the town of East Flat Rock, and the sale of property therefor, in like manner and to the same extent as is now held by the tax collector of Henderson County in the Collection of taxes and sale of property therefor in Henderson County. And in the event the Special Constable is designated as tax collector in the town of East Flat Rock, it shall also be his duty to collect such street assessments as may be due to the town of East Flat Rock, the collection of the same to be in

Chief of Police abolished.
Special Constable created.
Appointment.
Power and authority.
Fees.
Oath of office.
Election of Special Constable biennially.
May serve as Tax Collector.
Power and authority.
accordance with the general laws of the State in relation there-
to. The Special Constable shall be allowed a commission on all
taxes and street assessments collected by him in an amount to
be fixed by the Board of Commissioners, and before entering
upon his duties in the collection of taxes and street assessments,
he shall enter into a good and sufficient bond, with sufficient
surety, approved by the Commissioners in an amount to be fixed
by the Commissioners and conditioned upon the faithful per-
formance of his duties in the collection of taxes and street as-
sessments, and upon the further condition that he will make a
ture and correct accounting of all monies collected.

Sec. 15. The Commissioners of the town of East Flat Rock
shall cause all money of the town which may be deposited in any
bank or banks to be amply secured either by North Carolina
State bonds or United States bonds.

Sec. 16. That the Commissioners of the town of East Flat
Rock shall continue to sell as many water taps as they may
be able to under the provisions of the contract now existing be-
tween the said town and the Board of Water Commissioners of
the City of Hendersonville, and all funds so derived from the
sale of water taps shall be used for the exclusive purpose of re-
tiring such obligations against said town as may now exist, or
may hereafter exist, pursuant to the terms of this act, and for
no other purpose.

Sec. 17. That from and after the ratification of this act, all
highways within the corporate limits of the town of East Flat
Rock which were county highways prior to the incorporation
of the town shall revert to their original status and shall be-
come county highways and shall be maintained in like manner
as the other county highways and roads.

Sec. 18. In the event of a vacancy in any office of the town
of East Flat Rock, said vacancy shall be filled by appointment of
the Board of Commissioners and any person appointed under
this section shall serve until the next regular election of the
town of East Flat Rock and until his successor is elected and
qualified.

Sec. 19. Except as restricted by this act, the Commissioners
of the town of East Flat Rock shall have the same power as
hereetofore held.

Sec. 20. That all laws and clauses of laws in conflict with
this act are hereby repealed, and no act of the present Assembly
shall be construed to repeal any part hereof; unless this act is
expressly referred to by both House and Senate numbers.

Sec. 21. That this act shall be in full force and effect from
and after its ratification.

Ratified this the 11th day of March, A.D., 1931.
CHAPTER 67

AN ACT TO AMEND CHAPTER THREE HUNDRED SIXTY-EIGHT OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND ELEVEN AND CHAPTER TWO HUNDRED AND THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND SEVENTEEN RELATING TO THE POLICE COURT FOR THE TOWN OF CANTON, COUNTY OF HAYWOOD.

The General Assembly of North Carolina do enact:

SECTION 1. That Section Four of Chapter Three Hundred Sixty-Eight of the Public-Local Laws of One Thousand Nine Hundred Eleven be, and the same is hereby, repealed.

SEC. 2. That Section Two of Chapter Two Hundred and Three of the Public-Local Laws of One Thousand Nine Hundred Seventeen be, and the same is hereby, repealed.

SEC. 3. That in lieu of said Section Four of Chapter Three Hundred Sixty-Eight of Public-Local Laws of One Thousand Nine Hundred and Eleven and Section Two of Chapter Two Hundred and Three of the Public-Local Laws of One Thousand Nine Hundred and Seventeen, said police justice shall receive as compensation for his services the sum of Fifty ($50.00) Dollars per month, same to be paid monthly by the Treasurer of the Town of Canton; that there shall be taxed in the bill of costs the sum of One ($1.00) Dollar for trial and judgment in all cases where costs are taxable by law, including judgments for penalties and forfeitures, and shall be taxed in the bill of costs the sum of One ($1.00) Dollar against each person convicted or bound to the Superior Court as jail fees, Provided such defendant has been locked up in the city jail. That said fees provided in this Section shall be paid to the Treasurer of the Town of Canton for the purposes of defraying the salary of the police justice and for other necessary expenses in connection with the Court.

SEC. 4. That the Treasurer of the Town of Canton shall pay for all meals and board where a defendant is locked up in the city jail and the defendant acquitted, except in such cases where the prosecutor can be taxed with the costs.

SEC. 5. That in addition to the jurisdiction heretofore conferred on said Court, said police justice shall have jurisdiction to try all actions for the recovery of any forfeited bond made returnable to said Court, and that execution may issue from said Court on any judgment rendered on any forfeited bond, and said Court may issue a transcript of said judgment, and said transcript may be docketed in the Superior Court of Haywood County the same as transcripts of judgments from Jus-
tice of Peace Court, and when said judgment is so docketed, it shall become a judgment of the Superior Court as provided for judgments of the Justice of the Peace.

Sec. 6. That there shall be a Solicitor of said Recorder's Court, who shall serve for a term of two years, and who shall be elected at the regular municipal election in May, One Thousand Nine Hundred and Thirty-One and every two years thereafter at the regular city election, and whose duty it shall be to prosecute all actions in said Court.

Sec. 7. That the Solicitor shall receive as his compensation the sum of One Dollar Fifty Cents ($1.50) for each case prosecuted by him where the defendant is convicted or where the defendant is bound to the Superior Court, and in all cases where the costs are taxable, same to be taxed in the bill of costs.

Sec. 8. That all laws or parts of laws in conflict with any of the provisions of this act be, and the same are hereby, repealed.

Sec. 9. That the provisions of this act shall be effective from and after the regular municipal election for the Town of Canton to be held in May, One Thousand Nine Hundred Thirty-One.

Ratified this the 11th day of March, A.D., 1931.

CHAPTER 68

AN ACT TO PROVIDE A BOXING COMMISSION AND REGULATE BOXING IN THE CITY OF BURLINGTON.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Aldermen of the City of Burlington is hereby empowered, and authorized to appoint a Boxing Commission, to consist of five citizens of the said City, who may serve for a period not to exceed that of the Board of Aldermen appointing said Commission, and who may be removed at the pleasure of the governing body of the said City, and who shall serve without compensation.

Sec. 2. That it shall be lawful, by and with the consent and permission of the said Boxing Commission of the City of Burlington, to engage in, manage, or promote boxing exhibitions in the City of Burlington, which do not exceed eight rounds in length; Provided, always, that the Boxing Commission shall have full power and authority to stop said exhibitions and/or to make such rules and regulations as in its discretion may be necessary for the proper regulation of such boxing exhibitions, even after consent has been given for the holding of such boxing exhibitions; Provided, further, that no boxing exhibition shall be given unless at least two of said members of the Boxing Commission attend the same.
Staging matches without consent of Commission or violation of rules adopted by Commission made misdemeanor.

Punishment.

Conflicting laws repealed.

SEC. 3. That any person or persons who may be engaged in, manage or promote any such boxing exhibition or sparring match, without first having obtained the written consent of said Boxing Commission, and/or any person or persons violating any of the rules and regulations of the said Commission, or refusing to obey the orders of the said Commission, or violating any order, resolution or ordinance which may be passed by the governing body of the said City, with reference to the same, shall be guilty of a misdemeanor and shall be fined not more than five hundred ($500.00) dollars, or imprisoned not more than six months, in the discretion of the Court.

SEC. 4. This Act shall apply only to the City of Burlington.

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 12th day of March, A.D., 1931.

CHAPTER 69

AN ACT TO AMEND CHAPTER ONE HUNDRED SEVENTY-FIVE OF THE PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED FIFTY-TWO, AS AMENDED BY CHAPTER TWO HUNDRED TWENTY-THREE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED ONE, OF THE STATE OF NORTH CAROLINA, RELATING TO THE MANAGEMENT AND CONDUCT OF THE AFFAIRS OF OAKDALE CEMETERY COMPANY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the ratification of this Act the affairs of Oakdale Cemetery Company shall be governed and managed by a board of seven directors, who shall be elected by a majority vote at an annual meeting to be held on the second Monday in January of each year. At said meeting, twenty-five lot owners of said Cemetery, represented in person or by proxy, shall constitute a quorum, but no lot owner, irrespective of the extent of his holdings, shall be entitled to cast more than one vote, which may be cast either in person or by proxy. Said directors shall elect a president, and such other officers as they deem necessary for the proper management of the affairs of the said corporation.

SEC. 2. That the Directors of the said Corporation may, in their discretion, appoint in lieu of the three trustees, as now provided by the charter of the Company, some bank or trust company, authorized by law to do a general trust business, and
is engaged in business in the City of Wilmington, N. C., as Trustee of the "Perpetual Agreement Fund" of said Cemetery, and if, in their discretion, they do so elect to appoint such bank or trust company as trustee, said new trustee shall have and possess, and shall be subject to the powers and duties of the present Trustees, and the present Trustees of said "Perpetual Agreement Fund" are hereby directed to turn over to the said bank or trust company, as trustee, when appointed, all of the securities, bonds, notes, mortgages, other papers, and cash on hand, that they have in their possession, and said bank or trust company shall give the present Trustees a receipt in full for same, which shall operate as a release and discharge of said present Trustees of any liability for said funds or securities.

Sec. 3. Said Directors shall have the power to fill any vacancy occurring in the office of Trustee, occasioned by refusal to act, resignation, by removal from office, or otherwise, and to appoint another bank or trust company in its stead. Said Directors shall have the further power to pay reasonable compensation to any Trustee so appointed under the powers conferred by this Act.

Sec. 4. That all laws and clauses of laws in conflict with the provisions of this Act be, and the same are hereby repealed.

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

Ratified this the 12th day of March, A.D., 1931.

CHAPTER 70

AN ACT TO AMEND CHAPTER ONE HUNDRED EIGHT PRIVATE LAWS, ONE THOUSAND EIGHT HUNDRED NINETY-ONE, RELATING TO BIENNIAL ELECTIONS IN THE TOWN OF PIKEVILLE, WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter one hundred and eight, Private Laws, one thousand eight hundred and ninety-one, be and the same is hereby amended by striking out the word "annually" in line three of said section and inserting in lieu thereof the word "biennially."

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

Sec. 3. That this act shall be in full force and effect from and after the first Monday in May, one thousand nine hundred and thirty-one.

Ratified this the 12th day of March, A.D., 1931.
CHAPTER 71
AN ACT TO AMEND CHAPTER TWENTY-TWO OF THE
PRIVATE LAWS OF EXTRA SESSION OF ONE THOUS-
AND NINE HUNDRED AND TWENTY-FOUR TO
REGULATE BOXING IN HIGH POINT.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter twenty-two of the
Private Laws of the Extra Session of one thousand nine hun-
dred and twenty-four be amended to read as follows:

“That the provisions of this act shall also apply to the city
of High Point, Thomasville, and Lexington.”

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

Ratified this the 12th day of March, A.D., 1931.

CHAPTER 72
AN ACT TO PROVIDE FOR A HOSPITAL IN RANDOLPH
COUNTY AND TO INCORPORATE THE SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That C. C. Cranford of Asheboro, North Carolina,
E. C. Williamson of Liberty, North Carolina, T. F. Bulla of
Asheboro, North Carolina, G. H. Sumner of Asheboro, North
Carolina, D. B. McCrary of Asheboro, North Carolina, W. L.
Ward of Asheboro, North Carolina, Arthur Ross of Asheboro,
North Carolina, W. J. Armfield, Jr., of Asheboro, North Caro-
 sina, N. M. Cranford of Asheboro, North Carolina, J. A. Spence
of Asheboro, North Carolina, E. C. Watkins of Ramseur, North
Carolina, W. F. Redding, Sr., of Asheboro, North Carolina, L.
H. Smith of Liberty, North Carolina, Hugh Parks of Asheboro,
North Carolina, H. C. Jones of Asheboro, North Carolina, A. B.
Beasley of Randleman, North Carolina, J. T. Redding of Randle-
man, North Carolina, R. F. D., L. A. Hughes of Asheboro, North
Carolina, M. I. Ellis of Asheboro, North Carolina, and Doak
Finch of Thomasville, North Carolina, their successors and
associates, be and they are hereby associated in a corporation,
with all the rights and privileges and subject to all the require-
ments of the general laws of the State of North Carolina rela-
tive to corporations except as herein otherwise expressly pro-
vided.

SEC. 2. The name of the corporation is Randolph Hospital,
Incorporated.

SEC. 3. The location of the principal office of the corpora-
tion in this State is and shall be at Asheboro, North Caro-
olina.
SEC. 4. Of the persons mentioned in Section One hereof, C. C. Cranford is designated by reason of the fact that he is Mayor of the Town of Asheboro, E. C. Williamson is designated by reason of the fact that he is Chairman of the Board of Commissioners of Randolph County, North Carolina, T. F. Bulla is designated by reason of the fact that he is County Superintendent of Schools of Randolph County, North Carolina, and G. H. Sumner is designated by reason of the fact that he is the County Health Officer of Randolph County, North Carolina.

They shall severally be members of said corporation as long as they retain the official positions above mentioned. When they, or any one of more of them, cease to hold said positions their successors, respectively, shall become members in their places.

SEC. 5. As soon as they reasonably can after the ratification of this Act, the aforesaid persons shall meet at Asheboro, North Carolina, upon five (5) days notice which shall be signed by not less than twenty-five per cent (25%) of the above members, and mailed to the other members, fixing the time and place of meeting. Notice mailed to the members at the above addresses at least five (5) days prior to the time designated in the notice, shall be sufficient notice of the meeting. A majority of the members shall constitute a quorum, and shall be authorized to act and effect an organization of the corporation. Said meeting may be adjourned from time to time until a quorum is obtained and an organization effected. The corporation shall elect a President, a Vice-President, a Secretary and a Treasurer, and such other officers and such committees as shall be determined by the members.

SEC. 6. Of the members above mentioned, D. B. McCrary, W. L. Ward, W. J. Armfield, Jr., N. M. Cranford and J. A. Spence shall hold their memberships, respectively, for the term of six (6) years next following the ratification of this act, and until their successors shall be elected and qualified; E. C. Watkins, W. F. Redding, Sr., L. H. Smith, Hugh Parks and H. C. Jones shall be members for the term of four (4) years respectively, and until their successors are elected and qualified; and A. B. Beasley, J. T. Redding, L. A. Hughes, M. I. Ellis and Doak Finch shall be members for the term of two (2) years and until their successors are elected and qualified.

SEC. 7. The members of the corporation shall have the right and power to appoint successors to any members who shall die, resign, refuse to act, or in any way become disqualified, and also to those whose terms shall expire as herein provided. They shall also have the right to elect additional members; Provided, the total membership at any one time shall not exceed twenty-five (25) members, and upon the election of any additional members.
their terms of office shall be so arranged and designated, that, as near as may be, the terms of membership of one third (1/3) of the members (exclusive of those who are members by virtue of the public offices they hold, as above recited), shall expire every two years.

SEC. 8. The objects for which this corporation is formed are:

(a) To maintain and operate an institution for the treatment of sick people under the direction and supervision of skilled physicians and surgeons.

(b) To provide an adequate nursing service for the patients of the hospital and to establish and maintain a school for the training of professional nurses.

(c) To promulgate suitable rules governing the qualifications and conduct of those who render professional services to the sick people who come to the hospital for advice and treatment, and, in accordance with such rules and regulations, to provide for the organization of a medical staff composed of those physicians and surgeons who are permitted to practice in the hospital, which staff shall be known as the medical staff of the hospital. The duties of the medical staff shall be to consider the professional interest of the hospital, to review the professional work of its several departments at regular intervals and to advise the members as to how the professional work of the hospital may be improved.

(d) In order to properly prosecute the objects and purposes above set forth, the corporation shall have full power and authority to purchase, lease and otherwise acquire, hold, mortgage, convey and otherwise dispose of, all kinds of property, both real and personal, both in this State and in all other States, territories and dependencies of the United States; and generally to perform all acts which may be deemed necessary for the proper and successful prosecution of the objects and purposes for which the corporation is created.

The corporation shall have the right, power and authority to employ a Superintendent, nurses and such other officers, employees and servants as may be necessary in the management of the business, and pay them reasonable compensation for their services, but the members of the corporation shall serve without compensation, and no dividend shall be declared or paid to them, or any one else. It is contemplated that reasonable charges will be made for services rendered to patients and others that are able to pay, and the corporation, through its officers and employees, shall have the right to pass upon and determine any
and all questions as to the ability of patients to pay, and whether or not patients shall be admitted as charitable patients. Shall there at any time accrue any surplus revenue, the same shall be applied to the improvement of the plant and equipment, to the creation of a reserve for emergencies or to the creation of an endowment, the income from which shall be applied to the above purposes, and to no other purpose whatsoever.

Sec. 9. The corporation is to have and issue no capital stock and is to be operated and maintained at actual cost and entirely without profit, making only such charges to its inmates and patients for rooms, beds, attention and services as will be adequate to defray its actual expenses and no more.

Sec. 10. The period of existence of this corporation is unlimited.

Sec. 11. The Town of Asheboro is hereby authorized, empowered and directed to turn over to the Randolph Hospital, Incorporated, any and all funds derived from bonds for Hospital purposes heretofore issued or provided, or from subscriptions of individuals and corporations for the erection of a Hospital at Asheboro, and any and all unpaid subscriptions for said purpose, and any and all such payments and applications of funds, and subscriptions heretofore made are hereby ratified, approved and confirmed. The corporation may sue for any unpaid subscriptions for such purpose to whomsoever made.

Sec. 12. The Randolph Hospital, Incorporated, is hereby chartered and incorporated for the express purpose of taking over and carrying on the business of purchasing, buying, building, equipping and operating a Hospital at Asheboro, North Carolina, in accordance with, and in the furtherance of the plans adopted by the Board of Commissioners of the Town of Asheboro, North Carolina, as set forth in a resolution of said Board adopted the thirtieth day of October, one thousand nine hundred thirty, and appearing in the current minute book of said Town, beginning at page two hundred seventy-one, and all property, funds and subscriptions in the hands of the Trustees designated in said resolution shall be turned over and delivered to the Randolph Hospital, Incorporated, which shall succeed to any and all rights of said Trustees to property, funds and subscriptions in the hands of said Trustees.

Sec. 13. This act shall be in full force and effect from and after its ratification.

Ratified this the 12th day of March, A.D., 1931.
CHAPTER 73

AN ACT TO AUTHORIZE THE CITY OF DURHAM, DURHAM COUNTY, TO REMOVE CERTAIN GRAVES IN COLORED CEMETERY.

The General Assembly of North Carolina do enact:

SECTION 1. That the governing body of the City of Durham, Durham County, is hereby authorized to remove from the colored cemetery, located on Trinity Avenue, said City, as many of the graves in said cemetery as is necessary to widen said Trinity Avenue, as such widening is contemplated and shown on a certain map showing "Property Required for Widening Trinity Avenue at Colored Cemetery, Office Director of Public Works, Durham, North Carolina, January thirty-first, one thousand nine hundred and thirty-one." The bodies in said graves shall be removed to some other place in said colored cemetery or removed to the colored cemetery owned by the City, and all expenses of said removal shall be paid out of the City's treasury.

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

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

Ratified this the 12th day of March, A.D., 1931.

CHAPTER 74

AN ACT TO ALLOW THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE TO AID IN REOPENING THE CITIZENS BANK AND TRUST COMPANY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Mayor and Board of Aldermen of the town of Waynesville be, and they are hereby fully authorized and empowered to make and enter into a contract with the Citizens Bank & Trust Company, its directors and stockholders to freeze, or not demand, the public funds of the town of Waynesville now on deposit in said bank for a like period of time and under the same conditions that other depositors may agree to which depositors' agreement shall be approved by the Corporation Commission of North Carolina.

SEC. 2. That nothing in this act shall in any way impair any bonds, collateral papers, notes or other securities held by the town of Waynesville, or any officer thereof, or other person for said town, to secure the deposits of said town in said bank.

SEC. 3. That the Mayor and Board of Aldermen of the town of Waynesville be, and they are hereby authorized and em-
powered to collect all notes or other securities held by them, or any person for them, for the purpose of securing the deposits of said town in said bank and apply the proceeds derived from the collection in repayment to said town of the amount due it on the deposits of said town to said bank up to the full amount for which said security was put up to secure, and no further.

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

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

Ratified this the 12th day of March, A.D., 1931.

CHAPTER 75
AN ACT TO REPEAL HOUSE BILL ONE HUNDRED AND SEVEN RELATING TO RELIEF OF CERTAIN CITIZENS IN THE INCORPORATED TOWN OF BENTON HEIGHTS, UNION COUNTY.
The General Assembly of North Carolina do enact:

Section 1. That House Bill One Hundred and seven (107), at the present session of the Legislature, entitled "An Act to Amend Chapter One Hundred and Ninety-one, Private Laws of One Thousand Nine Hundred and twenty-seven, for the relief of certain citizens of the incorporated town of Benton Heights, Union County," be, and the same is, hereby repealed.

Sec. 2. This act shall take effect from and after its ratification.

Ratified this the 13th day of March, A.D., 1931.

CHAPTER 76
AN ACT TO PROHIBIT STOCK AND CATTLE FROM RUNNING AT LARGE IN THE VILLAGE OF PORTSMOUTH, CARTERET COUNTY.
The General Assembly of North Carolina do enact:

Section 1. That from and after August first, one thousand nine hundred and thirty-one, it shall be unlawful for any person, firm or corporation to permit to run free and/or at large, any horses, cattle, sheep, hogs or goats in the Village of Portsmouth, Carteret County; and for the purpose of this act the boundaries of the said Village shall include that territory lying between what is locally known as "Evergreen Creek" and "Ocracoke Inlet."
Sec. 2. Any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars or imprisoned not less than thirty days.

Sec. 3. That all of the provisions of the General Law with reference to "Impounding Stock at Large" shall apply with equal force to this act.

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

Sec. 5. This act shall be in full force and effect from and after August first, one thousand nine hundred and thirty-one.

Ratified this the 13th day of March, A.D., 1931.

CHAPTER 77

AN ACT TO VALIDATE SPECIAL ELECTION OF THE TOWN OF MOREHEAD CITY FOR ACQUISITION OF MUNICIPAL HOSPITAL AND TO PROVIDE FOR PAYMENT.

Whereas, upon petition duly presented September fifteenth, nineteen hundred and twenty-seven, under the provisions of Chapter one hundred and nineteen, Article Two, Part One, of the Consolidated Statutes of North Carolina, as amended, the board of commissioners of the Town of Morehead City, by resolution duly and regularly adopted, authorized and caused to be held a special election in said Town on December tenth, nineteen hundred and twenty-seven, for the qualified electors of the said Town to pass upon the question of levying an annual tax for the establishment and maintenance of a public hospital for and in the said Town; and

Whereas, pursuant to said resolution, a special registration was ordered and had; and

Whereas, at the time of the said special election an overwhelming majority of the qualified electors voted in favor of the establishment and maintenance of a public hospital in and for the said Town of Morehead City; and

Whereas, the results of the said special election were regularly certified to and approved by the board of commissioners of the said Town; and

Whereas, pursuant to said election and under the law controlling, trustees for said hospital were regularly appointed and qualified on February twenty-fourth, nineteen hundred and twenty-eight, and thereafter upon recommendation of said board of trustees the Town of Morehead City, through its governing authorities, entered into contract for the purchase of that property, with its paraphernalia and equipment, and at that
time known as "The Morehead City Hospital" for the agreed purchase price of sixty-five thousand dollars, and caused to be executed and delivered to it a warranty deed with full and regular covenants, and thereupon entered into possession of the said property, and by proper and regular authorization by the said board of commissioners and law controlling, and under the direction and supervision of said board of trustees, actively entered upon the conduct and operation of the said hospital as a municipal hospital, and since that time has continued to operate the said hospital as a municipal hospital; and

Whereas, beginning with the year nineteen hundred and twenty-eight the said Town of Morehead City through its governing authorities has caused to be levied from year to year, a tax, authorized by Public Laws of nineteen hundred and twenty-three, to provide funds to retire bonds for the purchase of the said hospital; and

Whereas, the Duke Endowment in the furtherance of its policy to aid in the acquisition and maintenance of public hospitals has contributed the sum of thirty thousand dollars to be applied as a part of the purchase price, and which sum of thirty thousand dollars has been paid to the original owners of said hospital; and

Whereas, upon recommendation of the United States Public Health Department the United States Government has designated the said hospital as a United States Public Health Hospital, with the benefits and subsidies thereby and thereunder accruing; and

Whereas, the Town of Morehead City caused to be issued to and in favor of the original owners of the said hospital its promissory notes evidencing balance of purchase price, with interest, and which said notes evidencing said purchase price balance are still outstanding and unpaid; and

Whereas, there has arisen some question as to the validity and legality of proceedings heretofore had by the Town of Morehead City in the calling of the said special election, the registration thereunder, the election itself, and the outstanding notes aforesaid; and

Whereas, it is the expressed purpose and desire of the governing authorities of the said Town to have validated and confirmed all acts and things done and performed relating to the purchase of the said hospital and the payment therefor; and

Whereas, it is necessary that the rights and equities of all of the parties interested be adjusted through the payment by the said Town of the said outstanding notes; Now, Therefore,
SECTION 1. That all acts and resolutions of the board of commissioners of Morehead City relating to the calling of the special election on December tenth, nineteen hundred and twenty-seven, for the acquisition of a municipally owned hospital, the registration thereunder, and the special election so held, be and the same hereby are approved, validated and confirmed. All outstanding notes or other evidences of indebtedness heretofore issued or incurred by the said Town of Morehead City as a result of the said special election are hereby legalized, validated and approved.

SEC. 2. The board of commissioners of the said Town of Morehead City are hereby authorized and directed to pay said outstanding notes evidencing balance due on purchase price of said hospital from any unappropriated funds now in the treasury of said Town or which may hereafter come into the treasury of said Town from the sale of any public utilities or other public property or properties of the said Town, and the proceeds of which sale have not already been appropriated or authorized for other public use or purposes: Provided, however, should no unappropriated funds in and/or from the treasury be available as above set out the Town of Morehead City is hereby authorized and empowered to issue bonds for aforesaid purposes as provided for in the State-wide law, and to be retired by a tax to be levied upon all the taxable property of the said Town at a rate not exceeding the maximum levy authorized by law at the time of the said special election.

SEC. 3. If any section or part of this act shall be declared illegal or unconstitutional, the illegality or unconstitutionality of such section or part shall not affect the remaining sections or parts of this act; but this act shall be liberally construed in favor of the power and authority of the Town of Morehead City to retire by payment the outstanding notes, with interest, evidencing balance of purchase price of said hospital.

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

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

Ratified this the 13th day of March, A.D., 1931.
CHAPTER 78

AN ACT TO AMEND CHAPTER TWO HUNDRED AND THIRTY-ONE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN OF NORTH CAROLINA, RELATIVE TO ELECTIONS IN THE CITY OF SALISBURY, AND DEFINING CERTAIN RIGHTS AND DUTIES OF THE CITY COUNCIL.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and thirty-one of the Private Laws of one thousand nine hundred and twenty-seven of North Carolina be and the same is hereby amended by repealing all of sections twenty-one, twenty-two, twenty-four, and twenty-five thereof.

SEC. 2. That all candidates of each and every political party to be voted for at all general municipal elections to be held in the City of Salisbury at which time members of the city council and/or any other elective officers of said city are to be elected, shall be nominated by a party primary election; and no other names or candidates shall be placed upon the general ballots to be voted at the general municipal election of said city than the names of those nominated in such primary election in the manner hereinafter prescribed.

SEC. 3. The primary election for such nominations shall be held in said City of Salisbury on the second Monday preceding all general municipal elections. Such primary election shall be conducted, as far as practicable, in all things and in all details in accordance with the general laws of this State governing State and county primary elections, except where the provisions of same are inconsistent with this act. The expenses of such primaries shall be paid by the City of Salisbury.

SEC. 4. Every candidate for selection as the nominee of any political party for the office of councilman, and any other elective officer to be voted for in such primary elections, shall file with the Rowan County Board of Elections, at least ten days before such primary election is to be held, a notice and pledge substantially in the following form, the blanks being properly filled in and the same to be signed by the candidates: "I hereby file my notice as candidate for the nomination as in the primary election to be held in the City of Salisbury on the day of. I affiliate with the party; and I hereby pledge myself to abide by the results of said primary, and to support in the next general municipal election of said city all candidates nominated by said party." And he shall at the same time pay to the chairman of said
Filing fee of §5.

Australian Ballot Law applicable to primary.

Details of primary.

Registration and challenges.

Qualifications of voters.

Challenging.

Separate ballots for political parties.

Make-up of ballots.

Five nominees from each party.

Certification of nominees.

County Board of Elections the sum of five dollars to be delivered by him to the treasurer of said city.

SEC. 5. The provisions of chapter one hundred and sixty-four, Public Laws of one thousand nine hundred and twenty-nine of North Carolina, being the Australian Ballot law, shall apply to such primary elections, except that such primary elections shall be held under the jurisdiction of the County Board of Elections of Rowan County. The said County Board of Elections shall appoint the registrars and judges to hold such primary elections, and shall prepare and distribute ballots therefor, canvas the returns and declare the results of such primary elections, as now provided by the State law governing State and county primaries.

SEC. 6. The time for registration, the challenges and the practice in challenges, for such primary elections, shall be as prescribed for municipal corporations in sections two thousand six hundred and fifty-seven, two thousand six hundred and fifty-nine, and two thousand six hundred and sixty, respectively, of Consolidated Statutes of North Carolina.

SEC. 7. The persons registered who are qualified to vote at the succeeding general municipal election of said city shall be qualified to vote at such primary election, and shall be subject to challenge made by any resident of the city, and such challenge shall be passed upon by the registrar and judges of election of the respective ward of the person challenged.

SEC. 8. In such city primary there shall be a separate ballot for each political party and of different colors. The County Board of Elections of Rowan County shall designate the color of the respective party ballot. A square shall be to the left of the name of each candidate in which the voter may make a cross mark (x) indicating his choice for each candidate. On the back of each ballot in such primary election there shall be printed:

“Official City Ballot for Primary Election,
“City of Salisbury, North Carolina.”
(Date of primary election.)
(Facsimile of signature of chairman of Board of Elections for Rowan County.)

The five persons receiving in the primary election the highest number of votes of their respective party shall be deemed the nominees of their party for city councilmen, to be voted for in the next general municipal election.

SEC. 9. The chairman of the County Board of Elections of Rowan County, within five days after the results of such primary election have been declared, shall certify under his hand and seal to the city clerk of Salisbury the names of the successful five nominees of the respective political parties for councilmen.
of said city. And only those who have been so certified as the nominees of their political party shall have their names printed on the official ballot for that respective political party to be voted for at the next general municipal election for said city. The nominees of each political party shall be printed on a separate ballot for each political party for the general municipal election, said ballots to be of different colors of paper. The Democratic ballots shall be printed on white paper, and the Republican ballot on blue paper. Upon the face of the Democratic ballot near the top shall be printed in heavy black type the word: "DEMOCRATIC." The emblem of an eagle shall be printed under the word, "democratic"; and under the eagle shall be printed a circle, with the instructions: "For a straight ticket mark within this circle." Upon the face of the Republican ballot shall be printed in heavy black type the word: "REPUBLICAN." The emblem of an elephant shall be printed under the word, "republican"; and under the elephant shall be printed a circle, with the instructions: "For a straight ticket mark within this circle." Upon each ballot for city councilmen shall be printed the words: "For city councilmen." "Vote for five." And each ballot shall contain the following instructions:

"INSTRUCTIONS"

1. To vote a straight ticket make a cross (x) mark in the circle of the party you desire to vote for.

2. To vote for some but not all the candidates of one party, make a cross (x) mark in the square at the left of the name of every candidate printed on the ballot for whom you wish to vote. If you mark any one candidate, you must mark all for whom you wish to vote. A mark in the circle will not be counted if any one candidate is marked.

A square shall be printed to the left of the name of each candidate in which the voter may make a cross (x) mark indicating his choice for each candidate.

The city clerk shall cause ballots for the general municipal election of said city to be printed as herein provided, authenticated with a facsimile of his signature. The ballots for the general municipal election shall contain only the names of all candidates who have been put in nomination by the primary election hereinabove provided, and shall be delivered by the city clerk to the several registrars of the city. Upon the back of each ballot shall be printed the following endorsement, the blanks being properly filled:

"Official City Ballot for General Municipal Election.
"Salisbury, North Carolina."
(Date of city election.)
(Facsimile of signature of city clerk of Salisbury.)
SEC. 10. All general municipal elections held in the City of Salisbury shall be held under and governed by the provisions of Chapter fifty-six of the Consolidated Statutes of North Carolina, and chapter one hundred and sixty-four of the Public Laws of one thousand nine hundred and twenty-nine of North Carolina, being the Australian Ballot law, and amendments thereto, except as otherwise provided in this act.

SEC. 11. That section twenty-three of chapter two hundred and thirty-one of the Private Laws of one thousand nine hundred and twenty-seven be amended by adding at the end of said section the following: "Hereafter the terms of office of the members of the city council and all other elective officers shall begin on July first, following their election. If July first comes on Sunday, then the term of office of all elective officers shall begin the following day. All members of the city council and all other elective officers shall be inducted into office and take their respective oaths of office in the city hall, on the day their terms of office begin, at eleven o'clock in the morning."

SEC. 12. Amend section thirteen of chapter two hundred and thirty-one of Private Laws of one thousand nine hundred and twenty-seven by adding after the period in line fourteen and after the word "council" and before the word "All", the following: "The city council shall elect a city attorney and"

SEC. 13. That all of section fifteen of chapter two hundred and thirty-one of the Private Laws of one thousand nine hundred and twenty-seven be and the same is hereby stricken out and the following inserted in lieu thereof: "Except as provided in the charter, the city council shall determine what departments, officers and employees are necessary for the proper administration of the governmental affairs of the city, and such officers and employees shall be appointed or removed by the city manager, but no head or superintendent of a department shall be appointed or removed, except such appointment or removal is first submitted by the city manager to the city council, in writing, and approved or confirmed by a vote of the city council, and the action of the city council on such appointment or removal shall be final. Except as herein provided, the city manager shall report all appointments or removals of employees to the council at the next meeting thereof following any such appointment or removal. All salaries shall be fixed or approved by the council. The city council may, by ordinance, provide for the appointment of special or standing committees, and may assign to such committees whatever duties may be deemed advisable by the city council. All officers and employees of the city shall perform such duties as may be required of them by the city manager, subject,
however, to the general supervision and control of the city council."

Sec. 14. That section thirty-five of chapter two hundred and thirty-one of the Private Laws of one thousand nine hundred and twenty-seven be and the same is hereby amended by adding thereto and at the end thereof, the following: "The city council may, by ordinance, provide for the payment and collection of all city taxes in monthly or other installments."

Sec. 15. That section thirty-seven of chapter two hundred and thirty-one of the Private Laws of one thousand nine hundred and twenty-seven be and the same is hereby amended by striking out the word "February" in line three of said section thirty-seven, and inserting in lieu thereof the word "April."

Sec. 16. That all laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 17. That this Act shall be in full force and effect on and after the first day of March one thousand nine hundred and thirty-three.

Ratified this the 13th day of March, A.D., 1931.

CHAPTER 79
AN ACT TO REPEAL CHAPTER TWO HUNDRED SEVENTY-NINE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED SEVEN, INCORPORATING THE TOWN OF CHERRY IN WASHINGTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and seventy-nine, Private Laws of one thousand nine hundred and seven, incorporating the Town of Cherry in Washington County, and all acts amendatory thereto, be and the same are hereby repealed.

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

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

Ratified this the 14th day of March, A.D., 1931.

CHAPTER 80
AN ACT TO CREATE RALEIGH AUDITORIUM BUILDING COMMISSION.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created a Commission to be known as Raleigh Auditorium Building Commission, to be composed of the following persons, viz: Frank Page, Chairman,
Dependent upon outcome of pending bond election.

Raleigh Auditorium Advisory Commission created; personnel.

Building Commission to supervise erection of new auditorium.

Limitation of cost.

Construction contracts.

Funds to be held in Auditorium Construction Account.

John A. Park, Secretary, and Josephus Daniels. The members of said Commission shall serve without compensation and their duties shall be as herein designated. The said Commission shall be without power or authority unless and until the voters of the City of Raleigh shall authorize the issuance of bonds for the purpose of erecting an auditorium for municipal purposes in the City of Raleigh, in the election which has heretofore been called to be held on the twenty-fourth day of March, one thousand nine hundred and thirty-one, or at such other election as may hereafter be called for such purpose. That in addition to said Auditorium Building Commission there is hereby created the Raleigh Auditorium Advisory Commission to advise with and assist the said Building Commission, such Advisory Commission to be composed of the following: Graham H. Andrews, Chairman, J. Sherwood Upchurch, J. R. Weatherspoon, Charles Ruffin, E. B. Crow, H. O. Lineberger, C. B. Barbee, Leon S. Brassfield, Mrs. W. T. Bost, Mrs. J. W. Bunn and Mrs. Frank Capps.

Sec. 2. That in the event the said issuance of bonds for such purpose is authorized by a vote of the people of the City of Raleigh at such election, and such bonds are in pursuance thereof duly issued and sold, the said Raleigh Auditorium Building Commission hereby created, shall be vested with full and exclusive authority to erect and construct in the City of Raleigh, an auditorium for municipal purposes, and such Commission shall proceed with all due dispatch after the issuance and sale of such bonds, to have the necessary plans prepared for such buildings, and to let the necessary contracts for the construction thereof: Provided, however, the said Commission shall have no power or authority to make any contract or agreement or to incur any obligation whatsoever in connection with the construction of said auditorium building in excess, in the aggregate, of the net proceeds of the sale of such bonds, plus the amount realized by the City of Raleigh from the insurance on the former auditorium that was destroyed by fire. All contracts executed by the said Commission with respect to the designing and construction of said auditorium for municipal purposes, shall be executed in the name of the said Raleigh Auditorium Building Commission by its Chairman and attested by its Secretary.

Sec. 3. That the entire net proceeds from the sale of said bond issue and the entire amount collected by the said City Commissioners of Raleigh upon fire insurance on account of the destruction of the old auditorium building, shall be held and deposited in a special account in the name of the City of Raleigh and designated as Auditorium Construction Account, said ac-
count to be deposited at the best obtainable interest rate. Said account shall be drawn upon only by means of vouchers in connection with the designing and construction of said auditorium building said vouchers to be signed by the Chairman and the Secretary of the said Auditorium Building Commission and countersigned by the Mayor of the City of Raleigh.

SEC. 4. That the said auditorium shall be known and designated as Raleigh Memorial Auditorium and shall be dedicated as a memorial to the men from Raleigh and Wake County who served in the United States Army and Navy during the World War, and to Wake County veterans of other wars.

SEC. 5. That said auditorium building shall be located either on what is designated as Centennial School site in the City of Raleigh, or on the site of the former auditorium that was destroyed by fire, as may be determined by the voters of the City of Raleigh in a preferential election to be held on the same date on which the said bond issue shall be voted on, to-wit, the twenty-fourth day of March, one thousand nine hundred thirty-one, for the purpose of ascertaining the will of the voters of the City of Raleigh at said election, on the question of the site for the said Auditorium. A separate ballot box shall be provided at each voting precinct to be designated as Ballot Box on Auditorium Site, and also there shall be provided by the Commissioners of the City at each of the voting precincts a sufficient number of ballots on said question of the site of said auditorium, said ballot to be separate, printed ballots, on one of which shall be printed the words "For Centennial School Site," and on the other shall be printed the words "For Old Auditorium Site." If at said election a majority of the votes cast shall be for the Centennial School Site, then the location of the said auditorium shall be on said Centennial School site. If at said election a majority of the votes cast shall be for the old auditorium site, then the location of the said auditorium shall be on said old auditorium site. The Commissioners of the City of Raleigh shall give notice of said preferential election with reference to said auditorium site by publication of such notice at least seven days prior to the date of said election. Only qualified electors may vote on the question of the said site.

SEC. 6. The said Building Commission in its discretion and within the limits of the funds available as herein provided, may include in the construction of the said auditorium building such rooms and offices as may be beneficially used in connection with said auditorium or for other municipal purposes.

SEC. 7. Any vacancy occurring on the said Building Commission shall be filled by the Commissioners of the City of Raleigh.
Members of Commission incur no individual liability.

Sale of old site in event new site is selected.

Application of proceeds.

Conflicting laws repealed.

SEC. 8. No personal or individual liability shall be imposed upon or devolve upon any member of the said Commission in connection with or arising out of any contracts made or obligations incurred by said Commission in connection with the construction of said auditorium building.

SEC. 9. In the event the Centennial School site is selected by the voters as the site for the new auditorium, then the Commissioners of the City of Raleigh are authorized and directed to sell the site on which the old auditorium stood at such time as the said property will in the judgment of the said City Commissioners, bring a fair and reasonable price, such sale to be made in accordance with the provisions of the charter of the City of Raleigh governing the manner in which municipally owned real estate may be sold, and if no such provisions are made in said charter, then under the general laws of the State. The net amount derived from the sale or rental of such property shall be held as a sinking fund for the payment of the principal and interest on said auditorium bonds; and the said old site of the said auditorium shall not be used or sold for any purpose other than to be applied as a part of the sinking fund for the retirement of said bonded indebtedness.

SEC. 10. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 11. This Act shall be in force from and after its ratification.

Ratified this the 14th day of March, A.D., 1931.

CHAPTER 81
AN ACT TO AMEND AND EXTEND THE CHARTER OF GRACE HOSPITAL, INCORPORATED.

Whereas, on the eighteenth day of January, one thousand nine hundred eight, a certificate of incorporation was duly issued by the Secretary of State of North Carolina to Grace Hospital, Inc., a charitable non-profit corporation without capital stock, created for the purpose of erecting and maintaining a hospital in the Town of Morganton, Burke County, North Carolina, to care for and provide medical and surgical attention and nursing to the sick and afflicted among the poor of all races; and

Whereas, Edward W. Phifer, Rev. Walter Hughson and Mary H. Hughson, his wife, were the only incorporators of said Grace Hospital; and

Whereas, said Grace Hospital, Inc., has since its organization acquired valuable real estate in Burke County, and has erected and now maintains in the Town of Morganton a large and well equipped brick hospital and other buildings used in connection
therewith at a cost of approximately one hundred fifty thousand dollars, and has for many years been ministering without profit to the care of the sick and afflicted of all races and creeds in the community it serves, and the continuance of its charitable ministrations has become a matter of vital interest to all the people of Burke County; and

Whereas, the Rev. Walter Hughson and his wife, Mary H. Hughson, the founders of said institution and two of the original incorporators of Grace Hospital, Inc., are now dead, leaving them surviving their two children, Walter Hughson, Jr., and Mrs. Dorothy Goodell, their next of kin and only heirs at law; and

Whereas, it was the desire of Mrs. Mary H. Hughson, who survived her said husband, and is the desire of her said heirs at law and of Edward W. Phifer, the only living incorporator of Grace Hospital, Inc., that the control, maintenance and management of Grace Hospital, Inc., and of the property which is now owned by said corporation and of such property as it may hereafter acquire be vested in a board of directors to be chosen by the Vestry of Grace Episcopal Church of the Town of Morganton and their successors in office:

The General Assembly of North Carolina do enact:

SECTION 1. That the control and management of Grace Hospital, Inc., a charitable and non-profit corporation, heretofore created, organized and acting under the general laws of the State of North Carolina, be and is hereby vested in a board of not less than five (5) nor more than seven (7) directors, to be elected biennially by the Vestry of Grace Episcopal Church of Morganton, North Carolina, and their successors in office; the first board of directors to be so elected during the month of March one thousand nine hundred thirty-one, and the successors of said directors to be elected biennially during the month of March by the Vestry of said Grace Episcopal Church and their successors in office. The Rector of said Grace Episcopal Church and his successors shall be ex officio, a member and chairman of the board of directors of Grace Hospital, Inc. A copy of the resolution of the Vestry of Grace Episcopal Church electing the directors, certified by the chairman and secretary of the Vestry, shall be furnished from time to time to Grace Hospital, Inc., and entered on the minutes of said corporation.

SEC. 2. The directors of Grace Hospital, Inc., shall hold office for two years and until their successors are elected and qualified, and shall have all of the powers conferred upon directors of corporations by the general laws of North Carolina; and said Grace Hospital, Inc., shall, in addition to the powers conferred upon it by its charter, have all of the powers conferred upon
corporations by the general laws of the State of North Carolina, and said corporation may sell and convey by deed in fee simple, deed in trust or mortgage, real property heretofore or hereafter conveyed to it (except that tract conveyed by Rev. Walter Hughs-
on, Trustee, to Grace Hospital, Inc., by deed dated January twenty-seventh, one thousand nine hundred eight, and registered in the office of the Register of Deeds of Burke County in Book D-three, Page four hundred sixty-four, on which tract Grace Hospital is situate) which the directors may deem it unnecessary to hold for the purposes of the corporation:-  Provided the sale or encumbrance of the property so made shall be approved by the Vestry of Grace Episcopal Church and by unanimous vote of the board of directors of Grace Hospital, Inc., by resolutions entered on their respective minutes. The directors of Grace Hos-
pital, Inc., chosen in the manner aforesaid, shall have the power to adopt by-laws for the government of the corporation, to elect such officers, and appoint such agents and/or employees as they may deem best, to fix their compensation and prescribe their several duties. Vacancies in the board of directors, occasioned by death, resignation or otherwise, shall be filled by the Vestry of Grace Episcopal Church for the unexpired term.

SEC. 3. The certificate of incorporation of Grace Hospital, Inc., issued by the Secretary of State of North Carolina on January eighteen, one thousand nine hundred eight, may be from time to time amended to the extent provided by Sections one thousand one hundred thirty-one and one thousand one hun-
dred and thirty-two of the Consolidated Statutes of North Caro-
lina in the following manner: The board of directors of Grace Hospital, Inc., elected and qualified in the manner hereinbefore set forth, shall pass a resolution declaring the amendment is ad-
visable, and shall request the vestry of Grace Episcopal Church of Morganton, North Carolina, to take action thereon. If the vestry of said church shall by vote of two-thirds at least of its members approve said amendment or amendments, a certificate thereof shall be signed by the president and secretary of Grace Hospital, Inc., under its corporate seal, acknowledged as in the case of deeds of real estate, and this certificate, together with a certificate signed by the rector of Grace Episcopal Church and the secretary of the vestry of said church and acknowledged before a notary public, to the effect that at a meeting of the vestry of said church said amendment or amendments were ap-
proved by two-thirds at least of the members of said vestry, shall be filed and recorded in the office of the Secretary of State. The certificate of the Secretary of State, under his official seal, that said certificates have been filed in his office, shall be evidence of the amendments so certified in all courts and places; and said
certificate of the Secretary of State shall be recorded in the office of the Clerk of the Superior Court of Burke County, and thereupon the certificate shall be deemed amended accordingly.

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

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

Ratified this the 16th day of March, A.D., 1931.

CHAPTER 82

AN ACT TO AMEND CHAPTER SIXTY-TWO OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE ENTITLED "AN ACT TO INCORPORATE WOODVILLE BAPTIST CHURCH, PERQUI-MANS COUNTY, NORTH CAROLINA."

The General Assembly of North Carolina do enact:

Section 1. That Section two of Chapter sixty-two of Private Laws of one thousand nine hundred and twenty-nine be and the same is hereby amended by inserting after the word "Sunday" in line two of said Section and before the words "to sell" in line three of said section the words "between the hours of six o'clock A. M. and two o'clock P. M." and to insert after the word "Sunday" in line five of said section and before the word "within" in line six of said section the words "between the hours of six o'clock A. M. and two o'clock P. M."

Sec. 2. That section three of Chapter sixty-two of the Private Laws of one thousand nine hundred and twenty-nine be and the same is hereby amended by inserting after the word "Sunday" and before the words "in any place" in line three of said section the words "between the hours of six o'clock A. M. and two o'clock P. M."

Sec. 3. That this section shall be in full force and effect from and after its ratification.

Ratified this the 16th day of March, A.D., 1931.

CHAPTER 83

AN ACT TO PERMIT THE BOARD OF TOWN COMMISSIONERS OF THE TOWN OF CANDOR, NORTH CAROLINA, TO ESTABLISH A MARKET AND REGULATE THE SALE OF MARKETABLE THINGS ON THE PUBLIC STREETS IN THE TOWN OF CANDOR, NORTH CAROLINA.

Whereas, certain fruits, vegetables, water melons, cantaloupes, and other marketable things have been and are being sold in the town of Candor, North Carolina, which are defective in quality by reason of decay, worms and other conditions; and
Whereas, vegetables and other wastes have been thrown on the streets and public grounds, all of which are detrimental to the health of the citizens therein; and

Whereas, said nuisance should be abated; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Town Commissioners of the Town of Candor, North Carolina, may establish and regulate their markets and prescribe at what place within the corporate limits shall be sold marketable things; in what manner, whether by weight or measure, or piece, be sold fresh vegetables, fruits, melons and cantaloupes, and it shall be lawful for the Commissioners to impose a tax on wagons and carts selling fresh vegetables, fruits, melons and cantaloupes within the said corporate limits, said tax to be fixed by the Commissioners of said town.

SEC. 2. In the event a market is established the Board of Town Commissioners shall provide a suitable person to inspect said vegetables, fruits, melons and cantaloupes and to issue license and collect fees from such persons so selling on foot, wagon, truck or cart, said fees shall be placed in the general funds of said town and used to defray the expenses of said inspector and to police the public grounds and streets and remove the decayed fruits, vegetables and rubbish therefrom.

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

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

Ratified this the 16th day of March, A.D., 1931.

CHAPTER 84

AN ACT TO ESTABLISH A POLICE COMMISSION FOR THE CITY OF ELIZABETH CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby established for the city of Elizabeth City a commission to be known as the Elizabeth City Police Commission, which shall consist of three members, and the same shall be a body politic and corporate, with a common seal and the said Commission to serve without compensation: Provided, that a membership of this Commission shall not be construed as an office in contemplation of the provisions of Article fourteen, Section seven, of the Constitution of North Carolina.

SEC. 2. That said police Commission shall have exclusive authority, jurisdiction and control over the police department and the police officers of Elizabeth City and all equipment of said department, with the right to hire and discharge the said of-
officers, policemen and detectives at will. It may employ plain clothes men or other detectives at any time and from time to time to do any special work, independent of the regular Police Force, if in its opinion the public safety should so require. The said Commission shall also have the right to hold such examination both mental and physical of applicants for positions on said police force as to it may seem proper and expedient, and to that end may establish such civil service rules and requirements as to it may seem proper: Provided, that no person shall be eligible to employment as such police officer if such person be related by blood or marriage to any member of the Police Commission.

Sec. 3. That said Commission shall fix the compensation to be paid to all officers, policemen, and detectives or other persons employed by it, and shall appoint a Chief of Police, and may establish such grades and ranks as it deems best; and said Commission may rent or with the advice and consent of the Board of Aldermen cause to be erected such quarters as are necessary for the proper housing of the police activities, and shall also purchase such equipment as may be required for the efficient policing of the said city of Elizabeth City. Said Board may at any time remove any officer for inattention to duty, negligence, or for any other cause that the Board may consider is just and proper, and such dismissal shall give to the officers so discharged no right of action. That said Commission is hereby, and in all respects, subrogated to all the rights and powers now conferred upon the Board of Aldermen of the city of Elizabeth City in so far as it affects the Police Department of said city. And it shall be the duty of said Board of Aldermen to levy sufficient taxes, as is now levied, on all property within the corporate limits of Elizabeth City, for the proper maintenance of said Police Department. The said Police Commission shall have the right with advice and consent of the Board of Aldermen to use any property now owned by the city, if in its opinion such property be necessary to the economical administration of the Police Department, and to this end it is authorized to repair or otherwise render suitable for its purpose, any property owned by the said city of Elizabeth City.

Sec. 4. That the commission shall consist of three members to be named as hereinafter provided, one of whom shall hold office for a period of two years, and the second named to hold office for a period of four years, and the third named to hold office for a period of six years from the date of this appointment, and each member then shall be appointed for a period of six years, and they shall hold such office until their successors are duly appointed and qualified. The said Commission may elect a chairman upon whom may be delegated the authority to direct personally the activities of said Police Department, Pro-

Examinations.

Relatives barred from employment.

Compensation and appointment of officers.

Quarters for Commission.

Removal of officers.

Property taxes for support of Police Department.

Membership of three.

Terms of office. Chairman.
Act to be voted on in next municipal election.

Election of Commission.

Vacancies.

Will of voters to determine creation of Commission.

Ballots.

Conflicting laws repealed.

Effective July 1, 1931.

vided that no member of such police force shall be employed or discharged except by the Commission as a whole.

SEC. 5. That, Provided this act shall be ratified by the voters of the city of Elizabeth City at the next biennial municipal election as hereinafter provided then, and in such event, it shall be the duty of the Board of Aldermen of the said city of Elizabeth City at the regular monthly meeting on the first Monday in July, one thousand nine hundred and thirty-one, to elect three members of said Police Commission, one for a term of two years, another for a term of four years, and the third for a term of six years, and biennially thereafter said Board of Aldermen of the city of Elizabeth City shall elect one member of said Police Commission for a term of six years, and all vacancies whether by resignation or otherwise shall be filled by the said Board of Aldermen of the city of Elizabeth City.

SEC. 6. That the provisions of this act shall not become effective, nor shall such commission be established until this act shall have been ratified by the qualified voters of said city at the next biennial municipal election for the said city of Elizabeth City: Provided, that it shall be the duty of the Board of Aldermen for said city at such election to provide a ballot box at each voting precinct and tickets upon one of which shall be printed the words "For Police Commission" and on the other ticket shall be printed the words "Against Police Commission." In the event a majority of the votes so cast shall be in favor of the establishment of such police commission then and in such event the provisions of this act shall be fully and in all respects operative: Provided, further, that if the majority of the votes so cast shall be against the police commission then and in such event no election shall be had for the establishment of such commission under the provisions of this act until the next biennial municipal election.

SEC. 7. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 8. That this act shall be in force and effect from and after July first, one thousand nine hundred and thirty-one, and subject only to limitations, hereinbefore recited.

Ratified this the 16th day of March, A.D., 1931.

CHAPTER 85

AN ACT TO SET ASIDE CERTAIN FUNDS OF THE TOWN OF ANDREWS, NORTH CAROLINA, AS A SINKING FUND.

The General Assembly of North Carolina do enact:

SECTION 1. That out of the thirty thousand dollars obtained in cash from a sale of the Andrews Electric Light Plant, the Mayor and Board of Aldermen of the Town of Andrews are
hereby directed to set aside as a sinking fund twenty thousand dollars ($20,000.00) and that no portion or part of said twenty thousand dollars ($20,000.00) shall be used for any purpose whatsoever except to pay off bonds and interest on bonds which are at the present time outstanding obligations of the said Town of Andrews.

SEC. 2. That ten thousand dollars of said thirty thousand dollars ($30,000.00) shall be put up or set aside as a sinking fund, but the same or any part of the same may be used by the Mayor and Board of Aldermen of said Town of Andrews in connection with the said Town of Andrews in connection with the water supply or situation in connection with the said Town of Andrews—that is, in acquiring a new or additional water shed and accessories and equipment or boring a well or metering the water furnished to the people of Andrews and vicinity or in doing any other thing in connection with said water supply or water system which may be needful or necessary in connection with furnishing said Town of Andrews a good and sufficient and wholesome supply of water for the people now served and to be served with water by said Town of Andrews; but should said ten thousand dollars ($10,000.00) or only a portion be used for such purpose, then the whole or any portion which may be left shall be and remain as a sinking fund the same as is provided for in Section one of this act for the said twenty thousand dollars... ($20,000.00.)

SEC. 3. That any Mayor or member of the Board of Aldermen or Town Clerk of the said Town of Andrews violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof and therefor shall be fined or imprisoned in the discretion of the 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 and effect from and after its ratification.

Ratified this the 16th day of March, A.D., 1931.

CHAPTER 86

AN ACT TO AUTHORIZE COLLECTION CERTAIN DELINQUENT TAXES IN THE TOWN OF AULANDER,BERTIE COUNTY, NORTH CAROLINA.

Whereas, certain taxes due the town of Aulander, Bertie County, North Carolina, are unpaid for the year one thousand nine hundred and twenty-three and for each year thereafter; and,
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Whereas, former tax collectors for said town ceased to function: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the governing body of the town of Aulander be and they are hereby authorized and empowered to appoint F. H. Lee, the present tax collector for the town of Aulander, Bertie County, North Carolina, or his successor in office, to collect all delinquent town taxes due the said town of Aulander for the year one thousand nine hundred and twenty-three and for each year thereafter as fully in all respects as if the said taxes were current taxes and with all the rights of levy, sale, rights and powers, as the said tax collector has with respect to current taxes, Provided, that nothing herein shall effect the rights of innocent purchasers for value,

SEC. 2. That this act shall be in full force and effect from the ratification thereof.

Ratified this the 16th day of March, A.D., 1931.

CHAPTER 87

AN ACT TO RELIEVE CHURCH PROPERTY IN THE TOWN OF ZEBULON, WAKE COUNTY, NORTH CAROLINA, FROM ALL STREET PAVING ASSESSMENTS BECOMING DUE JANUARY FIRST, ONE THOUSAND NINE HUNDRED THIRTY, AND SUBSEQUENT THERETO IF APPROVED BY A MAJORITY OF THE VOTERS.

The General Assembly of North Carolina do enact:

SECTION 1. That all real estate now owned or which may hereafter be acquired by any of the churches of the Town of Zebulon and used for church or parsonage purposes shall be relieved from all special paving front foot assessments becoming due January first, one thousand nine hundred thirty, and subsequent thereto for paving already done and from future paving assessments.

SEC. 2. That the Commissioners of the Town of Zebulon shall levy annually an Ad Valorem tax to cover the total annual assessments against church property in the Town of Zebulon to be collected and applied in lieu of said special assessments.

SEC. 3. That when any of such property shall no longer be owned and used by any of said churches for church or parsonage purposes during the period of levying and collecting said paving assessments the same shall immediately become liable for all paving assessments thereafter to become due as may appear on the assessment roll of said town.

SEC. 4. That at the next regular municipal election to be held in the Town of Zebulon on Tuesday after the first Monday in
May, (1931) one thousand nine hundred and thirty-one, there shall be submitted to the qualified voters of said town the question of relieving the said churches from the payment of said street paving assessments as set forth in Section one of this Act. At said election the voters favoring the relief of said churches shall vote a ballot on which shall be written or printed the words “For Relief of Church Property,” those opposed shall vote a ballot on which shall be written or printed the words “Against Relief of Church Property.” If a majority of the votes cast on this question shall be for relief of church property then this Act shall be in full force and effect, otherwise to be null and void.

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 full force and effect from and after its ratification.

Ratified this the 16th day of March, A.D., 1931.

CHAPTER 88

AN ACT TO AUTHORIZE THE GOVERNING BOARD OF THE CITY OF ASHEVILLE TO CREDIT OR REFUND CERTAIN PAYMENTS OF ONE THOUSAND NINE HUNDRED TWENTY-NINE TAXES ERRONEOUSLY LEVIED AND PAID.

The General Assembly of North Carolina do enact:

SECTION 1. That the Governing Board of the City of Asheville be and is hereby authorized, directed, and empowered, as herein provided, to credit or refund payments made on one thousand nine hundred twenty-nine municipal taxes upon all property located within the territory annexed to the City of Asheville, by virtue of Chapter two hundred five, Private Laws of North Carolina, Session one thousand nine hundred twenty-nine, with the exception of property located within what was formerly the corporate limits of the Towns of Kenilworth, Biltmore and South Biltmore.

Sec. 2. That where payments of taxes have been made upon property where a credit or refund is herein authorized and the ownership of said property was the same on May first, one thousand nine hundred thirty, as at the time of payment of one thousand nine hundred twenty-nine taxes, a credit shall be given upon the one thousand nine hundred thirty tax or upon any subsequent tax levied for municipal purpose for the one thousand nine hundred twenty-nine payments.
SEC. 3. That where the ownership of property, located within the territory herein provided for credits or refund of taxes, shall have changed between the date of payment and May first, one thousand nine hundred thirty, the person, firm or corporation making such payment may demand upon a verified written application, upon a form prescribed by the Governing Board, a refund in cash of the amount of taxes paid upon such property for the year one thousand nine hundred twenty-nine and the Governing Board of said City shall refund such payment without interest, Provided, however, that such refund shall be made out of such funds as may be available for such purpose and when the Governing Board of the City of Asheville in their discretion order the refund.

SEC. 4. That all transfers of credits or refunds herein provided for shall only be made by the Governing Board of the City of Asheville by a resolution duly adopted and spread upon its minutes, after the Chief Accountant, or other duly authorized officer of the City, shall have audited the tax records and made a report of his findings to the Governing Board in writing.

SEC. 5. That all laws or clauses of law in conflict herewith be and are hereby repealed.

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

Ratified this the 16th day of March, A.D., 1931.

CHAPTER 89

AN ACT TO AMEND CHAPTER TWO HUNDRED TWENTY-FOUR, PRIVATE LAWS, ONE THOUSAND NINE HUNDRED TWENTY-SEVEN, CONFERRING POWER ON CERTAIN CITIES AND TOWNS TO MAKE CERTAIN LOCAL IMPROVEMENTS, SO AS TO INCLUDE THE CITY OF LENOIR.

The General Assembly of North Carolina do enact:

SECTION 1. That section thirty of chapter two hundred and twenty-four of the Private Laws of one thousand nine hundred and twenty-seven, be and the same is hereby amended by inserting in line two of said section between the word "Hickory" and the word "Salisbury" the word "Lenoir."

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

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

Ratified this the 16th day of March, A.D., 1931.
CHAPTER 90
AN ACT TO AMEND CHAPTER TWO HUNDRED AND FIFTY-THREE PRIVATE LAWS, ONE THOUSAND NINE HUNDRED AND THREE, RELATING TO THE CHARTER OF THE TOWN OF BUIE'S CREEK.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and fifty-three, Private Laws of the Session of one thousand nine hundred and three, being "An Act to incorporate the Town of Buie's Creek," be amended as follows:

In Section ten, Line three, strike out the words "twenty-five cents" and insert in lieu thereof the words "fifty cents."

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

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

Ratified this the 16th day of March, A.D., 1931.

CHAPTER 91
AN ACT TO AMEND CHAPTER TWO HUNDRED AND FORTY-TWO, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-ONE, AS AMENDED, THE SAME BEING THE CHARTER OF THE CITY OF DURHAM, RELATING TO THE PAYMENT OF A FEE OF FIVE DOLLARS FOR CANDIDATES FOR MAYOR AND ALDERMEN IN PRIMARY ELECTIONS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Charter of the City of Durham, being Chapter two hundred and forty-two, Private Laws of one thousand nine hundred and twenty-one, as amended, be amended by adding at the end of Section six thereof, the following paragraph:

"All candidates for mayor and aldermen in the primary provided for herein shall pay to the City Clerk, on or before the expiration of the time for filing of the petitions referred to herein, the sum of five dollars, which sum shall be paid into the Treasury of the City, for the purpose of helping to defray the expenses of said primary."

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

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

Ratified this the 16th day of March, A.D., 1931.
AN ACT TO AMEND CHAPTER NINETY, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND SEVEN, PERTAINING TO THE COLLECTION OF TAXES, AND TO AMEND CHAPTER TWELVE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND SEVENTEEN, PERTAINING TO THE COLLECTION OF ASSESSMENTS, IN THE TOWN OF CANTON, HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section thirteen, of Chapter ninety, Private Laws of one thousand nine hundred and seven, and Section six, of Chapter twelve, Private Laws of one thousand nine hundred and seventeen, and acts amendatory thereof, be amended as follows:

That the tax collector of the town of Canton shall collect all taxes and assessments due said town as now is or may hereafter be provided for the collection of county taxes under the General Law; the procedure set forth in the General Law for the collection of county taxes by advertisement of property, the issuing of certificates and foreclosure proceedings and all other procedure shall be followed by said tax collector in the same manner and to the effect as followed by the county tax collector under the General Law of the State, and property sold by said tax collector shall be redeemed in the same manner as provided by the General Law, or as may hereafter be provided by the General Law; all such proceedings to be brought in the name of the tax collector of the town of Canton, and the expenses of said foreclosure and tax sales shall be paid according to the provisions of the General State Law.

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

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

Ratified this the 16th day of March, A.D., 1931.

CHAPTER 93
AN ACT TO INCORPORATE VIRGINIA-CAROLINA HIGH SCHOOL IN ASHE COUNTY, NORTH CAROLINA, AND TO PROVIDE POLICE PROTECTION THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That a boundary constituting a semi-circle with the Virginia State Line as the diameter and with the Virginia-Carolina High School, Grassy Creek Township, Ashe County,
North Carolina, as the center of the diameter thereof, and having a radius of one-half mile from the center in every direction on the North Carolina side, shall be and the same is hereby incorporated under the style and name of The Virginia-Carolina High School Grounds.

SEC. 2. That the North Carolina Trustees or governing body of the Virginia-Carolina High School shall have full and ample power and authority to make and prescribe such rules and regulations for the government and protection of said school grounds as to them may seem wise and proper.

SEC. 3. That the North Carolina Trustees or other governing body of the Virginia-Carolina High School are hereby authorized to appoint a special police or policemen to enforce the rules and regulations of said body as above provided or to arrest any person for disorderly conduct or for any offense in violation of the laws of the State committed within the limits of said incorporation and when so arrested said officer shall carry said person before the nearest available justice of the peace in Ashe County, North Carolina, who shall upon complaint issue a warrant against such offender and proceed with said case as is now provided for by law.

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

Ratified this the 18th day of March, A.D., 1931.

CHAPTER 94

AN ACT TO AMEND CHAPTER THREE HUNDRED FORTY-TWO OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED SEVEN, AS AMENDED BY CHAPTER ONE HUNDRED FIFTY-FIVE, PRIVATE LAWS ONE THOUSAND NINE HUNDRED NINETEEN, AS AMENDED BY CHAPTER SEVENTY-EIGHT, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-THREE, AS AMENDED BY CHAPTER ONE HUNDRED FORTY-TWO, PRIVATE LAWS ONE THOUSAND NINE HUNDRED TWENTY-NINE, RELATING TO THE ELECTION OF MEMBERS OF THE SCHOOL BOARD OF THE CITY OF CHARLOTTE.

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 seven, as amended by chapter one hundred and fifty-five of the Private Laws of nineteen hundred and nineteen, as amended by chapter seventy-eight, of the Private Laws of nineteen hundred and twenty-three, as amended by chapter one hundred and forty-two, of the

Ch. 342, Private Laws 1907; ch. 155, Private Laws 1919; ch. 78, Private Laws 1929; and ch. 142, Private Laws 1929, amended.
Private Laws of nineteen hundred and twenty-nine, be amended by inserting after paragraph (e) the following:

"(f) The longest terms for which members are being elected shall be filled by those persons receiving the highest number of votes, the next longest terms by those receiving the next highest number of votes, and the next longest terms by those receiving the next highest number of votes: Provided, that no person shall be declared elected who shall not have received a majority of the votes cast in said election.

In the event of a tie vote between members for the different terms, the Board of School Commissioners shall decide by a majority vote which member shall serve for the longer term and which member shall serve for the shorter term."

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

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

Ratified this the 17th day of March, A.D., 1931.

CHAPTER 95

AN ACT TO AMEND CHAPTER THREE HUNDRED EIGHTY OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED FIFTEEN, CHANGING THE NUMBER OF WARDS IN THE TOWN OF SANFORD AND CHANGING THE NUMBER OF ALDERMEN AND CHANGING THE METHOD OF SIDEWALK CONSTRUCTION AND PROVIDING NOTICE OF CANDIDATES FOR ALDERMEN AND MAYOR.

The General Assembly of North Carolina do enact:

Section 1. That Chapter Three Hundred Eighty of the Private Laws of the General Assembly of North Carolina, Session One Thousand Nine Hundred Fifteen, be and the same is hereby amended:

(1) By striking out Section Three of said Act and inserting in lieu thereof the following: "The Town of Sanford shall be divided into Five Wards, denominated First, Second, Third, Fourth and Fifth Wards.

FIRST WARD: Beginning at the intersection of the Western boundary line of the Town of Sanford with State Highway No. Fifty and running thence in an Easterly direction with the center of said Highway and Carthage Street to the Center of the Atlantic & Yadkin Railroad; thence with the center line of said Railroad in a Northern direction to its intersection with the
Northern corporate limits of the Town of Sanford; thence with the Northern boundary line of said Town in a Western direction, and the Western boundary line of said Town in a Southern direction to the point of beginning.

SECOND WARD: Beginning at the intersection of the Northern boundary line of the Town of Sanford with the Atlantic & Yadkin Railroad and running thence as the center line of said Railroad in a Southerly direction to the center line of Carthage Street; thence in an Easterly direction as the center line of Carthage Street, and as the center of Charlotte Avenue, to the center line of the main track of the Seaboard Air Line Railroad; thence as the center line of the main track of the Seaboard Air Line Railroad in a Northern direction to the Northern boundary line of the Town of Sanford; thence along the Northern boundary line of the Town of Sanford in a Western direction to the point of beginning.

THIRD WARD: Beginning at the intersection of the Eastern boundary line of the Town of Sanford with the center of Extension of Charlotte Avenue and running thence with the center line of Charlotte Avenue and the Extension thereof in a Western direction to the Center of Chatham Street; thence with the center of Chatham Street in a Southerly direction to the center of McIver Street; thence with the center of McIver Street in an Easterly direction to a point 150 feet West of the Western line of Third Street; thence South parallel with Third Street to a stake in Little Buffalo Creek; thence up the various courses of said Creek to the Southern boundary line of the Town; thence with the Southern boundary line of the Town in an Easterly direction to the Easterly boundary line of said Town, thence with the Easterly boundary line of said Town in a Northerly direction to the point of beginning.

FOURTH WARD: Beginning at the intersection of the Western boundary line of the Town of Sanford with State Highway No. Fifty and running thence in an Easterly direction with the center of said Highway and Carthage Street and Charlotte Avenue to the center of Chatham Street; thence in a Southerly direction with the center of Chatham Street to the center of McIver Street; thence with the center of McIver Street in an Easterly direction to a point 150 feet West of the Western line of Third Street; thence South parallel with Third Street to a stake in Little Buffalo Creek; thence up the various courses of said creek to the Southern boundary line of the Town in a Westerly direction and the Western boundary line of the Town in a Northern direction to the point of beginning.

FIFTH WARD: All that portion of the Town of Sanford not included in the First, Second, Third and Fourth Wards."
Sec. 2. That said Chapter Three Hundred Eighty of the Private Laws of North Carolina, session One Thousand nine Hundred Fifteen, be and the same is hereby further amended.

(2) By striking out all of Section Four of said Act and inserting in lieu thereof the following: "Section 4. The Board of Aldermen of said Town shall consist of five members, one of whom shall be elected from the First, Second, Third, Fourth and Fifth Wards, respectively, by the qualified voters of said Ward. There shall be elected on Tuesday after the first Monday in May, A.D., One Thousand Nine Hundred Thirty-one, and biennially thereafter, a Mayor and Five Aldermen, who shall hold their offices for a term of two years and until their successors are elected and qualified; one of said Aldermen shall be chosen from and elected by the voters of each ward. Such Aldermen shall be a resident of the ward from which they are chosen and shall be elected by the qualified voters of such wards and must have resided within the State twelve months and within the corporate limits of the Town of Sanford ninety days preceding the day of election; and at said biennial elections held for the election of Aldermen from the wards, there shall be elected a Mayor, under the same rules and regulations governing said election of said Aldermen. Said election shall be conducted under the provisions of the General Election Law and the person receiving the highest number of votes for Mayor and Aldermen shall be declared elected such officers upon the canvassing of the returns as herein provided for. No person who is a candidate for office of Mayor and Aldermen of any Ward in said Town shall be eligible to be voted on at said election unless such person offering himself as a candidate in said election shall, at least fifteen days prior to the holding of said election file with the Town Clerk of the Town of Sanford written notice of his intention to become a candidate and shall state in said notice, the office to which he aspires. Any person offering himself as a candidate for Alderman shall pay to the Clerk at time of filing said notice, a fee of Three Dollars, and any person offering himself for Mayor shall pay to the Clerk at time of filing such notice, a fee of Six Dollars. And filing fees collected hereunder shall be expended for the purpose of printing ballots."

(3) By striking out in Section Twenty-seven in Line Fifty-six after the word "Improvement" all of the remainder of said section.

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

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

Ratified this the 17th day of March, A.D., 1931.
CHAPTER 96

AN ACT TO AMEND HOUSE BILL FIVE HUNDRED NINETY-NINE RATIFIED ON MARCH SIXTH NINETEEN HUNDRED THIRTY-ONE, RELATING TO THE TIME OF HOLDING THE ELECTION IN THE TOWN OF ROANOKE RAPIDS UPON THE SUBJECT OF EXTENDING ITS CORPORATE LIMITS.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number five hundred ninety-nine entitled "An Act to Amend the Charter of the Town of Roanoke Rapids in Halifax County," ratified on March sixth, nineteen hundred and thirty-one, be amended by striking out the words "twenty-first" in line thirteen of section eleven thereof and inserting in lieu thereof the words "twenty-seventh."

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

Ratified this the 19th day of March, A.D., 1931.

CHAPTER 97

AN ACT TO AMEND AND RE-ENACT CHAPTER FORTY-SEVEN OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-ONE TO PROVIDE FOR UNIFORM REGISTRATION BOOKS IN THE CITY OF CHARLOTTE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That in all municipal primaries and elections to be held in the city of Charlotte, except special bond elections in which a new registration is ordered, the registration books for State and County elections shall be used and all electors properly registered on said books, and who are otherwise qualified, shall be entitled to vote in said municipal primaries or elections.

SEC. 2. That the said primaries and elections shall be held under the supervision and control of the County Board of Elections for Mecklenburg County, who shall appoint registrars and judges for all primaries and elections, prepare and distribute ballots, and shall have the same jurisdiction and authority to change precinct boundaries, create new precincts and fix the voting places as is now conferred by law on said Board governing State and County elections and shall canvass the returns of said primaries or elections and certify the result to the City Clerk and also the Clerk of the Superior Court of Mecklenburg County.

SEC. 3. That it is the intent and purpose of this Act that only one set of registration books be used in the city of Charlotte.
for all primaries or elections, National, State, County or municipal.

SEC. 4. That expenses for holding said primaries or elections shall be borne and paid as now provided by law.

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

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

Ratified this the 19th day of March, A.D., 1931.

CHAPTER 98

AN ACT TO PLACE THE POLICE AND FIREMEN OF THE CITY OF ASHEVILLE UNDER CIVIL-SERVICE.

The General Assembly of North Carolina do enact:

SECTION 1. That the police and fire departments of the City of Asheville be, and the same hereby are placed under civil service rules and regulations.

SEC. 2. That all regular members of the police and fire departments of the city of Asheville who shall have been in active service for one year on the third Tuesday in April, one thousand nine hundred and thirty-one, shall immediately be subject to and governed by civil service rules and regulations without being required to stand any further examination or appointment by the governing body of the City of Asheville.

SEC. 3. That immediately upon the effective date of this act it shall be the duty of the governing body of the City of Asheville to establish by ordinance rules and regulations for the government of the police and fire departments of said city, including the appointment of three disinterested citizens of Asheville as civil service commissioners, who shall serve without pay, and whose terms of office shall be prescribed: Provided, however, that no rule or regulation shall be adopted which shall deprive the heads and other officers of said departments of the power to demote, suspend or discharge any member or employee of said departments for cause, but any such member or employee may have a hearing before the civil service commission.

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

SEC. 5. That this act shall be in full force and effect from and after the third Tuesday in April, one thousand nine hundred and thirty-one; Provided, however, that this act shall become effective only in the event that the proposed change in the charter of the City of Asheville shall fail of adoption on said date.

Ratified this the 20th day of March, A.D., 1931.
CHAPTER 99

AN ACT TO EMPOWER THE BOARD OF ALDERMEN OF THE CITY OF FAYETTEVILLE TO PROVIDE IN ITS ANNUAL BUDGET AN ITEM FOR ADVERTISING AND GENERAL WELFARE PURPOSES, TO BE SUBMITTED TO A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Aldermen of the City of Fayetteville, be, and it is hereby empowered, in its discretion, when the annual budget is made up, to include in said budget an item not to exceed the sum of five thousand dollars, to be used as the Board of Aldermen in its discretion may direct, for advertising and general welfare purposes.

Sec. 2. That this act shall be in full force and effect only when it shall have been approved by a majority of the votes cast at the general election of the City of Fayetteville, to be held on Tuesday after the first Monday in May, one thousand nine hundred and thirty-one, and to that end the Election Board for holding said election on said date, is authorized and directed to have a ballot printed to be voted in said election, on which ballot shall be printed the words "For advertising and general welfare" and "Against advertising and general welfare," and to certify to the Board of Aldermen the number of votes cast and the result of said election.

Sec. 3. All laws and parts of law in conflict herewith are hereby repealed.

Ratified this the 20th day of March, A.D., 1931.

CHAPTER 100

AN ACT TO REPEAL HOUSE BILL FOUR HUNDRED TWENTY-EIGHT ENTITLED "AN ACT TO AMEND CHAPTER THREE HUNDRED SIXTY-EIGHT OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED ELEVEN AND CHAPTER TWO HUNDRED THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED SEVENTEEN RELATING TO THE POLICE COURT FOR THE TOWN OF CANTON, COUNTY OF HAYWOOD."

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number four hundred twenty-eight, entitled "An act to amend chapter three hundred and sixty-eight of the Public-Local Laws of one thousand nine hundred and eleven and chapter two hundred and three of the Public-
Local Laws of one thousand nine hundred and seventeen relating to the Police Court for the Town of Canton, County of Haywood," which was ratified on March eleventh one thousand nine hundred and thirty-one, is hereby repealed.

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

Ratified this the 20th day of March, A.D., 1931.

CHAPTER 101
AN ACT TO AMEND CHAPTER ELEVEN, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE, CONTRACTING THE LIMITS OF THE TOWN OF WINFALL, PERQUIMANS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter eleven, Private Laws of one thousand nine hundred and twenty-nine, be and the same is hereby amended by striking out the second paragraph of said section and inserting in lieu thereof the following:

"All that territory lying within a radius of one quarter of one mile from the intersection of the Norfolk and Southern Railroad and the county road, at the station known as Winfall, on said railroad."

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

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

Ratified this the 20th day of March, A.D., 1931.

CHAPTER 102
AN ACT TO PROVIDE FOR THE ELECTION OF A COTTON WEIGHER AND GRADER FOR THE TOWN OF ST. PAULS, ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of St. Pauls, Robeson County, are hereby authorized and empowered, at their first meeting in May, one thousand nine hundred and thirty-one, to elect a cotton weigher and grader for said town, who shall hold his office for a term of one year, and until his successor is elected and qualified.

SEC. 2. That it shall be the duty of said cotton weigher and grader to weigh and grade all cotton sold in the town of St. Pauls in bales, and to give a certificate to the seller of the said cotton, showing the correct weight and grade of each bale.
weighed by him; and it shall be the duty of the board of commissioners of the town of St. Pauls to prescribe such rules and regulations governing the sale and weighing of cotton in said town as may be just, and for performing the duties aforesaid the cotton weigher shall receive the sum of Twenty cents (20c) per bale, one-half of which shall be paid by the seller, and one-half of which shall be paid by the buyer.

SEC. 3. That said cotton weigher and grader before entering upon the discharge of his duties, shall give a bond in the sum of five hundred dollars for the faithful discharge of the duties of his office, to be approved by the board of commissioners of said town.

SEC. 4. That it shall be the duty of said cotton weigher to keep a record of the cotton belonging to different purchasers and weighed by him, so that cotton belonging to different buyers shall not become mixed on the yard or platform where the weighing is done, and he shall keep a record of all cotton weighed, showing the names of seller and buyer.

SEC. 5. That the records of said officer shall be evidence in any court, when duly and properly authenticated, and his books and records shall be open to inspection by any person who shall request to be allowed such privilege.

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

Ratified this the 20th day of March, A.D., 1931.

CHAPTER 103
AN ACT TO AMEND THE CHARTER OF THE CITY OF SALISBURY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter two hundred and thirty-one of the Private Laws of one thousand nine hundred and twenty-seven, be, and the same is hereby amended by adding thereto and at the end thereof, the following: The regular municipal election for the City of Salisbury shall be held on Tuesday after the first Monday in May of each odd year. The present elective officers shall hold their respective offices until May thirty-first, one thousand nine hundred and thirty-one, and until their successors are elected and qualified. The terms of office of the members of the city council and all other elective officers to be elected at the regular municipal election to be held in the year nineteen hundred and thirty-one (1931) shall begin on June the first, nineteen hundred and thirty-one, and shall end on June thirteenth, nineteen hundred and thirty-three. Beginning with the year one thousand nine hundred thirty-three the terms of
office of all elective officers of the city shall begin on July the first, and end on June thirtieth each two years thereafter, or until their successors are duly elected and qualified. All members of the city council and all other elective officers shall be inducted into office and take their respective oaths of office in the city hall at eleven o'clock A. M. on the day their terms of office begin.

**Sec. 2.** That section thirteen of chapter two hundred and thirty-one of the Private Laws of one thousand nine hundred and twenty-seven, be, and the same is hereby amended by adding thereto and at the end thereof, the following: The city council shall also elect a city attorney, who shall have general supervision of all legal work of the city; and in case the services of any additional attorney may be deemed necessary by the city council for any purpose whatsoever, such additional attorney may be appointed by the city council.

**Sec. 3.** That all of section fifteen of chapter two hundred and thirty-one of the Private Laws of one thousand nine hundred and twenty-seven, be and the same is hereby stricken out and the following inserted in lieu thereof: Except as provided in the charter, the city council shall determine what departments, officers and employees are necessary for the proper administration of the governmental affairs of the city, but such officers and employees shall be appointed or removed by the city manager; however, no head or superintendent of a department shall be appointed or removed, unless such appointment or removal has been submitted by the City Manager to the city council, in writing, and approved or confirmed by a vote of the city council, and the action of the city council on such appointment or removal shall be final. Except as herein provided, the city manager shall report all appointments or removals of employees to the council at the next meeting thereof following any such appointment or removal. All salaries shall be fixed or approved by the council. The city council may, by ordinance, provide for the appointment of special or standing committees, and may assign to such committees whatever duties may be deemed advisable by the city council. All officers and employees of the city shall perform such duties as may be required of them by the city manager, subject however, to the general supervision and control of the city council.

**Sec. 4.** That section thirty-five of chapter two hundred and thirty-one of the Private Laws of one thousand nine hundred and twenty-seven, be, and the same is hereby amended by adding thereto and at the end thereof, the following: The city council may, by ordinance, provide for the payment and collection of all city taxes in monthly or other installments, such installments to
be paid between October first and April first following the levy of such taxes.

SEC. 5. That section thirty-seven of chapter two hundred and thirty-one of the Private Laws of one thousand nine hundred and twenty-seven, be, and the same is hereby amended by striking out the word “February” in line three of said section thirty-seven, and inserting in lieu thereof the word “April.”

SEC. 6. That section thirty of chapter two hundred and twenty-four of the Private Laws of one thousand nine hundred and twenty-seven, be, and the same is hereby amended by striking out after the word “Hickory” and before the word “Tarboro” the word “Salisbury” in line two of said section.

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

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

Ratified this the 20th day of March, A.D., 1931.

CHAPTER 104

AN ACT TO AMEND CHAPTER TWO HUNDRED TWENTY-SIX, PRIVATE LAWS ONE THOUSAND NINE HUNDRED TWENTY-SEVEN, AND CHAPTER FIFTEEN, PRIVATE LAWS ONE THOUSAND NINE HUNDRED TWENTY-THREE, RELATING TO THE CHARTER OF THE CITY OF ELIZABETH CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That the charter of the City of Elizabeth City be amended as follows:

That section two of chapter fifteen, Private Laws of session one thousand nine hundred and twenty-three, be amended as follows: That after the word “of” in line ten strike out “West End Main Street”, and substitute in lieu thereof “State Highway” and in line twelve thereof strike out the words “West End Main Street” and substitute in lieu thereof “Highway”.

SEC. 2. That the term of office of all members of the Board of Aldermen of the City of Elizabeth City shall expire on the first Monday in June, nineteen hundred and thirty-one, and that at the next regular municipal election, following the ratification of this act, and biennially thereafter, there shall be elected two members of the Board of Aldermen from each of the four wards of said city and by the electors of the city at large as now provided.

SEC. 3. That section four of Chapter two hundred and twenty-six, of the Private Laws of one thousand nine hundred and twenty-seven be and the same is hereby repealed.

1923 law again amended.

Submission to voters matter of sale or lease of City Market property.

Ballots.

Aldermen to control sale or lease.

Minimum price.

Rules of election.

Police power over sale of foods.

Violation of such rules made misdemeanor.

Sec. 4. That chapter fifteen of Private Laws of the session one thousand nine hundred twenty-three, be amended as follows: At the end of section fifty-nine and before section sixty add the following: "The Board of Aldermen of said city are hereby given the authority to submit to the voters of said municipality, at the next regular city election, or any subsequent city election, the question whether the said City of Elizabeth City shall sell or lease the present City Market Property, or shall not sell or lease the same. The voters at said election favoring the sale or lease of said Market Property shall each vote a ticket, with the words "For Sale or Lease" printed or written thereon; and the voters opposed to the sale or lease of said property shall each vote a ticket, with the words "Against the sale or lease" written or printed thereon.

"If a majority of the votes cast at said election shall be in favor of sale or lease of said Market House Property, then in that event the Board of Aldermen of the City of Elizabeth City, are hereby given the authority to sell or lease the said property, at a price, and upon such terms as to them may seem just and proper: Provided, that in case of sale of said property, they shall not sell same for a less sum than twenty-two thousand five hundred dollars.

"The said election shall be conducted in all respects, as the election of the city officers, and a separate box shall be provided at each polling place in said city, into which the said ballots may be deposited, and when the election is over, the ballots shall be counted, and returns made and result declared, in all respects as is provided for the election of City Officers.

"That in case said Market Property is sold, the said Board of Aldermen of the City of Elizabeth City are hereby vested with full power and authority, to pass ordinances regulating the sale, barter or exchange of any and all kinds of fresh meats, and sea food, to fix the locations in said city, where said fresh meats and sea food may be sold; to regulate the material and the building where said fresh meats may be sold, and to make all sanitary rules and regulations with respect to same, in order to preserve public health and well being, and may enforce the observance of said ordinances and rules and regulations by proper fines and penalties.

"That if any person, or persons, or corporation shall violate the provisions of said ordinances, or regulations thereof, or shall attempt to sell, barter or exchange any kind of fresh meat or meats, or sea food in any portion or zone of said city not specially designated by the said Board of Aldermen as a place where such meats or sea food may be sold, shall be guilty of a misdemeanor, and fined as set out in the sanitary ordinances of the city now in force, or passed in accordance with this amendment."
"The said City of Elizabeth City may levy and collect from each person, firm or corporation that may engage in the retail sale, barter or exchange any kinds of fresh meats, an annual license tax not to exceed one hundred dollars per annum for each place or stand that may be operated by him, them or it, within the corporate limits of Elizabeth City and each person, firm or corporation selling or handling by retail, any kind of sea food within the corporate limits of Elizabeth City shall pay an annual license tax not to exceed twenty-five dollars for each stand or place operated by him, them or it."

SEC. 5. That chapter fifteen of the Private Laws of session one thousand nine hundred twenty-three, be and the same is amended and enlarged as follows: Between section ninety-seven and section ninety-eight add the following: "The Board of Aldermen may appoint a Warrant Officer, to hold office during the pleasure of the said Board of Aldermen, whose duties shall be to issue warrants or other process for the arrest of violators of the law anywhere in Pasquotank County, upon the sworn complaint of any policeman, sheriff, or constable or other person, said warrant to be returnable before the Trial Justice of Pasquotank County, for hearing. Said Warrant Officer may also issue subpoenas for the attendance of witnesses.

"The said warrants shall run in the name of the State and be directed to any police officer in the said city, sheriff or constable, to be executed by them or either of them, as other warrants issued to them by any officer having authority under the law to issue warrants.

"The holding of any other office, in Pasquotank County, or in the City of Elizabeth City shall not be a bar to holding the said position of Warrant Officer."

SEC. 6. That section fourteen of said chapter two hundred and twenty-six of the Private Laws of one thousand nine hundred and twenty-seven be and the same is hereby repealed and the following substituted in lieu thereof: "That the Board of Aldermen of the City of Elizabeth City at their regular meeting on the first Monday in June, one thousand nine hundred and thirty-one, and each two years thereafter may appoint three of their number, a Sinking Fund Committee, who shall be vested with all the powers conferred upon said Sinking Fund Commission in said act, and shall be subject to all the duties and requirements and responsibilities as prescribed for said Commission in said act. The terms of office for said Committee shall be for two years, and until their successors are appointed and qualified. Any vacancy occurring on said Committee shall be filled by the Board of Aldermen, for the unexpired term."

Removal from the City of Elizabeth City, of any member of said Committee, shall vacate his position as a member of said committee, and create a vacancy thereon.
That whenever the word "Commission" appears in said act it is stricken out, and the word "Committee" is substituted in lieu 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 full force and effect from and after its ratification.

Ratified this the 21st day of March, A.D., 1931.

CHAPTER 105

AN ACT TO AMEND CHAPTER ONE HUNDRED AND EIGHTY-FOUR, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-THREE, SO AS TO CORRECT A SHORT LINE IN THE BOUNDARY OF THE TOWN OF JONESVILLE, YADKIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and eighty-four, Private Laws of one thousand nine hundred and twenty-three, be amended by striking out in lines four, five, six and seven thereof the words: "Beginning at a branch, the northwest corner of J. C. Pinnix land on the bank of the Yadkin River; thence southwardly course to a point west of J. C. Ray's residence" and inserting in lieu thereof the following:

"Beginning at the mouth of a branch, bank of river, near 'old Ferry landing', northeast corner of J. C. Pinnix land, and running south with said branch to a road and bridge, thence west with said road to a branch and bridge near J. C. Ray's 'Ash' corner; thence southwest to a point west of J. C. Ray's 'Greenwood' residence."

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

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

Ratified this the 21st day of March, A.D., 1931.

CHAPTER 106

AN ACT RELATING TO THE INDEBTEDNESS OF THE TOWN OF MARION.

The General Assembly of North Carolina do enact:

SECTION 1. That in computing the indebtedness of the Town of Marion, in applying any debt limit now or hereafter, indebtedness incurred for school purposes shall be excluded.

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

Ratified this the 21st day of March, A.D., 1931.
CHAPTER 107

AN ACT TO AMEND CHAPTER THREE HUNDRED NINETY-FIVE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED NINE AND ALL ACTS AMENDATORY THEREOF, RELATING TO THE CITY CHARTER OF THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

ARTICLE 1. Amendment.

SECTION 1. That Chapter three hundred ninety-five of the Public-Local Laws of one thousand nine hundred nine and all acts amendatory thereof be and the same are hereby amended to read as follows:

ARTICLE 2. Name, Boundaries and Powers.

SECTION 1. That the inhabitants of the City of High Point, in Guilford County, shall be and continue as they have been a body politic incorporated under the name and style of City of High Point, and as such the corporation is hereby vested with all the property and rights of property which now belong to the corporation, under any other name or names, and in this name may acquire and hold such estate in lands and property as may be devised, bequeathed, sold to, or in any manner conveyed to it or acquired by it and may from time to time, under the general law governing municipal corporations, invest, sell or dispose of any said lands or property, including land and property held for municipal purposes, and under said name shall have power to contract and be contracted with, to sue and to be sued, and shall have all the power, duties, and privileges conferred and provided for herein, and all the powers, duties and privileges implied by law and all rights and privileges necessary or appropriate to the powers hereafter conferred on the corporation by law, not inconsistent herewith.

SEC. 2. The general powers of the city shall especially include those powers conferred upon municipal corporations by section two thousand six hundred twenty-two and section two thousand seven hundred and eighty-seven of the Consolidated Statutes of North Carolina not inconsistent herewith, but the granting of such powers herein shall not be construed as a limitation, but the said city shall have all powers hereafter conferred by the general law of the State of North Carolina, not inconsistent herewith, and shall especially have the power to acquire property by condemnation of the same for all public uses, such acquisition to be made in the same manner and under the same procedure as is provided under Article two of Chapter thirty-three of the Consolidated Statutes of North Carolina entitled "Eminent Domain."
Sec. 3. That the territory embraced within the said corporation shall consist of an area nine and three-quarters (9%) square miles, and its boundaries and limits shall extend three and one-quarter (3¼) miles north and south and three (3) miles east and west, running with the cardinal points of the compass, the reckoning to be taken from the center of Main Street where it crosses the Southern Railway, to-wit: one and five-eights (1½%) miles north of said center, and one and five-eighths (1½%) miles south of said center, and one and one-half miles east of said center, and one and one-half miles west of said center; and all the territory contained within said boundaries or limits shall be divided into four (4) wards, as follows: the first ward shall contain all the territory lying north of the Southern Railway and west of North Main Street. The second ward shall contain all the territory lying north of the Southern Railway and east of North Main Street. The third ward shall contain all the territory lying south of the Southern Railway and west of South Main Street. The fourth ward shall contain all the territory lying south of the Southern Railway and east of South Main Street.

Sec. 4. The City of High Point shall have the rights, powers, privileges, duties, and obligations herein specifically conferred and also such as are contained in those sections and statutes of the General Law of North Carolina applicable to municipal corporations and the amendments thereto which may be made hereafter, so far as same may not be inconsistent herewith, as are hereinbefore or hereinafter set forth and none other:

(a) C. S. two thousand seven hundred and eighty-nine except the words "Now or" appearing after the words "North Carolina" therein; C. S. two thousand seven hundred ninety; C. S. two thousand six hundred seventy-three; and C. S. two thousand six hundred seventy-four shall apply to the City of High Point.

(b) Acquisition of Property—C. S. two thousand seven hundred ninety-one; two thousand seven hundred ninety-two and C. S. two thousand seven hundred ninety-two sub-sections A. to P. inclusive shall apply to the City of High Point.

(c) Streets and Sidewalks—C. S. two thousand seven hundred ninety-three and C. S. two thousand seven hundred ninety-three sub-sections A. to C. inclusive shall apply to the City of High Point.

(d) Markets—C. S. two thousand seven hundred ninety-four and C. S. two thousand six hundred seventy-four shall apply to the City of High Point.

(e) Public Health—C. S. two thousand seven hundred ninety-five to C. S. two thousand eight hundred inclusive shall apply to the City of High Point.
(f) Fire Protection—C. S. two thousand eight hundred one to C. S. two thousand eight hundred four inclusive shall apply to the City of High Point.

(g) Sewerage and Sewerage Disposal—C. S. two thousand eight hundred five; C. S. two thousand eight hundred six and C. S. two thousand eight hundred six sub-sections A. to H. inclusive shall apply to the City of High Point.

(h) Water and Lights—C. S. two thousand eight hundred seven; C. S. two thousand eight hundred eight and C. S. two thousand eight hundred nine shall apply to the City of High Point.

(i) Cemeteries—C. S. two thousand eight hundred ten; C. S. two thousand eight hundred eleven and C. S. two thousand eight hundred twelve shall apply to the City of High Point.

(j) Ordinances—C. S. two thousand eight hundred twenty-five shall apply to the City of High Point.

(k) City Clerk—C. S. two thousand eight hundred twenty-six shall apply to the City of High Point.

(l) Qualifications of Officers—C. S. two thousand six hundred forty-six; two thousand six hundred forty-seven and two thousand six hundred forty-eight shall apply to the City of High Point.

(m) License to Plumbers—C. S. two thousand eight hundred nineteen shall apply to the City of High Point.

(n) Officers' Bonds—C. S. two thousand eight hundred twenty-eight shall apply to the City of High Point.

(o) Contracts for Public Works—C. S. two thousand eight hundred thirty-one and C. S. two thousand eight hundred thirty-one (a) shall apply to the City of High Point.

(p) Control of Public Utilities—C. S. two thousand eight hundred thirty-two shall apply to the City of High Point.

(q) Management of Public Works—C. S. two thousand eight hundred thirty-four shall apply to the City of High Point.

(r) Accounting System—C. S. two thousand eight hundred forty and C. S. two thousand eight hundred forty-one shall apply to the City of High Point.

(s) Initiative and Referendum of Laws—C. S. two thousand eight hundred eighty-three shall apply to the City of High Point.

(t) Recall of Officials—C. S. two thousand eight hundred eighty-five shall apply to the City of High Point.

(u) Policemen—C. S. two thousand six hundred forty-two shall apply to the City of High Point.

(v) Sale of City Property—C. S. two thousand six hundred eighty-eight and C. S. two thousand six hundred ninety shall apply to the City of High Point.
That in addition to the statutes above enumerated, the provisions of Chapter one hundred fifty-six of Private Laws of one thousand nine hundred twenty-seven entitled "An Act to provide a Method for the Ultimate Widening, Extension and Opening of Streets; for the Gradual Acquisition of Lands necessary for such Improvements; and for the assessment of the cost thereof" shall apply to the City of High Point.

ARTICLE III. Governing Body—Organization, Power and Duties.

SECTION 1. The Governing Body of the City of High Point shall consist of two councilmen from each of the four wards of the city and a mayor. The Governing Body shall have the power and duty of adopting all laws and ordinances consistent with the Constitution and laws of the State of North Carolina for the efficient government of the said city and the administration of its affairs, and the said Governing Body shall have and exercise all authority appertaining to its function as the legislative body of the said city.

SEC. 2. The mayor of the City of High Point shall hold office for a term of two (2) years and until his successor is duly elected and qualified. Any duly qualified elector of the City of High Point shall be eligible for the office of mayor. The mayor shall preside at all meetings of the Governing Body and shall have power to vote on all questions. He shall be deemed the official head and spokesman of and for the city in all acts of ceremony and he shall represent the city upon all public state occasions. In case of the death, resignation, or disability of the mayor from any cause, the Governing Body, or Council, shall choose a mayor from among the qualified voters of the city to serve the unexpired term.

SEC. 3. City Councilmen shall be elected for a term of two (2) years and shall hold office until their successors are duly elected and qualified. Any duly qualified elector of the City of High Point resident in the ward from which he shall offer himself as councilman shall be eligible for the office of city councilman. In the event of the death, resignation, removal from the ward which he may represent, or disability from any cause of a councilman the Governing Body, or Council, shall choose a member from among the qualified voters of the Ward of the vacating Councilman to fill the vacancy.

SEC. 4. No councilman or mayor shall hold any other public office or place of trust under any government or governmental subdivision in the City of High Point.

SEC. 5. The Governing Body at its first meeting after its election or as soon thereafter as may be convenient, shall fix stated dates for the meetings of said body, which shall be not less than twice in every calendar month, and shall provide by
resolution for the calling of special meetings whenever same may become necessary, and shall provide rules governing the conduct and procedure of said meetings. It shall appoint a city clerk and a treasurer, who shall hold office at the will of the council, fix the compensation to be paid such officers and the amount of the bond to be furnished by them.

SEC. 6. Any five councilmen, or any four councilmen and the mayor, shall constitute a quorum for the transaction of business in any matter before the Governing Body; a majority vote of the quorum shall control, except that in the matter of ordinances and resolutions a majority of the members of the council shall be required.

SEC. 7. The compensation of each member of the Governing Body shall be two ($2.00) dollars for each meeting of the Governing Body which he shall attend.

SEC. 8. The Governing Body shall create a police department and a fire department and shall define their duties and scope of operation. The Governing Body may also create or abolish such other departments, bureaus and offices as may be necessary to the efficient conduct of the city's affairs, and shall fix the salaries of all heads of departments, officers and employees of the city, except that the Governing Body may not abolish those departments, officers or bureaus provided for by this charter. The Governing Body may provide for the creation, housing, equipment, and operation of such public institutions and agencies necessary to the city and not otherwise provided for herein.

ARTICLE IV. Elections and Primaries.

SECTION 1. All persons entitled to vote for members of the General Assembly, and who have been residents of the city and ward in which they offer to vote for four (4) months next preceding the day of election, and who shall have registered and qualified as provided in the general laws of North Carolina relative to municipal elections, shall be allowed to vote for mayor and councilmen from each of the four wards of the City of High Point, and no person not a resident of said city and ward from which he offers to vote shall be an elector of the city. But if any duly qualified elector shall have moved from one ward of the city to another within the four (4) months next preceding any election, he shall be entitled to vote in the said election in the ward from which he shall have moved.

SEC. 2. There shall be in the City of High Point a Municipal Board of Elections to consist of three qualified voters thereof, and men of good moral character, who shall be appointed by the County Board of Elections for Guilford County, within five days after the ratification of this act, and biennially thereafter on the first Tuesday after the first Monday in March, whose term

City clerk and treasurer appointed.

Quorum.

Compensation.

Police and fire departments.

Other offices.

Qualifications for voters in primaries and elections.

Municipal Board of Elections.

Terms of office.
of office shall continue in the first instance to the first Tuesday after the first Monday in March, one thousand nine hundred thirty-three, and until their successors are elected and qualified, and thereafter from the time of their election to the first Tuesday after the first Monday in March of the second year following their election and until their successors are elected and qualified, unless sooner removed as provided for in section five thousand nine hundred thirty of the Consolidated Statutes of North Carolina, the provisions of which are hereby made applicable to the County Board of Elections in exercising authority over said Municipal Board of Elections. Not more than two members of the Municipal Board of Elections shall belong to the same political party, and the chairman in High Point Township of each political party shall have the right to recommend for membership on said Municipal Board of Elections three electors in the City of High Point, and the County Board of Elections shall appoint the Municipal Board from the names thus submitted, unless such chairman fail to recommend after being given one day's notice.

Sec. 3. Said Municipal Board of Elections shall meet and organize within five days after their appointment at a time and place to be designated in their certificates of appointment.

Sec. 4. That said Municipal Board of Elections with respect to all primaries and elections held in the City of High Point shall exercise all the powers and authority vested in the governing body, or "Board of Commissioners", under Article three of Chapter fifty-six of the Consolidated Statutes of North Carolina, and amendments thereto, not inconsistent with this act, and all powers and authority conferred upon the County Board of Elections by sections five thousand nine hundred and twenty-five, five thousand nine hundred and twenty-six, five thousand nine hundred and twenty-eight, five thousand nine hundred and thirty-one and all other general statutes of North Carolina and amendments thereto relating to County Boards of Elections, and not inconsistent with the provisions of this act, shall be exercised by the Municipal Board of Elections respecting all primaries and elections held in the City of High Point.

Sec. 5. That said Municipal Board of Elections shall have power and authority:

(a) To divide the city into as many precincts as they may deem advisable and prescribe the boundaries thereof and designate the voting places therein;

(b) To appoint all registrars, judges of elections and other election officials;

(c) To have general authority over all primaries and elections;

(d) To provide all necessary books, blanks and other equipment and voting places as may be necessary to the registration
of the voters and holding of any and all primaries and elections in the City of High Point.

SEC. 6. That all the provisions of Chapter ninety-seven and Article three of Chapter fifty-six of the Consolidated Statutes of North Carolina entitled "Elections", and amendments thereto, which are not inconsistent with this act, and applicable to such primaries and elections, shall apply to primaries and elections held in the City of High Point.

SEC. 7. That notice of a new registration shall be published once each day for one week in a newspaper, or newspapers, published in the City of High Point, in lieu of the thirty days required by section two thousand six hundred fifty-five of the Consolidated Statutes of North Carolina, Provided, that this does not affect primary elections provided for in section thirteen hereinafter.

SEC. 8. Notice of any change in voting places of precincts shall be by publication of notice as aforesaid once each day for seven days, unless made within less than seven days before any primary or election, then for such time as may elapse between the date of such change and the date of such primary or election, as the case may be.

SEC. 9. That on the second Tuesday before the first Monday in May one thousand nine hundred and thirty-one, and biennially thereafter there shall be held in the several precincts of the City of High Point a primary election for the purpose of nominating two candidates of each political party from each ward for councilmen and one candidate for mayor, of each political party in the City of High Point, and that the two candidates for councilman from each ward and the candidate for mayor of each political party receiving the highest number of votes shall be declared the nominees of their respective parties for such offices at the election to be held on the following first Tuesday after the first Monday in May.

SEC. 10. That the Municipal Board of Elections shall appoint the Registrars, Judges of Election and other election officers within sufficient time for the registration of the voters and the holding of the primary, and that no officer or employee of the City of High Point shall be appointed Registrar, a Judge of Election or other election officials.

SEC. 11. The name of each candidate for nomination in such primary shall be filed with the chairman of the Municipal Board of Elections not later than the third Tuesday before the first Monday in May preceding the primary. Such notice of candidacy shall set forth:

(a) The name of the candidate;
(b) The age of the candidate;
(c) The address of the candidate and the street and number of his residence.

declaring that the candidate;
(d) The length of his residence at such street address;
(e) The name of the political party the nominee of which he seeks to be; and
(f) The office for which he seeks nomination, whether councilman, or mayor, and, if as councilman, from which ward.

Such notices may be filed by the candidate or any qualified voter of the city but must be accompanied with a fee of five dollars ($5.00) to be used as expenses by the Municipal Board of Elections.

Sec. 12. That if not more than two names of candidates of a political party for nomination as the candidate of such political party for councilman of any ward be filed with the chairman of the Municipal Board of Elections, then such board shall declare such persons to be the duly nominated candidates of such political party for such offices in the election to be held on the first Tuesday after the first Monday in May following; and if not more than one name of a candidate of a political party for the nomination as the candidate of such political party for mayor be filed with the chairman of the Municipal Board of Elections, then such person shall be declared the candidate of such political party as its candidate for mayor at the election to be held on the first Tuesday after the first Monday in May following. If there be more than two candidates of any one political party for councilman from any one ward or if there be more than two candidates of any political party for mayor, then the primary herein provided for shall be held as to such candidates only.

Sec. 13. The registration books for the primary to be held on the second Tuesday before the first Monday in May, one thousand nine hundred and thirty-one, and biennially thereafter shall be opened for at least two weeks next preceding such primary and no notice of a new registration for any primary shall be required, but if no advance notice is given then notice shall be published in some newspaper published in the City of High Point for seven consecutive days beginning with the day on which the registration books are opened. All voters registered for any primary shall be deemed duly registered voters for the election to be held on the first Tuesday after the first Monday in May following. Each voter at the time of registering shall give to the registrar the name of the political party with which he generally affiliates, otherwise the registrar shall register such voter as "declines."

Sec. 14. The Municipal Board of Elections shall, within five days after the expiration of the time provided for the filing of names of candidates for nomination, have prepared and printed official ballots, in sufficient quantities for the primary election, which official ballots shall set forth the name of the political party, the candidates for each office, the number of can-
didates for which each elector may vote and a square in front of each name in which each voter shall indicate by a cross mark each of the candidates for which the elector votes. There shall be separate ballots for each political party having a contest in the primary and the ballots for each party shall be printed on paper of different color. The ballots shall be distributed to the registrars on the Monday preceding the primary, who shall have them at the voting places on the following day. Each official ballot shall bear a facsimile of signature of the Chairman of the Board of Elections of the City of High Point. Only official ballots shall be voted in the primary and if other ballots are voted, they shall not be counted.

SEC. 15. There shall be one ballot box at each polling place for each political party having a contest in the primary and it shall be marked by the name of the political party.

SEC. 16. The Municipal Board of Elections shall tabulate the returns and declare the results of the primary. Nominations shall be determined for all officers by a plurality of all votes cast and there shall be no second primary.

SEC. 17. The term “Political Party”, as used in this act shall include all political parties having candidates for State offices in the general elections next preceding the primary election herein provided.

SEC. 18. That immediately after the primary election the Municipal Board of Elections shall cause ballots to be prepared in sufficient number for use in the election, which said ballots shall in the main conform to the election laws of the State; and the election shall be held under the general election laws of the State: Provided, that where the word “City Clerk” appears in the general election law of the State with reference to municipal elections, as applied to the City of High Point, it shall be construed to mean the Chairman of the Municipal Board of Elections.

SEC. 19. When the Municipal Board of Elections is not in session, the Chairman thereof shall exercise all the powers and authority vested in it by this act, and any act of the Chairman so exercised shall conclusively be deemed the act of the Municipal Board of Elections.

SEC. 20. The registration books shall be kept open for one week after the primary. Challenges shall be filed on the last Saturday before the election; and shall be heard on Monday before the election on Tuesday. The election shall be held on the first Tuesday after the first Monday in May one thousand nine hundred and thirty-one and biennially thereafter.

SEC. 21. The candidate for Mayor receiving the largest number of votes, and the candidate from each ward receiving the highest number of votes shall be deemed elected.
Sec. 22. The Municipal Board of Elections shall meet immediately after the Board of Canvassers shall have completed their canvass and tabulate the votes and certify to the governing body the results of the election, setting forth the names of the candidates elected and the respective offices to which they have been elected. The results so tabulated shall be certified by the Municipal Board of Elections and filed with the governing body of the City of High Point on the same day on which the canvass is made by the Board of Canvassers, which shall be set out in the minutes of the governing body and upon such certification, those so certified as having been elected to the several offices shall be deemed duly elected for the term of two years, and upon qualifying shall take office on the second Tuesday after the first Monday in May, following the election.

Sec. 23. That all expenses of the Municipal Board of Elections which in the opinion of the Municipal Board of Elections are necessary, shall be paid by the City of High Point within five days after the presentment of bills approved by the Chairman of the Municipal Board of Elections and over his signature.

Sec. 24. That wherever the word "Clerk" or the words "City Clerk" are used in the general laws relative to Municipal Elections only, such words for the purpose of this act shall be deemed to refer to the Chairman of the Municipal Board of Elections.

Sec. 25. That the absentee voting law of North Carolina shall not apply to Municipal primaries and elections held in the city of High Point.

Sec. 26. That the City Council of High Point, upon petition signed by at least five hundred of the qualified electors of the city, shall call a special election after the lapse of eighteen months following the first election held under this act and before the lapse of twenty-four months, and refer under regulations prescribed by the Municipal Board of Elections the partisan primary provisions of this act to a vote of the people of the City of High Point: Provided further, that for such special election the registration books shall be kept open for a period of at least three weeks within the thirty days next preceding the said special election. That if a majority of the registered and qualified voters of the City of High Point shall vote in said special election for repeal, then all such provisions providing for partisan primaries shall be repealed. That the provisions of Article twenty, of Chapter fifty-six of the Consolidated Statutes of North Carolina, and amendments thereto, shall not be invoked to repeal or amend this act until after the lapse of thirty months following its ratification; but that all provisions of said Article and Chapter not in conflict with this section shall apply to the City of High Point.
ARTICLE V. City Manager.

SECTION 1. The Governing Body shall appoint a City Manager, who shall be the administrative head of the City Government, and shall be responsible for the administration of all departments. He shall be appointed with regard to merit only and he need not be a resident of the city when appointed. He shall hold office during the pleasure of the Governing Body and shall receive such compensation as it shall fix by ordinance. Orders to the employees of the city shall be given only through and by the City Manager.

SEC. 2. The City Manager shall:

(a) Be the administrative head of the municipality;
(b) See that within the city the laws of the State and the ordinances, resolutions and regulations of the Governing Body are faithfully executed;
(c) Attend all meetings of the City Council and recommend for adoption such measures as he shall deem expedient;
(d) Make reports to the Governing Body from time to time upon the affairs of the city, keep the Governing Body fully advised of the city's financial condition and its future financial needs;
(e) Appoint by and with the consent of the governing body, and remove in his discretion all heads of departments, superintendents, and other employees of the city who are employed by him, unless otherwise provided herein.
(f) Promulgate rules and regulations for applicants for positions in the police and fire departments of the city, which rules and regulations shall be approved by the Governing Body.

SEC. 3. Such officers and employees as the Governing Body shall determine are necessary to the city shall be appointed by the City Manager, by and with the consent of the Governing Body, and any such officer or employee may be removed by him in his discretion; but the City Manager shall report to the City Council at its next regular meeting every such appointment or removal; Provided, however, that the said Council may, by resolution, designate the class or classes of employees in which appointment or removals need not be reported to the Council. The officers and employees of the City shall perform such duties as may be required of them by the City Manager under general regulations of the Governing Body.

ARTICLE VI. Taxation.

SECTION 1. (a) For the purpose of raising revenue for defraying the general expenses incident to the proper government of the municipality, the City Council shall have the power to levy and collect an annual ad valorem tax on all taxable property within the municipality, at a rate not exceeding $1.00
School tax rate. (one dollar) on the $100.00 (one hundred dollars) of said valuation of property, and $1.00 (one dollar) on polls, notwithstanding any other law, general or special, heretofore or hereafter enacted, except a law hereinafter enacted expressly repealing or amending this section; and in addition the Governing Body shall have the power to levy and collect annually a school tax at a rate not exceeding fifty (50) cents per hundred dollars ($100.00) valuation of property.

(b) And shall levy and collect a tax ad valorem and without limitation as to the amount, upon all the taxable property within the municipality sufficient to pay the principal and interest of all bonds of the city now outstanding or which may be hereafter issued for the necessary expenses of the city, as such principal and interest become due;

(c) And may annually levy tax on all trades, professions and franchises carried on or enjoyed within the city unless otherwise provided by law;

(d) And may lay a tax on all such shows and exhibitions for reward as are taxed by the General Assembly. The Governing Body shall have the power to graduate any of the license taxes on trades, professions, franchises, or any subjects of taxation by dividing the same into classes, but the said taxes shall be uniform to all of any class.

Sec. 2. The Township Board of Trustees, or any other legally authorized body, shall assess the taxable property of the City of High Point and make return to the County Commissioners for revision at such time or times as the City Council may by ordinance designate.

Sec. 3. The provisions of the following sections of the Consolidated Statutes of North Carolina, and the amendments thereto, shall apply to the City of High Point; Sections two thousand eight hundred and thirteen to two thousand eight hundred and eighteen inclusive, two thousand six hundred and eighty-one, two thousand six hundred and eighty-four, two thousand six hundred and eighty-five, two thousand six hundred and eighty-six, and two thousand six hundred and eighty-seven, seven thousand nine hundred and eighty-one, seven thousand nine hundred and ninety, seven thousand nine hundred and ninety-one.

Sec. 4. The Governing Body of the City of High Point shall have the authority to provide by ordinance or otherwise for the method of listing and collecting taxes.

Sec. 5. The General Law of the State of North Carolina as contained in Chapter one hundred and thirty-one, Sub-Chapter one hundred and eleven, Article thirteen and fourteen of the North Carolina Consolidated Statutes and the amendments
there to and any pertinent and applicable substitutions thereof governing the allowable discounts and penalties, the time and method of sale of property for delinquent taxes, and the rights and remedies of the purchaser of delinquent taxes, shall apply to the City of High Point.

**ARTICLE VII. Court.**

**Section 1.** Chapter three hundred and ninety-five of the Public-Local Laws of one thousand nine hundred and one and Chapter five hundred and sixty-nine of the Public-Local Laws of one thousand nine hundred and thirteen and Chapter six hundred and ninety-nine of the Public-Local Laws of one thousand nine hundred and twenty-seven, and the amendments to said laws, so far as said laws and amendments relate to the municipal court of High Point are incorporated herein, and made a part hereof, and shall be and remain in full force and effect.

**ARTICLE VIII. Public Free Schools.**

**Section 1.** Chapter three hundred and ninety-two of the Public Laws of one thousand eight hundred and ninety-seven, and Chapter two hundred and seventy-nine of the Public Laws of one thousand nine hundred one, and Section twenty-two of Chapter three hundred and ninety-five of the Public-Local Laws of one thousand nine hundred and nine, and Chapter one hundred eighty-one of the Private Laws of one thousand nine hundred thirteen, and amendment number three submitted and approved at the regular Municipal Election held on May sixth, one thousand nine hundred nineteen, and all amendments to said laws, so far as said laws and amendments relate to the Public Free Schools of the City of High Point are incorporated herein and made a part hereof, and shall be and remain in full force and effect.

**ARTICLE IX. Finances.**

**Section 1.** All the terms and provisions of Article twenty-three of Chapter fifty-six of the Consolidated Statutes of North Carolina entitled “Municipal Finance Act of one thousand nine hundred twenty-one”, and the amendments thereto, now or hereafter made, and not inconsistent herewith, are hereby adopted as a part of this Charter and shall apply to the City of High Point.

**ARTICLE X. Public Library.**

**Section 1.** The City of High Point shall have the power to provide for, establish and maintain a free public library within the city, and to co-operate with any person, firm or corporation under such terms as the Governing Body may prescribe, for the establishment of such free public library, and to that end they shall appropriate, annually, out of the general revenue of the city as a fund for the support and maintenance thereof.
Special tax. of such public free library a sum not to exceed two cents on each one hundred dollars of the assessed taxable values of the city for the current year; Provided, nothing in this section shall prohibit the Governing Body from levying a special tax sufficient to maintain such public free library, by submitting the question to the vote of the qualified electors of the said city.

ARTICLE XI. Charity Hospitalization.

SECTION 1. The powers conferred upon municipalities with respect to hospitals and the protection of the public health, by Chapter fifty-six, Article five, Sections two thousand seven hundred and ninety-five, two thousand seven hundred and ninety-eight inclusive, of the Consolidated Statutes shall apply to High Point.

ARTICLE XII. Streets and Sidewalks.

SECTION 1. The Governing Body shall cause to be kept clean and in good repair the streets, sidewalks and alleys of the city. It may establish the width and ascertain the location of streets and sidewalks already provided, and may lay out and open others. It may also lay out, open and regulate public grounds or parks and care for same, and protect the shade trees of the city.

SEC. 2. Upon the written petition of the owners of the majority of the footage on either side of the street in any one block or in the event that the majority of the footage on either side of the street in any one block be already paved with sidewalk, the Governing Body may require that the side of such block of street concerned with said petition or the side of such block of street, the majority of the footage on which is already paved to be paved with sidewalk at the expense of the owners of the property abutting the improvement, or may require the owners of such property abutting the portion of street to be improved to pave same with sidewalk. After due notice to so pave such sidewalk, and not less than two weeks after such notice to the owner, such work may be done by the city, and the cost thereof assessed against the lot immediately abutting said sidewalk. After such work has been done by the City of High Point the Governing Body shall cause to be published one notice of the completion of said work, setting forth a description in general terms of such improvement and the time fixed for the meeting of the Governing Body for the hearing of allegations and objections relative to the adoption of the cost of such improvement as an assessment roll, which meeting shall not be earlier than ten (10) days from the publication of such notice in a newspaper published in the City of High Point, the Governing Body must hear the allegations and objections of all persons in-
terested. The Governing Body may thereupon confirm such assessment roll, or correct and confirm such assessment roll. Whenever the Governing Body may confirm an assessment for such improvement, the clerk of the municipality shall enter upon the minutes of the Governing Body the date, hour and minute of such confirmation. From the time of such confirmation the assessments embraced in the assessment roll shall be a lien on the real property against which the same are assessed superior to all other liens and encumbrances, except taxes and liens held by the City of High Point against such real property for street assessments. Such Governing Body shall have the power and authority to provide that such assessments shall be paid in cash or in not more than five (5) equal annual installments; Provided the City of High Point shall first establish the proper grade.

ARTICLE XIII. Miscellaneous.

SECTION 1. No member of the Governing Body shall vote on any ordinance, resolution, or motion whereby any contract is let or sale of any note or bond is authorized when such member is an officer, a director, a stockholder, or a large creditor of the other party to such a contract, or bidder for such note or bond. Nor shall such member use or attempt to use his influence directly or indirectly with other members of the Governing Body to vote for any such ordinance, resolution or motion. No member of the Governing Body shall vote for any ordinance, resolution, or motion awarding a contract to any person, firm, or corporation with whom such member has entered into a prior agreement to furnish either directly or indirectly to such person, firm or corporation any part or all of the equipment, supplies, or materials necessary or incident to or to be used in connection with the performance of such contract. Nor shall such a member use or attempt to use his influence directly or indirectly with any other member of the Governing Body to vote for such an ordinance, resolution or motion. Nor shall any member of the Governing Body or other officer or employees of the city have any interest directly or indirectly in any work, business or contract wherein the city is interested, or the expenses, price, or consideration of which is paid by the city from its treasury, except such members may be a stockholder or director of a corporation doing work for or having business with the city, but in such matters he shall not vote or otherwise influence or attempt to influence other members of the Governing Body. No member of the Governing Body shall become surety for any person in any contract, work or business of the city, or on any bond in connection with any grant of license or franchise of the city, or any bond of any officer or employee of the city. Nor shall any member of the Governing Body sell any-
thing whatsoever, either directly or indirectly, to the City of High Point. No member of the Governing Body shall purchase directly or indirectly anything from or through the City of High Point.

Sec. 2. That the foregoing provisions of Section one of this Article shall apply to the school board of the city.

Sec. 3. Any member of the Governing Body or any member of the school board violating any of the provisions of the foregoing section numbers one and two of this Article shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than five hundred ($500.00) dollars, nor more than one thousand ($1,000.00) dollars, or imprisoned for a term of not more than six months, or both in the discretion of the Court.

Sec. 4. Chapter two hundred and twenty of the Private Laws of one thousand nine hundred and twenty-seven, so far as same is applicable to the City of High Point, is hereby repealed, and all charges in connection with the municipal sewer system shall be collected in the same manner and under the same rules governing the collection of charges for water and lights.

Sec. 5. The City of High Point may issue its negotiable notes or bonds for any or all purposes authorized by the general law of the State relative to municipal corporations, and such notes or bonds shall be issued in accordance with and pursuant to the general law of the State relative to municipal corporations then in effect governing the issuance of notes and bonds; Provided, that until the gross debt of the City of High Point shall be reduced to less than ten per cent of the assessed valuation of property in said city no new indebtedness shall be created by the City of High Point in any fiscal year in excess of fifty per cent of the amount expended in the previous fiscal year for debt retirement and establishment of sinking funds, unless the creation of such new debt shall be authorized by the vote of the people, or is incurred in anticipation of the collection of revenues for such fiscal year: Provided further, that this limitation of debt contracting power shall not be construed to prevent the funding, re-funding or renewing of obligations of the city existing at the time of the ratification of this act.

Sec. 6. That all ordinances, rules, resolutions and regulations of the City of High Point in force at the time of taking effect of this act, and not inconsistent herewith, shall continue in full force and effect until amended or repealed.

Sec. 7. In the event that any part, article, section or subdivision of this act shall be held unconstitutional, or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of the act, but the same shall continue in full force and effect notwithstanding such holding.
SEC. 8. All laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 21st day of March, A.D., 1931.

CHAPTER 108
AN ACT TO AMEND THE CHARTER OF THE CITY OF WINSTON-SALEM.

The General Assembly of North Carolina do enact:

SECTION 1. That Section fourteen of Chapter two hundred and thirty-two of the Private Laws of nineteen hundred and twenty-seven, being the Charter of the City of Winston-Salem, is hereby amended so as to read as follows:

"That the Board of Aldermen shall have power and authority to enact all ordinances, by-laws, rules and regulations for the government of the City of Winston-Salem, as the Board may deem necessary and as may be allowed by law and the provisions of this act and not inconsistent with the Constitution and laws of the State, and to provide for the execution of such ordinances, rules and regulations; also to delegate to or confer upon committees of the Board powers to act on behalf of the city in any or all matters of government or management thereof.

"The Board of Aldermen shall have power and authority to classify the powers and functions of the city into several classes or departments; to appoint or select persons to have charge, supervision and control of the several classes of work or departments: to delegate to each of them necessary powers; prescribe and limit their duties, fix their compensation, adopt regulations for the government or conduct of said person or persons, and may distribute the executive and administrative powers, authority and duties of the city into and among three separate departments, to-wit: (1) Public Accounts and Finance, (2) Public Works, and (3) Public Safety, and may appoint a Commissioner of Public Accounts and Finance, a Commissioner of Public Works and a Commissioner of Public Safety. The Board of Aldermen may make such distribution of the administrative powers and duties of the city among these three departments as it may deem best. The Board of Aldermen may permit a vacancy to exist in either of said offices, except the Office of the Commissioner of Public Accounts and Finance, and may assign the powers and duties of such vacant office to either of the other commissioners or to the mayor who shall then ex-officio perform such delegated powers and duties."
SEC. 2. That section sixteen of Chapter two hundred and thirty-two of the Private Laws of nineteen hundred and twenty-seven, being the Charter of the City of Winston-Salem, is hereby amended so as to read as follows:

"The compensation of all officers and employees of the city shall be fixed by the Board of Aldermen, but the salary of the Mayor shall not exceed two thousand dollars per annum; Provided, that in case the Board of Aldermen shall assign the duties of Commissioner of Public Works or Commissioner of Public Safety to the Office of Mayor then the Board may fix the salary of the Mayor's office at such an amount as it may deem fair and just compensation in consideration of his full time services."

SEC. 3. The Charter of the City of Winston-Salem, being Chapter two hundred and thirty-two of the Private Laws of nineteen hundred and twenty-seven, is hereby amended by adding the following at the end of Section sixty:

"The City of Winston-Salem shall be entitled, upon making just compensation therefor, to acquire by purchase or condemnation lands, privileges and easements in or out of the corporate limits, for the purpose of providing an adequate municipal water supply and/or sewer system, and shall be entitled to acquire by purchase or condemnation the right to divert water from natural water courses, and to conduct the same by flume, ditch, conduit or pipe line or any other manner to the point of use; Provided, that nothing in this act authorizes interference with any mill or power plant actually in process or construction or in operation; or the taking of water powers, developed or undeveloped, with the land adjacent thereto necessary for development; Provided, however, that if the court, upon filing of the petition by the city, shall find that it is necessary to divert such a proportion of water from any natural water course as to take property of any riparian owner, including electric, telegraph and power companies, possessing the power of eminent domain under Chapter thirty-two of the Consolidated Statutes of North Carolina, or other laws, whether the same are in actual use or being developed for use, or are being held for future development, and that the taking of such proportion of water or other property rights will be more to the benefit of the public than the continuation of the existing ownership of such lands or water rights, then the court, upon such finding, shall make an order authorizing the condemnation of such property, easements and rights in all respects as in the case of other property not devoted to public or quasi-public purposes."

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

Ratified this the 21st day of March, A.D., 1931.
CHAPTER 109

AN ACT TO PRESCRIBE HOW CANDIDATES MAY BE NOMINATED IN THE TOWN OF MADISON.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and ninety-eight (298) Private Laws one thousand nine hundred and nine (1909) be, and the same is, hereby amended by adding thereto, between sections six and seven, the following section:

“6a. No person in the town of Madison shall become a candidate in the municipal elections after the ratification of this act, unless he or they shall file notice of such candidacy with the clerk of the Board of Aldermen, at least ten days prior to the election. No other candidates than those filing such notice shall be eligible for election to any office in the town of Madison from and after the ratification of this act.”

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

Ratified this the 23rd day of March, A.D., 1931.

CHAPTER 110

AN ACT TO REPEAL THE CHARTER OF THE BENSON SCHOOL DISTRICT, PRIVATE LAWS ONE THOUSAND NINE HUNDRED AND FIFTEEN, CHAPTER ONE HUNDRED AND FORTY-FIVE.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and forty-five, Private Laws of one thousand nine hundred fifteen, and all acts amendatory and supplementary thereto, be and the same are hereby repealed, and that the special charter district of Benson shall become a special tax district and shall be under the management of the county board of education in every particular and in all respects as are other special tax districts of the county except as otherwise provided herein.

SEC. 2. That the title to the public school property now vested in the board of trustees of said special charter district shall be, from and after April first, one thousand nine hundred thirty-one, vested in the county board of education in Johnston County, and the board of trustees of said special charter district, prior to said date, are hereby authorized and directed to convey all of the public school property now under their control to the county board of education.

SEC. 3. That the committee for the Benson special tax district shall be composed of five members whose terms of office shall begin on April first, one thousand nine hundred thirty-one, and continue as specified herein: Alonzo Parrish for a term of two
years; J. M. Britt for a term of two years; Ezra Parker for a term or four years; C. T. Johnson for a term of four years; and J. F. Woodall for a term of six years. At the expiration of the terms of office of the members hereby specified, the county board of education shall appoint their successors as in other special tax districts. The county board of education is also authorized to fill any vacancies that may occur on account of death, resignation, or otherwise.

SEC. 4. That all laws and clauses of laws in conflict with this act, to the extent of such conflict, are hereby repealed.

SEC. 5. That this act shall be in full force and effect from and after April first, one thousand nine hundred thirty-one.

Ratified this the 21st day of March, A.D., 1931.

CHAPTER 111

AN ACT AUTHORIZING THE BOARD OF TRUSTEES OF THE LINCOLNTON GRADED SCHOOL DISTRICT TO SELL CERTAIN REAL ESTATE BELONGING TO SAID DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Trustees of the Lincolnton Graded School District of Lincolnton, North Carolina, are hereby empowered, in their discretion and at such price as they may agree upon, to sell at private sale and convey by appropriate Deed, in whole or part, that certain lot or parcel of land lying and being in the Town of Lincolnton on the South side of East Main Street in Ward Two of the Town of Lincolnton, N. C., said lot being bounded on the North by State Highway, on the East by the Cansler Estate, on the South by the S. A. L. Railway Company, on the West by the colored Baptist Church, Mrs. C. L. Hopkins and the Lineberger Warehouse property and known as the Old Negro School Lot in the Town of Lincolnton, North Carolina.

SEC. 2. That upon sale of said Real Estate, either in whole or a part thereof, by the Board of Trustees, and the payment in full of the purchase price, the Chairman of the Board of Trustees of the Lincolnton Graded School District is hereby directed to convey title to said property in his official capacity to the purchaser in fee simple.

SEC. 3. That the proceeds arising from the sale of the above described property as provided for shall be paid to the Treasurer of said Board of Trustees, and the monies coming into his hand shall be held by him as a special fund to be expended upon order of the Board of Trustees in the purchase of land or the erection of building or buildings or the purchase of equip-
ment as may be directed by the Board of Trustees, to be used for School purposes.

Sec. 4. That all laws and clauses and parts of laws inconsistent with the provisions of this act be, and the same are here-by repealed.

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

Ratified this the 23rd day of March, A.D., 1931.

CHAPTER 112

AN ACT TO DEFINE THE BOUNDARIES OF THE CITY OF SALUDA IN THE COUNTY OF POLK AND TO AMEND THE CHARTER OF SAID CITY SO AS TO EXTEND THE BOUNDARIES THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That the boundary lines of the City of Saluda shall be extended to embrace all territory described as follows:

BEGINNING at an iron pin at the intersection of the eastern and northern margins of the corporate limits of said city, and running thence from said iron pin East one thousand four hundred and eighty-five (1485) feet to an iron pin; thence due South six thousand six hundred (6600) feet to an iron pin; thence West one thousand four hundred and eighty-five (1485) feet to an iron pin at intersection of the eastern and southern boundary line; thence North six thousand six hundred (6600) feet to the BEGINNING, said boundary lines being by horizontal measurement and situate and adjoining the eastern boundary of the old city limit boundary.

Sec. 2. That before said extension of the corporate limits shall go into effect, the city council shall call a special election to be held at the same time that the municipal election is held for the election of mayor and city councilmen, being the first Tuesday after the first Monday in May, one thousand nine hundred and thirty-one, and the annexation of the territory described in section one shall be submitted to the vote of the qualified voters of the said city of Saluda and the territory proposed to be annexed, voting together; that a new or special registration of voters for said city and the territory proposed to be annexed for registration shall be had thirty days before the first Tuesday after the first Monday in May, one thousand nine hundred and thirty-one; that the registrar and judges of election appointed for regular municipal elections shall act as the registrar and precinct officers for the purpose of a new registration and for the holding of the election on the same date as that of the municipal election, as set out herein; that notice of the registration and election shall be posted in front of the City
Hall of the City of Saluda and published in the county paper for four consecutive weeks prior to the calling of the new registration, setting out the proposed extension, the date of registration and election.

SEC. 3. That at this special election those voters who favor extending the corporate limits as herein provided shall vote ballots on which are written or printed the words: “For extension”, and those opposing shall vote ballots on which are written or printed the words: “Against extension”. If at such election a majority of the qualified voters shall be for extending, then from and after the date of such election the territory described in section two of this act shall be a part of the corporate limits of said city; and such territory and its citizens and property shall be subject to all laws, ordinances and regulations in force in said city and shall also be entitled to the same privileges and benefits as other parts of said city.

SEC. 4. That if said city limits are extended as set out in this act, there shall be levied in the territory so annexed to said city the same tax for all purposes that is collected in the old limits of said city, and that said tax levy shall apply from the date of annexation of said territory.

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

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

Ratified this the 25th day of March, A.D., 1931.

CHAPTER 113

AN ACT TO PROVIDE FOR THE PAYMENT OF MUNICIPAL STREET ASSESSMENTS IN INSTALLMENTS IN THE TOWN OF SCOTLAND NECK.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Scotland Neck be, and they are hereby authorized to readjust any and all assessments for street improvements, heretofore made in said town, or any balance which may be due thereon by any property owner, by dividing the total amount due thereon, with interest, into ten equal installments, the first one of said installments to become due and payable October first, one thousand nine hundred and thirty-one, and one installment to become due each year thereafter on the first day of October for nine successive years; and upon any such readjustment the time for the payment of said assessments shall be extended accordingly.

SEC. 2. Such installments shall bear interest at the rate of six per cent per annum from the date of any such readjustment,
and in event of the failure of any property owner to pay any installment when the same shall become due and payable, then and in that event all of the installments remaining unpaid shall at once become due and payable and the property on which the original assessment was made shall be sold by the municipality under the same rules, regulations, rights of redemption and savings as are now prescribed by law for the sale of land for unpaid taxes. The lien or assessment originally assessed against said property shall continue and remain in force as security for the payment of the installments, herein provided for, until said installments, with interest, have been fully paid.

Sec. 3. No statute of limitations shall bar the right of said municipality to enforce any remedy provided by law, for the collection of said assessments, or any one of them, if not paid when due, save from and after ten years from any default in the payment of such installment as above provided.

Sec. 4. All laws and clauses, to the extent that they are inconsistent with this act, are repealed.

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

Ratified this the 25th day of March, A.D., 1931.

CHAPTER 114

AN ACT TO AUTHORIZE A PROSECUTING ATTORNEY IN THE RECORDER'S COURTS OF AURORA AND BELHAVEN IN CERTAIN CASES.

The General Assembly of North Carolina do enact:

Section 1. That the Recorders for the Districts of Aurora and Belhaven, respectively, shall have the power and authority in important criminal cases to appoint some disinterested attorney to prosecute such cases in their respective courts, in which the public interest is involved, and in each case where the verdict is guilty or the defendant is bound over to the Superior Court, he shall include in the bill of costs a prosecution fee of five dollars against each defendant but not to exceed ten dollars in any case if there are two or more defendants.

Sec. 2. When the punishment imposed shall be a sentence to the common jail of Beaufort County or to the State Penitentiary, then one-half the above fees shall be paid by Beaufort County, but in all cases where the punishment is by imposing a fine the prosecution fee shall be taxed in the bill of costs and paid by the defendant or defendants.

Sec. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.
Effect of July 1, 1931, if approved by Beaufort County Commissioners.

SEC. 4. This act shall be in full force and effect from and after July first, one thousand nine hundred thirty-one, if approved by resolution of the Board of County Commissioners of Beaufort County.

Ratified this the 27th day of March, A.D., 1931.

CHAPTER 115

AN ACT TO AMEND CHAPTER ONE HUNDRED TWENTY OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-THREE RELATING TO THE CHARTER OF THE CITY OF ASHEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That the word "ten" in line five of section two hundred fifty-seven of chapter one hundred twenty of the Private Laws of one thousand nine hundred twenty-three be stricken out and the word "five" be inserted in lieu thereof.

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

Ratified this the 27th day of March, A.D., 1931.

CHAPTER 116

AN ACT TO ALLOW THE COMMISSIONERS OF THE TOWN OF AYDEN TO AID IN THE ESTABLISHMENT OF A NEW BANK FOR THE PURPOSE OF TAKING OVER THE FIRST NATIONAL BANK OF AYDEN WHICH WAS RECENTLY CLOSED.

Whereas, the First National Bank of Ayden was closed on the tenth day of December, one thousand nine hundred and thirty, and has not reopened; and

Whereas, the town of Ayden had on deposit in said First National Bank thirty-six thousand dollars ($36,000.00), of which amount thirty-three thousand dollars ($33,000.00) was held as a sinking fund; and

Whereas, the Comptroller of the Currency will permit the establishment of a new bank upon a paid-in capital of thirty thousand dollars ($30,000.00) and when said new bank is organized and said capital paid in the Comptroller of the Currency has agreed that said new bank may take over all of the assets, properties and deposits of the First National Bank of Ayden; and

Whereas, it is evident that unless the officials of the town of Ayden are permitted to take new stock in the name of the town of Ayden in said proposed new bank and to agree to let the remainder of said funds remain in said bank for a period not to exceed four years, that the said bank could not be organ-
ized and the town of Ayden would thereby lose a considerable amount of its deposits in said defunct First National Bank; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of Ayden be and they are hereby fully authorized and empowered to take stock in the name of the town of Ayden in the proposed new bank not to exceed twenty-five per cent of its deposits in the defunct First National Bank of Ayden and to pay for said stock out of the funds that are on deposit in said First National Bank of Ayden in the name of the town of Ayden or its treasurer.

SEC. 2. That the board of commissioners of the town of Ayden be and they are hereby fully authorized and empowered to make and enter into a contract with the officials of the new bank organized for the purpose of taking over the defunct First National Bank of Ayden to freeze or not demand the public funds now on deposit in said First National Bank of Ayden for a like period of time and under the same conditions that other depositors of said bank may agree to; it being the intent and purpose of this act to permit, authorize and empower the board of commissioners of the town of Ayden to take stock in said proposed new bank and to pay for the same out of the funds now on deposit in the name of the town of Ayden in said First National Bank and to permit, authorize and empower the board of commissioners of the town of Ayden to permit the remainder of said funds to remain in said bank for a like period of time and under the same conditions that the other depositors in said defunct First National Bank may agree to.

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

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

Ratified this the 27th day of March, A.D., 1931.

CHAPTER 117

AN ACT TO REPEAL CHAPTER EIGHTEEN, PRIVATE LAWS NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED AND TWENTY-FIVE, RELATIVE TO THE APPOINTMENT AND DUTIES OF COTTON WEIGHER FOR THE TOWN OF DUNN IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eighteen, Private Laws of North Carolina, session one thousand nine hundred and twenty-five, same being an act to amend chapter twenty-seven, Private Laws
of North Carolina, session nineteen hundred and nineteen, be, and the same is hereby repealed.

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

Ratified this the 27th day of March, A.D., 1931.

CHAPTER 118

AN ACT TO INCORPORATE BOONE CAVE PARK IN BOONE TOWNSHIP, DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Boone Cave Park, Boone Township, Davidson County, is hereby incorporated and shall have all the rights and privileges of an educational corporate entity, and the said Boone Cave Park is hereby set aside as a permanent game refuge. The boundaries of said Boone Cave Park shall be noted by the stones set up by the Boone Trail Association, Incorporated, and by the Yadkin River.

Sec. 2. That any person wilfully destroying any property of said Boone Cave Park or found drinking, gambling, carousing or committing any other acts of immorality within the territory thereof, shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Sec. 2½. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 30th day of March, A.D., 1931.

CHAPTER 119

AN ACT TO AMEND CHAPTER EIGHTY-SIX, OF THE PUBLIC LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-SEVEN, RELATING TO THE DURHAM PUBLIC SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

Section 1. That there be inserted after section nine and before section ten of chapter eighty-six of the Public Laws of one thousand eight hundred and eighty-seven, the following:

"Section 9a. That all funds received by the Durham Public School District from the County of Durham for school purposes, shall be expended by the said School Committee of said district for current expenses, capital outlay, or debt service, as they may determine: Provided, That the provisions of this act
shall not conflict with any State-wide School Law or act passed by the one thousand nine hundred and thirty-one General Assembly which may apply to the County of Durham or the municipalities located therein.”

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 30th day of March, A.D., 1931.

CHAPTER 120
AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF WALLACE IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all lands included in the following boundaries be and the same shall hereafter be included within the corporate limits of the town of Wallace in Duplin County:

Beginning at a point where the western margin of the Teachey’s Road intersects the center line of the Chinquapin Road, said point being S. 11 deg. 30 min. West 57 feet more or less from a Corporate Boundary Monument set in the West edge of said Teachey’s Road and running thence about N. 53 deg. 45 min. East about 385 feet to a point opposite the western margin of a cross street in M. J. Cavanaugh’s Addition.

Thence with the Western edge of this cross street and beyond and with the common line of lots 16 and 17 and of lots 10 and 11 of the Cora Boney Sub-Division and beyond to the center of Bray Street all about S. 11 deg. 30 min. West about 625 feet.

Thence with the center of Bray Street about N. 87 deg. 35 min. West 156 feet to a monument in the Corporate line.

It is the intent of the above description to include within the Corporate Limits the lots 1 to 10 inclusive and 13 to 16 inclusive of the Cora Boney Sub-Division and lots 1 to 7 inclusive and the filling station lot as shown on the M. J. Cavanaugh Sub-Division.

SEC. 2. All laws and clauses of laws applicable to the town of Wallace as contained within the corporate boundaries heretofore existing, shall be applicable to the town of Wallace with the enlarged boundaries set forth in section one, hereof, as fully as if said enlarged boundaries had been set forth in the original Charter of the town of Wallace, and each amendment and each re-enactment of said Charter.
Sec. 3. All laws and clauses of laws in conflict with this act, be and the same are hereby repealed.

Sec. 4. This act shall be in full force and effect from and after July first, one thousand nine hundred thirty-one.

Ratified this the 30th day of March, A.D., 1931.

CHAPTER 121

AN ACT TO INCORPORATE THE CITY OF ASHEVILLE, TO DEFINE ITS CORPORATE LIMITS, TO PROVIDE FOR ITS GOVERNMENT AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

ARTICLE I.

Corporate Organization.

SECTION 1. The inhabitants of the City of Asheville shall continue to be as they have heretofore been, a body politic and corporate under the name of “City of Asheville” and under that name shall have perpetual succession, may sue and be sued, may contract and be contracted with; may acquire, hold, manage, control, lease and dispose of property, real and personal and may have a common seal and alter and renew the same at pleasure,

Sec. 2. All property, real and personal or interests therein, of whatsoever character and description and wheresoever situate, now owned, held, controlled or used by the City of Asheville for any purpose or held, controlled or used for its benefit and any and all judgments, liens, right of liens and causes of action of any and all kinds in favor of said City of Asheville shall upon the adoption of this act be and remain vested in the City of Asheville in the same manner and to the same extent as heretofore.

Sec. 3. The City of Asheville shall have and possess all of the powers given and conferred by this act, as well as all of the powers given to municipal corporations by general law in this State and all such other powers, rights and privileges as may be useful and/or necessary to carry on the Government of the City of Asheville, in the manner set out in this act.

Sec. 4. The boundaries of the City of Asheville shall be those existing for the City of Asheville at the time of the passage of this act.

Sec. 5. The corporate powers of the City of Asheville shall be vested in and exercised by a Mayor, City Council and City Manager, as hereinafter provided, subject to such limitations as may be hereinafter imposed and the executive and administrative powers, authority and duties are distributed as hereinafter set out.
ARTICLE II.

The Council.

SEC. 6. Except as otherwise herein provided in this charter all powers of the city shall be vested in a council of nine members nominated and elected from the city at large in the manner hereinafter provided. The members of the council and all other officers elected under the provisions of this charter shall at the time of their election be qualified electors of the City of Asheville. The term of members of the council shall be for two years and shall begin on the third Monday of May next following their election. A member of the council ceasing to possess any of the qualifications specified in this section shall immediately forfeit his office.

SEC. 7. Vacancies in the council shall be filled by the council for the remainder of the unexpired terms.

SEC. 8. At ten o'clock A. M. on the third Monday of May, following a regular municipal election, the council shall meet at the usual place for holding its meetings and the newly elected members shall assume the duties of office. Before entering upon the duties of their office the newly elected councilmen shall severally make oath before the retiring mayor, city clerk or some person authorized by law to administer oaths to perform faithfully the duties of their respective offices. Thereafter the council shall meet at such times as may be prescribed by ordinance or resolution, but not less frequently than once each week. Special meetings shall be called by the clerk upon written request of the mayor or of the city manager or of there members of the council. Not less than twelve hours' notice of special meetings shall be given to each member of the council at such address, within the corporate limits of the City of Asheville, as he shall designate and such notice shall be published at least once prior to the meeting in a daily newspaper of the city. The notice must state the subject or subjects to be considered at the meeting and no other subject or subjects may be there considered.

SEC. 9. All meetings of the council shall be open to the public and the council by rules must provide for giving citizens reasonable opportunity to be heard at its meetings in regard to matters there under consideration.

SEC. 10. At its first meeting following a regular municipal election the council shall choose from its number a chairman who shall have the title of mayor, and also a vice-chairman to act as mayor pro tem in the absence of the mayor. The mayor, in addition to the powers conferred on him by this charter, shall have the rights, privileges and immunities of a member of the council; he shall preside at meetings of the council; be recognized as head of the City government for ceremonial purposes;
Selection of City Clerk and other employees.

Duties of Clerk.

Quorum of Council.

Majority vote.

Disqualification for voting.

Other powers of Council.

Introduction of ordinances and resolutions.

Appropriations.

Time of taking effect of ordinances and resolutions.

Emergency measures.

Two-thirds vote required.

by the courts for service of civil process and by the government for purposes of military law.

SEC. 11. The council shall choose a city clerk and such other officers and employees of its own body as it deems necessary all of whom shall serve during the pleasure of the council. The clerk shall keep records of the proceedings of the council and all final votes of the council involving appropriations, expenditures of money or the enactment of ordinances shall be by yeas and nays and entered on the records. The council shall determine its own rules and order of business.

SEC. 12. A majority of the members elected to the council shall constitute a quorum but a less number may adjourn and compel the attendance of absent members. The affirmative vote of a majority of the members shall be necessary to adopt any ordinance, resolution or vote, except that a vote to adjourn or regarding the attendance of absent members may be adopted by a majority of the members present. No member shall be disqualified from voting except on matters involving his own official conduct or financial interests.

SEC. 13. The council has, and shall exercise all Legislative powers, functions and duties conferred upon the city or its officers.

SEC. 14. Ordinances and resolutions shall be introduced in the council only in written or printed form. All ordinances, except those relating to appropriations and/or budgets or codifying existing ordinances shall be confined to one subject and the subject shall be expressed in the title. Ordinances relating to appropriations shall be confined to that subject. Ordinances must be read on three separate days, but this requirement may be dispensed with by a vote of not less than two-thirds of the members of the council. The final reading of an ordinance shall be in full unless a copy thereof shall have been furnished each member of the council present prior to the reading.

SEC. 15. Ordinances and resolutions shall take effect at the time indicated therein. Such time shall be not less than fifteen days from date of final passage except in the case of ordinances and resolutions relating to budgets and appropriations and/or tax levies; those providing for the investigation of the city affairs, requesting information from administrative officers and/or directing administrative action and emergency measures as here-in after defined.

SEC. 16. An emergency measure is one to provide for the immediate preservation of the peace, property, health and/or safety of the city and the emergency claimed must be set out and defined in the preamble of the measure. An emergency measure shall only be adopted by a two-thirds vote of the council and no measure making or amending a grant, renewal or extension
of a franchise or other special privilege may be passed as an emergency measure.

Sec. 17. Upon final passage, ordinances and resolutions shall be authenticated by the signature of the mayor and clerk and shall be recorded in a book kept for that purpose. Authentication and registration of an ordinance or resolution as herein provided shall be essential to its validity.

Sec. 18. No ordinance or resolution of section thereof shall be revised or amended except by a new ordinance or resolution containing the entire ordinance, resolution or section as revised or amended and repealing the original ordinance, resolution or section.

**ARTICLE III.**

**Administrative Service.**

Sec. 19. The Council shall appoint a City Manager, who shall be the chief executive officer of the city. The Manager shall be chosen by the Council solely on the basis of his executive and administrative qualifications and need not, when appointed, be a resident of the City or State. The Manager shall be appointed for an indefinite term and shall be removable at the pleasure of the Council. No member of the Council shall, during the time for which elected, be chosen City Manager. Before the Manager may be removed by the Council he shall, if he so demands, be given a written statement of the reasons alleged for his removal and given the right to be heard thereon at a public meeting of the Council prior to the final vote on the question of his removal. Pending and during such hearing the Council may suspend the Manager from office. The action of the Council in suspending or removing the Manager shall be final, it being the intention of this charter to vest all authority and fix all responsibility for such suspension or removal in the Council. In case of the absence or disability of the Manager, the Council may designate some qualified person, not a member of the Council, to perform the duties of the office during such absence or disability.

Sec. 20. The Manager shall be responsible to the Council for the proper administration of all affairs of the city placed in his charge and to that end, subject to the provisions of Article X hereof, he shall have the power to appoint and remove all officers and employees in the administrative service of the city. The Manager may authorize the head of a department or office responsible to him to appoint and remove subordinates in such department or office. All appointments made by or under the authority of the Manager shall be on the basis of executive and administrative ability and of the training and experience of such appointees in the work which they are to perform. All such
appointments shall be without definite term unless for temporary service not to exceed sixty days.

SEC. 21. Officers and employees appointed by the City Manager or under his authorization may be removed by him or by the officer by whom appointed at any time. The decision of the Manager or other officer in any such case shall be final and there shall be no appeal therefrom to any other officer, body or court whatsoever. The Manager shall report each appointment and removal in the administrative service of the City to the Council at its first meeting following such appointment or removal except appointments to and removals from office or positions of those classes which the Council may by resolution provide need not be so reported.

SEC. 22. Neither the Council nor any of its committees or members shall direct or request the appointment of any person to or his removal from office by the City Manager or by any head of a department or officer authorized by such Manager to make such appointment nor shall the Council or any of its committees or members take any part in the appointment or removal of officers and employees in the administrative service of the City, other than the City Manager.

SEC. 23. Except for the purpose of inquiry, the Council and its members shall deal with that portion of the administrative service for which the Manager is responsible through the Manager and neither the Council nor any member thereof shall give an order to any city employee in the administrative service of the City other than the City Manager relating to any matter in the line of his employment. Any violation of the provisions of this section by a member of the Council shall be a misdemeanor, conviction of which shall immediately forfeit the office of the member so convicted.

SEC. 24. It shall be the duty of the City Manager to act as chief conservator of the peace within the City; to supervise the administration of the affairs of the City; to see that the ordinances of the City and the laws of the State are enforced therein; to make such recommendations to the Council concerning the affairs of the City as may seem to him desirable; to keep the Council advised of the financial condition and future needs of the City; to prepare and submit to the Council budget estimates; to prepare and submit to the Council such reports as may be required by that body and to perform such other duties as may be prescribed by this charter or required of him by ordinance or resolution of the Council.

SEC. 25. The City Manager, the heads of all departments and such other officers of the City as may be designated by vote of the Council shall be entitled to seats in the Council but shall have no vote therein. The Manager shall have the right to take part in the discussion of all matters coming before the Council.
and the heads of departments and any other officers having seats in the Council shall be entitled to take part in all discussions of the Council relating to their respective departments and offices.

SEC. 26. There shall be a Department of Law, a Department of Finance, a Department of Public Works, a Department of Public Welfare, a Department of Public Safety, a Department of Motor Transport, a Department of Civil Service, and such other departments as may be established by ordinance. The Council may, by ordinance, change or abolish any department or office established by ordinance and/or the Department of Motor Transport, and may prescribe, distribute or discontinue the functions and duties of any department and/or office it may change or abolish. Additional functions and duties may be assigned by ordinance to departments and offices established by this charter but, except as above provided, no function or duty assigned by this charter to a special department or office shall be discontinued or assigned to any other department or office of the City by ordinance. No department or office shall be established, changed, or discontinued until the recommendation of the City Manager thereon shall have been heard by the Council. Nothing in this charter shall prevent the Council by a two-thirds vote of its members from authorizing and directing the execution of a contract with Buncombe County for the joint performance of similar administrative duties or functions of said County and City by a consolidation of the agencies thereof by which such functions are at the time of making such agreement being performed and their subsequent joint operation as one agency at joint expense or for the performance of said administrative functions for the benefit of both said City and Buncombe County by one of such agencies then existing at joint expense, whenever in the judgment of the Council such action is deemed for the best interests of the City of Asheville.

SEC. 27. The head of each department of the administrative branch of the City Government shall be known as the Director thereof. He shall be appointed by the City Manager and shall have supervision and control of his department and all of the activities thereof. The Manager may assign to one person the powers and duties of Director of more than one department and/or office and may himself assume and perform the powers and duties of Director of one or more departments or offices and/or perform himself or delegate to another any one or more functions or duties assigned to a department or office. Each Director shall have power to prescribe rules and regulations not inconsistent with this charter and/or ordinances passed in pursuance thereof for the conduct of the officers and employees of the department of which he is in charge for the distribution
and transaction of its business and for the custody of the books, records, papers and property under its control. None of the provisions of this section shall apply to the Department of Law.

Sec. 28. The Council or the Manager or any person or committee authorized by either of them, shall have power to inquire into the conduct of any department, office or officer of the City and to make investigations as to municipal affairs and for such purpose or purposes, may provide for an examination or audit of the accounts of any department, office or officer of the City; may subpoena witnesses, administer oaths and compel the production of books, papers and other evidence.

Sec. 29. The Council shall, by ordinance or resolution, make such rules and regulations as it shall deem wise, governing the receipt and handling of moneys payable to the City of Asheville from any and all sources and the deposit of such moneys in designated depositories, Provided that all such moneys shall be collected and received by an officer or employee of the Department of Finance authorized to receive the same or paid to such officer or employee by such other officer or employee of the administrative services of the City as shall collect and receive the same. Such ordinances or resolution shall also provide for such audits and examinations of the books and accounts of all departments and of all officers and employees of the administrative service of the City who receive or may receive or disburse money as to the Council shall deem wise. Such audits and examinations may be made by a regular employee of the administrative service of the City or otherwise as the Council may direct and the Council may, by ordinance or resolution, direct such publication of the results of such examinations and audits as it shall deem best. Except as in this charter provided, sections two thousand six hundred eighty-six and two thousand six hundred and eighty-seven of the Consolidated Statutes shall not apply to the City of Asheville.

Sec. 30. Except as provided in the Municipal Finance Act or other general law or as provided in this act or as provided in Public, Public-Local or Private Acts passed at that session of the Legislature at which this act is adopted the Council shall not have power to create or contract any indebtedness in any amount not covered by an appropriation ordinance or resolution for the current fiscal year, passed or adopted as now or hereafter provided by law.

ARTICLE IV.
Department of Law.

Sec. 31. The head of the Department of Law shall be known as the corporation counsel of the city. He shall be an attorney-at-law who shall have practiced in the State of North Carolina
for at least five years. He shall be chosen by the council and shall hold office at the pleasure of the council. He shall be the chief legal advisor of and attorney for the city and all departments and officers thereof in matters relating to their official powers and duties. It shall be his duty, either personally or by such professional assistants as the council may designate, to perform all services incident to the department of law; to attend all meetings of the council; to give advice in writing when requested by the council or by the city manager, to the council, the city manager or the director of any department; to prosecute or defend, as the case may be, all suits or cases to which the city is a party; to prepare or approve all contracts, bonds and other instruments in writing in which the city is concerned and to endorse on each his approval of the same as to form and to perform such other duties of a legal nature as the council may by ordinance require. He shall also perform any and all duties imposed by law upon the chief legal officer of a municipal corporation. The council may choose an assistant corporation counsel and may appoint or authorize the corporation counsel to appoint such professional and non-professional assistants in his department as it shall deem wise. Any assistant corporation counsel shall hold office at the pleasure of the council and all other employees of that department shall hold office at the pleasure of the council or of the officer by whom appointed. The council shall prescribe the duties of any assistant corporation counsel appointed by it; may require such corporation counsel and/or such assistant corporation counsel to devote all of his time to the performance of the duties of his office and may fix the compensation of the corporation counsel, the assistant corporation counsel and all employees of the department of law as it deems best. The council shall fix the salary of the solicitor for the police court to be elected as hereinafter provided and may designate him assistant corporation counsel, assign to him duties in the legal department and require him to give his full time to the performance of his duties as solicitor and other duties assigned to him as aforesaid.

**ARTICLE V.**

**Department of Finance.**

SEC. 32. The director of the department of Finance shall have charge of the administration of the financial affairs of the city, including the keeping and supervision of all accounts, the custody and disbursement of the city funds and moneys; the control over expenditures; the collection of license fees, water rents and any and all revenue of every kind and nature received or proper to be received by the City of Asheville from any source, subject to the provisions of any statute relating to collection of ad valorem taxes heretofore or hereafter adopted; the
purchase, storage-and distribution of supplies needed by the city; the supervision and control of and over the water system and supply. Said director and such assistants as he may appoint with the consent and approval of the city manager shall in particular perform the following duties:

(a) Prepare for submission to the council and submit not later than the tenth day of each month a summary statement of receipts and expenses for the preceding month, detailed as to appropriations, offices and departments in such manner as to show the exact financial condition of the city and of each department and office thereof with respect to its current operations for the fiscal year as of the last day of the previous month.

(b) Keep and supervise the accounts for all departments and offices of the city and require daily reports by each department and office showing the receipt of all moneys and the disposition thereof.

c) Act as treasurer of the city; require that all moneys received by any officer or employee of the city for or in connection with the business of the city shall be paid promptly into the treasury in accordance with the ordinances and/or resolutions of the council, and shall be deposited with such banking depository as the council may by resolution designate; require that any and all depository bonds required by law or by ordinance or resolution of the council to secure the deposit of funds of the city be given and maintained in force in the amount and character required by law or by such ordinance or resolution; fix in writing with the approval of the city manager the rate of interest to be paid on such deposits and collect the same. All such depository bonds shall be approved as to form by the corporation counsel and shall also be approved by the Insurance Commissioner of North Carolina. Such bond or bonds shall in no event be given or accepted in an amount less than the average daily bank balance of the city in the depository by and/or for whom such bond is given. It shall be the duty of the director of the department of finance at any time the amount of any such depository bond or bonds shall be less than the amount provided for in this section or by law or ordinance or at any time when he deems that the public funds of the city on deposit as aforesaid are insufficiently protected by depository bonds, to report that fact in writing to the council and the city manager and thereafter the council or the city manager shall require the giving of such additional bond or bonds as to it or him shall seem proper for the protection of the funds of the city in any depository or depositories.

(d) Make all purchases of supplies, materials and equipment for the city in the manner provided by law and/or by ordinance of the council not inconsistent therewith; have charge
of such general store rooms and warehouses of the city as the
council may, by ordinance, provide; sell all real and personal
property of the city not needed for public use or unsuitable for
public use pursuant to the provisions of any and all statutes
now or hereafter enacted and under such rules and regulations
not inconsistent therewith as the council by ordinance or resolution
provides. No such sale shall be made, however, of real
estate and no such sale shall be made of personal property hav-
ing a replacement cost in excess of one hundred dollars unless
and until such sale has been directed to be made by the council
by proper resolution and no purchase of property having a cost
in excess of five hundred dollars nor sale of property having a
replacement cost in excess of five hundred dollars shall be made
except after competitive bidding thereon and after notice of the
time and place when such bids will be received has been published
at last three times on different days in one or both of the city
newspapers having the largest or second largest circulation
among the residents of the City and in all copies of the edition
thereof having the largest circulation among such residents.

(e) Have charge of the city water system; collect for the
use of water or any other public utility service operated by the
city as such rates as the council by ordinance determines as
sufficient; supervise and maintain the watersheds, pipe lines,
reservoirs, water distributing lines and all other property of
the city forming a part of its water system and/or used in con-
nection therewith and keep the same in good condition and re-
paid and carry out and enforce all regulations relating to the
water service and/or any other public utility service operated
by the city made and established by the council by ordinance
or resolution and/or those rules and regulations made by the
city manager not inconsistent therewith.

(f) As soon as practicable after the close of each quarter of
the fiscal year require to be made a quarterly audit and at the
close of the fiscal year an annual audit of all accounts of all
City officers by certified public accountants selected by the coun-
cil who have no personal interest, direct or indirect, in the finan-
cial affairs of the city or of any of its officers. Such exama-
tion shall be made in accordance with any provisions of gen-
eral law relating thereto, and the results of such examination
shall be published at least once in the daily newspaper published
in the City of Asheville having the largest or second largest cir-
culation therein and in all copies of the edition of such paper
having the largest circulation therein. Such results of such
audit shall be published in sufficient detail as to give to the
reader thereof an intelligent idea of the financial condition of
the city and its several departments. Upon the death, resigna-
tion or removal of any director or officer of the city, the director
of the Department of Finance shall cause an audit of his ac-

Sale of real and personal property.

Limitations on sale.

Advertisement for bids.

Control over water system and other public utilities.

Quarterly audit.

Annual audit.

Publication of audits.

Special audits.
counts to be made and report the results of such audit to the council, and, if, as a result of any such audit such director or officer be found indebted to the city, the director of the Department of Finance shall give immediate notice thereof to the council and with the head of the legal department of the city proceed forthwith to collect such indebtedness.

ARTICLE VI.

Department of Public Works.

Sec. 33. The director of the Department of Public Works shall have charge of the collection of garbage within the city, the operation, repair and maintenance of the incinerator, the cleaning, lighting and maintenance of the public streets and alleys of the city; the cleaning and maintenance of service and storm sewers of the city within and without the city, the maintenance, operation and repair of the City Hall; the management and control of the engineering service of the city; the making of all sanitary inspections and performance of all public duties in connection therewith; the management, maintenance, operation and control of the recreation park, the municipal golf course, the football stadium, the baseball park, known as McCormick Field, and any and all public parks and play-grounds and such other duties, not inconsistent with the provisions of this charter, as the council and/or city manager shall from time to time prescribe.

Sec. 34. It shall be the duty of the director of the department of public works to require the engineering service to perform all duties of an engineering nature, necessary and proper to be rendered in connection with the administrative service of the city on the request of the city manager and such other service of an engineering nature as may be required by the council.

ARTICLE VII.

Department of Public Welfare.

Sec. 35. The director of the Department of Public Welfare shall be the health officer of the city and shall have charge and control of the bureau of health, the municipal clinic, the pest house, the city laboratories, the bureau of veterinary, the bureau of inspections and all public comfort stations.

Sec. 36. It shall be the duty of the director of public welfare to enforce all laws and ordinances relating to the preservation of public health and prosecute violations thereof and to make any and all reports required by law or by the council of the city manager as to the conditions of public health and the prevalence of disease, in the city, and such recommendations as he shall deem wise for the improvement of public health.
ARTICLE VIII.

Department of Public Safety.

Sec. 37. The Director of the Department of Public Safety shall have charge of the police service of the City, the fire service of the City, the city market house, the city jail, the regulation of traffic, the bureau of smoke abatement and the enforcement of all laws and ordinances in relation thereto and the exercise of all powers and the performance of all duties possessed by the City of Asheville in connection with the Lindley Detention Home and such other powers and duties not inconsistent with this charter as the Council and/or City Manager may from time to time confer or impose.

Sec. 38. Sections one hundred seventy-three, one hundred seventy-four, one hundred seventy-seven and one hundred seventy-eight of chapter sixteen of the Private Laws of one thousand nine hundred and twenty-three and any and all acts amendatory of said sections or any of them and/or relating to the same subject matter, insofar as applicable and except as inconsistent with the provisions of this act shall be and remain in full force and effect and are hereby re-enacted except that wherever the words “Board of Commissioners” occur in said sections, they shall be changed to read “Council” and wherever the words “Secretary-Treasurer” occur, they shall be changed to read “Treasurer”.

ARTICLE IX.

Department of Motor Transport.

Sec. 39. The Director of the Department of Motor Transport shall have charge of the city garage and of all automobiles, trucks and other motor equipment and accessories of every kind and nature owned and/or operated by the City of Asheville, except the motor equipment of the fire department. It shall be the duty of the Director of the Department of Motor Transport on the request of the City Manager or of the director of any other department to assign to such manager or to such department or to such officer, bureau or office of any department as shall require the same suitable motor equipment for use in performance of duties of any such officer, bureau or office. It shall be the duty of the Director of the Department of Motor Transport unless in his opinion it shall be unnecessary or unless the City Manager otherwise directs to furnish a chauffeur or other person to have charge of the operation of any automobile, truck or other motor equipment so furnished. It shall further be the duty of the Director of the Department of Motor Transport to have made at regular intervals inspections of the condition of all motor vehicles and equipment in his control. To provide for their repair from time to time as needed; to provide gasoline

Departments of
Public Safety.

Director and his duties.

General law applicable.

Department of Motor Transport.

Director and his duties.

Allocation of necessary motor equipment.

Inspections.

Repairs.
and oil as necessary in the operation of all such motor vehicles; to keep careful records of the cost of maintenance and operation of any and all such vehicles; to make reports as to such costs of maintenance and operation and other matters pertaining to the operation of his department as may be required by the Council or the City Manager and to perform any and all other duties and exercise such other powers not inconsistent with this charter as the Council and/or the City Manager may from time to time direct.

ARTICLE X.

Department of Civil Service.

Sec. 40. The Department of Civil Service shall be under the management and control of a director of Civil Service who shall have the powers and perform the duties specified in this charter, relative to the classified service of the city.

Sec. 41. There shall be a civil service board, consisting of the director of civil service and two other members chosen for a term of two years and until their successors are elected and qualified. The director of civil service shall be appointed by the city manager. One of the other members thereof shall be chosen by the council at its first meeting after a municipal election. The third member of said board shall be chosen by ballot by vote of the officers and employees in the classified service of the city at a meeting for that purpose called by the city manager and held within thirty days after a municipal election and after ten days' written notice to each officer and employee in the classified service of the city at the time, place and purpose of such meeting. The council shall, by ordinance not inconsistent with this section, establish the procedure for the selection of the member of the civil service board chosen by the officers and employees in the classified service and provide for meeting the expense thereof. The member of the civil service board chosen by the officers and employees in the classified service may be an officer or employee of the city. In the event of a vacancy on said board such vacancy shall be filled in the manner provided in this article for the selection of the member a successor to whom is to be chosen. In the event the member of the civil service board chosen by the officers and employees of the classified service shall demand a hearing before such board on the question of his lay-off, suspension or removal a substitute to take his place on the civil service board shall be chosen by the officers and employees of the classified service in accordance with the provisions of this charter and the rules established by the council. Such substitute shall be chosen before the hearing last above referred to is held and in the event at or after said hearing the member of the civil service board demanding such hearing is removed or suspended or laid off the substitute chosen as aforesaid shall become a per-
manent member of such board to serve for the unexpired term of
the member so laid off, suspended or removed.

SEC. 42. The classified service of the city shall include the
head or chief of the fire service, the head or chief of the police
service and all officers and employees of said services or either
of them. No other employees of the city shall be subject to the
provisions of this article, but the council may, from time to
time, by ordinance add other classes of employees of the city to
the classified service, such classification to be based either on
type of service rendered or department in which employed or
both. Upon the adoption of any such ordinance all employees so
placed in the classified service shall be subject to the provisions
of this article. In no event shall the following officers and/or
employees of the City be placed in the classified service, viz.:
officers elected by the people, the City Manager, directors of
departments and members of advisory boards appointed by such
directors, the Secretary to the Mayor, the Secretary to the City
Manager, the Secretary to any Director of a Department, the
City Clerk, and/or the members of any board or commission
appointed by the Council.

SEC. 43. The civil service board shall make and may amend
rules for promoting efficiency in the classified service of the city
and for the appointment, promotion, transfer, lay-off, reinsta-
rement, suspension and removal of city officers and employees in
such service, but no such rule or amendment shall become ef-
fective unless approved by a majority vote of the Council after
a public hearing thereon, notice of which hearing has therefo-
re been given to the officers and employees in the classified
service and to the public in such manner as the Council shall
direct.

SEC. 44. Such rules, last above mentioned, among other
things, may provide:

(1) For the standardization and classification of all posi-
tions and employments in the classified service of the city.
Such classification into groups and subdivisions shall be based
upon and graded according to duties and responsibilities and so
arranged as to promote the filling of the higher grades, so far as
practicable, through promotions.

(2) For open competitive tests to ascertain the relative fit-
ness of all applicants for appointments in the competitive
class.

(3) For public notice of the time and place of all competitive
tests, at least ten days in advance thereof, by publication in the
paper of the city having the largest or second largest circula-
tion and in all copies of the issue thereof having the largest cir-
culation in the city, and by posting a notice in a conspicuous
place in the city hall.
(4) For the creation of eligible lists upon which shall be entered the names of the successful applicants in the order of their standing in the competitive tests and without reference to the time of the test.

(5) For the rejection of applicants or eligibles who do not satisfy reasonable requirements as to age, sex, physical condition and moral character or who have attempted deception or fraud in connection with any test or their application thereafter.

(6) For the certification to the appointing authority, from the appropriate eligible list, for filling a vacancy in the competitive class, of the three names standing highest in such list.

(7) For temporary employment without test, in the absence of an eligible list; but no such temporary employment shall continue after the establishment of a suitable eligible list nor for more than sixty days.

(8) For temporary employment for transitory work without test, but such employment shall require the consent of the director of civil service in each case, and shall not continue for more than sixty days nor be renewed.

(9) For non-competitive tests for appointments to positions designated by the manager and approved by the civil service board and requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational character.

(10) For promotion based on competitive tests and upon records of efficiency, character, conduct and seniority.

(11) For transfer from a position to a similar position in the same class and grade.

(12) For immediate reinstatement at the head of the eligible list of persons who, without fault or delinquency on their part, are separated from the service or reduced in rank.

(13) For suspension for purpose of discipline, with or without pay, for not longer than ninety days, and for leave of absence with or without pay.

(14) For discharge or reduction in rank or compensation after the person to be discharged or reduced has, if he so request, been presented by the person responsible for his appointment with the reasons therefor specifically stated in writing and has been given an opportunity to be publicly heard in his own defence by the civil service board. The written reasons for such discharge or reduction and any reply in writing thereto by any such officer or employee shall be filed with the department of civil service.

(15) For investigation and keeping a record of the efficiency of officers and employees in the classified service, and for re-
quiring markings and reports relative thereto from appointing authorities.

SEC. 45. There shall be kept in the department of civil service an application register in which shall be entered the names and addresses and the order and date of application of all applicants for civil service test and the office or employment which they seek. All applications shall be upon forms prescribed by the department of civil service.

SEC. 46. Tests required by the department of civil service shall be practical, shall relate to matters which fairly measure the relative fitness of applicants to discharge the duties of the position which they seek, and shall take account of character, training and experience. No question in any test shall relate to political or religious opinions, affiliations or service, and no appointment, transfer, lay-off, promotion, reduction, suspension or removal shall be affected or influenced by such opinions, affiliations or service. Notice of the time, place and scope of each test shall be given by publication and posting as specified in section forty-four of this charter, and by mail, at least ten days in advance, to each applicant upon the appropriate lists of the application register.

SEC. 47. The list of applicants eligible to appointment by reason of civil service tests, with their grades, shall be known as the register of eligibles and shall be open to public inspection. The names of such eligibles shall be arranged in their respective lists in the order of their standing on test. The name of no person shall remain on the register of eligibles for more than two years without a new application and, if the civil service rules so require, a new test.

SEC. 48. When any position in the classified service is to be filled the officer having authority to fill such vacancy shall request of the director of civil service the certification of names of eligibles for appointment to such vacancy and upon receipt of such request the director of civil service shall promptly certify to such office the names and addresses of the highest three eligibles on the list for the class or grade to which such position belongs. The appointing authority shall appoint to such position one of the persons whose names are so certified.

SEC. 49. Whenever practicable vacancies in the classified service shall be filled by promotion, and the civil service rules shall indicate the lines of promotion from each lower to higher grade wherever experience derived in the lower grade tends to qualify for the higher. Any advancement in rank shall constitute promotion. Lists from which promotions are to be made shall be created as provided by the civil service rules, and the appointment of eligibles therefrom shall be made in the same manner as original appointments. Appointments to higher positions shall, in such cases as the city manager shall request,
be made after competitive tests in which persons not in the service of the city may compete as well as applicants for such positions from the lower grades of the service or from other branches thereof. In such cases appointment shall be from the highest three eligibles as in the case of other competitive tests.

SEC. 50. There shall be maintained in the department of civil service a list of all persons in the classified service showing in connection with each name the position held, the salary or wages paid, the date and character of appointment and every subsequent change in status. Such list shall be known as the service register and every appointing officer or authority shall promptly transmit to the department of civil service all information requested for the establishment and maintenance of such register.

SEC. 51. The treasurer shall not pay, nor shall any officer or employee of the city issue a check for the payment of nor pay any salary or compensation to any person holding or claiming to hold, a position in the classified service unless the payroll or account of such salary or compensation shall bear the certificate of the director of civil service that the persons named therein have been appointed or employed and are performing service in accordance with the civil service provisions of this charter and the rules established thereunder, that their names appear upon the service register for the time for which such salary or compensation is claimed and that the salary or compensation is at the rate indicated on such register. If the treasurer or any such officer or employee shall wilfully or negligently violate any of the provisions of this section he and the sureties on his bond shall be liable to the city for the amount thereof and action may be brought therefor by any taxpayer for the use of the city without making previous request to the city to sue.

SEC. 52. The council, the city manager, the director of civil service, or any person designated by any of them, may make investigations concerning the facts in respect to the operation and enforcement of the civil service provisions of this charter and of the rules established thereunder, and concerning the condition of the civil service of the city or any branch thereof. Written charges of misconduct or inefficiency against any officer or employee in the classified service may be filed with the director of civil service by any person. The civil service board shall investigate any such charges, or cause them to be investigated, and report the findings of the investigation to the authority responsible for the appointment of the officer or employee against whom the charges have been made. Any person, or persons, making an investigation authorized or required by this section, shall have power to subpoena and require the attendance of witnesses.
SEC. 53. Any officer or employee of the city appointed by the
manager, or upon his authorization, may be laid off, suspended
or removed from office or employment either by the manager or
the officer by whom appointed. Verbal or written notice of lay-
off, suspension or removal given to an officer or employee, or
written notice left at or mailed to his usual place of residence,
shall be sufficient to put any such lay-off, suspension, or remo-
val into effect unless the person so notified shall, within five
days after such notice, demand a written statement of the rea-
sions therefor and the right to be heard before the civil service
board. Upon such demand the officer making the lay-off, suspen-
sion or removal shall supply the person notified thereof and the
civil service board with a written statement of the reasons
therefor and the board shall fix a time and place for the public
hearing. Following the public hearing, and such investiga-
tions as the civil service board may see fit to make, the board shall
report its findings and recommendation to the city manager and
the authority responsible for the lay-off, suspension or removal
as specified in the notice. Thereupon the authority making the
lay-off, suspension or removal shall make such disposition of the
matter as, in his opinion, the good of the service may require.
The decision of the manager or other appointing authority in
any such case shall be final. A copy of the written statement
of reasons given for any lay-off, suspension or removal and a
copy of any written reply thereto by the officer or employee in-
volved, together with a copy of the decision of the manager or
other authority, shall be filed as a public record in the office of
the department of civil service. No statement made in good faith
by the authority making any such lay-off, suspension or removal,
shall constitute defamation of character and/or libel or serve as
a basis for any action or proceeding, civil or criminal in its
nature, alleging defamation of character and/or libel.

SEC. 54. The council shall by ordinance establish a schedule
of compensation for officers and employees in the classified serv-
ice which shall provide uniform compensation for like service.
Such schedule of compensation may establish a minimum and a
maximum for any grade.

SEC. 55. Any applicant for any office or employment in the
classified service who shall knowingly make any false statement
in connection with any test shall thereby forfeit his right to be
entered upon the eligible register, and in case he has been ap-
pointed to an office or employment he shall forfeit it and shall
not within three years thereafter be eligible to appointment to
any office or employment in the service of the city, nor shall he
during that time be entitled to take any civil service test.
SEC. 56. No applicant for civil service test or for appointment to the classified service shall, either directly or indirectly, give, render or pay or promise to give, render or pay any money, service or other valuable thing to any person for or on account of, or in connection with, his test, appointment or proposed appointment, nor shall he ask for or receive any recommendation or assistance from any person in the service of the city other than a statement regarding any previous service to the city as a subordinate under such officer or employee.

SEC. 57. No person shall wilfully or corruptly make any false statement, certificate, mark, grading or report in regard to any test or appointment held or made under the civil service provisions of this charter, or in any manner commit or attempt to commit any fraud on the impartial execution of any such provisions or of the civil service rules.

SEC. 58. No person in the administrative and/or classified service of the city shall directly or indirectly solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription or contribution for any political party or political purpose whatever. No person shall orally or by letter solicit or be in any manner concerned in soliciting any assessment, subscription or contribution for any political party or political purpose from any person holding a position in the administrative and/or classified service. No person shall use or promise to use his influence or official authority to secure any appointment or prospective appointment, to any position in the service of the city as a reward or return for personal or partisan political service.

SEC. 59. No person about to be appointed to any position in the service of the city shall sign or execute a resignation dated or undated, in advance of such appointment. No person in the service of the city shall discharge, suspend, lay-off, reduce in grade or in any manner change the official rank or compensation of any person in such service, or promise, or threaten to do so, for withholding or neglecting to make any contribution of money or service or any valuable thing for any political purpose. No person in the administrative service of the city shall use his official authority to influence or coerce the political action of any person or body, or to interfere with any nomination or election to public office.

SEC. 60. No person holding an appointive office or place in the city government shall act as an officer of a political organization, take part in a political campaign, serve as a member of a committee of any such organization, or circulate, or seek signatures to any petition provided for by primary or election laws, or act as a worker in favor of or in opposition to any candidate for public office.
SEC. 61. It shall be the duty of the director of civil service to supervise the execution of the foregoing civil service provisions of this charter and of the rules made thereunder, and it shall be the duty of all persons in the service of the city to comply with such rules and to aid in their enforcement. Any person who, by himself or with others, wilfully or corruptly deceives or obstructs any person in respect to his right to take part in any test for admission to the classified service of the city; or wilfully and corruptly marks, grades or reports upon the test or proper standing of any person tested for appointment in the classified service, or aids in so doing; or wilfully or corruptly makes any false representation as to the results of such tests or concerning persons so tested; or furnishes special or secret information for the purpose of either improving or injuring the prospects or chances of a person tested or to be tested, or to be appointed, employed or promoted; or impersonates any person, or, permits or aids in any impersonation in connection with any test, application, registration or appointment, or request to be tested or registered; or who makes known or assists in making known to any applicant for test, in advance thereof, any question to be asked on such test; or wilfully or through culpable negligence violates any of the provisions of this Article, shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by fine of not less than fifty dollars nor more than one thousand dollars, or by imprisonment for a term not exceeding six months. If any such person be an applicant for competitive test he shall be excluded therefrom; if he be an eligible his name shall be removed from the register of eligibles; and if he be an officer or employee of the city he shall immediately forfeit his office or employment.

SEC. 62. Any taxpayer in the city may maintain an action to recover for the city any sum of money paid in violation of the civil service provisions, or to enjoin the director of civil service from attaching his certificate to a payroll or account for services rendered in violation of this charter or the rules made thereunder; and the rules made under the foregoing provisions shall for this and all other purposes have the force of law.

SEC. 63. Any chief or head of the fire service or the police service of the City of Asheville and any and all employees of said police service or said fire service, upon the adoption of this charter by popular vote as herein provided who shall have been such officer or employee of the City of Asheville for a term of twelve months, shall, without test, certification or re-appointment or without complying with any of the provisions of this article relating in any way to qualifications for or appointment to such office or position be deemed to hold and occupy such office or position as an officer or employee of the classified service of the city as the case may be and shall only be subject to
lay-off, suspension or removal therefrom as provided in this act and all of the provisions of this article shall, upon the adoption of this charter by popular vote as herein provided, be applicable to any and all such officers and employees.

SEC. 64. The provisions of Chapter ninety-three of the Private Laws of one thousand nine hundred and twenty-seven establishing a firemen's pension and relief board and providing for the pensioning of disabled and superannuated firemen, not inconsistent with this charter and the provisions of Chapter ninety-five of the Private Laws of one thousand nine hundred and twenty-seven establishing a policemen's pension and relief board and providing for pensioning of disabled and superannuated policemen not inconsistent with the provisions of this charter shall remain in full force and effect, but the firemen's pension and relief board and the policemen's pension and relief board as established by said acts, respectively, are hereby abolished and all of the powers and duties of both of said boards are hereby given to and imposed upon the civil service board created by this Article and such powers and duties, not inconsistent with any other provisions of this charter, shall be exercised and performed by such civil service board.

ARTICLE XI.

Elections.

SEC. 65. All municipal primaries and general municipal elections shall be conducted by a Municipal Board of Elections, consisting of three persons of good moral character, who shall be electors of the City of Asheville, who shall be elected by the council (except the appointments herein made), at least three months before any municipal primary and every two years thereafter, and whose terms of office shall continue for two years from their appointment and until their successors are appointed and qualified, unless sooner removed therefrom for cause. Each member of the council may nominate one candidate for the Municipal Board of Elections, and upon voting for these candidates each member of the council shall have three votes which must be voted as a unit for any one of the candidates; Provided, however, from the ratification of this act, and until three months before the municipal primary to be held in one thousand nine hundred and thirty-three, the Municipal Board of Elections shall be composed of Owen Gudger, Joseph Sevier, Jr., and William Coleman, and in case of the resignation, death, or removal, of any member thereof, the council shall elect a successor in the manner hereinbefore provided for, but not more than two members shall be of the same political party.

SEC. 66. The Municipal Board of Elections shall perform the duties and functions, and shall be vested with the same powe-
and authority in the conduct of municipal primaries and general municipal elections, as the County Board of Elections is vested with under the provisions of the general election laws of the State of North Carolina, subject to any exceptions herein contained; and all registrars, baliffs, clerks, and other appointees of the Municipal Board of Elections shall perform the same duties and functions and be vested with the same power and authority, in the conduct of a municipal primary or a general municipal election, as is vested in similar officers under the general State law for the conduct of general elections, subject to any exceptions contained herein.

SEC. 67. The expenses of conducting any municipal primary or general municipal election, including the compensation of the members of the Municipal Board of Elections, shall be paid out of the city treasury, and the purchase of all supplies or equipment, for the conduct of municipal primaries or general municipal elections, shall be made through the purchasing agency of the City of Asheville, upon requisition of the Chairman of the Municipal Board of Elections.

SEC. 68. The voting precincts for municipal primaries or general municipal elections shall be the same as the voting precincts within the City of Asheville, established by the Buncombe County Board of Elections for elections for State and county officers; and the registration books used by the aforementioned Board of Elections for State or county elections, for the precincts within the City of Asheville, shall be used for municipal primaries and general municipal elections. All electors registered on the county registration books within the corporate limits of the City of Asheville, for the purpose of voting in the general election held in one thousand nine hundred and thirty, shall be taken and deemed to be properly and legally registered for municipal primaries or general municipal elections, provided, and as long as, such electors are qualified voters of the precincts in which registered, or until a new registration is ordered; and it shall be the duty of the Register of Deeds for Buncombe County, or any officer of said county having in his custody the county registration books for the several precincts in the City of Asheville, upon the written request or demand of the Municipal Board of Elections, to deliver said registration books to said board for the purpose of conducting a registration, municipal primary and/or general municipal election, within the City of Asheville, and it shall be the duty of the Municipal Board of Elections to return said registration books to the Register of Deeds or other officer from whom received within five days from the date of the general municipal election; provided, however, that the Municipal Board of Elections be and it is authorized, in its discretion, to order a transfer of the names on the county registration books to the city registration books.
and to declare the persons, whose names are transferred, as qualified electors in the precinct in which registered, if otherwise qualified, and/or to order a new registration within the city for a municipal primary or general municipal election in the same manner as the County Board of Elections is authorized to order a new registration.

SEC. 69. The registration books shall be opened for the registration of voters for a municipal primary and the succeeding general municipal election at nine o'clock A. M. on the fifth Saturday before each primary, and shall be closed on the second Saturday before the primary, and no other registration for a municipal primary or a general municipal election shall be allowed or permitted except that on the day of a municipal primary or a general municipal election if any person shall give satisfactory evidence to the registrar and judges of election that he has become qualified to register and vote, after the time for registration, herein provided for has expired, he shall be allowed to register on those days. Challenge Day for a municipal primary and the succeeding General Municipal Election shall be held on the Saturday preceding the municipal primary.

SEC. 70. That all municipal primaries and general municipal elections, and the registration of voters therefor, shall be held under and according to the rules and regulations, and subject to the same qualifications, as are now provided for under the general laws of the State of North Carolina, including Chapter ninety-seven of the Consolidated Statutes of North Carolina, and all amendments thereto, not inconsistent with this Act; Provided, however, (a) that in municipal primaries and general municipal elections the provisions of the absentee ballot law, authorizing absent electors to vote, shall not apply; (b) that no markers or assistants to voters shall be named or permitted in any municipal primary or general municipal election held under the provisions of this Act; however, any voter may be accompanied into the voting booth by any member of his or her family for the purpose of aiding in the marking of his or her ballot, or by any other person requested by the voter and approved by a majority of the election officials; but before any person, other than a member of the family of the voter, as hereinbefore provided for, shall be allowed or permitted to accompany any voter to a voting booth, the voter must apply in writing to the election officials for a permit to secure such assistance, naming the person whom such voter desires to render assistance and the reasons therefor; but no person shall be allowed to accompany a voter into a booth who has been previously allowed to assist any voter on the day of the municipal primary or general municipal election. The written application shall be preserved by the election officials and by them transmitted to the Municipal Board of Elections and by it kept sub-
subject to public inspection for a period of six months; but before any person shall be permitted to enter any booth for the purpose of rendering assistance to any voter, such person shall be required to take and subscribe an oath that he will not in any manner seek to persuade or induce any voter to vote for or against any particular candidate, and that he will not make or keep any memorandum of anything occurring within the booth and will not disclose the same unless he be called upon to testify in a judicial proceeding for violation of the election laws of this State; (c) that all municipal primaries and general municipal elections shall be non-partisan except as hereinafter provided in Section eighty-two-a of this act, and the Municipal Board of Elections is vested with the power and authority to appoint all registrars, judges of elections, bailiffs, clerks, and other officers to conduct any municipal primary or general municipal election, but not more than one of the judges shall belong to the same political party.

SEC. 71. There shall, on the last Tuesday in April, one thousand nine hundred and thirty-one, and every two years thereafter, be held within the City of Asheville a municipal primary for the purpose of nominating councilmen, a judge and a solicitor of the police court.

SEC. 72. All candidates to be voted for at a general municipal election shall be nominated by a primary election and no other names shall be placed upon the official ballot for a general municipal election except those nominated in such primary in the manner herein prescribed. Any person desiring to become a candidate for nomination in a primary for the office of councilman or judge or solicitor of the police court shall at least fifteen days prior to said primary (except for the primary to be held in the year one thousand nine hundred and thirty-five days notice shall be sufficient) file with the Chairman of the Municipal Board of Elections a statement of such candidacy sworn to and subscribed before a Notary Public, in the following forms:

I, ........................., being first duly sworn, say that I reside at.........................Street in the City of Asheville, County of Buncombe, North Carolina, and am a duly qualified elector of the City of Asheville, and that I am a candidate for nomination for the office of........................., to be voted upon at the primary election to be held on the last Tuesday in April 19......, and I hereby request that my name be printed upon the official ballot for nomination by such primary for such office.

.................................
Sworn to and subscribed (or affirmed) before me this the...... day of........................., 193...

.................................
Notary Public.
Filing fee.

Primary ballots.

Printing of official ballot.

Arrangement of ballots.

Party affiliation not to be indicated.

Details of printing names on ballots.

and shall, at the time of such filing, pay to the Chairman of the Municipal Board of Elections the sum of Ten ($10.00) Dollars, which shall be by him transmitted to the treasury of the City of Asheville; and the names of all persons who have filed statements of candidacy, as hereinbefore provided, shall be placed upon the official primary ballot unless such persons die or, in writing, withdraw their notices of candidacy before the printing of the ballots for the municipal primary, in which case the Chairman of the Municipal Board of Elections be and is authorized to not print the name of such proposed candidates upon the official ballot; Provided, however, in the primary election held in one thousand nine hundred and thirty-one the last day for filing statement of candidacy shall not be earlier than seven days after the declaration of result of the referendum on adoption of this Act, hereinafter provided nothing to the contrary in this article withstanding.

Sec. 73. The Municipal Board of Elections shall cause official ballots to be printed for a municipal primary and/or a general municipal election, authenticated in the manner prescribed by the general election laws. Such ballots shall be designated, as the case may be, as official ballot for "Municipal Primary" and/or "General Municipal Election", and upon the same the names of the candidates for councilmen, arranged as hereinafter provided, shall be first placed, and immediately above the names of the councilmen shall appear the words, "vote for nine", and following the names of the candidates for councilmen, arranged in alphabetical order, shall appear the names of the candidates for judge of the police court, and after them the names of candidates for solicitor thereof and immediately above each of such lists of names shall be placed the words, "vote for one". A voting square shall be placed opposite each name, in the manner prescribed by the general election law for the State. Nothing shall appear on any ballot used at a municipal primary or general municipal election indicating any party affiliation.

Sec. 74. In printing the ballots for municipal primaries and/or for general municipal elections, the same shall be printed in as many lots as there are names of candidates for councilmen to appear thereon. There shall be substantially the same number of ballots printed in each lot. On the first lot the names of candidates for councilmen shall be arranged alphabetically. On the second lot the name of the candidate appearing first in the list of such names shall appear last in the list of names of candidates for councilmen and no other change shall be made in said second lot of ballots. In each succeeding lot the name of the candidate for councilmen appearing first in the list of such names on the next preceding lot shall be placed last and no other change shall be made in said lot. In distributing the ballots to precinct voting places the Board of Elections shall
send to each precinct voting place substantially the same number of ballots of each lot and the Registrar and Judges at each precinct voting place, after receiving said ballots and before any of the same are voted shall thoroughly mix the same so that the lot from which the ballot used by any voter comes shall be as nearly as may be a matter of chance.

SEC. 75. The Municipal Board of Elections shall have the power and authority to call and conduct any and all elections and votes provided for in Article XII of this charter, dealing with the subject of the Initiative, Referendum and Recall and the power and authority vested in said Board by this Article and all of the provisions of this Article relating to elections insofar as applicable and not inconsistent with the provisions of said Article XII shall apply to all elections and votes held as provided in said Article XII.

SEC. 76. The registrars and judges of elections at each precinct shall certify to the Municipal Board of Elections the result of the primary of each precinct and there shall be made, by the judges of election and registrars of the precinct at which they conducted the primary, two certified copies of their return, one copy of which shall be filed by them with the chief executive officer of the City of Asheville and one with the Municipal Board of Elections, by ten o'clock A. M. of the day following such municipal primary or general municipal election which returns shall be kept on file in the archives of the city for public inspection, and from which the Municipal Board of Elections shall, on the day following the primary election, canvass such returns so received from all the polling precincts and shall make and publish, by reading at the front door of the city hall, the result thereof, and tabulate such returns and file the same, under oath, with the chief executive officer of the City of Asheville, immediately upon completion of such canvass and tabulation.

SEC. 77. The eighteen candidates receiving the highest number of votes for councilmen, the two candidates receiving the highest number of votes for judge of the police court and the two candidates receiving the highest number of votes for solicitor, in the municipal primary, shall be the candidates for the general municipal election, and the only candidates whose names shall be placed on the ballot for councilmen and the judge and the solicitor of the police court at the general municipal election. In the event of a tie between one or more candidates entitled to have their names placed on the ballot at the general municipal election and one or more candidates not so entitled, the tie shall be decided by a majority vote of the Municipal Board of Elections.

SEC. 78. There shall, on the second Tuesday in May, one thousand nine hundred and thirty-one, and every two years thereafter, be elected nine councilmen and a judge and a
solicitor of the police court, and such election shall be called "The General Municipal Election."

SEC. 79. The returns and canvass of the vote for general municipal elections shall be made in the same manner as that required for municipal primaries, except that upon completion of the canvass and tabulation, the Municipal Board of Elections shall declare the candidates duly elected to the respective offices. Upon declaration of the results of the election the Chairman of the Municipal Board of Elections shall issue a certificate of election to those candidates who have received a majority of the vote cast. In the event two or more candidates shall be equal and highest in votes, then one of them shall be chosen by a ballot of the Municipal Board of Elections and after such vote the Chairman of said Board shall issue a certificate of election in the same manner as if the person selected by a majority vote of the Municipal Board of Elections had received the highest number of votes at the general municipal election.

SEC. 80. It shall be unlawful for any registrar, judge of election, or other person appointed to perform any functions or duties in connection with any municipal primary or general municipal election by the Municipal Board of Elections, to receive directly or indirectly any compensation, emolument, or other thing of value for any service rendered in connection with a municipal primary or general municipal election, pursuant to the election laws, except the per diem compensation allowed by the Municipal Board of Elections, whose duty it shall be to establish per diem rates of compensation for services rendered by any registrar, judge of election, or other appointee, previous to the appointment of such registrar, judge of election, or other appointee.

SEC. 81. It shall be unlawful for any member of the Municipal Board of Elections, or registrar, or judge of election, or other election official appointed by the Municipal Board of Elections, from and after the date of qualification by the aforementioned officials, until after the canvass and tabulation of the result of a general municipal election, to act as an officer of a political organization, take part in a political campaign, serve as a member of a committee of any such organization, or act as a worker in favor of, or in opposition to, any candidate for public office in a municipal primary or general municipal election, and/or during the aforementioned period in any manner seek to persuade or induce any voter to vote for or against any particular candidate.

SEC. 82. It shall be unlawful for any officer or employee of the city, except those elected by the vote of the people, to act as an officer of a political organization, serve as a member of a committee of any such organization, or act as a worker in favor of or in opposition to any candidate for public office in a munici-
principal primary or general municipal election, and no officer or employee of the City of Asheville shall be eligible to serve as an election official in any municipal primary or general municipal election, and any person violating any of the provisions of this or the next two succeeding articles shall be guilty of a misdemeanor and punished in the discretion of the Court.

SEC. 82-a. In the event that as the result of the election on the ratification of this act held as provided in Article fourteen hereof, this act shall be ratified and it shall be determined that municipal primary and general municipal elections for the city shall be partisan, then the provisions of this Article shall apply to such elections except the provisions of sections seventy-two (72), seventy-three (73), seventy-four (74) and seventy seven (77).

ARTICLE XII.

Initiative, Referendum and Recall.

SEC. 83. Any proposed ordinance may be submitted to the council by a petition signed by registered voters of the city as shown by the registration books for the last preceding election of municipal officers therein (in no event less than one thousand) equal to fifteen per cent of one-ninth of the total of all votes cast for members of the city council at the next preceding municipal election. The signatures, residence, addresses, verifications, filings, authentications, inspections, certifications, amendments and submission of such petition shall be the same as hereinafter provided in this article for petitions for the recall of officials. If the petition accompanying the proposed ordinance be signed by the requisite number of voters and contains a request that said ordinance be passed or submitted to a vote of the electors if not passed by the council, such board shall within fifteen days after such petition is submitted to it, either:

(a) Pass such ordinance without alteration, or

(b) Submit the ordinance to the qualified voters at a special election called for that purpose and held not more than forty-five days after the date of such call or at a general election occurring within ninety days after the date of the certificate of the chairman of the board of elections.

The ballots used when voting upon such ordinance shall state briefly the general nature of the ordinance and contain the words "For the Ordinance" and "Against the Ordinance". If the majority of the voters voting on a proposed ordinance shall vote in favor thereof, such ordinance shall become a valid and binding ordinance of the city from the date when the result of such vote is officially declared. No ordinance becoming effective as in this section provided shall be repealed or amended, except by a vote of the people.
Any member of proposed ordinances may be voted upon at the same election in accordance with the provisions of this article, but there shall not be more than one such special election in any period of six months for such purpose. The council may submit a proposition for the repeal of any such ordinance or for amendment thereto to be voted upon at any succeeding general city election and should any such proposition so submitted receive a majority of the votes cast thereon at such election such ordinance shall thereby be repealed or amended accordingly as of the date when the result of such vote is officially declared. Whenever any ordinance or proposition is required pursuant to this article to be submitted to the voters of the city at any general or special election the city shall cause such ordinance or proposition to be published once in the daily newspaper published in the city having the largest circulation and once in the daily newspaper published in the city having the second largest circulation and in all copies of the edition of each of said newspapers having the largest circulation in said city. Such publication shall be made not more than twenty nor less than five days before the submission of such proposition or ordinance to vote as aforesaid.

Sec. 84. If, after the passage of any ordinance by the council and before the same goes into effect a petition be submitted as herein provided signed by registered voters of the city equal to the number prescribed herein to be signed to a petition requesting the submission of a proposed ordinance as specified in section eighty-three hereof protesting against a passage of such ordinance, the operation of such ordinance shall thereupon be suspended and it shall be the duty of the council to again consider such ordinance and if the same is not entirely repealed at the next regular meeting of the council following the submission of such petition the council shall submit to the voters the question of the repeal of such ordinance at an election to be held for that purpose in the manner and under the conditions in this article provided for reference to voters of the question of the adoption of an ordinance. The signatures, residence, addresses, verifications, filings, authentications, inspections, certifications, amendments and submission of such petition shall be the same as provided in this article for petitions for the removal of officers. If, upon such election the majority of the votes cast shall be in favor of such ordinance the same shall upon the result of such election being officially declared thereupon become a valid and binding ordinance of the city, otherwise such ordinance shall be deemed not an ordinance of the city.

Sec. 85. The holder of any elective office under the city charter may be removed at any time by the voters qualified to vote for a successor of such incumbent. The procedure to effect the removal of an incumbent of the elective office shall be as fol-
lows: A petition signed by voters qualified to vote for a successor to the incumbent sought to be removed equal in number to at least twenty-five per cent of one-ninth of the total vote cast for all candidates for members of the council at the next preceding general municipal election demanding an election of a successor of the person sought to be removed shall be filed with the chairman of the city board of elections which petition shall contain a general statement of the grounds for which the removal is sought. The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each paper shall make oath before an officer competent to administer oaths that the statements thereon made are true, as he believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be. Within ten days from the date of filing such petition the city board of elections shall examine and from the registration books used at the next preceding municipal election held in the city ascertain whether or not said petition is signed by the requisite number of qualified voters. Such registration books shall for that purpose be made available to the city board of elections by the officer or board in whose custody they may be. The chairman of the board of elections shall attach to said petition his certificate, showing the result of such examination as determined by the board of elections. If by such certificate the petition is shown to be insufficient it may be amended within ten days from the date of such certificate. The board of elections shall within ten days after such amendment make a like examination of the amended petition and if the certificate of the chairman of the board of elections which shall be made thereafter in accordance with the decision of the board of elections on the matter shall show the petition to be insufficient, such petition shall be returned to the person filing the same without prejudice to the filing of a new petition to the same effect. If the petition shall be deemed sufficient by the Board of Elections, the chairman of said board shall forthwith so certify and shall submit the petition to the council at its next regular meeting. If the petition shall be found to be sufficient the council shall order and fix a date for holding an election for the election of a successor to the elective officer sought to be removed. In the event a primary election is held in connection with the election of members of the council under the provisions of this charter or any amendment thereto, then in effect, then the date of such primary or in the event none is to be held, the date of such election shall be fixed not less than fifteen or more than thirty days from the date of the certificate of the chairman of the Board of Elections to the council that a sufficient petition is filed. A petition filed as aforesaid may de-
mand the election of a successor to more than one elective officer of the city. An officer elected at a recall election as aforesaid, shall hold office for the unexpired term of the officer whom he succeeds.

SEC. 86. Any elective officer sought to be removed as aforesaid shall be eligible to succeed himself unless ineligible for some other reason contained in this charter or under the general law of the State and each such elective officer so sought to be removed shall, unless within three days after the ordering of an election or primary as aforesaid, he files with the chairman of the board of elections a written refusal to be candidate to succeed himself, be considered a candidate to succeed himself and shall be treated as such in the same manner as if he had become a candidate for such office in the manner provided in this charter.

ARTICLE XIII.

General Administrative Provisions.

SEC. 86. That, except as inapplicable or as inconsistent with the provisions of this act, sections one hundred and forty-one to one hundred and sixty-nine, both inclusive of chapter sixteen of the Private Laws of one thousand nine hundred and twenty-three relating to the police court of the City of Asheville and acts amending the same or any part thereof and/or relating to the same subject matter are hereby re-enacted and shall remain in full force and effect except that wherever in any of said sections or acts the words “Board of Commissioners” is used the same shall be changed to read “Council” and wherever the words “Secretary-Treasurer” are used therein they shall be changed to read “Treasurer”.

SEC. 87. That sections one hundred and seventy-nine to two hundred and one, both inclusive of chapter sixteen of the Private Laws of one thousand nine hundred and twenty-three relating to health and sanitation and any and all acts, amendatory of said sections or any of them and/or relating to the same subject matter, insofar as applicable and except as inconsistent with other provisions of this act be, and the same are hereby reenacted and shall remain in full force and effect, except that wherever the words “Board of Commissioners” occur, the same shall be changed to read “Council” and wherever an officer or employee of the city is referred to the duties and powers given it or imposed upon such officer or employee shall be performed and/or possessed by the city manager or by such officer or employee as he shall designate.

SEC. 88. The council is authorized and empowered by ordinance for the purpose of promoting public health and/or public safety in the City of Asheville, to adopt and enforce the provisions of a building code for said city, including by way of
illustration but not of limitation, provisions, regulations and 
requirements with respect to the construction of structures and 
buildings of all kinds, plumbing, heating and electrical con-
struction fixtures and equipment therein, and the inspection of 
all such structures, buildings, construction, fixtures and equip-
ment; Provided that such ordinance shall contain no provisions 
inconsistent with the provisions of general law relating to the 
same subject matter. Such ordinance may provide for such 
reasonable inspection fees in connection with inspections pro-
vided for by such ordinance or by general law as the council shall 
deem just.

SEC. 89. Sections two hundred and thirty-nine to two hun-
dred and forty-two, both inclusive of chapter sixteen of the 
Private Laws of one thousand nine hundred and twenty-three, 
relating to franchises and all acts amendatory thereof, and/or 
relating to the same subject matter insofar as applicable and 
not inconsistent with any other provision of this act shall be 
and remain in full force and are hereby re-enacted except that 
wherever the words “Board of Commissioners” are used they 
shall be changed to read “Council” and wherever the words 
“Secretary-Treasurer” are used, they shall be changed to read 
“Treasurer.”

SEC. 90. Sections two hundred and forty-three to two hun-
dred and forty-six, both inclusive, of chapter sixteen of the 
Private Laws of one thousand nine hundred and twenty-three, 
relating to actions and claims against the city and all acts 
amendatory thereof, and/or relating to the same subject matter 
insofar as applicable and not inconsistent with any other pro-
vision of this act shall be and remain in full force and are here-
by re-enacted, except that wherever the words “Board of Com-
missioners” are used, they shall be changed to read “Council” 
and wherever the words “Secretary-Treasurer” are used, they 
shall be changed to read “Treasurer.”

SEC. 91. That sections two hundred and eighty-five to three 
hundred and eighty-four, both inclusive, of chapter sixteen of 
the Private Laws of one thousand nine hundred and twenty-
three, relating to public improvements and all acts amendatory 
of said sections or any of them and/or relating to the same sub-
ject matter insofar as applicable and not inconsistent with any 
of the other provisions of this act shall be and remain in full 
force and effect and are hereby re-enacted, except that wherever 
the words “Board of Commissioners” are used they shall be 
changed to read “Council” and wherever the word “Mayor” or 
the words “Secretary-Treasurer” are used they shall be changed 
to read “City Manager”.

SEC. 92. That sections three hundred and eighty-five to three 
hundred and ninety-one, both inclusive and sections four hun-
dred and fourteen of chapter sixteen of the Private Laws of one
thousand nine hundred and twenty-three, relating to taxation for municipal purposes and all acts amendatory of said sections or any of them or relating to the same subject matter insofar as applicable and where not inconsistent with the other provisions of this charter shall be and remain in full force and are hereby re-enacted, except that wherever the words "Board of Commissioners" are used the same shall be changed to read "Council" and wherever the word "Mayor" or words "Mayor Commissioner" are used, the same shall be changed to read "City Manager" and where the words "Secretary-Treasurer" are used the same shall be changed to read "City Manager."

Sec. 93. The Planning Commission of the City of Asheville shall remain as an administrative agency thereof possessing the powers and having the duties set out in chapter one hundred and sixty-nine of the Public-Local Laws of the extra session of one thousand nine hundred and twenty-one as amended. The members of such Planning Commission shall be elected by the council at the first meeting thereof and shall hold office for two years or until their successors are elected and qualified. Thereafter, members of said board shall be elected for a term of two years and until the election and qualification of their successors and vacancies on the Board shall be filled by the Council for the unexpired term.

Sec. 94. The Library Board of the City of Asheville shall remain an administrative agency thereof and shall have the powers and perform the duties set out in chapter fifty-four of the Private Laws of one thousand nine hundred and twenty-three. The members of said Board shall be elected by the Council at its first meeting and shall hold office for a term of two years and until their successors are elected and qualified. Thereafter, members of said Board shall be elected for a term of two years and until the election and qualification of their successors and vacancies on the Board shall be filled by the Council for the unexpired term.

Sec. 95. Except as inconsistent with the provisions of this act, all ordinances of the City of Asheville now in full force and effect shall remain in full force and effect as ordinances of such city until repealed by the Council or in some manner authorized by this act and all rules and regulations relating to the administration of the government of the city now in force and effect shall remain in full force and effect unless and until repealed by the Council or superseded in whole or in part by rules and regulations made by the Council or by the City Manager as in this act provided.

Sec. 96. All persons holding administrative offices at the time this charter takes effect shall continue in office and in performance of their duties until provisions shall have been made in accordance with this charter for the performance of such duties
or the discontinuance of such offices. The powers conferred, the
duties imposed upon any officer, commission, board or depart-
ment of the city by law, shall if such office, commission, board or
department be abolished by this charter be thereafter exercised
and discharged by the office or department designated by the
Council unless otherwise provided herein.

SEC. 97. Every officer of the city shall, before entering upon
the duties of his office, take and subscribe to the following oath
or affirmation to be filed and kept in the office of the City Clerk:
"I solemnly swear (or affirm) that I will obey the Constitu-
tion and laws of the United States and the Constitution and
laws of North Carolina, and that I will in all respects observe
the provisions of the charter of the City of Asheville and the
ordinances of the City of Asheville and faithfully discharge the
duties of the office of............................"

SEC. 98. The city manager, the director of the department
of finance and all employees of the city whose duties require
them to handle any funds of the city and such other officers
and employees of the city as the council may by resolution de-
determine shall give bonds for the faithful performance of their
duties and the council by resolution shall require the giving and
maintenance of all such bonds in amounts adequate to protect
the city from loss. The premiums on such bonds shall be paid
by the city.

SEC. 99. That all acts and parts of acts in conflict with this
act be and the same are hereby repealed and the following acts,
whether in conflict with the present act or not, are hereby
repealed:

Chapter sixteen of the Private Laws of one thousand nine
hundred and twenty-three except as brought forward and re-
enacted in article thirteen hereof.

Chapter one hundred thirty-eight of the Private Laws of one
thousand nine hundred and twenty-seven.

Chapter one hundred twenty of the Private Laws of one thou-
sand nine hundred and twenty-three except such portions as may
have been brought forward and re-enacted in article thirteen
hereof.

Chapter twenty-six of the Private Laws of one thousand nine
hundred and twenty-five.

Chapter one hundred thirty-nine of the Private Laws of one
thousand nine hundred and twenty-seven.

Chapter one hundred twenty-five of the Private Laws of one
thousand nine hundred and twenty-seven.

Chapter one hundred one of the Private Laws of one thousand
nine hundred and twenty-seven, but all of the powers and duties
conferred or imposed by this act on the Park Commission therein
created shall be possessed and performed by the council or by
such administrative officer or department of the city as the
council may by resolution direct.
Chapter one hundred thirty-six of the Private Laws of one thousand nine hundred and twenty-three.

Chapter twenty-four of the Private Laws, Extra Session of one thousand nine hundred and twenty-four.

Chapter sixty-one of the Private Laws of the Extra Session of one thousand nine hundred and twenty-four.

Chapter one hundred one of the Private Laws of one thousand nine hundred and twenty-five.

Chapter one hundred twenty-three of the Private Laws of one thousand nine hundred and twenty-seven.

Chapter one hundred eighty-one of the Private Laws of one thousand nine hundred and twenty-seven.

Chapter fifty-eight of the Private Laws of one thousand nine hundred and twenty-seven.

Chapter four hundred thirteen of the Public-Local Laws of one thousand nine hundred and twenty-seven.

Chapter one hundred forty-one of the Public Laws of one thousand nine hundred and twenty-nine.

SEC. 100. That all provisions of the present charter of the City of Asheville and the acts amendatory thereof not in conflict with this act are continued in full force and effect.

SEC. 101. If any provisions of this charter are held unconstitutional, the remainder shall stand.

ARTICLE XIV.

Election on Ratification of Act.

SEC. 102. That on the third Tuesday in April, one thousand nine hundred and thirty-one, there shall be held in the City of Asheville an election at which all voters who are then registered and qualified to vote shall be entitled to vote for the purpose of determining whether it is the will of such voters that this act shall become law applicable to the City of Asheville; such election shall be advertised by the Board of Commissioners of the city for twenty consecutive days prior to the holding thereof, said advertisement to be inserted in each daily newspaper published in the City of Asheville; that such election shall be conducted in all things as hereinafter provided in this act for the holding of general municipal elections as nearly as may be.

SEC. 103. That at each voting place in the city at such election there shall be provided one box in which each person entitled to vote may deposit one ballot. Such ballots shall be printed under the direction and supervision of the Municipal Board of Elections and shall have printed thereon in the upper half thereof the words "For Council-Manager Form of Government" and underneath those words the words "Against Council-Manager Form of Government." (In the lower half of said ballot shall be printed the words "For Non-Partisan Elec-
Proposition to be voted on.

Certification of results.

Declaration of results.

Time of taking effect of Act.

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tions” and underneath those words, the words “For Partisan Elections”. A voting square shall be placed opposite each of said four phrases.) Nothing else shall appear on any such ballot. Those wishing to vote that all of the provisions of this act shall become law applicable to the City of Asheville shall place a cross in the voting square opposite the words “For Council-Manager Form of Government” and those wishing to vote against the provisions of this act becoming law applicable to the City of Asheville shall place a cross in the voting square opposite the words “Against Council-Manager Form of Government.” Those wishing to vote that elections held under the provisions of this act in the event of its ratification shall be non-partisan, shall place a cross in the voting square opposite the words “For Non-Partisan Elections” and those wishing to vote that such elections in such event shall be partisan, shall place a cross in the voting square opposite the words “For Partisan Elections.”

SEC. 104. That the election officers for each precinct within six hours from the time the polls are closed in the election to determine the question as to whether the foregoing provisions shall become a law, shall count the ballots and certify the results to the Board of Elections provided for in this act, who shall within twenty-four hours examine such certificates and formerly declare whether a majority of those voting have voted “For Council-Manager Form of Government” or “Against Council-Manager Form of Government” and whether a majority of those voting have voted “For Non-Partisan Elections” or “For Partisan Elections”, and thereupon certify the result of their examination to the Board of Commissioners who shall cause the same to be spread upon the minutes of their next regular meeting after the receipt of such report. If it shall appear from the certificates of the Board of Elections to the Board of Commissioners that a majority of those voting at such election have voted “For Council-Manager Form of Government” the foregoing sections of the proposed charter and laws shall at once become effective and the law applicable to the City of Asheville, North Carolina, as if unconditionally enacted by the General Assembly of North Carolina. (If it shall appear from the certificates of the Board of Elections to the Board of Commissioners that a majority of those voting at such election have voted “For Non-Partisan Elections”, then in the event of the ratification of this act, as aforesaid, elections held hereunder shall be non-partisan as herein provided. Otherwise such elections shall be partisan.)

SEC. 105. That this act shall be in force and effect from the date of declaring carried the election “For Council-Manager Form of Government” in the manner hereinabove set out, Pro-
vided, however, that so much of this act as provides for an election for the adoption thereof by a vote of the people shall be in full force and effect from and after its ratification.

Ratified this the 30th day of March, A.D., 1931.

CHAPTER 122
AN ACT TO SUPPLEMENT THE ACT ENTITLED "AN ACT TO AMEND CHAPTER THREE HUNDRED NINETY-FIVE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED NINE AND ALL ACTS AMENDATORY THEREOF, RELATING TO THE CITY CHARTER OF THE CITY OF HIGH POINT" RATIFIED THE TWENTY-FIRST DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND THIRTY-ONE.

The General Assembly of North Carolina do enact:

SECTION 1. The persons who were mayor and councilmen of the City of High Point on the twenty-first day of March, one thousand nine hundred and thirty-one, shall continue to hold their respective offices until a mayor and councilmen are elected and have qualified pursuant to and in accordance with the act entitled "An Act to Amend Chapter Three Hundred Ninety-five of the Public-Local Laws of One Thousand Nine Hundred Nine and All Acts Amendatory Thereof, Relating to the City Charter of the City of High Point", approved the twenty-first day of March, one thousand nine hundred and thirty-one, and said mayor and councilmen shall have all the powers and perform all the duties granted to or imposed upon the mayor and councilmen of said city by said act and shall constitute the city council of said city established by said act, until their successors have been duly elected and have qualified pursuant to said act. All official acts of said mayor and councilmen performed on and after March twenty-first, one thousand nine hundred thirty-one, and prior to the ratification of this act are hereby validated.

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

Ratified this the 1st day of April, A.D., 1931.

CHAPTER 123
AN ACT TO APPOINT A BOXING COMMISSION FOR THE CITY OF GREENVILLE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor of the City of Greenville is hereby empowered and authorized to appoint a boxing commission to consist of three citizens who shall serve for a period not to
exceed that of the mayor appointing said commissioners, and who shall serve without compensation.

SEC. 2. That it shall be lawful to engage in, manage, or promote boxing exhibitions which do not exceed fifteen rounds in length, and in which no decision shall be rendered: Provided, said commission shall have full power and authority to make such rules and regulations as in its discretion may be necessary for the proper regulations of such boxing exhibition and shall have power to prohibit or stop a match at any time, even after consent has been given for the holding of such boxing exhibition.

SEC. 3. That all profits derived from such boxing exhibitions, after paying the boxers and the expenses of said exhibition, shall be paid to the local Post of the American Legion.

SEC. 4. That any person or persons guilty of engaging in or promoting, aiding or abetting such sparring matches without first having the written consent of said boxing commission, and any person or persons violating the rules and regulations of said commission or refusing to obey orders or said commission controlling a sparring match, shall be guilty of a misdemeanor, and shall be fined not more than five hundred dollars or imprisoned not more than six months.

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 full force and effect from and after its ratification.

Ratified this the 1st day of April, A.D., 1931.

CHAPTER 124

AN ACT TO INCORPORATE THE TOWN OF WARRENSVILLE IN ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Warrensville in Ashe County, be and the same is hereby incorporated under the name and style of "The Town of Warrensville", and shall be subject to all the provisions contained in the code for incorporated towns; also subject to the general laws in relation to municipal corporations.

SECTION 2. The corporate limits of said town shall be as follows, viz: Beginning at a point on railway right-of-way on South side of creek at Devil's Stairs on Jefferson Road, and running North with said right-of-way one-fourth (\(\frac{1}{4}\)) mile to a point on east side of power dam, including house owned by J. W. Eller; thence East with said railway to a point at mouth of Buffalo Creek; thence West including one-half (\(\frac{1}{2}\)) mile, the houses of J. A. Johnson, A. B. Mitchell, W. E. May, Mrs. G. H. May, Q. H. Ashley, to a stake at the barn of W. M. Roten; thence
South one-half (½) mile to the beginning. Distance being approximately one-half (½) mile from public square, every point of the compass.

SEC. 3. That the officers of said town of Warrensville shall consist of a mayor, three aldermen and a marshall, and the aldermen of said town shall have power to elect a secretary and treasurer and tax collector, who shall be required to give bond for the faithful discharge of any duties devolving upon said secretary and treasurer and tax collector in such amount as said aldermen may fix.

SEC. 4. That for the purpose of carrying this act into immediate operation, and until their successors are elected on the first Monday in May, nineteen hundred and thirty-one, and have qualified in accordance with this act, the following named persons shall fill said offices of mayor and aldermen, to-wit: as Mayor, W. H. Jones, and as Aldermen, W. L. Hughes, C. R. Latham, and W. P. Shoaf. The marshall of said town shall be appointed or elected by the aldermen, and such officers shall have the same powers and authorities as are conferred upon like officers by law, and such additional authority as may be conferred upon the town of Warrensville by this act.

SEC. 5. That an election shall be held in the town of Warrensville for the election of officers mentioned in this act, with the exception of town marshall, which officer shall be elected by the board of aldermen and not by the direct vote of the people of the town, on the first Monday in May, A. D., nineteen hundred and thirty-one, and bi-ennially thereafter, under the same regulations and restrictions that govern the State and county elections.

SEC. 6. That it shall be the duty of the officers elected to meet, organize and take the oath of office.

SEC. 7. That the mayor and aldermen shall be styled commissioners and shall have power to levy and collect a tax not to exceed fifty cents on the polls; on all property in said town an amount not to exceed fifteen cents on the one hundred dollars worth of property.

SEC. 8. That when it shall be necessary for the preservation of the public peace, good order and common decency, or for the protection of life, liberty, person or property of individuals, the town marshall shall have authority and it shall be his duty to arrest without warrant the body or bodies of the offending party or parties who have violated the law in the presence of such marshall, and take the offenders before the said mayor of the town as soon as practicable, to be dealt with as the law directs; and to every resistance to such authority by such offenders or others, the party so resisting shall be punished as the ordinance of said town shall provide; and if necessary the marshall shall have power to call to his aid any bystander to assist in making
any legal arrest, and one so summoned or called who refuses or fails to help in such arrest, shall upon conviction before the mayor, be punished as the ordinances of the town shall prescribe.

SEC. 9. That the commissioners of said town shall have power to apply the taxes collected under this act, together with all fines and forfeitures, and all other fines derived from the legitimate exercise of this act as they may deem necessary.

SEC. 10. That it shall be the duty of the commissioners to require the marshall to enter into a bond, payable to the State of North Carolina, to the use of the town of Warrensville, conditional for the faithful performance of his duties, which bond is to be approved by the commissioners.

SEC. 11. That the officers of said town shall receive such compensation for their services as the mayor and board of aldermen of said town, in their discretion, may authorize.

SEC. 12. That if any officers appointed under this act shall for any reason, fail to serve, or if a vacancy shall at any time occur in the board of aldermen, then the remaining members of the said board of aldermen shall elect or appoint some reputable citizen of said town to fill such vacancy: Provided, that if for any reason the mayor fail to qualify, or if a vacancy occur in said office, then the board of aldermen shall elect or appoint from the citizens of said town, a mayor, who shall serve as such until the next regular election for town officers or until his successor is elected and qualifies.

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

Ratified this the 1st day of April, A.D., 1931.

CHAPTER 125
AN ACT TO PERMIT THE REDUCTION OF EXPENSES AND TAXES IN THE CITY OF ASHEVILLE.

Whereas, the financial condition of the City of Asheville is such as to require for the welfare of its citizens and taxpayers that the utmost and most stringent economy should be exercised and had in all branches and departments of its government, and in the operation and management of all branches and departments of its public schools:

The General Assembly of North Carolina do enact:

SECTION 1. That the governing authorities of the City of Asheville be, and they are authorized and empowered to inaugurate and put into effect any and all such changes, reductions, discontinuances and reforms, in any department, branch,
office or offices, activities, functions, systems and operations now in force and effect in the administration of its powers and authority, for such time or periods of time as it may be deemed necessary in order to obtain the economical reforms desired and so essential, anything in the Charter of said City to the contrary notwithstanding.

SEC. 2. That the governing authorities of the public schools maintained and operated in said City of Asheville, be and are authorized and empowered to inaugurate and put into effect any and all changes, reductions, rearrangements, discontinuances and reforms in any department, grade, system, activities, functions and operations now in force and effect in the maintenance and operation of the public schools of said city, for such time or periods as may be deemed necessary in order to obtain the economical reforms desired and so essential; anything in the Charter of said city to the contrary notwithstanding.

SEC. 3. This act shall not prevent the said governing authorities aforesaid from at any time re-establishing and/or in operating any department, office, offices, activities, functions, grades, systems and operations if reduced, or discontinued, which are now used and in force and effect, whenever, in the opinion of the said governing authorities aforesaid, such re-establishment and operation of any such are desirable and to the interest and welfare of the citizens and taxpayers of the community.

SEC. 4. There shall be eliminated from the budgets of the governing authorities of said city and of the governing authorities of the public schools the sums necessary and required for the maintenance and operation of any of the matters and things so reduced, changed and/or discontinued, and the taxes to be levied and assessed in said city shall be correspondingly reduced in like amount, so that the economical reforms desired and so essential may be had and obtained; and any and all acts, general or local, shall not have the effect to prevent the reduction in taxes as aforesaid.

SEC. 5. All acts and clauses of acts, general, special, local, private and/or public-local, in conflict herewith are hereby repealed, and this act shall be in addition to and not in substitution of any other act relating to the schools of the City of Asheville and is not repealed by any other act unless this act is specifically referred to by its title.

SEC. 5a. That this act shall not have the effect of repealing any act or the authority thereof when such act has been submitted to a vote of the people and voted upon favorably.

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

Ratified this the 1st day of April, A.D., 1931.
CHAPTER 126

AN ACT AMENDING CHAPTER SIX HUNDRED FIFTY-ONE, PUBLIC LAWS, ONE THOUSAND NINE HUNDRED NINE, AS AMENDED, BY CONFERRING CERTAIN CIVIL JURISDICTION ON THE MUNICIPAL COURT OF THE CITY OF GREENSBORO AND REGULATING THE EXERCISE THEREOF AND BY MAKING THE CRIMINAL JURISDICTION OF SAID COURT IN CERTAIN CASES EXCLUSIVE.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter six hundred and fifty-one, Public Laws, nineteen hundred and nine, as amended, be and the same is hereby further amended by adding to said act the following sections:

"SEC. 32. Civil Jurisdiction; Jurisdiction of The Cause of Action. In addition to the jurisdiction hereinbefore conferred upon said Municipal Court of the City of Greensboro, said court shall, subject to the provisions of section thirty-four of this act, have the following civil jurisdiction:

a. Concurrent jurisdiction with justices of the peace in all civil matters, actions and proceedings within the jurisdiction of justices of the peace.

b. Concurrent jurisdiction with the Superior Court of civil actions as follows:

1. In actions founded on contract where the sum demanded (exclusive of interest) or the value of the property in controversy does not exceed five hundred dollars.

2. In actions founded on tort where the sum demanded does not exceed two hundred dollars.

Provided, that said court shall have concurrent jurisdiction with the courts of the Justices of the Peace in all actions now within the jurisdiction of the courts of the Justices of the Peace for the recovery of personal property, where founded upon contract or tort, and also jurisdiction where the value of the property in controversy does not exceed five hundred dollars; Provided, further, that said court shall not have jurisdiction of any action wherein the title to real estate is in controversy.

"SEC. 33. Provisional Remedies. Said court shall have power and authority to grant the provisional remedies of arrest and bail, attachment and claim and delivery in connection with any matter of which it has jurisdiction in any case where such remedies are now or may hereafter be allowed by law, but it shall have no authority to appoint receivers or issue injunctions.

"SEC. 34. Jurisdiction of the Person. Such jurisdiction as is provided for in section thirty-two of this act may be exercised in any of the following cases:
a. Where the plaintiff, or any of the plaintiffs, if an individual or natural person, lives in the City of Greensboro.

b. Where the defendant, or any one of the defendants, if an individual or natural person, lives in the City of Greensboro.

c. Where the plaintiff, or any one of the plaintiffs, if a corporation, has a place of business in the City of Greensboro.

d. Where the defendant, or any one of the defendants, if a corporation, has a place of business in the City of Greensboro.

Provided, that said court shall have no jurisdiction of any case of which the High Point Municipal Court has jurisdiction of the cause of action if the defendant or any one of the defendants is a resident of High Point Township, or, if a corporation, has its principal office in High Point Township; Provided, further, that no summons shall be issued for any defendant, if any individual, residing outside of, or if a corporation, not having a place of business in, Guilford County, unless application for the issuance of the same is made to the judge of said Civil Division and said judge, upon being satisfied by affidavit or otherwise that a trial in Guilford County will work no injustice to the said defendant, orders said summons to be issued.

"Sec. 35. Divisions of Municipal Court; Jurisdiction of Each. The Municipal Court of the City of Greensboro, as provided for in this act, shall be divided into two divisions, one of which shall be designated the Criminal Division, and the other of which shall be designated the Civil Division. The Criminal Division shall have jurisdiction of all criminal matters within the jurisdiction of the court, and the Civil Division shall have jurisdiction of all civil matters within the jurisdiction of the court.

"Sec. 36. Separate Judge for Each Division; Judge of Criminal Division. There shall be a separate judge for each division of the court. The judge hereinbefore provided for in this act shall be the judge of the Criminal Division; Provided, that in the discretion of the city council only one judge may be appointed to preside over both the Criminal Division and the Civil Division of said court.

"Sec. 37. Judge of Civil Division; Appointment; Term; Qualification; Salary. The City Council of the City of Greensboro shall appoint a judge of the Civil Division of said court, whose term of office shall extend to December thirty-first, nineteen hundred and thirty-one. During the month of December, nineteen hundred and thirty-one, and during the same month each second year thereafter, the City Council of the City of Greensboro shall appoint for a two-year term a judge of the Civil Division of said Court, whose term of office shall begin on the first day of January next following his appointment.
Such person so appointed shall be a resident of the City of Greensboro and a licensed attorney at law. Said judge so appointed shall be appointed on a whole or part-time basis as the business of the court may justify and as the City Council may direct, and shall be paid a salary to be fixed by the City Council and to be paid in equal monthly installments.

"SEC. 38. Substitute Judge. The substitute judge provided for by section sixteen of this act shall preside over the Civil Division whenever the judge thereof is prevented from presiding by sickness or other disability, or by absence from the city, or when the said judge is on vacation. In any case where neither the judge nor the substitute judge is available for holding the sessions of said Civil Division, the City Council may designate a temporary judge therefor, who shall preside during such period as may be designated by the City Council.

"SEC. 39. Clerk, Assistants, and Deputies; Powers. The clerk of the Municipal Court provided for by section eighteen of this act shall perform the duties of the clerk for both the Criminal Division and the Civil Division of said court. The City Council of the City of Greensboro may appoint an assistant clerk and one or more deputy clerks. Said clerk, assistant clerk, and each such deputy shall, with respect to the actions, matters and proceedings of which the Civil Division of said court has jurisdiction, and with respect to all process, proceedings, orders or writs pertaining thereto, have and exercise the same powers, duties and authority as the clerk, the assistant clerk and the deputy clerks, respectively, of the Superior Court would have if the Superior Court had jurisdiction thereof; except that they shall have no authority to enter judgment in any case or to issue execution upon any judgment.

"SEC. 40. Sessions; Place. The Civil Division of said court shall hold sessions daily, except on Sundays and State holidays, in the city hall of the City of Greensboro or at such other place as may be designated therefor by the City Council of the City of Greensboro.

"SEC. 41. Prosecution Bond; Cash Deposit; Fee for Service of Summons. No prosecution bond shall be required in any action instituted in said court; but, before the issuance of summons in any action, the plaintiff shall deposit with the clerk of the court the sum of one dollar and forty cents if the action is one of which a justice of the peace has jurisdiction and the sum of four dollars if the action is one of which a justice of the peace has no jurisdiction. In addition thereto the plaintiff shall pay to the clerk of the court the sum of one dollar for each defendant to be served in the City of Greensboro, such sum to cover the fee for service by a police officer of the City of Greensboro.

"SEC. 42. Summons.
a. Issuance; Direction. Every summons shall be issued in the name of the State of North Carolina by the clerk or assistant clerk of the Municipal Court, or in the name of the Clerk by a deputy, and shall be directed 'to the sheriff or other lawful officer of Guilford County.

b. Statement of Cause of Action. Every summons shall state briefly the nature of the cause of action in which the same is issued and the amount sought to be recovered. No action shall be dismissed for failure of the summons to state the cause of action sufficiently, but the judge may in such case, as provided in section forty-four of this act, require the plaintiff to file a written pleading.

c. Time of Trial. Every summons shall direct the defendant or defendants to appear for trial at the first convening of court on the day and at the place named in the summons. If the defendant lives in the city, if an individual, or has a place of business in the city, if a corporation, or if all the defendants, if more than one, live or have a place of business in the city, the day fixed for the trial shall be not less than one and not more than ten days after the date of the summons. If any one of the defendants lives outside the city, or, if a corporation, has no place of business in the city, the day fixed for the trial shall be not less than five and not more than fifteen days after the date of the summons.

d. Seal. Every summons or other process to be served or executed outside of Guilford County shall be sealed with the seal of said court, but no summons or other process to be served within Guilford County need be so sealed.

e. Except that the service of summons by publication in any case of which said court has jurisdiction shall be as is prescribed for courts of justices of the peace, the summons shall be served as is now or may hereafter be prescribed by law for the service of summons issuing from the Superior Court. In every case the officer serving a summons shall, immediately after such service, and not less than one day before the date fixed therein for trial, return it to the clerk of said court. If the summons is not served on any one or more of the defendants not later than the day preceding the day fixed in the summons for trial, or by the end of ten days when the time fixed for trial is more than ten days from the date of the summons, the summons shall immediately be returned by the officer having the same for service with a notation thereon showing why it was not served on such defendant or defendants. Upon the return of any summons to said court the clerk shall report to the attorney for the plaintiff, if the name of such attorney appears on the summons, the date of service, on each defendant, or if service was not obtained on any defendant, the reason therefor; but failure
of the clerk to make such report shall not invalidate the service of the summons.

f. Alias and Pluries Summons. An alias or pluries summons may be issued as is now or may hereafter be prescribed by law for the issuance of alias or pluries summons from the Superior Court.

"Sec. 43. Appointment of Next Friend or Guardian Ad Litem. The judge of the Civil Division or the clerk of said court may appoint next friends or guardians ad litem as is now or may hereafter be prescribed by law for the appointment of next friends or guardians ad litem in the Superior Court.

"Sec. 44. Pleadings. Unless ordered by the judge it shall not be necessary to file written pleadings in any action instituted in said court. In any case where the judge deems it proper he may, upon his own motion or upon application by any party or his attorney, and without notice to any other party, require any plaintiff or defendant to file written pleadings. And in such case the judge shall fix the time when such pleadings shall be filed and shall also fix the date and hour for the trial and the clerk shall notify the parties and their attorneys thereof; Provided, that no written pleading shall be required in any case within the jurisdiction of a justice of the peace.

"Sec. 45. Trial. The judge herein provided for the Civil Division of said court shall hear and determine all civil actions instituted in said court, or removed to said court, and there shall be no trial by jury in said court.

"Sec. 46. Costs Taxed. In every case disposed of by the Civil Division of said court costs shall be taxed, except as provided by section fifty-three of this act, as follows:

a. In cases whereof a justice of the peace has jurisdiction, the same fees as are now prescribed for courts of justices of the peace by Chapter one hundred and twenty-nine, Public-Local and Private Laws, nineteen hundred and nineteen.

b. In cases whereof a justice of the peace has no jurisdiction, the same fees as are now prescribed for courts of justices of the peace by Chapter one hundred and twenty-nine, Public-Local and Private Laws, nineteen hundred and nineteen, except that the fee for trial and judgment shall be three dollars and sixty cents.

Every return to a notice of appeal shall show therein the costs taxed in said court, and upon the final determination of said appeal the clerk of the Superior Court shall include said costs in the costs taxed in that court.

"Sec. 47. Maintenance of Court; Disposition of Costs. The cost of maintaining said court shall be paid by the City Council of the City of Greensboro out of the public funds of said city. All costs collected by the Civil Division of the Municipal Court, except such as are repaid to parties recovering costs or are paid
to officers entitled to the same as fees, shall be paid by the clerk of the court to the treasurer of the City of Greensboro. So much of said costs as may be necessary shall be expended by the City Council of the City of Greensboro for the maintenance of the Civil Division of said court, and the city treasurer or other proper city official shall keep a separate account showing all funds received from and expended for said Civil Division; Provided, that the City Council shall not be required to expend for the maintenance of said Civil Division any sum in excess of the revenues derived therefrom.

"Sec. 48. Docketing Judgments in Superior Court; Execution Only from Superior Court. A transcript of any judgment rendered in said court may be docketed in the office of the clerk of the Superior Court of Guilford County, and when so docketed shall become a judgment of the Superior Court. No execution upon any judgment rendered in the Municipal Court shall be issued except from the Superior Court.

"Sec. 49. Appeal to Superior Court. From any judgment rendered in said court any party may appeal to the Superior Court of Guilford County, where the trial shall be de novo.

"Sec. 50. Procedure With Respect to Appeal; Trial Upon Appeal. The giving of notice of the appeal, the return to the notice of appeal, the cash deposit, and the perfecting of the appeal shall be as is now or may hereafter be prescribed by law for appeals from courts of justices of the peace to the Superior Court. When the return is made the clerk of the Superior Court of Guilford County shall docket the case on his trial docket for a new trial of the whole matter at the ensuing term of said court as is provided by section six hundred and sixty-one of the Consolidated Statutes of North Carolina.

"Sec. 51. Removal of Causes. Every civil action, matter or proceeding of any kind brought in a court of a justice of the peace within the City of Greensboro, shall, upon motion or request of any defendant thereto, or his attorney, made before the introduction of evidence, be removed for trial to the Municipal Court. With every such order of removal the justice of the peace making the same shall transmit to the Municipal Court an itemized bill showing the costs already accrued in said cause. Such cause when so removed shall stand for trial in the Municipal Court on the next following day, but shall be entitled to no preference over other causes set for trial that day. No cause shall be removed for trial from the Municipal Court to any other court in Guilford County.

"Sec. 52. Service of Process Other Than Summons; Fees. All process of any kind other than summons issuing from the Municipal Court shall be served as is now provided by law for process issuing from the Superior Court. The fees for the issuance and service or execution of such process shall be the
fees prescribed by Chapter one hundred and twenty-nine, Public-
Local and Private Laws, nineteen hundred and nineteen. All
fees for the service of process by the chief of police shall be paid
to the clerk of the court and shall be by him paid to the treasurer
of the City of Greensboro.

"Sec. 53. Witnesses; Evidence; Depositions. The court shall
have power to issue subpoenas for and to require the attendance
of witnesses and generally to exercise the powers of the Superior
Court with respect to the production of evidence. Depositions
may be taken in actions pending in said court and may be used
therein under the same rules as are now or may hereafter be
prescribed by law for the taking and use of depositions in ac-
tions pending in the Superior Court. Witnesses shall receive
compensation at the rate of fifty cents, but no mileage, in each
case; Provided, that no witness shall be entitled to any witness
fee unless he has been subpoenaed and unless he proves his at-
tendance before the clerk of the Municipal Court. Every party
to whom a subpoena is issued for witnesses shall pay to the
clerk of the court a fee of fifty cents for each witness to be sub-
poenaed, a fee of fifty cents to cover the cost of issuing the
subpoena, and if the subpoena is to be served within the City of
Greensboro an additional fee of fifty cents for each such witness,
to cover the cost of service.

"Sec. 54. Procedure Generally; Continuances. Except as
otherwise provided in this act, all laws relative to civil actions,
matters and proceedings in courts of justices of the peace, in-
cluding all laws relative to process, rules of practice, procedure,
orders, writs, decrees, judgments and appeals, but excluding
none of such laws not specifically mentioned, shall be applicable
to the Civil Division of the Municipal Court in the exercise of its
jurisdiction as the same is set forth in this act. There shall,
however, be no limitation as to the length of time for which a
continuance may be granted.

"Sec. 55. Rules of Court. The judge of the Civil Division
shall have full power to regulate by rules of court all matters
of practice not herein provided for. All rules of court made by
authority of this section shall from time to time be printed
and made available for distribution to the members of the bar
and the public.

"Sec. 56. Records. The board of county commissioners of
Guilford County shall not be required to furnish for said court
any docket, nor shall the minute dockets of said court or any
other record or information as to the proceedings therein be re-
quired to be filed in the office of the clerk of the Superior Court
of Guilford County. The clerk of said Municipal Court shall
keep such minutes of the proceedings of the Civil Division as are
now prescribed for justices of the peace, and such minutes shall
be retained and filed in the office of said clerk. It shall be the
duty of the clerk of said court to keep all other such records as may be proper, and it shall be the duty of the judge of the Civil Division of said court to see that such records are kept and, where the same are not sufficiently prescribed by law, to prescribe the nature and form thereof."

SEC. 2. That section three of Chapter six hundred and fifty-one, Public Laws, nineteen hundred and nine, as amended, be further amended by striking out the first sentence of said section and inserting in lieu thereof the following:

"Judge of Criminal Division. In the year nineteen hundred and thirty-one, at the expiration of the term of the judge appointed in nineteen hundred and twenty-nine, the judge of said court shall be appointed by the City Council of the City of Greensboro to serve until December thirty-first, nineteen hundred and thirty-one. During the month of December nineteen hundred and thirty-one and during the same month each second year thereafter said City Council shall appoint for a two-year term a judge of said court, whose term of office shall begin on the first day of January next following his appointment."

SEC. 3. That section sixteen of Chapter six hundred and fifty-one, Public Laws, nineteen hundred and nine, as amended, be further amended by striking out the first sentence of said section and inserting in lieu thereof the following:

"Judge Pro Tem. In the year nineteen hundred and thirty-one, at the expiration of the term of the present substitute judge, the City Council of the City of Greensboro shall appoint a judge pro tem of said court to serve until December thirty-first nineteen hundred and thirty-one. During the month of December, nineteen hundred and thirty-one, and each second year thereafter said City Council shall appoint for a two-year term a judge pro tem of said court whose term of office shall begin on the first day of January next following his appointment. Such person appointed shall be a resident of the City of Greensboro and a licensed attorney at law. When the judge of said court is prevented from attending to his duties on account of sickness or other disability or by absence from the City of Greensboro, the judge pro tem shall preside over said court."

SEC. 4. That section eighteen of Chapter six hundred and fifty-one, Public Laws, nineteen hundred and nine, be amended by striking out the first sentence of said section and inserting in lieu thereof the following:

"Clerk. In the year nineteen hundred and thirty-one, at the expiration of the term of the present clerk, the City Council of the City of Greensboro shall appoint a clerk of the Municipal Court to serve until December thirty-first, nineteen hundred and thirty-one. During the month of December nineteen hundred and thirty-one and each second year thereafter said City Council shall appoint for a two-year term a clerk of said court whose
term of office shall begin on the first day of January next following his appointment."

SEC. 5. That section nineteen of Chapter six hundred and fifty-one, Public Laws, nineteen hundred and nine, as amended, be further amended by adding at the end of said section the following:

"In the year nineteen hundred and thirty-one at the expiration of the term of the present prosecuting attorney, the City Council of the City of Greensboro shall appoint a prosecuting attorney for said court to serve until December thirty-first, nineteen hundred and thirty-one. During the month of December nineteen hundred and thirty-one and each second year thereafter said City Council shall appoint for a two-year term a clerk of said court whose term of office shall begin on the first day of January next following his appointment."

SEC. 6. That section twenty-seven of Chapter six hundred and fifty-one, Public Laws, nineteen hundred and nine, be and the same is hereby repealed.

SEC. 7. That section twenty-eight of Chapter six hundred and fifty-one, Public Laws, nineteen hundred and nine, be and the same is hereby amended by striking out of said section the words "issued by the judge thereof or sent up by any magistrate, as hereinbefore provided."

SEC. 8. That it any part of this act shall be declared unconstitutional or invalid the remainder of the act shall nevertheless remain in full force and effect.

SEC. 9. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed to the extent of such conflict.

SEC. 10. That this act shall become effective upon its ratification.

Ratified this the 1st day of April, A.D., 1931.

CHAPTER 127

AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF THE TOWN OF WELDON, HALIFAX COUNTY, TO AID IN REOPENING THE BANK OF WELDON, WELDON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Weldon, Weldon, North Carolina, be and it is hereby authorized in its discretion to enter into a contract with the Bank of Weldon, Weldon, North Carolina, in the event that said bank is permitted to reopen by the Corporation Commission, whereby the funds of said Town of Weldon on deposit in said bank at the time of its suspension of business may remain in said
bank and not be withdrawn, except at certain said times and intervals to be mutually agreed upon by and between the Board of Directors of said bank and said Board of Commissioners.

Sec. 2. That the Board of Commissioners of the Town of Weldon shall retain any collateral, guaranty or both it now holds securing deposits in said bank at the time of its suspension: Provided, however, that as such collateral is collected by said Board of Commissioners that the amount or amounts so collected shall be credited against the deposits for which said collateral was given as security; and that nothing in this act shall relieve said bank or any guarantors upon any bond or contract heretofore executed to guarantee the deposits heretofore placed in said bank, nor shall it relieve said bank from its duty to allow withdrawals of deposits in accordance with the terms and conditions of any contract entered into pursuant to the provisions of this act.

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

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

Ratified this the 1st day of April, A.D., 1931.

CHAPTER 128

AN ACT TO AMEND CHAPTER TWO HUNDRED SEVEN PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED NINETY-SEVEN RELATING TO THE CHARTER OF THE EASTERN BAND OF CHEROKEE INDIANS.

The General Assembly of North Carolina do enact:

Section 1. That Chapter two hundred seven of the Private Laws of one thousand eight hundred ninety-seven be amended as follows: By striking out section one thereof, and inserting in lieu thereof the following: “Section one. That the officers of said corporation shall consist of a Principal Chief, Assistant (or vice) Chief, and for the present six members of Council, as follows: From Yellow Hill settlement in Swain, one member; from Big Cove settlement in Swain, one member; from Birdtown settlement in Swain and Jackson, one member; from Wolftown settlement, Jackson County, one member; from Painttown settlement, Jackson County, one member; from Cheoah settlement, Graham County, one member; also a secretary, interpreter, marshall of the band and other officers as hereinafter provided.”

Sec. 2. That section two be amended by inserting in line three between the word “male” and the word “member” the words, “and female.” Further amend said section in line four after the word “years” and before the word “and” by insert-
ing the following, "and who has been a resident for ninety days next preceding the date of an election in the district in which he or she votes."

SEC. 3. Amend section six by striking out the word "three" in line two and inserting in lieu thereof the word "one" and in line three by striking out the word "associates" and inserting in lieu thereof the word "associate."

SEC. 4. Amend section seventeen of said act by striking out the words and figures "one-fourth (1/4)" in line three and inserting in lieu thereof the words and figures "one-half (1/2)."

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

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

Ratified this the 1st day of April, A.D., 1931.

CHAPTER 129

AN ACT TO INCORPORATE THE THOMPSON SCHOOL ALUMNI ASSOCIATION OF SILER CITY, CHATHAM COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of preserving the history and traditions of the Thompson School of Siler City, North Carolina, and for the further purpose of erecting a suitable monument or memorial to the late Professor J. A. W. Thompson, the worthy principal of said school, the following named former students of such institution, and such others as may be associated with them, to-wit: L. L. Wrenn, Walter D. Siler, V. M. Dorsett, W. S. Durham, Wade H. Hadley, C. N. Bray, John C. Lane, R. W. Dark, M. M. Fox, W. S. Edwards, Junius Wrenn, N. B. Bray and J. A. Dark be and they are hereby declared a body politic and corporate by the name and style of THE THOMPSON SCHOOL ALUMNI ASSOCIATION, and by that name may sue and be sued, plead and be imploated, contract and be contracted with, acquire by gift, purchase or otherwise real and personal property and have such other powers and privileges as are incident to corporations created under the laws of the State, not inconsistent with the purposes of this act.

SEC. 2. That the said association shall be located in the Town of Siler City, Chatham County, North Carolina, and the corporate powers of the association shall be vested in a board of managers to consist of not less than twelve persons. The said association shall meet annually, and at each annual meeting shall elect a President, Vice-President, Secretary and Treasurer to serve for a term of one year each.
Property rights.

SEC. 3. That said association shall have power to receive subscriptions, either in money or property, real, personal or mixed, by donation or otherwise, and such subscriptions shall be faithfully applied to the purposes of the monument or memorial herein provided for.

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

Ratified this the 7th day of April, A.D., 1931.

CHAPTER 130

AN ACT TO VALIDATE CERTAIN BONDS AND NOTES OF THE TOWN OF LAURINBURG.

The General Assembly of North Carolina do enact:

SECTION 1. There are hereby validated and declared to be the valid and binding obligations of the Town of Laurinburg the following bonds and notes of said town, namely, thirty-seven thousand, five hundred ($37,500.00) dollar Refunding Bonds maturing on or about April first, one thousand nine hundred and thirty-one, a five thousand ($5,000.00) dollar note maturing January seventeenth, one thousand nine hundred and thirty-one, a five thousand ($5,000.00) dollar note maturing January nineteenth, one thousand nine hundred and thirty-one, a three thousand, eight hundred and forty-three ($3,843.00) dollar note maturing January nineteenth, one thousand nine hundred and thirty-one, a seven thousand ($7,000.00) dollar note maturing April eighth, one thousand nine hundred and thirty-one, a five thousand ($5,000.00) dollar note maturing April eighth, one thousand nine hundred and thirty-one, and two four thousand ($4,000.00) dollar notes maturing April thirtieth, one thousand nine hundred and thirty-one, all of said bonds and notes having been issued to secure funds for necessary expenses of said town.

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

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

Ratified this the 7th day of April, A.D., 1931.

CHAPTER 131

AN ACT RELATING TO SPECIAL ASSESSMENTS LEVIED BY THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

SECTION 1. The time for payment of any or all special assessments or installments of special assessments heretofore levied by the City of High Point for local improvements, together with all or any part of the interest accrued therein, may
be extended by resolution of the City Council of said city adopted before September first, one thousand nine hundred and thirty-one, upon such terms and conditions as may be prescribed by such resolution, so that such special assessments, installments and interest shall become due and payable in not more than ten equal annual installments, payable in each year on the same date that taxes for the year are payable, beginning in the year one thousand nine hundred and thirty-one with interest as provided by law, Provided, however, first, that such extension shall not prevent the payment of any assessment or interest at any time, and Provided, second, that all assessments contained in the same assessment roll shall be extended without discrimination in favor of or against any property, except that assessments in arrears may be extended without extending assessments not in arrears, and Provided, third, that assessments contained in the same assessment roll shall not be extended to a date more than eighteen years after the confirmation of the assessment roll and Provided, fourth, that in the event that said city shall be in default for more than thirty days in the payment of principal or interest of any valid bond payable out of special assessments so extended, such special assessments shall be due and payable without regard to any resolution adopted under this act for the extension of the same, and such resolution shall have no force or effect.

Sec. 2. It shall be the duty of the City Council of the City of High Point to cause actions to be instituted in the Superior Court not later than September first, one thousand nine hundred and thirty-one, and thereafter not later than the first day of June in each fiscal year beginning June first, one thousand nine hundred and thirty-two, to enforce the collection of all special assessments (including interest thereon) for local improvements due more than sixty days prior to such dates, respectively, and not extended as provided for by law, through the city attorney or attorneys designated therefor by the City Council. Such action shall be prosecuted in the manner and under the conditions in which mortgages are foreclosed under the laws of the State: Provided, that it shall be lawful to join in one action the collection of assessments of any or all property assessed by virtue of the same assessment roll. The court shall allow a reasonable attorney's fee for the attorney or attorneys of the city and the same shall be collectible as a part of or in addition to the costs of the action. At any sale pursuant to decree in any such action, the city may be a bidder to the same extent as an individual person or corporation, except that the delinquent assessments due the city upon the foreclosed property shall be regarded as a payment pro tanto of the purchase price. Property so purchased by the city shall be held by it as other municipal property, and may be devoted to any public use or may be sold or disposed of.
SEC. 3. All special assessments heretofore levied by the City of High Point for local improvements are hereby validated: Provided, that nothing in this act shall affect litigation pending at the time of its ratification.

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

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

Ratified this the 7th day of April, A.D., 1931.

CHAPTER 132
AN ACT TO PROVIDE FOR THE APPOINTMENT OF TRUSTEES OF BEAUFORT GRADED SCHOOL.

Whereas, under chapter two hundred and fourteen of the Private Laws of one thousand nine hundred and nine, as amended, establishing graded schools in the Town of Beaufort, Carteret County, no provision was made for the accommodation of school children outside of said school district, and consequently no provision was made for representation of out-lying districts on the Board of Trustees; and

Whereas, since the establishing of the said Beaufort Graded School District there has been a general consolidation of schools of the county with the result that seven or more communities are now patronizing the Beaufort Graded School and furnishing approximately one-third of its students; and

Whereas, it is considered proper and desirable that a re-organization of the Board of Trustees be had to the end that proper representation be given patronizing communities on the said Board: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the terms of office of all of the members of the Board of Trustees of Beaufort Graded School (Beaufort, Carteret County) shall expire on the thirtieth day of June, one thousand nine hundred and thirty-one.

SEC. 2. The Board of Trustees shall consist of nine members, three of whom shall be appointed by the Board of Education of Carteret County and shall be appointed from patronizing districts or communities other than the Town of Beaufort. The appointment of one of said three members shall be for a term of two years, one for a term of four years, and one for a term of six years. The other six members of said Board of Trustees shall be appointed by the Board of Commissioners of the Town of Beaufort, shall be bona fide residents of the said Town, and two of whom shall be appointed for a term of two years, two for a term of four years, and two for a term of six years. The
said trustees, upon their appointment and qualification, shall meet on the first Monday in July, one thousand nine hundred and thirty-one, and organize by electing one of their members as Chairman and one as Secretary, and they and their successors shall be a body corporate, with the duties and powers originally conferred by chapter two hundred and fourteen, Private Laws of one thousand nine hundred and nine, as amended, and not inconsistent with the provisions of this act.

Sec. 3. The appointments of the members of said Board of Trustees shall be made by Board of Education and Board of Town Commissioners as provided in section two, at their regular meeting in the month of May, one thousand nine hundred and thirty-one; and bi-annually thereafter at the regular meeting in May vacancies occurring on the said Board shall be filled respectively by the Board of Education and the Board of Commissioners according to terms of expiration as provided in section two; Provided, however, that should any vacancy occur prior to the expiration of the regular term, such vacancy or unexpired term shall be filled at the next regular meeting of the Board, whose duty it shall be to fill such vacancy.

Sec. 4. Nothing in this act shall prevent any person acting as trustee from holding any other office of profit or trust while acting as such trustee.

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

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

Ratified this the 8th day of April, A.D., 1931.

CHAPTER 133

AN ACT TO AUTHORIZE THE TOWN OF SANFORD TO IMPROVE ITS STREETS AND ASSESS THE COST THEREOF ON ABUTTING PROPERTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Aldermen of the Town of Sanford shall have and is hereby given, and granted full power and authority to adopt by ordinance such system of creating and laying out, altering or changing districts or sections in the Town of Sanford, North Carolina, for improvement by use of crushed rock, stone, sand, oil, asphalt, bitulithic, or other materials, or other process for the purpose so treated, to assess, and provide for equalizing the assessment of all cost and charges of such improvement upon real estate in abutting property in said Town as may be just and proper; and in order to more fully carry out the provisions of this act for street improvement, said board of aldermen shall have full power and author-
ity to pass ordinances assessing the entire cost of such improvement in said town; and it shall be incumbent upon the owners of 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, charges or assessment shall be a lien on all abutting property from the commencement of the work as provided for in this act: Provided, however, that the cost of such street improvement at intersections shall be paid by the municipality, the total costs of such improvements to be financed by borrowing money as hereinafter provided.

SEC. 2. That in order to equalize the assessments on real estate for the purposes described herein, the board of aldermen shall before the commencement of such street work or improvement, estimate the total cost of such improvement to be made in any district created or laid out for such purpose, and shall then prorate the cost thereof on the real estate abutting thereon in proportion to the frontage on the street, or portion of street so improved, and charge to and assess upon the real estate on each side of the street upon which work is to be done, its pro rata share of the entire cost of all such improvements made under the provisions of this act.

SEC. 3. That such assessments of estimated cost charged or assessed against abutting property, shall constitute a lien upon such abutting property from and after the date of the filing of a statement thereof by the street committee of the board of aldermen of said town in the office of the town clerk, payable and to be collected as hereinafter provided, and subject to such increase or reduction as may be necessary to make a just and equitable distribution of the actual cost of such improvement when ascertained as herein provided.

SEC. 4. That immediately upon the completion of the work in any district created, or section laid out, for street improvement by said board of aldermen, as herein provided, the town engineer, or other person or committee of the board of aldermen in charge of such work, shall make a report in writing to said board of aldermen showing the total actual cost of such improvement throughout the entire length of said district, or section, created or laid out, with the number and description of the lots abutting on said streets or portion thereof, so improved, together with the number of feet frontage of each of said lots and the owners thereof, and said board of aldermen shall ascertain, determine, and declare the actual cost of such improvements in such district or section, and in order to equalize the assessments on real estate for the purpose of paying therefor, shall take the total cost of such improvement throughout the entire district or section, and shall then pro rate the cost thereof and assess the same against the real estate abutting on the street.
therein, in proportion to the frontage on the street, or portion thereof, so improved, and charge to and assess against the real estate and each lot upon each side of the street upon which work is done, its pro rata share of the cost of such improvement: Provided, however, that the total cost of such street improvement in such district or section, as determined and declared by said board of aldermen, shall be final and conclusive, subject only to impeachment for fraud or collusion, with the right of appeal as herein provided. And the charge of assessment made against the abutting property under the estimated cost of such street improvement work as herein provided, shall be corrected by the addition of the difference between it and the actual cost thereof, or the deduction of such difference, accordingly as the estimated cost thereof may be less or greater than such ascertained actual cost, and as thus corrected shall constitute a lien upon abutting property as herein provided: Provided, however, that in case any street or part of a street laid out as a district for improvement is of such unequal width as to render the plan of equalization of assessments as set out in this act unjust to any abutting property, then and in that case the said board of aldermen are authorized to divide such district into subdivisions and to apply the rule of equalization of assessments prescribed herein to such subdivisions, instead of the entire district or section created or laid out. And said board of aldermen may make as many subdivisions of said districts or sections as may be necessary to effect a just distribution of the cost of improvements to be made in the district or section.

SEC. 5. That the board of aldermen shall cause a written notice to be served on all owners of abutting property affected by improvements as provided for by this act, at least ten days before the final assessments provided for in this act are made, which notice shall command to property owners to appear before the board of aldermen at a time and place stated therein and show cause, if any, why such assessment should not be made, which notice may be served by any policeman or constable of the Town of Sanford, or other proper officer, and proved by the return of such officer thereon endorsed. In the event the owner or owners of any such lot or lots herein referred to, be 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 Lee County, North Carolina, to appoint a guardian ad litem to act for him. Any person who shall feel aggrieved by the findings or assessments of said board of aldermen with reference to such improvements shall have the right within ten days after the findings and assessments by said board of aldermen have been filed with the clerk of the Town of Sanford, and not thereafter,
Filing of objections and appeal.

to file with said clerk his objections to such findings, and appeal from the decision of said board to the next term of the Superior Court for Lee County, North Carolina, by serving a notice in writing upon the mayor and town clerk of said town of his intention to do so, specifying in said notice the grounds of his objection to said findings, and by filing within the time above prescribed for taking appeals, a written undertaking in the sum of at least one hundred dollars ($100.00), with sufficient surety to be justified and approved by said clerk, to the effect that said appellant will pay to 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 aldermen, the ordinance laying out or creating the improvement district or section, the action of the board with reference to the special benefits, minutes of the proceedings of said board, the objections of the property owner with reference thereto, and all other documents with reference to the same, and material to the controversy, shall constitute the case on appeal, and be certified by the Town Clerk of Sanford to the Clerk of the Superior Court of Lee County, and docketed as other civil causes for trial, and shall be tried at the next ensuing term of said Court, with leave of either party to file such pleadings as he or it may be advised. If said issues or any of them, be found in favor of the Town of Sanford, to any amount, then judgment shall be rendered for and in favor of said Town for such amount, and the amount so found together with the costs of such appeal, to be assessed and taxed 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 said original assessment, and shall be paid as herein provided, and by law provided, for the collection of judgments.

Sec. 6. That as soon as the amount assessed against such abutting property is determined in the estimated costs of such improvements in any district or section created or laid out as herein provided by said board of aldermen, the said board may cause a notice to be published once a week for two weeks in some newspaper published in the Town of Sanford, substantially in the form following:

STREET IMPROVEMENT NOTICE

Notice is hereby given that a street improvement district has been created as follows: (describe limits of district), for the purpose of (describe work contemplated), and that the improvement to be chargeable and assessed against abutting real estate has been estimated as to each parcel of said real estate, and a statement of the same is on file at the office of the Town Clerk.

Sec. 7. That the assessments made and determined by the board of aldermen under the provisions of this act, against real estate for the purpose of paying the cost of such improvements,
shall be due and payable in semi-annual or annual installments, to be fixed and determined by said board of aldermen over a period not to exceed five years; each installment bearing interest at a rate not exceeding six per cent from the date of final findings by said board of aldermen as herein provided, and the total assessment so made shall be and remain a lien upon said lot or parcel of land, notwithstanding any sale thereof for the purpose of enforcing the collection of any installment, until paid in full.

Sec. 8. That the cost of making improvements at the street intersections within said Town of Sanford shall be paid by the municipality.

Sec. 9. That said Board of Aldermen shall have full power and authority to determine the width of any improvement in the exercise of its discretion, the nature and kind of surfacing materials, whether oil, asphalt, bitulithic, or other materials, to be used in said street improvements and the kind of gravel or crushed stone (if any).

Sec. 10. That for the purpose of defraying the cost of the improvement herein provided, the Town of Sanford is hereby authorized and empowered to borrow money from time to time, in such amount as is required to pay costs of any improvement made hereunder, and to issue notes as evidence of such indebtedness, such notes to mature in serial amounts not to exceed the period over which such assessments against abutting property for said improvements run; such indebtedness shall be liquidated by the collection of assessments made against property, as herein provided, and the portion of such assessments chargeable to the municipality hereunder to be paid from the General Funds of the Town of Sanford; and the Board of Aldermen of the Town of Sanford is hereby empowered to levy tax sufficient for the purpose of paying the principal and interest of such indebtedness against all taxable property and polls within the corporate limits of the Town of Sanford.

Sec. 11. That the powers herein enumerated, as affecting financing, shall not be deemed to be in lieu of any powers given under the Municipal Finance Act, but shall be in addition thereto, and said Board of Aldermen may finance the improvements herein provided either under the terms of this act or under the terms of the Municipal Finance Act, or both concurrently.

Sec. 12. That all laws and clauses of laws in conflict with any of the provisions of this act, except as provided in section eleven hereof, are hereby repealed.

Sec. 13. This act shall be in force from and after its ratification.

Ratified this the 8th day of April, A.D., 1931.
CHAPTER 134

AN ACT TO AMEND HOUSE BILL FIVE HUNDRED AND NINETY-NINE, SENATE BILL FOUR HUNDRED AND FORTY-SIX, WHICH WERE BILLS AMENDING THE CHARTER OF THE TOWN OF ROANOKE RAPIDS, SO AS TO PROVIDE FOR ELECTIONS RELATING TO EXTENSION OF CORPORATE LIMITS AND MUNICIPAL OFFICERS.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section seven, House Bill number five hundred and ninety-nine, amending chapter fifty-three of Private Laws of one thousand eight hundred and ninety-seven, by striking out section seven of House Bill number five hundred and ninety-nine and enacting in lieu thereof the following:

The first election hereunder for the purpose of electing municipal officers of the City of Roanoke Rapids shall take place on Tuesday, the seventh (7th) day of July, one thousand nine hundred and thirty-one, when a Mayor and six Commissioners shall be selected by the registered voters of the City of Roanoke Rapids, of which commissioners for their first term of office, two shall be elected for a term to expire on the first Monday in June, one thousand nine hundred and thirty-two, two for a term to expire on the first Monday in June, one thousand nine hundred and thirty-three, and two for a term to expire on the first Monday in June, one thousand nine hundred and thirty-four, and until their successors are duly elected and qualified; and thereafter upon the expiration of the terms of office of the first commissioners to be elected hereunder, all of said commissioners shall be elected for a term of three years. Thereafter the general municipal elections shall take place on the first Tuesday after the first Monday in May of each year. At such first election, there shall be elected three (3) commissioners who shall reside in the north ward of said city, one of whom shall be elected for a term to expire on the first Monday in June, one thousand nine hundred and thirty-two; one of whom shall be elected for a term to expire on the first Monday in June, one thousand nine hundred and thirty-three; and one of whom shall be elected for a term to expire on the first Monday in June, one thousand nine hundred and thirty-four, and thereafter their successors in office shall be elected for a term of three years (3) years; and three (3) commissioners who shall reside in the south ward of said city, one of whom shall be elected for a term to expire on the first Monday in June, one thousand nine hundred and thirty-two; one of whom shall be elected for a term to expire on the first Monday in June, one thousand nine hundred and thirty-three; and one of whom shall be elected for a term to expire on the first Monday in June, one thousand nine
hundred and thirty-four, and thereafter their successors in office shall be elected for a term of three (3) years. The Board of Commissioners of said city shall always be comprised of three (3) commissioners who reside in the north ward and three (3) commissioners who reside in the south ward, both with respect to elections and appointments to fill vacancies. At the first election held hereunder, a Mayor shall be elected from the city at large for a term of office to expire on the first Monday in June, one thousand nine hundred and thirty-three, and thereafter the Mayor shall be elected from the city at large for a term of two (2) years. The officers first elected hereunder shall qualify and be inducted into office on the first Monday in August, one thousand nine hundred and thirty-one, following their election, and shall continue in office for their respective terms as hereinbefore provided and until their successors have been duly elected and qualified. Their successors in office shall be inducted into office on the first Monday in June following their election and shall continue in office for their respective terms as hereinbefore provided and until their successors have been duly elected and qualified.

SEC. 2. Amend House Bill number five hundred and ninety-nine, by striking out section nine (9) of House Bill number five hundred and ninety-nine, and enacting in lieu thereof, the following: That the said election shall be held on Tuesday, the twenty-third (23rd) day of June, one thousand nine hundred and thirty-one, under the supervision of a special board of elections to be hereinafter created, and in all particulars other than provided in this act, shall be held and conducted and the qualifications of the voters determined as nearly as may be practicable in accordance with the general laws relating to the election of officers for the City of Roanoke Rapids. Any person who is entitled to register and vote in the general elections for the county of Halifax and who shall also have been a resident of the territory embraced within the limits as defined in section three of House Bill number five hundred and ninety-nine aforesaid shall be entitled to register and vote in all elections to be held hereunder. The registration books, for the wards as created and defined by said special board of elections, shall be kept open for the registration of voters for the same length of time as provided by the general laws governing municipal elections. The said special board of elections shall publish, preceding the date of election, a notice of said election once a week for four successive weeks in a newspaper published in the City of Roanoke Rapids. All voters shall vote at the voting places of the wards as designated by the special board of elections hereinafter created in which they reside. A new registration of the qualified voters of the district shall be ordered by the board of elections hereinafter created, and a notice of said new registration
shall be deemed to be sufficiently given by publication once in
newspaper published or circulating in said district at least thirty
(30) days before the close of the registration books. Such pub-
lished notice of registration shall state the dates on which the
books will be open for registration of voters and the place or
places on which they will be open on Saturday. The books of such
new registration shall close on the second Saturday before the
election. The Saturday before the election shall be challenge
day, and except as otherwise provided in this act, such election
shall be held in accordance with the same rules, laws and regula-
tions governing the election of municipal officers in the town or
City of Roanoke Rapids. If the corporate limits of the city be
extended as herein provided, said registration shall be deemed to
be a registration of the qualified voters of the City of Roanoke
Rapids and the said registration books shall be used in all
municipal elections of said city.

Sec. 3. Amend section eleven (11) of House Bill number five
hundred and ninety-nine, Senate Bill number four hundred
and forty-six, by striking out of sentence three of section eleven
immediately after the word "the" and before the words "one
thousand nine hundred and thirty-one" the words "twenty-
seventh day of April" and inserting in lieu thereof the words
"twenty-third day of June."

Sec. 4. Amend section twelve (12) of House Bill number five
hundred and ninety-nine by striking out section twelve (12) of
House Bill number five hundred and ninety-nine and enacting
in lieu thereof, the following: That if the corporate limits of
the City of Roanoke Rapids shall be extended as herein provided,
the property outside of the present corporate limits of the Town
of Roanoke Rapids and inside of the corporate limits of said
city as fixed by this act, shall be listed for taxes as of and be-
ginning with the first day of July one thousand nine hundred
and thirty-one, and all residents in said territory, subject to a
poll and personal property tax shall be required to list the same
for the year beginning July first, one thousand nine hundred and
thirty-one. It being the intent of this section that the City of
Roanoke Rapids shall have power and authority to collect taxes
for the year one thousand nine hundred and thirty-one upon all
property real, personal and poll located within the limits
described in section three of this act. That taxes shall be col-
lected on all property owned by tax payers within said district
on the first day of July, one thousand nine hundred and thirty-
one, and listed accordingly. Commencing with the year one
thousand nine hundred and thirty-two and subsequent thereto,
all property, real, personal and poll, shall be listed for taxation
and taxes collected under the general laws prescribed by the
General Assembly.
SEC. 5. The municipal election for a Mayor and Commissioners of the town of Roanoke Rapids as provided for in chapter fifty-three (53) Private Laws of one thousand eight hundred and ninety-seven shall for the year one thousand nine hundred and thirty-one, be postponed until after the election to be held hereunder for the extension of the city limits and shall be held on Tuesday, the seventh (7th) day of July, one thousand nine hundred and thirty-one; it being the intent that the municipal election of officers for the Town or City of Roanoke Rapids be held on the said date for the year one thousand nine hundred and thirty-one, notwithstanding the extension or non-extension of said corporate limits of the City of Roanoke Rapids. In order that said election can be held as hereinbefore provided, the Mayor and Board of Commissioners shall cause to be published a due notice of said elections.

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

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

Ratified this the 8th day of April, A.D., 1931.

CHAPTER 135

AN ACT TO AMEND AN ACT TO AMEND CHAPTER EIGHTY-SIX OF THE PUBLIC LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-SEVEN RELATING TO THE DURHAM PUBLIC SCHOOL DISTRICT, ENACTED BY THE GENERAL ASSEMBLY OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE.

The General Assembly of North Carolina do enact:

SECTION 1. That an act to amend chapter eighty-six of the Public Laws of one thousand eight hundred and eighty-seven, relating to the Durham Public School District, which act was enacted by the General Assembly of one thousand nine hundred and thirty-one, be amended by striking out the period at the end of Section Nine-a, and inserting a comma in lieu thereof, and adding the following:

"Provided further, that no part of said Debt Service Fund shall be used for any other purpose than for the purpose of paying or curtailing school bonds and school bond interest, without the consent and approval of the governing body of the City of Durham."

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 10th day of April, A.D., 1931.
CHAPTER 136
AN ACT TO PERMIT THE CITY OF WILMINGTON TO ABANDON ITS MUNICIPAL LOCKUP OR GUARDHOUSE AND TO USE THE COUNTY JAIL FOR THE CONFINEMENT OF MUNICIPAL PRISONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That all prisoners arrested by the municipal authorities of the City of Wilmington and subject to confinement or incarceration in the municipal lockup or guardhouse pending a hearing before the courts of said city or county, shall be lodged in the common jail of New Hanover County, in said city.

SEC. 2. That the costs for the maintenance of all such prisoners placed in said county jail shall be charged and collected by said county as a part of the court costs.

SEC. 3. That the said City of Wilmington is hereby permitted and authorized to abandon the maintenance and upkeep of a municipal lockup or guardhouse.

SEC. 4. That the City of Wilmington is not relieved hereby from the performance of any other duty in connection with the handling of municipal prisoners.

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

Ratified this the 10th day of April, A.D., 1931.

CHAPTER 137
AN ACT TO VALIDATE THE ELECTION HELD IN THE CITY OF REIDSVILLE ON MARCH THIRTIETH, ONE THOUSAND NINE HUNDRED THIRTY-ONE, RELATIVE TO THE EXTENSION OF THE CORPORATE LIMITS OF SAID CITY.

Whereas pursuant to an act of the General Assembly of North Carolina for one thousand nine hundred thirty-one entitled "An act to extend the corporate limits of the City of Reidsville, Rockingham County, North Carolina, and to provide for an election to determine this question," an election was held in said city; whereas a majority of the votes cast were for the extension of the corporate limits of the city; whereas the City Council met on the thirty-first day of March and declared the result of the election and the extension of said city limits; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the election held in the City of Reidsville, Rockingham County, North Carolina, on March thirtieth, one thousand nine hundred thirty-one be and is hereby declared valid; that the returns of the judges and registrar and the
declaration of the result of the election by the City Council are hereby validated.

SEC. 2. That the area or territory contained within the metes and bounds as set forth in an act of the General Assembly of one thousand nine hundred thirty-one entitled "An act to extend the corporate limits of the City of Reidsville, Rockingham County, and to provide for an election to determine this question," be and is hereby declared to be the City of Reidsville, and the citizens and people residing therein are declared to be a body politic; that said area be declared the City of Reidsville and said people residing therein a body politic from and after March thirty-first, one thousand nine hundred thirty-one, the date of the declaration of the result of the election by the City Council of the City of Reidsville.

SEC. 3. If any part of this act shall be held invalid, then so much as may not be held invalid shall remain in full force and effect.

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

Ratified this the 10th day of April, A.D., 1931.

CHAPTER 138

AN ACT TO AUTHORIZE THE TOWN OF ELKIN TO ABANDON A CERTAIN STREET TO FACILITATE THE BUILDING OF A NEW STATE HIGHWAY BRIDGE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Town of Elkin be and it is hereby authorized and empowered with the consent and joinder of the abutting property owners to convey to the State Highway Commission or its assigns that portion of Monroe Street sixty feet in width and extending from the Southern Railway right of way in a northerly direction for a distance of two hundred feet.

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

Ratified this the 13th day of April, A.D., 1931.

CHAPTER 139

AN ACT TO REGULATE JAIL FEES OF TOWN-JAIL OF WOODVILLE, BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in all criminal cases tried in Woodville Township, Bertie County, in a Magistrate’s or Mayor’s Court, when the defendant has been committed to jail in said Township to await trial, there shall be taxed in the bill of costs
Bertie County
not chargeable
with costs.
Conflicting laws
repealed.

Board of Control
created for
Andrews School
District.

Appointments.

Terms of office
of members.

Oath of office.

Biennial
election of Board
members.

Details of
election.

Separate
registration
book.

against each defendant, upon conviction, a jail fee of one dollar
to be collected as a part of the costs.

Nothing herein shall permit the said cost to be charged
against the County upon discharge of a defendant.

Sec. 2. That all laws in conflict herewith are hereby re-
pealed.

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

Ratified this the 13th day of April, A.D., 1931.

CHAPTER 140
AN ACT TO AMEND THE LAW IN CONNECTION WITH
ANDREWS SCHOOL DISTRICT, CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of trustee for Andrews School
District is hereby abolished and the powers, duties and authority
formerly vested in the board of five trustees shall be vested in
and discharged by a board of control composed of three members
for Andrews School District.

Sec. 2. That H. M. Whitaker, G. B. Hablitzell, and D. H.
Tillett, are hereby appointed a board of control for Andrews
School District and the term of office of each member shall be-


gin upon the ratification of this act. That H. M. Whitaker shall
hold office until the first day of June, one thousand nine hun-
dred and thirty-three; G. B. Hoblitzell shall hold office until the
first day of June, one thousand nine hundred and thirty-five;
and D. H. Tillett shall hold office until the first day of June, one
thousand nine hundred and thirty-seven, or until their succes-
sors are elected and qualify.

Sec. 3. That each member of the Board of Control before
taking office shall take and subscribe an oath that he will
honestly and faithfully discharge the office as a member of said
Board of Control to the best of his ability and knowledge.

Sec. 4. That there shall be elected each two years after one
thousand nine hundred and thirty-one one member of the Board
of Control of Andrews School District and said election shall
be held at the same time and place and by the same election
officers as are used for the election of the Mayor and Board of
Aldermen of the Town of Andrews. At said election there shall
be a ballot box to be used solely for the election of a member of
said board of control and said ballot box shall be so labeled; and
that the judges of election and registrar and other election of-
officials shall receive no additional compensation for holding said
election other than the pay received from the Town of Andrews.
The said registrar shall keep a separate registration book for
those entitled to vote for said member of the board of control of
said Andrews School District.
SEC. 5. That no one shall be eligible to election as a member of said board of control who is not a resident and living within the boundaries of said Andrews School District.

SEC. 6. That the term of office of each member of the Board of Control which are hereafter elected under the provisions of this act shall begin on the first day of June following his said election and shall continue for a period of six years from and after the first day of June following his said election.

SEC. 7. That it shall be unlawful for the said Board of Control to supplement or increase or pay any Superintendent or principal or teacher employed to superintend or be principal or teach in Andrews School District any amount in excess of the rate of salary set out and stipulated by the State of North Carolina or its Department of Education for such person to receive; Provided, however, that the said Board of Control may in its discretion supplement the salary of the principal of Andrews High School in an amount not to exceed thirty-five dollars ($35.00) per month, for each month taught or an amount of not to exceed three hundred and fifteen dollars ($315.00) per school year.

SEC. 8. That any person violating any of the provisions of section seven of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined or imprisoned in the discretion of the court.

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 13th day of April, A.D., 1931.

CHAPTER 141

AN ACT TO ABOLISH THE BOARD OF WATER COMMISSIONERS OF THE CITY OF HENDERSONVILLE, SUBJECT TO APPROVAL BY THE VOTERS OF SAID CITY, AND TO AUTHORIZE THE BOARD OF COMMISSIONERS OF SAID CITY TO SELL AND DISPOSE OF THE WATER WORKS SYSTEM WITH APPROVAL OF THE VOTERS OF SAID CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That subject to a vote of the majority of those voting at any regular election to be held in the City of Hendersonville, for mayor and/or commissioners, chapter one hundred and thirteen of the Private Laws of the extra session of nineteen hundred and twenty, establishing the Board of Water Commissioners of the City of Hendersonville, and all laws amending thereof and supplemental thereto, are hereby repealed.
Proposition to be submitted to voters.

Ballots.

Duties devolve upon City Commissioners if proposition carries.

Sale of water works authorized, subject to action of voters.

Price and terms of sale.

Special election.

Ballots.

Publication of notice of above elections.

Canvassing of returns.

SEC. 2. That at any regular election for mayor and/or commissioners of the City of Hendersonville, there may also be submitted to the voters of said City the question as to whether the Board of Water Commissioners of said City shall be abolished as provided in section one of this act. Upon such question being submitted, there shall be provided for each voter a ballot upon which shall be printed the words "For Abolishing City Water Commission", and a ballot upon which shall be printed the words "Against Abolishing City Water Commission." If a majority of those voting on said question shall cast the ballot "For Abolishing City Water Commission," then, upon the return and canvass of the votes, section one of this act shall be in full force and effect, the Board of Commissioners of the City of Hendersonville shall from and after that time be abolished, and all property, rights, powers, privileges and duties of said Board of Water Commissioners shall forthwith vest in, be exercised by and devolve upon the mayor and commissioners of the City of Hendersonville. But if at such election a majority of those voting on said question shall cast the ballot "Against Abolishing City Water Commission," then the laws now in force relating to said Water Commission, shall be and remain in full force and effect.

SEC. 3. That if the Board of Water Commissioners of the City of Hendersonville shall be abolished as hereinbefore provided, the Board of Commissioners of the City of Hendersonville may at any time thereafter sell and dispose of the water works system of said city and any or all property connected therewith, at such price, not less than actual cost, and on such terms as they may see fit, but subject to approval of such sale by the voters of said city at any regular city election for mayor and/or commissioners thereafter, or at any special election to be called for that purpose by the Board of Commissioners of said city. At such election there shall be provided for each voter a ballot upon which shall be printed the words "For Sale of City Water Works System," and a ballot upon which shall be printed the words "Against Sale of City Water Works System." If a majority of those voting on such question shall cast the ballot "For Sale of City Water Works System," then, upon return and canvass of the votes, the Board of Commissioners of the City of Hendersonville shall have full power and authority to consummate the sale. But if at such election a majority of those voting on such question shall cast the ballot "Against Sale of City Water Works System," then no such sale shall be consummated.

SEC. 4. Notice of the elections herein provided for shall be published in the same manner as notice of a regular city election, and shall set forth the question to be voted upon, and such elections shall be held, and the votes counted, returned and can-
vassisted, as nearly as may be in accordance with the laws relating to elections for mayor and commissioners in the city of Hendersonville.

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

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

Ratified this the 13th day of April, A.D., 1931.

CHAPTER 142
AN ACT TO ESTABLISH A BOXING COMMISSION FOR THE CITY OF GASTONIA.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created a boxing commission for the City of Gastonia, which said commission shall consist of three citizens of the City of Gastonia; and the Mayor of said city is hereby authorized and empowered to appoint the members of said boxing commission, who shall serve without compensation for a term not to exceed the term of office of the Mayor appointing said commissioners and said commissioners when appointed to the commission hereby established shall have the power and authority hereinafter set forth.

SEC. 2. That the said boxing commission shall have full power and authority to make such rules and regulations as in its discretion may be at any time necessary for the proper regulation of a boxing exhibition; and shall have full power and authority to prohibit, or stop a match, or exhibition at any time, either before or after consent shall have been given for the holding of such match or boxing exhibition.

SEC. 3. That it shall be lawful to engage in, manage, or promote a boxing exhibition in the City of Gastonia which does not exceed fifteen rounds in length, Provided said match or boxing exhibition has the consent and approval of the boxing commission.

SEC. 4. That any person firm, or corporation, who shall be guilty of engaging in, promoting, managing, aiding, or abetting any match, or boxing commission without first having the written consent of said commission; and any person, firm or corporation violating any of the rules and regulations of said commission, or refusing to obey the orders of said commission, shall be guilty of a misdemeanor, and shall be fined not exceeding fifty dollars, or imprisoned not exceeding thirty days.

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 full force and effect from and after its ratification.

Ratified this the 13th day of April, A.D., 1931.
CHAPTER 143

AN ACT TO AMEND SENATE BILL NUMBER THREE HUNDRED AND NINETY-FIVE, ENTITLED, "AN ACT TO INCORPORATE THE CITY OF ASHEVILLE, TO DEFINE ITS CORPORATE LIMITS, TO PROVIDE FOR ITS GOVERNMENT AND FOR OTHER PURPOSES."

The General Assembly of North Carolina do enact:

SECTION 1. That section one hundred and two of Senate Bill number three hundred and ninety-five, entitled, "An Act to incorporate the City of Asheville, to define its corporate limits, provide for its Government, and for other purposes," be amended by striking out the word "twenty" where it occurs in said section, and inserting in place thereof the word "ten."

SEC. 2. That section seventy-two of said Senate Bill number three hundred and ninety-five be amended by striking out the word "five" where it occurs in said section, and inserting in place thereof the word "four" and by striking out that portion of said section reading as follows: "Provided, however, in the primary election held in one thousand nine hundred thirty-one the last day for filing statement of candidacy shall not be earlier than seven days after the declaration of result of the referendum on the adoption of this act hereinafter provided, nothing to the contrary in this article withstanding."

SEC. 3. That there be added to said Senate Bill number three hundred and ninety-five a new section to be known as section one hundred and one (a) (101-a), reading as follows: "Each member of the council shall receive a salary of one hundred dollars per year, payable monthly, and the council may by resolution grant to the mayor additional salary, provided, that the total compensation of the mayor shall in no event exceed twelve hundred dollars per year. The salary of the manager and of all other officers and employees in the executive and administrative service of the city shall be fixed by the council."

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

Ratified this the 15th day of April, A.D. 1931.

CHAPTER 144

AN ACT TO AMEND CHAPTER ONE HUNDRED ELEVEN, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-ONE, RELATING TO HOLDING ELECTIONS IN THE TOWN OF JONESVILLE, YADKIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section two, Private Laws of one thousand nine hundred twenty-one, Chapter one hundred eleven, be
amended by striking out in Section two, in line three, the word "annually" and inserting in lieu thereof the word "biennially."

Sec. 2. That the term of office of the present Mayor and Board of Commissioners of the Town of Jonesville shall be and is hereby extended until the first Monday in May, one thousand nine hundred thirty-two.

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

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

Ratified this the 16th day of April, A.D. 1931.

CHAPTER 145

AN ACT TO AMEND CHAPTER ONE HUNDRED TWENTY-THREE, PRIVATE LAWS ONE THOUSAND NINE HUNDRED TWENTY-SEVEN, RELATING TO SALARIES OF CERTAIN OFFICIALS OF THE CITY OF ASHEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of Chapter one hundred twenty-three, Private laws of one thousand nine hundred twenty-seven, be and the same hereby is repealed.

Sec. 2. That section seven of Chapter one hundred twenty-three, Private Laws one thousand nine hundred twenty-seven, be amended by striking out the words "seven thousand five hundred" in line three and insert in lieu thereof the words "five thousand" and by striking out the figures "$7,500.00" in line four and inserting in lieu thereof the figures "$5,000.00"; by striking out the words "six thousand" in line five of said section and inserting in lieu thereof the words "forty-five hundred" and by striking out the figures "$6,000.00" in line six and inserting in lieu thereof the figures "$4,500.00"; by striking out the words "six hundred" in line seven and by striking out the figures "$3,600.00" in line eight and inserting in lieu thereof the figures "$3,000.00"; by striking out the words "twenty-four" in line nine of said section and inserting in lieu thereof the word "eighteen" and by striking out the figures "$2,400.00" in said line and inserting in lieu thereof "$1,800.00."

Sec. 3. That all laws in conflict with this act be and the same are hereby repealed; Provided this act shall not repeal or amend any part of S. B. three hundred ninety-five ratified March thirtieth, one thousand nine hundred thirty-one, entitled "An Act to Incorporate the City of Asheville, to Define its Corporate Limits, to Provide for its Government and for other
Provided further this act shall be in force and effect after June first, one thousand nine hundred thirty-one, in the event the public officials mentioned in said Chapter one hundred twenty-three, Private Laws one thousand nine hundred and twenty-seven, are on said date, and thereafter holding office in said City of Asheville.

Ratified this the 17th day of April, A.D. 1931.

CHAPTER 146

AN ACT TO REPEAL SUB-SECTION TEN OF SECTION THIRTY-EIGHT OF CHAPTER THREE HUNDRED EIGHTY OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED FIFTEEN.

The General Assembly of North Carolina do enact:

SECTION 1. That sub-section ten of section thirty-eight of chapter three hundred eighty of the Private Laws of the General Assembly of North Carolina, session one thousand nine hundred fifteen, 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 20th day April, A.D. 1931.

CHAPTER 147

AN ACT TO VALIDATE CERTAIN BONDS AND NOTES OF THE TOWN OF LAURINBURG.

The General Assembly of North Carolina do enact:

SECTION 1. There are hereby validated and declared to be the valid and binding obligations of the Town of Laurinburg the following bonds and notes of said town, namely, thirty-seven thousand, five hundred ($37,500.00) dollar Refunding Bonds maturing on or about April first, one thousand nine hundred and thirty-one, a five thousand ($5,000.00) dollar note maturing January seventeenth, one thousand nine hundred and thirty-one, a three thousand, eight hundred and forty-three ($3,843.00) dollar note maturing January nineteenth, one thousand nine hundred and thirty-one, a seven thousand ($7,000.00) dollar note maturing April eighth, one thousand nine hundred and thirty-one, a five thousand ($5,000.00) dollar note maturing April eighth, one thousand nine hundred and thirty-one, and two four thousand ($4,000.00) dollar notes maturing April thirteenth, one thousand nine hundred and thirty-one, all of
said bonds and notes having been issued to secure funds for necessary expenses of said town.

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 20th day of April, 1931.

CHAPTER 148
AN ACT TO AMEND THE CHARTER OF THE TOWN OF MT. PLEASANT.

The General Assembly of North Carolina do enact:

Section 1. That the regular election for Mayor and five Commissioners of the Town of Mt. Pleasant shall next be held on the first Monday in May, one thousand nine hundred and thirty-two, and every two years thereafter.

Sec. 2. That the present Mayor and five Commissioners now in office in the Town of Mt. Pleasant shall hold over until the next regular election on the first Monday in May, one thousand nine hundred and thirty-two, or until their successors shall be duly elected and qualified.

Sec. 3. That this amendment shall be effective upon ratification.

Ratified this the 20th day of April, A.D. 1931.

CHAPTER 149
AN ACT PROVIDING FOR THE APPOINTMENT OF A SCHOOL BOARD FOR THE ASHEVILLE LOCAL TAX SCHOOL DISTRICT AND DEFINING ITS POWERS AND DUTIES.

The General Assembly of North Carolina do enact:

Section 1. That section ten, chapter two hundred and five, Private Laws of the General Assembly of one thousand nine hundred and twenty-nine, entitled "An Act to extend the corporate limits of the City of Asheville," be and it is hereby re-enacted and declared to be in full force and effect as modified in this Act.

Sec. 2. That the Asheville Local Tax School District as set out in section ten, chapter two hundred and five of the Private Laws of one thousand nine hundred and twenty-nine be and remain as a local tax district known and designated as the "Asheville Local Tax School District" and its lines and boundaries shall be and remain the same as now existing according
to law and more particularly described and set out in section three, chapter sixteen of the Private Laws of the General Assembly passed at its session in one thousand nine hundred and twenty-three, being the exact limits and boundaries of the City of Asheville prior to the extension thereof at the session of the General Assembly in one thousand nine hundred and twenty-nine.

SEC. 3. That said Asheville Local Tax School District shall have a Board of Committeemen known and designated as the "Asheville School Board" composed of seven members, and Vance Brown, W. B. Schorr, Mrs. R. A. Little, Mrs. Eugene Gudger and R. H. McDuffie, George F. Baier, and Julius Martin be and they are hereby appointed as members of said Asheville School Board, whose term of office shall begin on the first Monday in April, one thousand nine hundred and thirty-one, and they shall hold office as such until their successors are elected or appointed and qualified as hereinafter provided.

SEC. 4. That said Asheville School Board shall have the control and custody of all the school buildings located in the Asheville Local School District with power and authority to repair the buildings, make additions to and alterations thereof, replace or erect new buildings if the funds are available, and otherwise care for the property and employ and fix the compensation of all the employees that are necessary for the proper maintenance, repair and care of said school buildings and school property.

SEC. 5. If at any time said Board believes it is for the best interest and welfare of the schools of said District that additional property shall be acquired for the proper conduct of any of the existing schools in said District or that property shall be purchased or otherwise acquired for the erection of new school buildings, then a resolution to that effect may be adopted by said Board and certified to the County Board of Education. Upon the receipt of said resolution the County Board of Education shall proceed to comply therewith in the way and manner provided by law.

SEC. 6. That said Asheville School Board shall elect a competent, skilled and expert superintendent of the schools of said District for a period not exceeding four years, and said superintendent of schools during his, or her term of office shall devote his, or her, time and attention exclusively to the management and control of the schools located in said District. Said superintendent shall have the immediate and direct control over all the teachers and other employees of said school system and shall be directly responsible for the efficiency and good management of said schools, and shall meet with the School Board at its regular meeting and make a report, oral or written, as
required by said Board, of the work and conduct of said schools together with any recommendations that he, or she may have in regard to the conduct and management thereof; that said superintendent of schools shall be subject to removal from office by said Board for inefficiency or other cause satisfactory to said Board, and such action shall not be subject to appeal.

SEC. 7. Said School Board shall, from time to time, as it is necessary elect teachers and employees for the proper conduct of said schools, said teachers so elected to be recommended by the Superintendent of Schools and from a list of such recommendations the said Board shall select the necessary number of teachers and employees. In making said recommendations the Superintendent of Schools shall consider primarily the ability, education, character and efficiency of the persons so recommended and such qualifications shall guide the Superintendent's actions in making said recommendations. If, however, the said Board is unable or refuses to elect from said list of recommendations it shall request the Superintendent, and it shall be his, or her duty to furnish other names. Said Board shall fix the compensation of all teachers and other employees so elected and shall provide by resolution the requirements necessary for the teacher to have to teach in said schools and shall fix the term of their employment in the discretion of the Board. Any teacher or other employee may be removed for inefficiency or other cause satisfactory to said Board at any regular meeting thereof and from the action of said Board there shall be no appeal.

SEC. 8. Said School Board shall each year prepare and transmit to the Board of Financial Control if established by law, or otherwise to the Board of County Commissioners, a budget requirement for the next fiscal year for the operation and maintenance of the schools of said district, showing the allocation of the different funds as now required by the school laws of North Carolina. The Superintendent of Schools elected by said board shall be ex-officio secretary thereof and shall keep the minutes, records, financial and otherwise, and correspondence of said Board and as such prepare a tentative budget as above required subject to the approval and adoption by the Board.

SEC. 9. Persons attending schools in said district shall be bona fide residents thereof and said School Board shall be the exclusive judge of the residence of any person applying for entrance into said schools. However, the School Board may admit non-residents into its schools under such terms and conditions as it may adopt by resolution.

SEC. 10. Funds for the support and maintenance of the schools in said Local Tax School District shall be levied and
collected as provided by law for the levy and collection of school funds in other local tax districts. When said funds are so levied and collected by the proper collecting officer of the county, said funds shall be turned over to the Treasurer of the City of Asheville or other depository agent designated by the governing body of the City of Asheville by written resolution and said funds shall be held and kept separate from all other funds belonging to said city and shall be applied under such rules and regulations as the Asheville School Board shall prescribe exclusively to the support and maintenance of the public schools in said district. The said treasurer or other school depository shall hold said funds and pay them by voucher duly executed in the way and manner provided by law for the execution of vouchers of the City of Asheville, such vouchers, however, to be issued only upon warrant or order of the School Board. Said warrants or orders of said Board shall be held by said disbursing officer as his valid authority for the payment of school funds.

SEC. 11. The term of said School Board named in section three hereof shall begin on the first Monday in April, one thousand nine hundred and thirty-one, and shall extend for a period of two years from and after said date, or until their successors are elected and qualified. The governing body of the City of Asheville shall on or before the first Monday in April, one thousand nine hundred and thirty-three, appoint or elect the successors to said Board, two or more of whom shall be women, and all of said board shall be residents of said district and shall be persons known to be in favor of education and interested in the welfare of the schools and shall be appointed or elected with the sole object in view of maintaining the efficiency of the schools of said district and without any partisan prejudice or bias. In case of any vacancy on said Board the same shall be filled by an election by the governing body of the City of Asheville. As soon as practicable after the first Monday of April, one thousand nine hundred and thirty-one, and each biennial year thereafter, said Board shall meet and elect a chairman, who shall preside over the meetings of said Board. A majority of the members of said Board shall constitute a quorum and the chairman or any two members may call a meeting. The members of said Board shall serve without compensation.

SEC. 12. The Asheville School Board and the Superintendent of Schools shall be vested with full power and authority to change or extend the subjects to be taught in the schools of said local tax district; supervise and provide for the training of teachers for said schools; assign the teachers to the different schools and provide for the individual work and change or
remove any grade or class from any school building in said district to another.

Sec. 13. Funds for the support and maintenance of the six months school term in the Asheville Local Tax District shall be apportioned and allocated in the same way and manner that said funds for said term are apportioned and allocated in the other local tax districts as provided by law.

Sec. 14. If any section of this act, or any part thereof be hereafter declared invalid by the Courts of this State, such decree shall not be construed as rendering this entire act invalid, but shall affect only the specific part, article or section involved in the decree.

Sec. 15. All laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 16. This act shall be in full force and effect from and after its ratification.

Ratified this the 21st day of April, A.D. 1931.

CHAPTER 150

AN ACT TO AMEND HOUSE BILL SIX HUNDRED AND FOUR, SESSION OF THE GENERAL ASSEMBLY OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATING TO THE BENSON SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number six hundred four, passed at the one thousand nine hundred and thirty-one session of the General Assembly, being "An Act to repeal the charter of the Benson School District, Private Laws of one thousand nine hundred fifteen, chapter one hundred forty-five," be, and the same is hereby amended by inserting a new section therein between sections three and four, which such section shall be as follows:

"Sec. 3½. That the county board of education of Johnston County shall take over and assume, and include in the debt service fund in the school budget of said county, the bonded indebtedness of said Benson School District lawfully incurred in erecting and equipping school buildings necessary for the six months school term, upon the same terms and conditions and in the same manner as it has heretofore taken over and assumed such indebtedness of certain special charter and local tax districts in said county."

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

Ratified this the 21st day of April, A.D. 1931.
CHAPTER 151

AN ACT TO AUTHORIZE THE TOWN OF MEBANE TO ISSUE SEWER BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That the Town of Mebane, Alamance County, shall have power and is authorized to issue at one time, or from time to time, not exceeding thirty thousand dollars of sewer bonds for the purpose of extending and improving its present existing sanitary sewer system. And except as herein provided said bonds hereby authorized shall be issued pursuant to the Municipal Finance Act and the Local Government Act, of nineteen hundred and thirty-one, as such acts shall exist at the time proceedings for the issuance of said bonds are taken, but the limitation and restriction imposed by sub-section two of section two thousand, nine hundred and forty-three of the Consolidated Statutes shall not apply to the bonds hereby authorized.

SEC. 2. The bonds hereby authorized shall mature and funds for their payment shall be raised as provided in the Municipal Finance Act, except that the first installment or series of bonds may be made payable not more than three years after the date of the first issued bonds of such issue.

SEC. 3. The powers conferred by this act are conferred in addition to, and not in substitution of, the existing powers of the Town of Mebane, and nothing herein shall prevent or limit the issuance of bonds of said town under the Municipal Finance Act or other acts applicable to said town.

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

Ratified this the 21st day of April, A.D. 1931.

CHAPTER 152

AN ACT TO REPEAL CHAPTER ONE HUNDRED FORTY-EIGHT OF THE PUBLIC-LOCAL AND PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-NINE, RELATING TO THE TOWN OF ROCKINGHAM, RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred forty-eight of the Public-Local and Private Laws of North Carolina, Session of one thousand nine hundred and twenty-nine, the same being "AN ACT TO ENABLE THE TOWN OF ROCKINGHAM, RICHMOND COUNTY, TO LEVY A TAX TO AID IN THE
DEVELOPMENT OF SAID TOWN," be, and the same is hereby repealed.

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

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

Ratified this the 21st day of April, A.D. 1931.

CHAPTER 153
AN ACT TO AMEND THE CHARTER OF THE TOWN OF LINCOLNTON.

The General Assembly of North Carolina do enact:

Section 1. That all candidates for election to the offices of Mayor, Board of Aldermen, Trustee of Graded Schools, and/or any and all candidates for any elective office in the Town of Lincolnton, shall duly file under their respective hands a notice of their candidacy and for what office with the City Clerk or Clerk to the Mayor and Board of Aldermen of the Town of Lincolnton, on or before the third Monday in April next preceding the election to be held on the first Tuesday after the first Monday in May.

Sec. 2. That the City Clerk shall cause ballots to be printed for use in the general election for City Officials in the Town of Lincolnton setting forth the names of each and every candidate, and for what office, who has complied with the provisions of section one of this act and no others, and such ballots shall be the only ballots used in the election of City Officials and no candidate who has failed to comply with section one of this act shall be voted upon at the general election for City Officials of the Town of Lincolnton.

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

Sec. 4. That this act shall be in full force and effect immediately upon its ratification.

Ratified this the 21st day of April, A.D. 1931.

CHAPTER 154
AN ACT TO EXTEND THE TIME FOR PAYMENT OF STREET ASSESSMENTS IN THE TOWN OF EAST FLAT ROCK.

The General Assembly of North Carolina do enact:

Section 1. That the time for payment of all assessments heretofore levied by the Commissioners of the Town of East Flat Rock against abutting property owners for, and on account of paving, grading or otherwise improving any of the public
Interest added.

Acceleration clause.

Payment of whole assessment at any time.

Computation of amounts due with interest as of July 1, 1931

"Special Assessment Book."

Contents.

Indexing and entries of payments.

streets or sidewalks in the Town of East Flat Rock, is hereby extended so as to be payable in twenty equal annual installments beginning July first, one thousand nine hundred and thirty-one. The amount of said installments shall draw interest from July first, one thousand nine hundred and thirty-one, at the rate of six per cent per annum: Provided, that if any property owner or other person legally liable therefor shall fail to pay any of said installments or interest as the same shall become due as provided for in this act, the board of commissioners of the Town of East Flat Rock may in their discretion declare the whole of said assessments with accrued interest thereon immediately due and payable, and may proceed to enforce collection of said assessments by the sale of the real estate against which said assessments have been levied in the same manner and under the same laws as real estate is sold for unpaid town taxes. The whole assessments may be paid at any time by the payment of principal and accrued interest to date of payment.

Sec. 2. That it shall be the duty of the Commissioners of the Town of East Flat Rock, as soon as practicable after the ratification of this act and before the first day of July, one thousand nine hundred and thirty-one, to cause to be computed the amounts and accrued interest on all uncollected assessments heretofore levied against property owners on account of paving, grading or otherwise improving any of the public streets or sidewalks of the Town of East Flat Rock, said uncollected assessments and interest to be computed to the first day of July, one thousand nine hundred and thirty-one, and thereafter the total amount of said assessments and interest accrued thereon shall be paid by the property owners against which said assessments have been made in twenty equal annual installments beginning July first, one thousand nine hundred and thirty-one, and thereafter said installments shall draw interest at the rate of six per cent per annum.

Sec. 3. That as soon as said assessments have been computed as herein provided, the commissioners shall cause to be prepared an assessments roll and record the same in a well bound book styled "Special Assessment Book" which shall be ruled so as to conveniently show:

1. Name of such property.
2. Number of lot or part of lot as shown on tax sheet.
3. The frontage of such lot.
4. Amount that has been assessed against said lot.
5. Amount of such installment and the date on which the installments shall become due.

Said book shall be indexed according to the names of the owners of the property, and all entries of all payments or par-
tial payments shall be immediately entered upon said book when made, and said book shall be open to public inspection.

SEC. 4. That the amount of said assessments shall continue as heretofore to be a lien against the property so assessed and this act shall not be construed as in any manner impairing the validity of the lien aforesaid.

SEC. 5. That all provisions of the charter of the Town of East Flat Rock and general and private laws with respect to assessments and the enforcement of the collection shall remain in full force and effect, except as modified by this act.

SEC. 6. That it is the purpose of this act to cause said assessments to be computed on or before July first, one thousand nine hundred and thirty-one, and the first installment shall become due and payable as of July first, one thousand nine hundred and thirty-two, and this section shall be applicable to a similar act ratified at the present session of the assembly relative to the extension of time for the payment of assessments levied by the City of Hendersonville.

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

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

Ratified this the 22nd day of April, A.D. 1931.

CHAPTER 155

AN ACT TO EXEMPT CHURCH PROPERTY USED EXCLUSIVELY FOR RELIGIOUS SERVICES AND PASTORS’ RESIDENCES FROM THE PAYMENT OF STREET PAVING ASSESSMENTS AND SIDEWALK ASSESSMENTS FOR THE YEAR ONE THOUSAND NINE HUNDRED THIRTY-ONE AND SUBSEQUENT YEARS.

The General Assembly of North Carolina do enact:

SECTION 1. That for the year one thousand nine hundred thirty-one and all subsequent years property owned and used exclusively by churches or religious denominations for the purpose of religious services and residences of pastors shall be exempted from the payment of all street paving assessment and sidewalk assessment; Provided that the exemption herein provided for shall be allowed only when approved by a majority vote of the Board of Town Commissioners.

SEC. 2. This act shall only apply within the corporate limits of the town of Williamston, North Carolina.

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

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

Ratified this the 22nd day of April, A.D. 1931.
CHAPTER 156

AN ACT TO AMEND THE LAW IN CONNECTION WITH THE ANDREWS SCHOOL DISTRICT IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby appointed for Andrews School District five members of the Board of School Trustees, to-wit: E. A. Wood, D. H. Tillitt, H. C. Whitaker, H. M. Whitaker and R. A. Dewar, who shall have and exercise all power and authority which is or has formerly been given to and vested in the trustees for said school district.

SEC. 2. That E. A. Wood, D. H. Tillitt and H. C. Whitaker shall hold office as school trustees for said district until the tenth day of May, one thousand nine hundred and thirty-five; and H. M. Whitaker and R. A. Dewar until the tenth day of May, one thousand nine hundred and thirty-three, or until their successors are elected and qualify.

SEC. 3. That at the election for mayor and board of aldermen for the Town of Andrews in May, one thousand nine hundred and thirty-three, there shall be elected two members of said board of trustees to take the place of those whose term expires on May tenth, one thousand nine hundred and thirty-three; and that at the election for mayor and board of Aldermen held in one thousand nine hundred and thirty-five there shall be elected three members of the said board of trustees to take the place of those whose term expires on May tenth, one thousand nine hundred and thirty-five, and that all members of said board of trustees elected hereafter shall serve for a period of four years from and after May tenth of the year in which they are elected; and that said trustees shall be elected as their terms of office expire at the same time and place and by the same election officials as is used for the election of a Mayor and Board of Aldermen for the Town of Andrews. At said election there shall be a ballot box to be used solely for the election of a member of said board of trustees and said ballot box shall be so labeled and the judges of election and registrar and other election officials shall receive no additional compensation for holding said election other than the pay received from the Town of Andrews. That said registrar shall keep a separate registration book for those entitled to vote for members of the board of trustees of said Andrews School District.

SEC. 4. That it shall be unlawful for the said board of trustees to supplement or increase or pay any superintendent or principal or teacher employed to superintend or be principal or
teach in the Andrews School District any amount in excess of
the rate of salary set out and stipulated by the State of North
Carolina or the Department of Education; provided, however,
that the said board of trustees may in its discretion supplement
the salary of the principal of the high school in said district in
any amount not to exceed thirty-five dollars ($35.00) per month
for each month actually taught.

Sec. 5. That any person violating any of the provisions of
section four of this act shall be guilty of a misdemeanor and
upon conviction thereof shall be fined or imprisoned in the
discretion of the court.

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

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

Ratified this the 24th day of April, A.D. 1931.

CHAPTER 157

AN ACT RELATING TO THE COMING ELECTION IN
THE TOWN OF FAIRMONT, ROBESON COUNTY.

Whereas, from some neglect of the governing authorities of
the town of Fairmont, Robeson County, a proper election was
not held in the town at the time fixed in its charter, to-wit:
May, one thousand nine hundred thirty, Therefore,
The General Assembly of North Carolina do enact:

SECTION 1. That, at the coming election to be held in May,
one thousand nine hundred thirty-one, under the charter of the
town of Fairmont, Robeson County, there shall be four members
of the Board of Commissioners of said town elected and two
having the greatest number of votes at the election to have a
term of two years and the two having the next greatest number
of votes at the election to have a term of one year.

Sec. 2. Except as herein provided, chapter sixty-five of the
Private Laws of North Carolina one thousand nine hundred
and twenty-five (1925) shall be in no particular modified and
shall continue in force for all subsequent elections.

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

Ratified this the 24th day of April, A.D. 1931.
CHAPTER 158

AN ACT TO AMEND THE ACT ENTITLED "AN ACT TO AMEND CHAPTER THREE HUNDRED NINETY-FIVE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED NINE AND ALL ACTS AMENDATORY THEREOF, RELATING TO THE CITY CHARTER OF THE CITY OF HIGH POINT," RATIFIED THE TWENTY-FIRST DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND THIRTY-ONE.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section two of article two of the act entitled "An act to amend chapter three hundred ninety-five of the Public-Local Laws of one thousand nine hundred nine and all acts amendatory thereof, relating to the city charter of the City of High Point," by striking out in line three of said section the words "two thousand six hundred and twenty-two" and substituting in lieu thereof the words "two thousand six hundred and twenty-three."

Amend said section further by inserting the words "now or" between the word "powers" and the word "hereafter" in line eight.

SEC. 2. Amend section four, article two, of said act by striking out all of the first paragraph of said section after the words "amendments thereto" in line six of said paragraph and substituting in lieu thereof the following: "so far as same may not be inconsistent herewith: Provided, that reference to specific sections and statutes herein may not be construed as a limitation of the application of the general laws of the State, except as herein especially provided."

Amend sub-section (a) of said section four, article two, by striking out the words "except the words 'Now or' appearing after the words 'North Carolina' therein," appearing in lines two and three of said sub-section.

Amend sub-section one (1) of said section four, article two, of said act by striking out the words "C. S. two thousand six hundred and forty-six" in the first and second lines of said sub-section.

SEC. 3. Amend section twenty-one of article four of said act by striking out all of said section after the word "votes" in the second line of said section, and substituting in lieu thereof the following: "and the two candidates from each ward receiving the largest and the second largest number of votes shall be deemed elected."

Amend section twenty-six of article four of said act by adding to said section the following: "That the repeal of the partisan
primary provisions shall not impair the machinery for primaries and elections herein provided for, except to destroy all references to the partisan qualification of candidates for office.”

SEC. 4. Amend section one of article six, by striking out all of sub-section (b) of said section and substituting in lieu thereof the following:

“(b) And shall levy and collect a tax ad valorem and without limitation as to the amount, upon all the taxable property within the municipality sufficient to pay the principal and interest of all bonds and/or notes of the city now outstanding or which may be hereafter issued, as such principal and interest become due;”

Amend section five of article six, by striking out the words “one hundred and eleven” in line three of said section and substituting in lieu thereof the word “three.”

SEC. 5. Amend section one of article nine of said act, by striking out all of said section and substituting in lieu thereof the following:

“SECTION 1. All the terms and provisions of articles twenty-three to twenty-nine, inclusive, of chapter fifty-six of the Consolidated Statutes of North Carolina entitled the ‘Municipal Finance Act of one thousand nine hundred and twenty-one’ and/or the ‘Local Government Act of one thousand nine hundred and thirty-one,’ and the amendments thereto, or the substitutes therefor, now or hereafter made, are hereby adopted as a part of this charter and shall apply to the City of High Point.”

SEC. 6. Amend section one of article ten of said act, by striking out the word “shall” in line six of said section and substituting in lieu thereof the word “may,” making the said line read as follows: “public library, and to that end they may appropriate, an—”

SEC. 7. Amend section one of article thirteen of said act, by striking out all of said section down to the period in line nine of said section, thus striking out the first and second sentences of said section.

Amend section five of article thirteen of said act by striking out all of said section after the word “bonds” in line seven of said section and substituting in lieu thereof the following: “Provided that until the gross debt of the said city computed in the manner prescribed by section two thousand nine hundred forty-three of the Consolidated Statutes shall be reduced to less than ten (10%) per centum of the assessed valuation of taxable property in said city as last fixed for taxation by said city, no bonds or notes of said city shall be issued in any fiscal year subsequent to the current fiscal year in excess of fifty (50%) per centum of the amounts expended in the next preceding fiscal year for the payment of debt required to be included in such
gross debt by said section two thousand nine hundred forty-three, or paid into a sinking fund maintained for payment of the principal of such debt unless the issuance of such bonds or notes shall first be submitted to the qualified voters of said city and a majority of such voters voting on such question shall be in favor of the issuance of such bonds or notes, or unless such notes shall be issued in anticipation of the collection of revenue of the fiscal year in which such notes are issued: Provided further, that nothing herein contained shall apply to the issuance of bonds or notes for the purpose of refunding, funding or renewing obligations or indebtedness of the city existing at the time of the ratification of this act."

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

Ratified this the 27th day of April, A.D. 1931.

CHAPTER 159
AN ACT AMENDING THE CHARTER OF THE TOWN OF MIDDLESEX, NASH COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter twenty-one, Private Laws of one thousand nine hundred and eight, be amended by erasing the word “annually” in line five of said section, and inserting in lieu thereof the word “biennially”.

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

Ratified this the 25th day of April, A.D., 1931.

CHAPTER 160
AN ACT TO VALIDATE CERTAIN WATER BONDS OF THE TOWN OF BOONE.

The General Assembly of North Carolina do enact:

SECTION 1. The proceedings of the board of aldermen of the Town of Boone adopted on the eighteenth day of March and the twenty-second day of May, one thousand nine hundred and thirty, authorizing the issue of twenty-eight thousand dollars water system bonds of the said Town, are hereby validated and the said bonds may be issued accordingly when advertised and sold pursuant to the Municipal Finance Act and to chapter two hundred and seventy-seven, Public Laws of one thousand nine hundred and twenty-nine, unaffected by such amendments thereof or other legislation as may have been or may hereafter be enacted at the present session of the General Assembly. The proceeds of the bonds shall be applied to constructing a water system for the said Town and its citizens, including the pay-
ment of notes heretofore issued for that purpose, but the pur-
chaser of the bonds shall not be obliged to see to such applica-
tion.

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

Ratified this the 25th day of April, A.D., 1931.

CHAPTER 161
AN ACT TO REPEAL CHAPTER ONE HUNDRED SIXTY-
SIX, PRIVATE LAWS, ONE THOUSAND NINE HUN-
DRED THIRTEEN, RELATING TO THE CHARTER OF
THE TOWN OF BONLEE IN CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and sixty-six of the
Private Laws of one thousand nine hundred and thirteen in-
corporating the town of Bonlee in Chatham County, and all
acts amendatory thereof, 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 29th day of April, A.D., 1931.

CHAPTER 162
AN ACT TO AMEND SENATE BILL THREE HUNDRED
FORTY RELATING TO THE RALEIGH AUDITORIUM
BUILDING COMMISSION.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill three hundred and forty, en-
acted at this session of the General Assembly, be and the same
is hereby amended as follows: By inserting after the comma
following the word "Chairman" in line seventeen of section
one, the names "Captain Samuel A. Ashe and W. Capers
White".

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

Ratified this the 29th day of April, A.D., 1931.

CHAPTER 163
AN ACT TO VALIDATE CERTAIN ACTS OF THE BOARD
OF ALDERMEN OF THE TOWN OF MARION.

Whereas the town of Marion, North Carolina, has hereto-
fore paved certain streets and sidewalks in the Town of Marion
and has assessed part of the cost against the abutting property
owners: and whereas the said property owners have received
and are enjoying the benefits of said improvements; and where-
as there may be some question as to whether the records of the Town of Marion show that a proper petition for and notice of said assessments was given as required by statute; and whereas the said assessments in all other respects are proper and valid; and whereas it is the purpose hereof to validate the said assessments so far as the lack of petition and notice, and no further, now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the action of the Board of Aldermen of the Town of Marion in levying assessments on adjoining property owners for street and sidewalk pavements are hereby validated, notwithstanding the lack of petition and notice of said assessments, where the said assessments are otherwise valid and the adjoining property owners have received and are enjoying the benefits of said assessments.

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

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

Ratified this the 1st day of May, A.D., 1931.

CHAPTER 164

AN ACT TO TRANSFER THE LEVY OF TAXES IN THE BESSEMER CITY GRADED SCHOOL DISTRICT FROM THE BOARD OF TRUSTEES OF THAT DISTRICT TO THE BOARD OF COMMISSIONERS OF GASTON COUNTY.

Whereas, Chapter two hundred and forty-two (242) of the Private Laws of one thousand nine hundred and thirteen (1913) imposes upon the Board of Trustees of the Bessemer City Graded School District the duty of levying taxes for school purposes in that district, and

Whereas, the tax collector was required by said act to be appointed by the Board of Trustees to collect the taxes in said district, now therefore

The General Assembly of North Carolina do enact:

SECTION 1. That the authority to levy taxes, both for current expenses and to meet the principal and interest of bonds outstanding, imposed by Chapter two hundred and forty-two (242) of the Private Laws of one thousand nine hundred and thirteen (1913) upon the Board of Trustees of the Bessemer City Graded School District be and the same are hereby transferred to the Board of Commissioners of Gaston County, which Board of Commissioners shall levy said taxes under the authority of law at the times provided by law for the levying of
county taxes and to the amount as required by the budget of the Board of Trustees of said graded school district supplied to the Board of Education, in accordance with the school law.

SEC. 2. That the office of Tax Collector in Bessemer City Graded School District be and the same is hereby abolished. The Tax Collector of Gaston County, acting in Crowder's Mountain Township be, and he is, hereby authorized, empowered and directed to collect the special taxes in said school district, both for the maintenance of the school and for the payment of the interest and principal of outstanding bonds of said district, under the same rules, regulations and statutes under which he collects the general taxes for Gaston County. He shall pay over said taxes in accordance with the general law and at the times provided therein to the Treasurer of Gaston County, who shall place all the proceeds of such taxes to the credit of said Bessemer City Graded School District, and thereafter from time to time said funds shall be paid over to the Treasurer of the Bessemer City Graded School District to be expended by the trustees of said district as provided in Chapter two hundred and forty-two (242) of the Private Laws of one thousand nine hundred and thirteen (1913).

SEC. 3. That section twenty-three (23) of Chapter two hundred and forty-two (242) of the Private Laws of one thousand nine hundred and thirteen (1913), prescribing when taxes shall be due in said school district and discounts for prompt payment and the enforcement of the collection be, and the same is, hereby repealed. In the enforcement and collection of the taxes in said district, the general laws applicable to the collection of general taxes of Gaston County shall be in all particulars applicable to the enforcement and collection of taxes in said graded school district.

SEC. 4. That said Chapter two hundred and forty-two (242), Private Laws of one thousand nine hundred and thirteen (1913), be and the same is hereby modified or repealed only to the extent necessary to carry out the purpose and intent of this act.

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

Ratified this the 7th day of May, A.D., 1931.

CHAPTER 165

AN ACT TO INCORPORATE THE TOWN OF TODD IN WATAUGA AND ASHE COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Town of Todd in Ashe and Watauga Counties, be and the same is hereby incorporated under the name and style of "The Town of Todd", and shall be subject to
all the provisions contained in the code for incorporated towns; also subject to the general laws in relation to municipal corporations.

SEC. 2. The corporate limits of said town shall be as follows, viz: Beginning at an iron stake which stands at the east corner of the Post Office, as now located and runs three quarters of a mile each north, east, south and west, with the cardinal points of the compass, and intermediate points of the same a like distance of three quarters of a mile so as to form an exact octagon.

SEC. 3. That the officers of said Town of Todd shall consist of a mayor, three aldermen and a marshall, and the aldermen of said town shall have power to elect a secretary and treasurer and tax collector, who shall be required to give bond for the faithful discharge of any duties devolving upon said secretary and treasurer and tax collector in such amount as said aldermen may fix.

SEC. 4. That for the purpose of carrying this act into immediate operation, and until their successors are elected on the first Monday in May, nineteen hundred and thirty-one, and have qualified in accordance with this act, the following named persons shall fill said offices of mayor and aldermen, to wit: as Mayor, W. C. Cook, and as Aldermen, T. A. McGuire, J. L. Miller and H. M. Winkler. The marshall and said town shall be appointed or elected by the aldermen, and such officers shall have the same powers and authorities as are conferred upon like officers by law, and such additional authority as may be conferred upon the Town of Todd by this act.

SEC. 5. That an election shall be held in the Town of Todd for the election of officers mentioned in this act, with the exception of town marshall, which officer shall be elected by the board of aldermen and not by the direct vote of the people of the town, on the first Monday in May, A.D., nineteen hundred and thirty-one, and biennially thereafter, under the same regulations and restrictions that govern the State and county elections.

SEC. 6. That it shall be the duty of the officers elected to meet, organize and take the oath of office.

SEC. 7. That the mayor and aldermen shall be styled commissioners and shall have power to levy and collect a tax not to exceed fifty cents on the polls; on all property in said town an amount not to exceed fifteen cents on the one hundred dollars worth of property.

SEC. 8. That when it shall be necessary for the preservation of the public peace, good order and common decency, or for the protection of life, liberty, person or property of individuals, the town marshall shall have authority and it shall be his duty
to arrest without warrant the body or bodies of the offending party or parties who have violated the law in the presence of such marshall, and take the offenders before the said mayor of the town as soon as practicable, to be dealt with as the law directs; and to every resistance to such authority by such offenders or others, the party so resisting shall be punished as the ordinance of said town shall provide; and if necessary the marshall shall have power to call to his aid any bystander to assist in making any legal arrest, and one so summoned or called who refuses or fails to help in such arrest, shall upon conviction before the mayor, be punished as the ordinances of the town shall prescribe.

SEC. 9. That the commissioners of said town shall have power to apply the taxes collected under this act, together with all fines and forfeitures, and all other fines derived from the legitimate exercise of this act as they may deem necessary.

SEC. 10. That it shall be the duty of the commissioners to require the marshall to enter into a bond, payable to the State of North Carolina, to the use of the Town of Todd, conditional for the faithful performance of his duties, which bond is to be approved by the commissioners.

SEC. 11. That the officers of said town shall receive such compensation for their services as the mayor and board of aldermen of said town, in their discretion, may authorize.

SEC. 12. That if any officers appointed under this act shall for any reason, fail to serve, or if a vacancy shall at any time occur in the board of aldermen, then the remaining members of the said board of aldermen shall elect or appoint some reputable citizen of said town to fill such vacancy: Provided, that if for any reason the mayor fail to qualify, or if a vacancy occur in said office, then the board of aldermen shall elect or appoint from the citizens of said town, a mayor, who shall serve as such until the next regular election for town officers or until his successor is elected and qualifies.

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

Ratified this the 4th day of May, A.D., 1931.

CHAPTER 166
AN ACT TO RELIEVE CHURCH PROPERTY IN THE TOWN OF WINDSOR, BERTIE COUNTY, FROM FIFTY PER CENT OF STREET PAVING ASSESSMENTS, IF APPROVED BY A MAJORITY OF THE VOTERS.

The General Assembly of North Carolina do enact:

SECTION 1. That all real estate now owned or which may hereafter be acquired by any of the churches of the town of Windsor and used for church or parsonage purposes shall be Church property relieved of half of paving assessments in Windsor.
relieved from fifty per cent of special paving front foot assessments for paving already done and also from future paving assessments.

Sec. 2. That the commissioners of the town of Windsor shall levy annually an ad valorem tax sufficient to cover the total annual special assessments against church property in the town of Windsor to be collected and applied in lieu of said special assessments.

Sec. 3. That when any of such property shall no longer be owned and used by any of said churches for church or parsonage purposes, during the period for levying and collecting said special paving assessments, the same shall immediately become liable for the unpaid paving assessments as may appear on the assessment roll of said town.

Sec. 4. That at the next regular municipal election to be held in the town of Windsor on Tuesday after the first Monday in May, one thousand nine hundred and thirty-one, there shall be submitted to the qualified voters of said town the question of relieving the said churches from the payment of said street paving assessments as set forth in section one of this act. At said election the voters favoring the relief of said churches shall vote a ballot on which shall be written or printed the words "For Relief of Church Property", those opposed shall vote a ballot on which shall be written or printed the words "Against Relief of Church Property." If a majority of the votes cast on this question shall be for relief of church property then this act shall be in full force and effect, otherwise to be null and void.

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 full force and effect from and after its ratification.

Ratified this the 4th day of May, A.D., 1931.

CHAPTER 167

AN ACT TO POSTPONE THE COLLECTION OF STREET ASSESSMENTS ON THE OLD LADIES’ HOME IN CHARLOTTE, NORTH CAROLINA.

Whereas, it is probable that the Old Ladies’ Home, at the corner of Belmont Avenue and Seigle Street, in the City of Charlotte, North Carolina, will be opened for the charitable purpose of providing a home for old ladies:

The General Assembly of North Carolina do enact:

SECTION 1. That when the Old Ladies’ Home in the City of Charlotte, North Carolina, is opened by an organization now contemplating doing so, to take care of old ladies, the governing
body of the City of Charlotte, North Carolina, is hereby given power and authority to postpone the collection of the street assessments now due and to become due on Belmont Avenue and Seigle Street assessed against the Old Ladies' Home, pursuant to and in the manner and method set forth in Private Laws one thousand nine hundred and twenty-nine, Chapter ninety-four, in relation to the Mercy Hospital of Charlotte, and upon the same provisions, conditions and terms therein set forth. Similar statutes were passed in one thousand nine hundred and twenty-nine in reference to the Presbyterian and Saint Peters' Hospitals in Charlotte, North Carolina.

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

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

Ratified this the 4th day of May, A.D., 1931.

CHAPTER 168

AN ACT TO AMEND CHAPTER THIRTY-SEVEN OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-THREE, BEING THE CHARTER OF THE CITY OF GREENSBORO.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter thirty-seven of the Private Laws of one thousand nine hundred and twenty-three, entitled, "An act to incorporate the City of Greensboro, etc.," and amendments thereto, be further amended as follows:

a. That section fifty-one of the said chapter thirty-seven of the Private Laws of one thousand nine hundred and twenty-three, as heretofore amended, be further amended by adding at the end thereof the following:

"Whenever taxes of any kind are or have been through clerical error, or misinterpretation of the law, or otherwise, collected and paid into the city treasury in excess of the amount legally due the city, the city council may in its discretion authorize the city treasurer to refund the amount so illegally collected to the person entitled thereto, upon certificate of the head of the department through which said taxes were collected, or his successor, in the performance of the functions of such department, with the approval of the city attorney; provided, a resolution shall be adopted by the city council setting forth in each case the reason for authorizing such refund, and such resolution shall be spread upon the minutes of the council, and provided, further, that demand is made for the correction of such error or errors within three years from the time of such payment."

Method of relieving.

Conflicting laws repealed.

Ch. 37. Private Laws 1923, amended.

Section 51.

Refund of taxes erroneously paid in Greensboro.

Resolution of city council necessary.

Demand must be made within 3 years.
Sec. 2. That all laws and parts of laws in conflict with this act are repealed insofar as they affect this act.

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

Ratified this the 4th day of May, A.D., 1931.

CHAPTER 169
AN ACT TO REPEAL HOUSE BILL NUMBER EIGHT HUNDRED FIFTY-TWO, RATIFIED MARCH SIXTEENTH, ONE THOUSAND NINE HUNDRED THIRTY-ONE, BEING AN ACT ENTITLED TO AMEND CHAPTER SIXTY-TWO OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-NINE, ENTITLED AN ACT TO INCORPORATE WOODVILLE BAPTIST CHURCH, PERQUIMANS COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number eight hundred fifty-two, ratified March sixteenth, one thousand nine hundred thirty-one, being a bill entitled "An Act to amend Chapter sixty-two (62) of the Private Laws of one thousand nine hundred twenty-nine, entitled An Act to Incorporate Woodville Baptist Church, Perquimans County, North Carolina, be and the same is hereby repealed.

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

Ratified this the 6th day of May, A.D., 1931.

CHAPTER 170
AN ACT TO AUTHORIZE THE CITY OF STATESVILLE TO ISSUE SEWER BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That the city of Statesville, Iredell County, shall have power and is authorized to issue at one time, or from time to time, not exceeding one hundred and fifty thousand dollars ($150,000.00) of sewer bonds for the purpose of extending and improving its present existing sanitary sewer system. And except as herein provided said bonds hereby authorized shall be issued pursuant to the Municipal Finance Act and the Local Government Act, of nineteen hundred and thirty-one, as such acts shall exist at the time proceedings for the issuance of said bonds are taken, but the limitation and restriction imposed by sub-section two of section two thousand
nine hundred and forty-three of the Consolidated Statutes shall not apply to the bonds hereby authorized.

SEC. 2. The bonds hereby authorized shall mature and funds for their payment shall be raised as provided in the Municipal Finance Act, except that the first installment or series of bonds may be made payable not more than five years after the date of the first issued bonds of such issue.

SEC. 3. The powers conferred by this act are conferred in addition to, and not in substitution of, the existing powers of the city of Statesville, and nothing herein shall prevent or limit the issuance of bonds of said city under the Municipal Finance Act or other acts applicable to said city.

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

Ratified this the 6th day of May, A.D., 1931.

CHAPTER 171

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT TO AMEND CHAPTER THREE HUNDRED NINETY-FIVE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED NINE AND ALL ACTS AMENDATORY THEREOF, RELATING TO THE CITY CHARTER OF THE CITY OF HIGH POINT," RATIFIED THE TWENTY-FIRST DAY OF MARCH, ONE THOUSAND NINE HUNDRED THIRTY-ONE.

The General Assembly of North Carolina do enact:

SECTION 1. That sub-section (h) of section four, article two of said act be amended by adding thereto the following: "The said City of High Point be, and it is hereby authorized and empowered, in its discretion, to extend, construct or purchase, maintain and operate its water, sewerage and electric light lines and systems for a distance of not exceeding three miles in all directions beyond the corporate limits of said city as the same now exist or may hereafter be established; to sell and furnish electric current and lights to users in such area, and to charge for the use of such utilities such rates as the City Council may determine."

SEC. 2. That article thirteen be amended by changing section six to section seven, section seven to section eight, section eight to section nine, section nine to section ten, and inserting as section six thereof the following: "Section six. No action against the City of High Point of any character whatsoever for damages to either person or property shall be instituted against the said city unless the complainant, his attorney or personal representative, shall have given notice to the City Council in writing of the specific damage or damages, the nature of which is to be described in such notice, not less than thirty days before the institution of such action.

Notice of claims against City must be filed before action is brought.
Council of the City of High Point of such injury, in writing, within six months after the occurrence of the cause of complaint, stating in such notice the date and place of happening or infliction of said injury, the manner of such infliction or character of injury and the amount of damage claimed therefor. No suit or action shall be brought thereon within thirty days from the time of the presentation of said claim. Unless the claim is so presented within six months after the cause of action occurred any claim thereon shall be barred. The provisions of this section shall apply to any such claim against the city that has heretofore arisen and upon which suit has not been instituted: Provided, that notice of claim on any such cause of action shall be made to the City Council as herein provided within six months after the ratification of this act: Provided, further, that nothing in this act shall be construed as extending the present statute of limitations for any action which would otherwise be barred."

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

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

Ratified this the 9th day of May, A.D., 1931.

CHAPTER 172

AN ACT TO AMEND SECTION SEVEN, CHAPTER SIX HUNDRED NINETY-NINE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-SEVEN, RELATING TO THE SALARY OF THE PROSECUTING ATTORNEY OF THE MUNICIPAL COURT OF THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

Section 1. Amend section seven of Chapter six hundred and ninety-nine of the Public-Local Laws of one thousand nine hundred and twenty-seven, by striking out all of section seven and inserting in lieu thereof the following:

"Sec. 7. From and after June first, one thousand nine hundred and thirty-one, the salary of the prosecuting attorney shall be fixed by the City Council of the City of High Point, and shall be paid out in equal monthly installments."

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

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

Ratified this the 9th day of May, A.D., 1931.
CHAPTER 173
AN ACT TO REGULATE THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF THE GRADED SCHOOLS OF GRANITE FALLS.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred and forty-seven (247), Private Laws one thousand nine hundred and twenty-three, be, and the same is, hereby amended by adding at the end of section one thereof the following:

"Vacancies arising from death, resignation or otherwise shall be filled from the unexpired term of the previous incumbent.

Vacancies arising from the expiration of the term of any incumbent shall be for three years, commencing the first Monday in April in the year in which such term or terms expire."

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

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

Ratified this the 9th day of May, A.D., 1931.

CHAPTER 174
AN ACT TO AUTHORIZE THE COUNCILMEN OF THE CITY OF ASHEVILLE TO LEASE THE PUBLIC PARKS, PLAYGROUNDS, MUNICIPAL GOLF LINKS, AUDITORIUM AND OTHER PROPERTY OWNED BY THE CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Councilmen of the City of Asheville be and they are hereby authorized and empowered to lease the recreation park, municipal golf links, public play grounds, the auditorium, and other property owned by the municipality of the City of Asheville, upon such terms and conditions as to the judgment of the Councilmen of the City of Asheville will be advantageous and to the best interests of the city.

SEC. 2. That before any lease of any property owned by the city in compliance with and under the terms of this chapter shall be made, executed and delivered, the same shall be advertised for a period of thirty consecutive days next preceding the execution and delivery of any such lease or leases, by advertising in a conspicuous place in the daily paper in the City of Asheville having the highest or next highest paid circulation, which advertisements shall be published in that edition of said paper having the largest circulation in the City of Asheville.
SEC. 3. No lease of any such property shall be made under authority contained in this chapter that will not guarantee to the citizens of Asheville the same advantages and benefits now enjoyed by them under the present management and administration by the city authorities.

SEC. 4. The lessee or lessees of any property leased under the terms of this chapter shall be compelled to give a good and sufficient bond in some approved surety company, guaranteeing on the part of the lessee the faithful performance of said lease.

SEC. 5. For the purpose of maintaining peace, good morals and wholesome sports, the City of Asheville shall at all times have supervision of the property so leased for said purposes and no other.

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

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

Ratified this the 9th day of May, A.D., 1931.

CHAPTER 175

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF ROXBORO TO ISSUE BONDS OF THE ROXBORO GRADED SCHOOL DISTRICT FOR THE PURPOSE OF FUNDING THE DEBT OF SAID SCHOOL DISTRICT.

 Whereas, the Roxboro Graded School District has an outstanding debt amounting to fifteen thousand dollars, being an accumulation of deficits accruing during the past four years, said deficits having been occasioned by the failure of the Board of Commissioners of Roxboro to levy a sufficient tax during those successive years to entirely defray the expense of an extended term in said district: Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Roxboro be and it is authorized and empowered to issue and sell bonds of said Roxboro Granded School District in a sum not exceeding fifteen thousand dollars for the purpose of funding said debt.

SEC. 2. That the said bonds herein authorized shall mature annually, beginning not longer than one year after the date of issue, and ending not longer than sixteen years from the date of issue. Said bonds shall be issued and sold in the manner provided by law for the issuance and sale of municipal bonds.

SEC. 3. That the said Board of Commissioners, after the sale of said bonds, shall levy a sufficient ad valorem tax in said school district to pay the principal and interest of said bonds as they severally fall due.
SEC. 4. That before any bonds shall be issued or sold under the provisions of this act the same shall be approved by the Local Government Commission and the said Board of Commissioners of Roxboro shall cause the question of the issuance and sale of same to be submitted to the electors of said school district at a general election held in said town of Roxboro or at a special election called by the said board of commissioners for said purpose, and held under the provisions of law governing municipal elections. If at such election a majority of the qualified voters of said school district shall approve of the issuance and sale of said bonds the said board of commissioners may thereupon proceed to issue and sell them in the manner herein provided. If, however, at such election the issuance and sale of said bonds is not approved by a majority of the qualified voters of said district no bonds shall be issued under the authority of this act: Provided, however, that the question may be resubmitted at intervals of not less than ninety days, and said bonds may be issued and sold after they have been approved by a majority of the qualified voters of said school district at such election.

SEC. 5. At any such election the said board of commissioners may in their discretion order a new registration of voters in said school district, or they may cause to be used the existing registration of voters in said district. Advertisements of said elections and registrations shall be made as provided by law.

SEC. 6. After said bonds shall have been authorized and before they are issued, the said board of commissioners may sell notes of said school district in anticipation of the sale of said bonds.

SEC. 7. Nothing contained in this act shall prevent the said board of commissioners from issuing bonds or notes for the purpose of funding and/or refunding said debt under any general law that may authorize same and without submitting the same to the vote of the electors of the said school district if same be not required by the said general law.

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

Ratified this the 11th day of May, A.D., 1931.

CHAPTER 176

AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO ESTABLISH AND REGULATE DAYLIGHT SAVING TIME IN THE CITY OF WILMINGTON.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the City of Wilmington, be, and they are hereby authorized and empowered to establish, fix and regulate for the City of Wilmington-
ton daylight saving time, during such period of the year as said Board of Commissioners may deem wise and necessary: Provided, such daylight saving time shall not begin prior to April first, or extend beyond October first, of each year, and provided further that such daylight saving time shall be established by Eastern Standard Time being advanced one hour at such time as said Board of Commissioners shall prescribe and by said daylight saving time being retarded one hour, placing the time back to the Eastern Standard Time at such time as said Board of Commissioners shall prescribe, as provided herein.

SEC. 2. That this act shall apply to the City of Wilmington only.

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

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

Ratified this the 13th day of May, A.D., 1931.

CHAPTER 177
AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE BESSEMER CITY GRADED SCHOOL DISTRICT TO COLLECT THE UNPAID TAXES OF THE DISTRICT PRIOR TO AND INCLUDING THE YEAR NINETEEN HUNDRED AND THIRTY.

Whereas, the authority to levy and collect any and all taxes has been transferred from the Board of Trustees of the Bessemer City Graded School District to the Board of County Commissioners of Gaston County, and

Whereas, prior to said transfer of authority the trustees of said school district have levied taxes from year to year and have appointed tax collectors to collect the same, and

Whereas, there are certain unpaid taxes on the tax books in said school district for the years nineteen hundred and twenty-four to nineteen hundred and thirty inclusive: Therefore

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Trustees of the Bessemer City Graded School District shall have full power and authority to collect any and all of the unpaid taxes appearing on the tax books of the said school district for the year nineteen hundred and twenty-four to nineteen hundred and thirty inclusive and the tax collectors heretofore appointed by the trustees of said school district may proceed in accordance with the charter of the school district and the general laws of the State to collect the delinquent taxes or the trustees of said
district may appoint one or more tax collectors to collect any and all of the unpaid taxes for the years nineteen hundred and twenty-four to nineteen and thirty inclusive.

Sec. 2. That nothing contained herein shall be construed to authorize and empower the Board of Trustees of the Bessemer City Graded School District to levy any taxes or to collect any taxes that may be levied for any year after the year nineteen hundred and thirty, the power to levy and collect the taxes of the district, commencing with the year nineteen hundred and thirty-one, having been heretofore transferred from the Trustees of the School District to the County Commissioners.

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

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

Ratified this the 13th day of May, A.D., 1931.

CHAPTER 178
AN ACT TO AMEND CHAPTER ONE HUNDRED FORTY-SIX PRIVATE LAWS ONE THOUSAND NINE HUNDRED TWENTY-THREE, RELATING TO THE CHARTER OF MURFREESBORO.

The General Assembly of North Carolina do enact:

Section 1. That section three of Chapter one hundred forty-six, Private Laws of one thousand nine hundred twenty-three, is hereby repealed.

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

Ratified this the 14th day of May, A.D., 1931.

CHAPTER 179
AN ACT TO AMEND CHAPTER TWO TWENTY-FOUR OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-ONE AND AMENDMENT THERETO, ENTITLED "AN ACT PROVIDING FOR A COMMISSION FORM OF GOVERNMENT FOR THE CITY OF WILMINGTON".

The General Assembly of North Carolina do enact:

Section 1. That section one of Chapter one hundred and eighty-nine of the Private Laws of one thousand nine hundred and twenty-three (1923), be and the same is hereby amended by striking out section one in said Chapter and inserting in lieu thereof the following words:
SEC. 2. The Commissioner of Finance shall be the Purchasing Agent of the Board of Commissioners of the City, and all property, supplies, and material of every kind whatsoever shall, upon the order of the Board of Commissioners, be purchased by him, and when so purchased by him the bills therefor shall be submitted to and approved by the Board of Commissioners before warrants are issued therefor; when such warrants are issued they shall be signed by the said Commissioner and counter-signed by some other person designated by the Board of Commissioners; he shall be collector of all taxes; he shall collect all water rents.

SEC. 3. That section two of Chapter one hundred and eighty-nine of the Private Laws of one thousand nine hundred and twenty-three (1923), be and the same is hereby amended by striking out all of section two in said Chapter and inserting in lieu thereof the following words:

SEC. 4. It shall be the duty of each Commissioner to recommend to the City Purchasing Agent the purchase of goods and the contract for all things necessary to be contracted for in his department, and these recommendations shall be submitted to the Board of Commissioners for its orders with respect thereto.

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

SEC. 6. That this act shall be in full force and effect on and after the first day of July, one thousand nine hundred thirty-one.

Ratified this the 16th day of May, A.D., 1931.

CHAPTER 180

AN ACT AMENDING HOUSE BILL NUMBER ONE THOUSAND ONE HUNDRED AND SIXTY-NINE, RATIFIED APRIL TENTH, ONE THOUSAND NINE HUNDRED THIRTY-ONE, ENTITLED "AN ACT TO PERMIT THE CITY OF WILMINGTON TO ABANDON ITS MUNICIPAL LOCKUP OR GUARDHOUSE AND TO USE THE COUNTY JAIL FOR THE CONFINEMENT OF MUNICIPAL PRISONERS."

The General Assembly of North Carolina do enact:

SECTION 1. That section one of said House Bill Number One Thousand One Hundred Sixty-nine, ratified April tenth, one thousand nine hundred and thirty-one, be stricken out and amended so as to read as follows:

"That the City of Wilmington may by agreement with the County of New Hanover, provide for the confinement or incarceration in the common jail of New Hanover County, of all
persons arrested by the city authorities and awaiting hearing
in the courts of said city or county.

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

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

Ratified this the 21st day of May, A.D., 1931.

CHAPTER 181
AN ACT TO REGULATE THE FILLING OF VACANCIES
IN THE OFFICES OF MAYOR AND ALDERMAN IN
THE CITY OF STATESVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That if any vacancy should occur in the office
of Mayor or Alderman in the City of Statesville, the Board of
Aldermen, before filling such vacancy, shall give public notice
of the same in some newspaper published in the City of States-
ville at least fifteen (15) days before the date fixed for the
filling of said vacancy or vacancies. The election to fill said va-
cancy or vacancies shall be held by said Board of Aldermen
between the hours of nine A. M. and five P. M. of the day fixed
for such election.

The person or persons, so elected, shall hold said office or
offices until the next general municipal election and until their
successors, elected at such election, shall qualify.

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

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

Ratified this the 21st day of May, A.D., 1931.

CHAPTER 182
AN ACT TO PROVIDE FOR ELECTION IN THE TOWN
OF RICHLANDS, ONSLOW COUNTY.

Whereas, the charter of the Town of Richlands, Onslow
County, Chapter four hundred and seventeen of the Private
Laws of North Carolina, session nineteen hundred and five,
provides that town elections shall be held on the second Tuesday
of the month of May in all odd years; and

Whereas, owing to the general statutory provision calling for
such election on the first Tuesday of May, some confusion has
arisen as to which date is correct, and no election has been held
on either date in May, nineteen hundred and thirty-one; and,
Primary already held. Whereas, at a town meeting duly held on April, twenty-fourth, nineteen hundred and thirty-one, a ticket for Mayor and Town Aldermen was duly nominated, and election officers were duly appointed: now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the election for said Town of Richlands shall be held on June sixteenth, nineteen hundred and thirty-one, in lieu of the regular May election; and hereafter the election date for said town shall be the first Tuesday of May.

Sec. 2. That the present Mayor and Aldermen of the Town of Richlands shall provide printed ballots for such election to be held on June sixteenth, and the candidates named by the town meeting of April twenty-fourth, shall be the names printed on such official ballots; and said election shall be held and conducted in all respects as provided in said charter of said Town of Richlands, insofar as the same is not in conflict with the provisions of this act.

Sec. 3. That the same registrar and pollholders appointed originally for said election shall act for the election of June sixteenth, provided any vacancy may be filled as provided in said charter.

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

Ratified this the 21st day of May, A.D., 1931.

CHAPTER 183

AN ACT TO INCREASE THE BOARD OF COMMISSIONERS OF THE TOWN OF STAR, MONTGOMERY COUNTY, FROM THREE TO FIVE MEMBERS.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of the Town of Star, Montgomery County, be and it is hereby increased from three to five members, the two additional members to be elected by the present board, and their successors to be chosen at the next municipal election in said town and at each successive municipal election for officers of said town thereafter.

Sec. 2. That the compensation of each of the said five commissioners of the Town of Star shall be ten dollars per year.

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

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

Ratified this the 25th day of May, A.D., 1931.
CHAPTER 184

AN ACT TO AMEND HOUSE BILL NUMBER ONE THOUSAND THREE HUNDRED FORTY-NINE WHICH AUTHORIZES THE CITY OF ASHEVILLE TO LEASE PUBLIC PARKS, PLAYGROUNDS, MUNICIPAL GOLF LINKS, AUDITORIUM AND OTHER PROPERTY OWNED BY SAID CITY.

The General Assembly of North Carolina do enact:

SEC. 1. That section two of House Bill Number One Thousand Three Hundred Forty-nine be, and the same is hereby amended by striking out the word "thirty" in line four, of said section, and inserting the word "ten", in lieu thereof just after the word "of" and before the word "consecutive."

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

Ratified this the 26th day of May, A.D., 1931.

CHAPTER 185

AN ACT TO ENABLE CITY OF HICKORY TO LEASE A LOT IN ITS PARK.

The General Assembly of North Carolina do enact:

SECTION 1. The governing body of the City of Hickory is hereby authorized to lease a lot situate within its park known as Carolina Park to any legally organized Woman's Club for the purpose of having erected and maintained a community building thereon.

Sec. 2. The period of the lease shall not exceed twenty-five years.

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

Ratified this the 26th day of May, A.D., 1931.

CHAPTER 186

AN ACT TO AMEND SENATE BILL NUMBER THREE HUNDRED NINETY-FIVE, BEING THE CHARTER OF THE CITY OF ASHEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That the act of the General Assembly of North Carolina, known as Senate Bill Number Three Hundred Ninety-five, entitled "An Act to Incorporate the City of Asheville, to define its corporate limits, to provide for its government, and for other purposes" be amended by inserting in article two...
thereof following section seventeen a section to be known as 17-A as follows:

"That all ordinances shall be published in the daily newspaper published in the City of Asheville having the largest or second largest circulation, said publication of each ordinance to be for one time in every copy of the edition of said newspaper having the largest circulation in the City of Asheville."

SEC. 2. That said act be also amended by inserting in article eight thereof, following section thirty-eight, a section to be known as 38-A, reading as follows:

"The council shall have power to authorize the appointment by the City Manager or by the director of the Department of Public Safety of special police receiving no compensation from the City for preservation of the peace, happiness and welfare of the inhabitants thereof, and of property therein. Such special police shall not belong to the classified service of the City."

SEC. 3. That section 101-A of said act be amended to read as follows: "Each member of the council shall receive a salary of three hundred dollars ($300.00) per year, payable monthly, and the council may by resolution grant to the mayor additional salary provided that the total compensation of the mayor shall in no event exceed twelve hundred dollars ($1200.00) per year. The council shall fix the compensation and/or salaries of the City Clerk, the City Manager, the Corporation Council, employees of the legal department, the solicitor of the police Court and department heads. All other salaries shall be fixed by the City Manager, with the approval of the council."

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

Ratified this the 27th day of May, A.D., 1931.

CHAPTER 187

AN ACT TO AMEND THE CHARTER OF THE TOWN OF BOONE, WATAUGA COUNTY, NORTH CAROLINA, AND ALL AMENDMENTS THERETO AND TO REPEAL CHAPTER TWO HUNDRED TWENTY OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-FIVE, AND CHAPTER TWO HUNDRED TWENTY-THREE PRIVATE LAWS ONE THOUSAND NINE HUNDRED TWENTY-SEVEN.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred and twenty (220) of the Private Laws of one thousand nine hundred twenty-five, and Chapter two hundred and twenty-three (223) of the Private Laws of one thousand nine hundred twenty-seven are hereby repealed.
SEC. 2. That the Mayor of the Town of Boone shall be entitled for his services as may be fixed by the Board of Aldermen. the sum not exceeding twenty-five dollars ($25.00) per month and that the aldermen of the said town shall be entitled to receive the sum not exceeding one hundred ($100.00) dollars each per annum for their said services, to be fixed by said board.

SEC. 3. That all costs that shall accrue in the mayor’s Court and collected by the officers of said Town of Boone shall be turned into the treasury of the said Town to be used for any purposes that the aldermen and mayor shall see fit to direct it to be used for.

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

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

Ratified this the 27th day of May, A.D., 1931.

CHAPTER 188

AN ACT TO AMEND CHAPTER FIFTEEN, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND AND TWENTY-THREE, RELATIVE TO THE CHARTER OF THE CITY OF ELIZABETH CITY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. Amend sections sixty-five and sixty-six, chapter fifteen, Private Laws of the Session of one thousand nine hundred and twenty-three, by adding to each of said sections the following:

“Provided, nothing herein, or in this act, contained, shall prevent the Board of Aldermen in its discretion from combining the office of the City Manager with the office of Mayor, and conferring upon the Mayor the duties and powers of City Manager: Provided, further, that in the event of such consolidation of said offices, and for such length of time as said offices shall be so combined, the total salary paid said officer shall in no event exceed that now authorized to be paid the City Manager by section seventy-two of said act.”

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

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

Ratified this the 27th day of May, A.D., 1931.
CHAPTER 189

AN ACT TO REPEAL CHAPTER FIVE HUNDRED AND FOUR, PUBLIC-LOCAL LAWS OF SESSION OF ONE THOUSAND NINE HUNDRED AND FIFTEEN, RELATIVE TO THE MUNICIPAL COURT IN THE CITY OF HIGH POINT, AND TO AMEND SECTION TWENTY OF CHAPTER FIVE HUNDRED AND SIXTY-NINE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTEEN, RELATIVE TO THE MUNICIPAL COURT OF THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

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

SEC. 2. That section twenty of chapter five hundred and sixty-nine, Public-Local Laws of one thousand nine hundred and thirteen, entitled "An Act to establish a Municipal Court for the City of High Point," be and the same is hereby repealed, and the following is hereby substituted in lieu thereof:

"SEC. 20. For the judge of said court, two dollars ($2); for the clerk of said court, such costs as are allowed by law in similar proceedings to the clerks of the Superior Courts; for the prosecuting attorney, two dollars ($2); jail fees, each defendant, one dollar ($1.00) turnkey and fifty cents ($.50) per diem; police, arrest fees, each defendant, one dollar ($1.00); police serving subpoena, each witness, fifty cents ($.50); conveying to county jail, each defendant one dollar ($1.00): Provided, that in cases of conviction of any offenses which are violations of the city ordinances, the fees allowed to such prosecuting attorney shall be one dollar ($1.00) in each case, and all such costs or penalties which are or may be imposed by the ordinances of the City of High Point or the laws of the State, when recovered before the judge, shall be paid by the clerk into the city treasurer's office, accompanied by an itemized statement showing when and from whom received, and whether imposed and collected by way of costs or otherwise; and all fees allowed by law for an arrest or service of other process in a criminal action when the same shall have been made by the sheriff, chief of police, or other officer who is paid a salary, and all other costs and penalties shall be paid over to the treasurer of the City of High Point for the use and benefit of said city, and to reimburse it for the expense of supporting said court; and it shall be the duty of the city treasurer to enter upon a book kept for that purpose by him a detailed statement of all moneys received by him on such account; and all..."
fines, forfeitures, and penalties collected shall be paid to the county treasurer as provided by law."

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

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

Ratified this the 27th day of May, A.D., 1931.

CHAPTER 190
AN ACT TO INCREASE THE SCHOOL COMMITTEE OF LA GRANGE GRADED SCHOOL DISTRICT FROM FIVE TO SEVEN MEMBERS.
The General Assembly of North Carolina do enact:

SECTION 1. That the school committee of La Grange Graded School District, Lenoir County, be and it is hereby increased from five to seven members.

SEC. 2. That R. L. Uzzell and George Pollock be and they are hereby appointed members of said La Grange Graded School Committee to serve until April first, one thousand nine hundred and thirty-two, and until their successors are appointed.

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

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

Ratified this the 27th day of May, A.D., 1931.

CHAPTER 191
AN ACT TO AMEND CHAPTER THREE HUNDRED TWENTY-SEVEN OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTEEN, RELATING TO THE TOWN OF HAMLET.
The General Assembly of North Carolina do enact:

SECTION 1. That Chapter three hundred twenty-seven of the Private Laws of one thousand nine hundred thirteen relating to the Town of Hamlet be amended by striking out section thirteen thereof and inserting in lieu thereof a new section to read as follows: "Section 13. The board of Commissioners shall have the power at any regular monthly meeting to grant any franchise without submitting the same to a vote of the people; provided that a notice of the purpose or purposes for which the franchise is to be granted shall have been published for not less than two weeks previous to the granting of the
franchise in some local paper published in, or having a general circulation in the said Town of Hamlet; and provided further that all franchises so granted shall be for a period not exceeding fifty years and shall contain a provision that the franchise may be forfeited upon the violation of the terms and conditions of the same."

Sec. 2. That all acts or laws inconsistent with the provisions of this act are hereby repealed.

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

Ratified this the 27th day of May, A.D., 1931.

STATE OF NORTH CAROLINA,
OFFICE OF SECRETARY OF STATE.
RALEIGH, MAY 28, 1931.

I, J. A. Hartness, Secretary of State of the State of North Carolina, hereby certify that the foregoing (manuscript) are true copies of the original acts on file in this office.

[Signature]

Secretary of State.
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