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AN ACT TO REPEAL CHAPTER TWENTY-NINE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND SEVEN, RELATING TO THE CHARTER OF THE TOWN OF WHITTIER IN SWAIN AND JACKSON COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter twenty-nine of the Private Laws of one thousand nine hundred and seven be and the same is repealed.

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 That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.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 26th day of January, A.D. 1933.

AN ACT TO REPEAL CHAPTER 108, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1899, RELATING TO THE OFFICE OF COTTON WEIGHER FOR THE CITY OF CHARLOTTE AND TO ABOLISH SAID OFFICE.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter 108 of the Public-Local Laws of North Carolina, Session of 1899, be and the same is hereby repealed.

SEC. 2. That the office of cotton weigher for the city of Charlotte be and the same is hereby abolished.

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 That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 27th day of January, A.D. 1933.
H. B. 91

CHAPTER 3

AN ACT TO AUTHORIZE THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE TO SELL THE CHESTNUT AND PULP TIMBER ON THE TOWN WATERSHED.

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 authorized and empowered in their discretion to sell, at either public or private sale for cash, or upon such terms as they deem best, all the chestnut and pulp wood on the watershed.

Sec. 2. That said timber shall be cut and removed from said boundary in such a manner as to conserve the other timber and under such rules and regulations as may be imposed by the State Board of Health.

Sec. 3. That all moneys derived from said sale shall be kept in a separate fund and applied to the payment of town of Waynesville waterworks improvement bonds.

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 That all laws and parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 27th day of January, A.D. 1933.

H. B. 154

CHAPTER 4

AN ACT TO VALIDATE CERTAIN ACTS OF THE BOARD OF COMMISSIONERS OF THE TOWN OF ELKIN.

Preamble: Paving assessments in Elkin.

Whereas the town of Elkin, North Carolina, has heretofore paved certain streets and sidewalks in the town of Elkin, and has assessed the cost of said paving, together with interest, against the abutting property-owners; and

Whereas the said property-owners have received and are enjoying the benefits of said improvements; and

Whereas there may be some question as to whether the records of the town of Elkin show that proper steps were taken in the levying of said assessments as required by statute; and

Whereas it is the purpose hereto to validate said assessments so far as it may be necessary; now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the action of the board of commissioners of the town of Elkin in levying assessments on adjoining property
owners for street and sidewalk pavements and improvements is hereby validated.

SEC. 2. That all acts heretofore done and all steps taken by the town of Elkin in the widening, paving and repairing of streets and sidewalks of the town of Elkin, and in constructing water mains and laterals, sanitary sewer mains and laterals, storm sewers, curbs and gutters, building streets and sidewalks, and all such assessments levied therefor, are hereby in all respects approved and validated.

SEC. 3. That none of the installments of said street assessments, whether matured or unmatured, including interest on same and penalties, shall for any reason whatsoever become barred from collection before December thirty-first, one thousand nine hundred and forty-five.

SEC. 4. That all laws and parts of laws in conflict with this act are repealed in so far as they conflict with this act.

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

Ratified this the 27th day of January, A.D. 1933.

H. B. 163

CHAPTER 5

AN ACT TO AMEND SECTION THREE, CHAPTER TWENTY-SIX, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND FIVE, AS AMENDED BY SECTION TWO, CHAPTER ONE HUNDRED AND EIGHTY-NINE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND FIFTEEN, RELATING TO THE NUMBER OF ALDERMEN FOR THE TOWN OF FRANKLIN IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter twenty-six, Private Laws, one thousand nine hundred and five, as amended by section two, chapter one hundred and eighty-nine, Private Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out the word "six" in line three thereof and inserting in lieu thereof the word "three": Provided, that the present aldermen shall hold office until the end of the present term in May, one thousand nine hundred and thirty-three.

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 January, A.D. 1933.
S. B. 9

CHAPTER 6

AN ACT TO PROVIDE FOR THE MANAGEMENT, SUPERVISION AND IMPROVEMENT OF THE PROPERTY, GROUNDS AND CEMETERY OF THE PROVIDENCE CHURCH, GRAHAM, ALAMANCE COUNTY, NORTH CAROLINA.

Whereas it is the desire of the members of the Graham Providence Memorial Christian Church and of others interested in said church, and particularly in the beautification of the cemetery and grounds of said church, that the trustee of the Graham Providence Memorial Christian Church and the president of the Providence Memorial Association have power and authority to supervise the said grounds and cemetery and take such measures as they may deem necessary or proper to beautify or improve the arrangements and appearance of the same, especially as to the planting and growing of flowering shrubs and plants; therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the said trustee of the Graham Providence Memorial Christian Church and the president of the Providence Memorial Association be authorized and empowered in their discretion to do and perform whatever acts or things they may deem necessary or proper in arranging the planting of flowering shrubs, bushes and plants on or about the grounds and cemetery of the said Graham Providence Memorial Christian Church, and in general to do and perform whatever in their opinion may be necessary and proper in the general supervision and management of said grounds and cemetery, including the right and authority to cut, trim, transplant, remove or destroy plants, trees, shrubs, hedges and base plants, bulbs, roses and other flowering bushes, shrubs and plants, and to take such measures and means as they may deem proper for the preservation, beauty and the symmetrical development of the said property.

SEC. 2. That this act shall go into effect from and after the date of its ratification.

Ratified this the 30th day of January, A.D. 1933.
CHAPTER 7

AN ACT TO AMEND CHAPTER FORTY-TWO, PRIVATE LAWS, EXTRA SESSION ONE THOUSAND NINE HUNDRED AND TWENTY-FOUR, RELATING TO THE TIME OF MEETING OF THE TOWN COUNCIL OF THE TOWN OF RUTHERFORDTON.

The General Assembly of North Carolina do enact:

Section 1. That chapter forty-two, Private Laws, Extra Session one thousand nine hundred twenty-four, be amended by adding at the end of section nineteen, paragraph one, the following: “Provided, said council may by approved resolution change time and dates of regular meetings and fix such time as may suit their convenience, giving notice through a county newspaper of such change.”

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 30th day of January, A.D. 1933.

S. B. 6

CHAPTER 8

AN ACT TO AMEND CHAPTER 124, OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION OF 1929, RELATING TO A CIVIL SERVICE FOR EMPLOYEES OF THE CITY OF CHARLOTTE.

The General Assembly of North Carolina do enact:

Section 1. That chapter 124 of the Private Laws of North Carolina, Session of 1929, be amended in section three thereof by adding to line three thereof after the words “police department” and before the word “of” the words “and the sanitary policemen, including the chief thereof.”

Sec. 2. That chapter 124 of the Private Laws of North Carolina, session of 1929, be amended by striking therefrom the entire section 13 thereof, and inserting in lieu thereof the following: “Section 13. That the members of said Board shall serve without compensation.”

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

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

Ratified this the 1st day of February, A.D. 1933.
S. B. 141

CHAPTER 9

AN ACT TO AMEND CHAPTER ONE HUNDRED AND SIXTEEN OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND FIFTEEN, BEING AN ACT TO AMEND THE CHARTER OF THE TOWN OF SELMA.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred sixteen, section four, the Private Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out in line sixteen after the word “by” the words “railroad and public utility companies” and inserting in lieu thereof the words “the State Highway Commission.”

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

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

Ratified this the 6th day of February, A.D. 1933.

H. B. 193

CHAPTER 10

AN ACT TO AMEND CHAPTER EIGHTY-EIGHT, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-THREE, RE-ENACTING SECTIONS ONE AND TWO THEREOF, VALIDATING THE TAX LEVIES OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE AND ONE THOUSAND NINE HUNDRED AND THIRTY-TWO, AND VALIDATING THE ELECTION OF CERTAIN OFFICERS OF THE TOWN OF GATESVILLE.

The General Assembly of North Carolina do enact:

Section 1. That sections one and two of chapter eighty-eight, Private Laws, one thousand nine hundred and twenty-three, be and the same is hereby re-enacted.

Sec. 2. That the election of P. L. Hoffer, mayor; Dr. T. L. Carter, Rev. S. S. McGregor, and E. L. Riddick as commissioners of the town of Gatesville, held in the year one thousand nine hundred and thirty-two, be and the same is hereby validated and they are hereby declared to be duly constituted mayor and commissioners of the town of Gatesville, and all acts performed by said officials in such capacity since said election are hereby validated.

Sec. 3. That there shall be an election for the offices of mayor and three commissioners for the town of Gatesville held on
Tuesday after the first Monday in May, one thousand nine hundred and thirty-three, and biennially thereafter as now provided by law for elections in cities and towns of this State.

Sec. 4. That the levies of taxes for the town of Gatesville made by the commissioners of the said town for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two be and the same are hereby validated, and the said commissioners and the town constable appointed by them are hereby fully authorized to collect the said taxes for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two.

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 8th day of February, A.D. 1933.

H. B. 101

CHAPTER 11

AN ACT TO AMEND CHAPTER 59, PRIVATE LAWS OF NORTH CAROLINA, SESSION OF 1913, RELATING TO CITY ELECTIONS IN CITY OF RALEIGH.

The General Assembly of North Carolina do enact:

Section 1. That article eight of chapter fifty-nine, Private Laws of North Carolina, Session one thousand nine hundred and thirteen, be and the same is hereby amended by adding to the end thereof the following words:

"Provided, however, that if any candidate shall receive a majority of the votes for any elective office in the primary election he shall be deemed to be the sole nominee."

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 13th day of February, A.D. 1933.

H. B. 388

CHAPTER 12

AN ACT TO ESTABLISH FOR THE CITY OF CHARLOTTE THE CHARLOTTE FIREMEN'S RETIREMENT FUND ASSOCIATION.

The General Assembly of North Carolina do enact:

Section 1. That the name of this association shall be Charlotte Firemen's Retirement Fund Association.

Sec. 2. That this association may provide and raise suitable funds to be used as a pension fund for the members of the Char-
Those entitled to benefits.  lotte Fire Department who may become permanently incapacitated to perform their duties and/or those who have served in the Charlotte Fire Department a number of years and are not physically able to continue such service, and also for the relief and temporary support of members of the Charlotte Fire Department who may become temporarily incapacitated to perform their duties in said department, and may provide relief for certain persons dependent upon such members of the Charlotte Fire Department.

Sec. 3. That membership in this association be limited to the members of the Charlotte Fire Department of the City of Charlotte, N. C.

Sec. 4. The governing body of this association shall consist of a board of trustees, and such trustees shall be elected annually from the members of this association. Said board of trustees shall consist of one member elected from each fire station in the City of Charlotte and one assistant chief of the Charlotte Fire Department, who shall be a member ex officio. The trustees so elected shall be known as the board of trustees of Charlotte Firemen's Retirement Fund Association.

Sec. 5. That during the first week in January of each year a meeting shall be called at all fire stations for the purpose of electing one representative from each fire station to the board of trustees. Only the members of the particular fire station in good and regular standing in the Charlotte Fire Department shall be allowed to vote and eligible for election as a trustee. The member, in good and regular standing, receiving the majority of the votes cast shall be the representative of the fire station from which he is elected and shall hold office as a member of the board of trustees until his successor is elected and qualified; provided, however, such member during his term of office is at all times a member of the Charlotte Fire Department in good and regular standing and fully observes the oath as trustee.

Vacancy elections.  Sec. 6. That should any member of the board of trustees be disqualified to serve by death, resignation from the board of trustees, resignation from the Charlotte Fire Department, or failure to observe the oath as trustee, he shall automatically be dismissed from the board of trustees and the fire station from which he was elected shall elect another trustee to serve during the unexpired term.

Oath of trustee.  Sec. 7. That each person elected by the fire station of which he is a member in good and regular standing shall, before becoming a trustee, subscribe to the oath of trustee, whereupon he shall immediately become a member of the board of trustees.
SEC. 8. That the chairman of the board of trustees shall administer the oath of trustee to the elected members of the various fire stations, which shall consist of the following:

"I, .................................., being duly sworn, say that I am a member of the Charlotte Fire Department, Charlotte, N. C., in good and regular standing, and that I was duly elected from Fire Station No........................................ by a majority vote of the members of said fire station on the.....................day of.............................., 19........ I swear that I will perform the duties of trustee of the Charlotte Firemen's Retirement Fund Association without fear or favor to all members of said association; that I will conduct myself in such a manner as to promote harmony and good-will in the association and honestly administer the funds belonging to the association."

SEC. 9. That the board of trustees shall be fully vested with the exclusive right of authorizing and paying out to the members of this association such sum or sums of money according to the authority herein designated and in the sound discretion of the said board of trustees. A majority vote of the board of trustees shall be required to pass upon all matters coming before said board and all decisions and actions of the said board of trustees shall be final and binding upon the said association and the members of said association. Each member of the board of trustees shall be entitled to one vote and the chairman shall not be entitled to a vote unless there is a tie.

SEC. 10. That during the month of January of each year at the first meeting of the newly elected members of the board of trustees, the members of the board of trustees shall elect a chairman, vice-chairman, secretary and a treasurer by a majority vote. The secretary and treasurer need not be members of the board of trustees. The newly elected trustees shall be given the oath of office by the chairman of the board of trustees then in office prior to the annual election.

SEC. 11. That the members of the board of trustees of the Charlotte Firemen's Retirement Fund Association shall serve without compensation, but they shall be reimbursed for all necessary expenses incurred through service upon said board.

SEC. 12. That the board of trustees shall meet at least once each sixty (60) days at the Central Fire Station or at such place and at such time as the said board may determine. A special meeting of said board of trustees may be called by the chairman, vice-chairman, or any two members of the board of trustees upon written notice delivered in hand or at the fire station of which such trustee is a member, six hours prior to such meeting, or special meetings may be called when all of said trustees shall be present. A majority of the board of trustees shall constitute a quorum for the transaction of any and all business.
Sec. 13. That the chairman shall preside at all meetings, and in his absence the vice-chairman shall preside.

Sec. 14. That the secretary shall keep in convenient form such data as shall be necessary for actuarial valuation of the funds of said association and for checking the experience of the system. The secretary shall also record the minutes of each meeting in a book or books which shall be the property of said association; said book shall at all times be open to the inspection of the members of said association. The minute book or books shall be kept at the Central Fire Station of the City of Charlotte.

Sec. 15. That the treasurer shall deposit all sums of money belonging to said association in a bank or banks designated by the board of trustees, and he may take as security therefor a proper depository bond or City of Charlotte bond, Mecklenburg County bond, State of North Carolina bonds, or United States Government bonds. The treasurer shall furnish a penal bond, conditioned upon his faithful performance as treasurer of this association, payable to the association in such sum as the board of trustees shall require. The cost of said bond shall be paid out of the funds of this association.

Sec. 16. That the treasurer may purchase such bonds and securities as designated by a unanimous vote of the board of trustees of the Charlotte Firemen's Retirement Fund Association.

Sec. 17. That the city attorney or attorneys of the City of Charlotte shall be the legal adviser or advisers of the board of trustees.

Sec. 18. That all the active, uniformed male members of the Charlotte Fire Department shall be members of this association and entitled to the benefits of the retirement fund; except, however, no newly appointed member of the Charlotte Fire Department shall pay into or be eligible to any of the benefits from the retirement fund prior to the successful completion of six months probationary period, but thereafter such member successfully passing the probationary period shall become a member of this association and shall be eligible to benefits from said retirement fund.

Sec. 19. That the treasurer of the City of Charlotte shall make a monthly deduction from the salary of each member, due him by the City of Charlotte, not to exceed the sum of five percentum (5%) thereof, and the amount so deducted shall be turned over monthly by the treasurer of the City of Charlotte to the board of trustees of this association. The percentum of monthly deduction from the salary of each member of this association shall be left in the sound discretion of the board of trustees of this association. This association may receive funds from the following sources: Fines imposed by the civil service commission of the City of Charlotte upon members of the Char-
lotte Fire Department for infraction of rules and regulations; rewards, donations, proceeds from gifts, and emoluments that may be received by any member of this association for extraordinary services or otherwise while engaged in his regular employment as fireman for the City of Charlotte, except such part thereof as the board of trustees may allow to be retained by the member or members of this association; and any and all other moneys from any source whatsoever.

Sec. 20. Whenever any member of the Charlotte Firemen's Retirement Fund Association shall become permanently disabled through injury received or disease contracted in line of duty, or whenever any member of this association has served as a member of the Charlotte Fire Department for a period of twenty years (20) and becomes permanently disabled from any cause, or whenever any member of this association has served as a member of the Charlotte Fire Department for a period of twenty years (20) and leaves the Charlotte Fire Department involuntarily, or whenever any member of this association has served as a member of the Charlotte Fire Department for a period of twenty years (20) and reached the age of fifty-five (55) years upon making written application therefor to the board of trustees, and upon approval of the board of trustees, he shall in either event be retired from the service of the Charlotte Fire Department and be entitled to receive a pension from the Charlotte Firemen's Retirement Fund Association in an amount not to exceed fifty percentum (50%) per year of the average salary received by him for the period of one year prior to the date of his retirement.

Sec. 21. That in no event shall any member of this association receive more than fifty percentum (50%) per year of his average salary during the year prior to his retirement; provided, however, the amount of the pension or relief received by any member of this association, or any dependent or dependents of such member shall be increased or decreased in accordance with each change of salaries affecting the office, rank or position, based upon the salaries of the Charlotte Fire Department.

Sec. 22. That if any member of this association shall object to being retired as a member of the Charlotte Fire Department, after the board of trustees shall have determined in their discretion that such member is entitled to retirement and should be retired on account of disability or infirmity, such member shall select one physician or surgeon of good repute and standing, who, acting with the city physician or surgeon, shall select a third physician or surgeon of good standing and repute, and the three physicians or surgeons shall give such member a thorough examination, and the decision of the majority of such physicians or surgeons shall be final as to the physical condition
of such member for retirement or resumption of his duties in the Charlotte Fire Department.

Sec. 23. That any member of this association who may have been retired on account of injury or disease contracted in line of duty in the Charlotte Fire Department and who has not served the Charlotte Fire Department for a period of twenty (20) years, nor reached the age of fifty-five (55) years, shall be subject to the call of the board of trustees at any time for re-examination, and if upon re-examination such member be found able to perform active duty in the Charlotte Fire Department, he may be reinstated and receive the same compensation for his service, so far as this association is concerned, as prior to his retirement, if such member, upon being called by the board of trustees, shall refuse to submit to re-examination, or upon being re-examined is found able to perform active duty in the Charlotte Fire Department and shall refuse to perform active duty in the Charlotte Fire Department, then any and all sums of money or pension funds being paid to such member shall be immediately stopped and his membership in this association shall thereupon immediately terminate.

Sec. 24. The widow of any member of this association shall receive a pension equal to fifty percentum (50%) of the pension which such member of this association was receiving or would have been entitled to have received in the event such member was retired or killed in line of duty, and in case such widow has a child or children, under sixteen years of age, said child or children being the child or children of the deceased member of this association, then said widow shall receive the full amount of the pension to which such member would have been entitled until her re-marriage or death or until the said child or children shall have reached the age of sixteen (16) years.

Sec. 25. The child or children of deceased members of this association, if such member was entitled to a pension, shall receive through their legal guardian fifteen dollars ($15.00) per month each from the date of the death or re-marriage of their mother, until such time as said child or children shall reach the age of sixteen years; provided the amount paid such child or children shall not exceed the amount which the widow of such member of this association would have received and if such amount shall be less than fifteen dollars ($15.00) per month each for such children, then the amount of money so paid shall be for the equal benefit of said children.

Sec. 26. That if there be no widow or children of a deceased member of this association entitled to pension and there be a mother or father or both, or brother or sister or both, or all, or other blood relation or relations of a deceased member, who were solely dependent upon such member of this association for
support, then such person or persons shall receive a pension equal to fifty percentum (50%) of the pension which such member would have been entitled to have received.

Sec. 27. That the widow or dependent child or children or other dependents upon a member of this association, who is killed while in the discharge of his duty or who dies from injury received while in the discharge of his duty or who dies from disease contracted while in the line of duty, shall be entitled to apply to the board of trustees for a pension, and the said board of trustees shall investigate the merits of such application and pass upon the same with as little delay as possible.

Sec. 28. That any member of this association who may be in financial distress due to personal sickness or ill health, or by reason of sickness in his family, may upon application to and approval of the board of trustees, borrow a sum of money not exceeding one hundred dollars ($100.00) for a period not to exceed one (1) year. All such loans shall be properly secured by a regular form note, signed by the borrower and his wife or other dependent, or dependents, and witnessed by two members of the board of trustees. Such loans shall bear interest at the rate of six percentum (6%) per annum.

Sec. 29. That should any borrower die before loan becomes due, then such loan shall be automatically cancelled. The treasurer of the association shall notify the board of trustees of the death of such borrower at the next regular meeting, and the board of trustees shall direct the treasurer to make a record of such loss in the financial records of the association.

Sec. 30. Should any borrower fail, refuse, neglect, or evade payment of such loan until his retirement or until he shall become incapacitated or until his death, then neither he nor his dependents shall receive any moneys from this association until the amount of said loan, together with six per cent (6%) interest per annum thereon has been deducted from this amount which said member or his dependent or dependents would have been entitled to receive, should said loan not have been granted. The pension to be paid to such member or to his dependent or dependents shall begin after the amount of the loan, with interest thereon, has been deducted from the amounts due from said pension.

Sec. 31. No member of this association shall be paid any sum whatsoever while such member is receiving compensation under the North Carolina Workmen's Compensation Act and/or the North Carolina Firemen's Relief Fund when such compensation equals or exceeds the benefits due by this association, but when such compensation under the North Carolina Workmen's Compensation Act and/or North Carolina Firemen's Relief Fund is withdrawn from such member, then he shall receive, when
properly entitled thereto in the opinion of the board of trustees, the proper compensation from this association. If the total of the amount being received under the North Carolina Workmen's Compensation Act and/or the North Carolina Firemen's Relief Fund is less than the amount due such member from this association, he shall receive the difference between the amount being paid under the North Carolina Workmen's Compensation Act and/or the North Carolina Firemen's Relief Fund and the total amount of the pension or pay to which he is entitled in this association.

Sec. 32. That no member of this association who is dismissed from the service of the Charlotte Fire Department for violation of any rule and/or regulation thereof shall be entitled to any benefits whatsoever from this association.

Sec. 33. That if any member of this association shall resign or be dismissed from the Charlotte Fire Department, such renunciation or dismissal shall operate as a renunciation of any and all rights, claims, and benefits to the funds of this association, and such member hereby gives, grants, and assigns all of his right, title, and interest in and to the sum or sums of money, which he has paid into this association and all benefits in same to said association absolutely and forever in consideration of the protection and/or benefits which he may have received or was entitled to have received in said association during his membership therein.

Sec. 34. That all checks and disbursements of funds belonging to this association shall be signed by the treasurer and countersigned by the chairman of said association.

Sec. 35. That the surplus funds belonging to this association may, with the approval of the board of trustees, be invested in City of Charlotte bonds, Mecklenburg County bonds, State of North Carolina bonds, and United States Government bonds, and other bonds and securities based on sound collateral.

Sec. 36. That no member of this association nor any member of the board of trustees shall be personally liable in any way or manner whatsoever to any other member of this association or to any person, firm or corporation by reason of his connection with said association. Nor shall any member of the board of trustees be liable to any member of said association nor to anyone whomsoever by reason of his acts, decisions, and conduct as such member of the board of trustees.

Sec. 37. That if any part or section of this act should be declared unconstitutional or invalid by the Supreme Court of North Carolina, it shall in no wise affect the remainder of said act, and that the remainder shall remain in full force and effect.
Sec. 38. That all laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 39. That this act shall be in force from and after its ratification.

Ratified this the 13th day of February, A.D. 1933.

H. B. 274  
CHAPTER 13

AN ACT TO EXTEND THE TIME FOR PAYMENT OF WATER AND SEWER ASSESSMENTS DUE TO THE BOARD OF WATER COMMISSIONERS OF HENDERSONVILLE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That the time for the payment of all assessments heretofore levied by and in the name of the board of water commissioners of the City of Hendersonville, North Carolina, against abutting property owners for and on account of water pipes and/or sewer pipes installed for the benefit of said abutting property owners, is hereby extended so as to be payable in three equal annual installments beginning July first, nineteen hundred and thirty-three. The amount of said installments shall draw interest from July first, nineteen hundred and thirty-three, 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 water commissioners of the 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 water 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-three, to cause to be compiled the amounts and accrued interest on all uncollected assessments heretofore levied against property owners on account of the laying of water pipes and/or sewer pipes on any of the public streets and/or alleys of the City of Hendersonville, said uncollected installments and interest to be computed to the first day of July, nineteen hundred and thirty-three, and thereafter the

As of July 1, 1933.
total amount of said installments and interest accrued thereon shall be paid by the property owners against which said assessments have been levied in three equal annual installments beginning July first, nineteen hundred and thirty-three, 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 board of water commissioners of the City of Hendersonville shall cause to be prepared an assessment roll and record the same in a well bound book, to be styled: "Water and Sewer Assessments Book," which shall be ruled so as to conveniently show:

1. Name of the property owner.
2. Frontage of property.
3. Amount assessed against said property, with explanation as to how arrived at.
4. Amount of each installment and date on which installment shall become due.

Said book shall be indexed according to the names of the owners of the property, and the entries of all payments or partial payments shall be immediately entered upon said book when made, and said book shall be on file in the office of the board of water commissioners, and 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 of North Carolina 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 affect 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 hereby are repealed.

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

Ratified this the 16th day of February, A.D. 1933.
H. B. 471

CHAPTER 14

AN ACT TO RELIEVE CHURCH PROPERTY IN THE TOWN OF ENFIELD, HALIFAX COUNTY, FROM ALL 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 Enfield and used for church or parsonage purposes shall be relieved from all special paving front foot assessments for paving already done and also from future paving assessments.

SEC. 2. That, in case all or any part of the said special paving assessments have heretofore been paid by any of the churches of the said Town of Enfield, the said commissioners of said Town of Enfield are authorized, empowered and directed, at any time within three years from the first Monday in May, one thousand nine hundred and thirty-three, to repay to such church or churches the amount so paid by said church or churches on said special paving assessments with interest at six per cent from the date of such payment or payments.

SEC. 3. That when any of such property shall cease to 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, or any extension of such period as may be authorized by law, 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 Enfield on Tuesday after the first Monday in May, one thousand nine hundred and thirty-three, there shall be submitted to the qualified voters of said town the question of relieving said churches from the payment of said special 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 February, A.D. 1933.
S. B. 81  CHAPTER 15

AN ACT TO EMPOWER, INSTRUCT AND AUTHORIZE THE COUNTY BOARD OF ELECTIONS OF DURHAM COUNTY TO CONDUCT ALL MUNICIPAL, PRIMARY AND SPECIAL ELECTIONS.

Whereas, the City of Durham is the only incorporated community in the County of Durham, and

Whereas, it would be a great convenience to the voters of the City of Durham if the county board of elections conducted all municipal, primary and special elections held in the City of Durham, now therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the county board of elections of Durham County be and it is hereby empowered, authorized, instructed and directed to conduct all municipal, primary and special elections authorized by the charter of the City of Durham, as amended, and other laws applicable, including those provided in the municipal finance act, as amended.

Sec. 2. In arranging, providing for and conducting all such elections referred to in section 1 above, and for the purpose of carrying out the provisions of the charter of the City of Durham, as amended, and other laws applicable and supplemental thereto, except as the context may otherwise show, the following words and phrases in the said charter of the City of Durham, as amended, and other laws applicable, including the municipal finance act, as amended, shall be deemed to have the following meanings when applied: The board of aldermen, governing body, city council, shall mean county board of elections of Durham County; the city clerk shall mean chairman of the board of elections of Durham County.

Sec. 3. That said board of elections of Durham County is hereby authorized and instructed to alter and change the voting precincts and also the polling places in said City of Durham, as in its discretion may be deemed advisable; providing, however, due notice thereof is given, as required by section 5926 Consolidated Statutes.

Sec. 4. Immediately following the designation of the altered and changed voting precincts and polling places, as provided for in the preceding section of this act, said board of elections of Durham County, shall immediately or as soon as convenient thereafter, obtain a new registration of the voters of the City of Durham; provided, further, that the said board of elections be, and it is hereby authorized, instructed and empowered to use one set of registration books for all the voters in said city hereafter participating in city, county, State or general elections.
Hendersonville is a balance of being without and expended been has supervision of the people; losing thousands of tourists who would otherwise spend their vacations in Hendersonville, to the great loss and detriment of the people of Henderson County generally, and

Whereas, a first-class golf course for Henderson County and Hendersonville is hereby declared to be a public necessity, and

Whereas, a tract of land consisting of one hundred and thirty-five acres highly suitable for the development of a golf course has been tendered as a donation to the City of Hendersonville on which more than seventy-five thousand dollars has already been expended in the construction of a golf course under the supervision of a nationally known and outstanding golf architect, and

Whereas, this golf course is now almost completed and the balance of funds necessary to its completion is to be advanced
by a number of Hendersonville’s citizens and no part of the
cost of the expenses of the same is to be borne by either the City of
Hendersonville, the County of Henderson, or any other political
subdivision of said county, now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the City of Hendersonville is hereby author-
ized and empowered to acquire title by gift, purchase or other-
wise to land for golf course purposes, and said land may lie
either within, or without the incorporate limits of the City of
Hendersonville.

SEC. 2. The City of Hendersonville is hereby authorized and
empowered, in the discretion of its governing board to construct
a golf course under its own supervision, or to lease any land so
acquired under this act to some suitable and reputable person,
firm or corporation under an agreement by the lessee to build,
operate and maintain a golf course in such manner, and for such
time as may be agreed upon between the parties to the lease:
Provided, that the lessee shall always keep the golf course avail-
able for play to the general public of Henderson County and the
visitors and tourists therein, under such reasonable rules and
regulations customarily and generally existing for the govern-
ment of a first-class golf course.

SEC. 3. And land acquired by the City of Hendersonville pur-
suant to the terms of this act upon which a first-class golf course
may be constructed shall not be subject to the payment of any
taxes whatever, current, delinquent or future, so long as the
same shall be operated as a first-class golf course and available
for play to the public and tourists generally of Henderson
County; neither shall the equipment and other personal property
used in connection with said golf course be subject to any form
of taxation so long as the land itself is exempt.

SEC. 4. The Commissioners of Henderson County and the gov-
erning board of any municipality in Henderson County wherein
the land, or any part thereof, lies, which may be acquired under
this act, are hereby directed and required to execute releases in
full for all current and delinquent taxes, together with interest,
penalties and costs, assessed against said land, upon written
notice from the governing board of the City of Hendersonville
that said golf course has been completed to its satisfaction, and
thereafter the land, together with the equipment and personal
property thereon, shall not again be listed for taxes so long as
the same shall be maintained as a first-class golf course.

SEC. 5. The board of water commissioners of the City of
Hendersonville are hereby authorized and empowered, in their
discretion, to supply sufficient water as may be necessary in the
operation and maintenance of said golf course, and other recrea-

Free water furn-
nished by city.

Land released
from all current
and delinquent
taxes.

Course exempted
from taxation.

Construction or
lease of lands for
construction
authorized.
tional features of said golf course, without charge to the lessee, so long as the same shall be and constitute a public necessity and so long as the same is available for play to the people and visitors of Hendersonville generally.

Sec. 6. That in the event the commissioners of the City of Hendersonville, in their discretion, decide that it is for the best interests of the city to lease the lands acquired, or to be acquired, under this act to some suitable and reputable person, firm or corporation for completion, maintenance and operation, the lease shall be first approved by a resolution duly adopted by the board of commissioners and executed on behalf of the city by the mayor and the clerk of the board. Said lease may be for a nominal consideration and may run for any period of years agreed upon by the City as lessor and by the lessee named in the lease. The City shall never be liable for any debts, obligations or contracts of the lessee, nor shall it be liable to any extent whatever for any expenses incurred in the acquiring of title or the completion, maintenance and operation of the course.

Sec. 7. The City of Hendersonville shall not be liable in any action ex doli
de or arising during the construction, maintenance and operation of said golf course, or arising on account of any other recreational feature in connection therewith but said liability, if any, shall exist solely against the lessee.

Sec. 8. In the event of failure or defect of title to any land acquired hereby, the City shall in no wise be answerable to the lessee.

Sec. 9. Any assignment of any lease executed by the City of Hendersonville pursuant to this act shall be subject to the terms of said lease and this act.

Sec. 10. That no act of the Legislature of nineteen hundred and thirty-three, public, public-local, or private, in conflict with this act shall be deemed or held to repeal, modify or amend any of the terms of the provisions hereof, unless this act be expressly referred to therein.

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

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

Ratified this the 17th day of February, A.D. 1933.
H. B. 462  
CHAPTER 17
AN ACT TO PROVIDE COMPENSATION TO THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE CITY OF HENDERSONVILLE FOR THEIR SERVICES.

The General Assembly of North Carolina do enact:

SECTION 1. That the members of the Board of Commissioners of the City of Hendersonville shall receive as compensation for their services the sum of two dollars and fifty cents each per meeting for not more than two meetings in any one calendar month.

SEC. 2. That the member of said Board who discharges the duty of City Treasurer and acts in such capacity shall also receive an additional sum of not more than twenty-five dollars per month.

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

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

Ratified this the 17th day of February, A.D. 1933.

H. B. 481  
CHAPTER 18
AN ACT TO AMEND THE CHARTER OF THE CITY OF GASTONIA, NORTH CAROLINA, WITH RESPECT TO LIMITATION OF TIME TO GIVE NOTICE OF CLAIMS ARISING IN TORT.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter One Hundred Ninety-Nine of the Private Laws of Nineteen Hundred and Thirteen be and the same is hereby amended by adding Section 72-A as follows: All claims or demands against the City of Gastonia arising in tort shall be presented to the city council of said city, or to the city manager, in writing, signed by the claimant, his attorney or agent, within ninety days after said claim or demand is due, or the cause of action accrues, and no suit or action shall be brought thereon within fifteen days or after the expiration of twelve months from the time said claim is so presented, and unless the claim is so presented within ninety days after the cause of action accrued, and unless suit is brought within twelve months thereafter any action thereon shall be barred.

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

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

Ratified this the 17th day of February, A.D. 1933.
S. B. 27

CHAPTER 19

AN ACT TO AMEND THE CHARTER OF THE TOWN OF OXFORD, CHAPTER THREE HUNDRED TWO PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTEEN AS AMENDED.

The General Assembly of North Carolina do enact:

SECTION 1. That the Charter of the Town of Oxford, section twenty-six of chapter three hundred two, Private Laws of one thousand nine hundred thirteen, as amended, be and the same is hereby amended to read as follows:

"SEC. 26. That the Mayor of the Town of Oxford is hereby constituted a special court, and as such shall concurrently with justices of the peace of Granville County, have jurisdiction to try and finally determine all criminal offenses occurring within the limits of the Town of Oxford, or within one mile thereof, of which justices of the peace now or hereafter may have jurisdiction under the laws of the State of North Carolina. The said Mayor shall have jurisdiction of violations of town ordinances; he shall take care to preserve and keep the peace; he shall have the power to issue warrants under his hand and seal, attested by the seal of the Corporation of Oxford running to any county in the State of North Carolina; he shall, in general, have all the power and jurisdiction that justices of the peace now or may hereafter have in criminal matters under the laws of the State of North Carolina, and said Mayor of the Town of Oxford, shall, concurrently with the Superior Court of Granville County, North Carolina, have jurisdiction to try and finally determine all criminal offenses wherein the offense alleged or charged is that of assault or assault and battery, either with or without a deadly weapon, carrying concealed weapon, gambling, or any violation of any State Law pertaining to the sale, manufacture, the possession, receiving, or the handling of spirituous, vinous, or malt liquor, operating motor vehicle while intoxicated or under the influence of intoxicating liquors or bitters, morphine or other opiates, violations of all traffic laws, petit larceny, forcible trespass, forcible entry and detainer, abandonment of family by husband, and failure of husband to provide adequate support for family, occurring within the limits of the Town of Oxford or within one mile thereof, of which the Superior Court of Granville County now or hereafter may have jurisdiction under the laws of the State of North Carolina."

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

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

Ratified this the 20th day of February, A.D. 1933.
S. B. 158

CHAPTER 20

AN ACT PROVIDING FOR THE INSPECTION OF MEATS AND MEAT MARKETS IN THE VILLAGE OF HAW RIVER, IN ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful for any person, firm or corporation to sell, or offer for sale, fresh meats of any kind, or fresh fish or oysters, within the village of Haw River, and which is hereby defined to include all of the territory within a radius of a mile and a half from the east end of the concrete bridge across Haw River, in State Highway No. 10, until and after such fresh meats and fish and oysters shall have been inspected, as hereinafter provided; and it shall likewise be unlawful for any person, firm or corporation to conduct and keep open any place of business from which such fresh meats, fish and oysters are sold, or offered for sale, without first having such place of business or market inspected, as hereinafter provided, and such place of business, market house or shop shall be equipped and maintained as hereinafter provided.

SECTION 2. No person, firm or corporation shall, within the above prescribed territory, sell or offer for sale, for human food, any fresh meat, unless such meat shall have been slaughtered in accordance with the rules and regulations, and requirements of the inspector of such meats, except such meat as shall bear the mark, stamp or tag indicating that it has been inspected by the Bureau of Animal Industry of the United States Department of Agriculture.

SECTION 3. Every person, firm or corporation, engaged as a retail dealer in fresh meats, shall first equip his store, shop or market place where the meat is to be sold, or kept for sale, with sanitary meat blocks, counters and refrigerators of sufficient construction and capacity to preserve all meat kept for sale in said shop or market, at all seasons of the year, and shall also screen all doors, windows and other openings in said shop or market place, so as to prevent the entrance of flies. No such shop or market place shall carry on its business until it is inspected by the inspector and duly approved, as complying with this provision and other sanitary regulations. The said inspector shall further inspect said markets and shops from time to time, for the purpose of seeing that said rules and regulations are complied with at all times.

SECTION 4. All fresh meat, fish and oysters, to be offered for sale within said prescribed territory, shall be first inspected and approved by the inspector, as being fit for human consumption, before they are offered for sale, and the said inspector shall
condemn all spoiled or unwholesome meat, fish or oysters, and when so condemned it shall not be offered for sale and shall be removed from the said village of Haw River, by and at the expense of the person having the same in possession for sale.

Sec. 5. The Board of Commissioners of Alamance County are hereby authorized and empowered to appoint the said inspector, for such term as the said Board shall serve, and the said inspector shall be a regularly licensed veterinary surgeon, but if no such veterinarian surgeon be available, then they may appoint some competent person, who is experienced in the meat market business. The said Board of Commissioners of Alamance County shall further be, and they are hereby authorized and empowered to enact any additional restrictions, rules and regulations required to reasonably carry out the purpose of this Act, in providing for the proper inspection of fresh meats, in meat markets within the territory herein prescribed.

Sec. 6. All persons who may wish to sell fresh meats within the said territory, from animals of their own raising, which they shall butcher, may do so, provided such meat is first inspected and approved for such sales by the said inspector, and for the purpose of such inspection, they shall present the said meat for inspection, at such time and place as the inspector shall designate.

Sec. 7. It shall be unlawful to permit any person suffering from any communicable disease, to be employed in any market place, or otherwise engaged in handling meats, fish or oysters, offered for sale within the above prescribed territory. No meat, fish, oysters or other like products, which are not fresh and wholesome and safe for human food, and no meat from animals that may have died by disease or accident, shall be offered for sale within the said village of Haw River.

Sec. 8. The following inspection fees are to be paid in advance by the owner of the slaughtered animals, or other products inspected by the said inspectors:

Twenty-five (25c.) cents per head for cattle; Twenty (20) cents per head for calves, swine, sheep, goats, and for each package or crate of fish or oysters, or other like sea-food products.

Sec. 9. Each person, firm, or corporation having an established place from which it regularly conducts the business of retailing fresh meats of any kind, or fresh fish or oysters, and any person, firm, or corporation peddling fresh meats of any kind, not raised and prepared for market by himself or his agent, and any person, firm, or corporation peddling fresh fish or oysters within the village of Haw River, as in this act defined, shall pay into the office of the Clerk of Superior Court of Alamance County at the beginning of each year, commencing with the date of the ratification of this act, the sum of fifty ($50) dollars, which sum so

Appointment of inspector.
Qualifications.
Rules and regulations.
Native meats to be inspected.
Employment in markets of diseased persons prohibited.
Spoiled meats prohibited.
Inspection fees.
Annual license fee of $50 for each market.
Payable to inspector.
collected by said clerk shall be paid out by said clerk in twelve equal monthly installments to the person appointed as inspector under the provisions of this act.

The sum herein provided for the payment of the inspector is to be in addition to the fees provided for in Section 8 hereof.

Sec. 10. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall be fined not exceeding fifty ($50) dollars or imprisoned not exceeding thirty days.

Sec. 11. That all laws and clauses of laws in conflict with this act are hereby repealed, in so far as they conflict with the same within the said prescribed territory of the village of Haw River, and no further.

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

Ratified this the 20th day of February, A.D. 1933.

H. B. 183

CHAPTER 21

AN ACT TO ADJUST CERTAIN ASSESSMENTS FOR STREET IMPROVEMENTS IN THE TOWN OF SCOTLAND NECK.

Whereas, in the year one thousand nine hundred twenty-one, street improvements were made in the Town of Scotland Neck under the provisions of Chapter fifty-six, Sub-chapter 1, Article IX, of the Consolidated Statutes, and one-third of the cost thereof assessed on each abutting land owner; and whereas, in many instances, because of the location of residential property at street corners, the assessments were excessive, confiscatory and unequal as compared with other residential property of similar value but not so located, and many persons will lose their property unless said assessments are reduced so as to bear a reasonable relation to its value; Now, Therefore,

The General Assembly of North Carolina do enact:

Section 1. The Board of Commissioners of the Town of Scotland Neck is authorized and empowered to appoint three commissioners, disinterested and freeholders of Halifax County, whose duty it shall be to inquire into and investigate, as of the time when made, the reasonableness of said assessments at all street corners in said town upon which residential property abuts and where both streets are paved, to report their findings to said Board of Commissioners of the Town of Scotland Neck, showing the assessments against said lots as compared with other property in the same neighborhood and not on a street corner, the tax valuation of said lots before the improvements were made,
and the tax valuation thereof as assessed at the next general assessment after said improvements were made and any other facts which they may deem pertinent, and to recommend to said Board of Commissioners what, in their opinion, the justice of the case demands.

SEC. 2. That upon the coming in of said report the Board of Commissioners of the Town of Scotland Neck is authorized to reject said report, or to remand for further findings, or to approve the same, and, upon such approval to change, reduce and correct said assessments in accordance therewith.

SEC. 3. That the persons who may be appointed as commissioners, as herein provided, shall receive as compensation for their services the sum of five dollars per day.

SEC. 4. That this act shall become effective upon its ratification.

Ratified this the 21st day of February, A.D. 1933.

H. B. 184

CHAPTER 22

AN ACT RELATING TO THE PAYMENT OF ASSESSMENTS FOR STREET IMPROVEMENTS 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 and empowered to accept at their face value, any and all bonds issued by said town for street improvements, whether said bonds are due or not, as credit on or in settlement of assessments against real estate in said town for street improvements: Provided that provision is made to take care of bonds which mature each year.

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

Ratified this the 21st day of February, A.D. 1933.

H. B. 441

CHAPTER 23

AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM SO AS TO EXTEND THE CORPORATE LIMITS OF SAID CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section 2, Chapter 142, Private Acts 1921, as amended by Chapter 63, Private Laws, Extra Session 1924, fixing the boundaries of the City of Durham, is hereby amended by striking out the fifth call which defines the western boundary
of said City and which reads as follows, "thence in a northerly direction to a point in the center of the Durham-Hillsboro Road or central highway, which said point is seventeen hundred feet west of the intersection of said highway and Hillandale Road (the center of said Hillandale Road and the center of said highway)." In lieu thereof there is substituted the following description, "thence in a northerly direction to a point where the present western boundary of the City of Durham intersects a line running twenty (20) feet west of and parallel to the westerly curb line of Duke University Road; thence in a southerly direction along said line running parallel to said Duke University Road and twenty (20) feet west of the westerly curb line thereof, to a point where said line intersects a line running parallel to and twenty (20) feet north of the northerly curb line of State Highway No. 751; thence in a westerly direction along said line parallel to said State Highway No. 751 and twenty (20) feet north of the northerly curb line thereof, to a point where said line intersects the center line of the Old Rigsbee Road adjacent to the place where said road intersects said State Highway No. 751; thence in northerly direction in a straight line to a point in the present western boundary of the City of Durham located thirty (30) feet south of the place where said present western boundary intersects the center line of Erwin Road; thence in a northerly direction in a straight line along the present western boundary of the City of Durham to a point in the center of the Durham-Hillsboro Road or central highway, which said point is seventeen hundred feet west of the intersection of said highway and Hillandale Road (the center of said Hillandale Road and the center of said highway)."

Sec. 2. The territory embraced within the enlarged boundary set out in section 1 hereof is hereby annexed to said City of Durham and is in all respects made a part thereof. All laws and ordinances relating to said City of Durham as it existed at and prior to the passage of this act shall apply to said city as enlarged by this act.

Sec. 3. The territory thus annexed to said City of Durham is hereby made a part of Ward Number Five of said City.

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

Ratified this the 23rd day of February, A.D. 1933.
H. B. 337  
CHAPTER 24

AN ACT AMENDING CHAPTER 651, PUBLIC LAWS OF 1909, AS AMENDED, RELATING TO THE MUNICIPAL COURT OF THE CITY OF GREENSBORO.

The General Assembly of North Carolina do enact:

SECTION 1. That section thirty-two of chapter six hundred and fifty-one, Public Laws one thousand nine hundred and nine, as amended, be and the same is hereby amended:

a. By striking out of sub-section (b) (one) of said section thirty-two the words “five hundred” and by substituting therefor the words “one thousand.”

b. By striking out of sub-section (b) (two) of said section thirty-two the word “two” and by substituting therefor the word “five.”

c. By striking out of the next to the last proviso of said section thirty-two the words “five hundred” and by substituting therefor the words “one thousand,” and by striking out of said proviso the word “where” and by substituting therefor the word “whether.”

Sec. 2. That section thirty-four of chapter six hundred and fifty-one, Public Laws one thousand nine hundred and nine, as amended, be and the same is hereby amended by striking out of said section both of the provisos coming after sub-section (d) of said section thirty-four.

Sec. 3. That section thirty-nine of chapter six hundred and fifty-one, Public Laws one thousand nine hundred and nine, as amended, be and the same is hereby amended by striking out of said section thirty-nine the words “or to issue execution upon any judgment” coming at the end of said section.

Sec. 4. That section forty-one of chapter six hundred and fifty-one, Public Laws one thousand nine hundred and nine, as amended, be and the same is hereby amended by striking out the last sentence of said section.

Sec. 5. That section forty-two of chapter six hundred and fifty-one, Public Laws of one thousand nine hundred and nine, as amended, be and the same is hereby amended:

a. By adding after the words “Guilford County” at the end of sub-section (a) the words “or of any other county, as the case may require.”

b. By adding at the end of said section a sub-section as follows:

“g. Summons Out of County. In conformity with the provisions of chapter four hundred and twenty-one, Public Laws one thousand nine hundred and thirty-one, when any summons
runs outside of Guilford County the summons shall be governed by the laws and rules applicable to actions in the Superior Court."

SEC. 6. That section forty-four of chapter six hundred and fifty-one, Public Laws one thousand nine hundred and nine, as amended, be and the same is hereby amended by changing the period at the end thereof to a semi-colon, and by adding there-after the following:

"Provided, that, in conformity to chapter four hundred and twenty-one, Public Laws one thousand nine hundred and thirty-one, when the summons runs outside of Guilford County, the pleadings shall be governed by the laws and rules applicable to action in the Superior Court."

SEC. 7. That chapter six hundred and fifty-one, Public Laws one thousand nine hundred and nine, as amended, be and the same is hereby amended by adding after section forty-five a section as follows:

"Section 45½. Judgments by default final, and by default and inquiry may be rendered in the same form and manner as now provided for by law in the Superior Court."

SEC. 8. That section forty-eight of chapter six hundred and fifty-one, Public Laws one thousand nine hundred and nine, be and the same is hereby amended to read as follows:

"Section 48. Docketing Judgments in Superior Court, Execution:

a. Docketing in 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.

b. Execution. Execution upon any judgment rendered in the Civil Division of the Municipal Court, regardless of the amount of the judgment, may be issued by the clerk or assistant clerk of said court, or by a deputy clerk in the name of the clerk, to the sheriff or other lawful officer of Guilford County; and such execution shall be governed by the rules applicable to executions issued by justices of the peace as prescribed by section one thousand five hundred and twenty-one et sequitur of the Consolidated Statutes of North Carolina."

SEC. 9. That section fifty-two of chapter six hundred and fifty-one, Public Laws one thousand nine hundred and nine, as amended, be and the same is hereby amended by striking out of said section fifty-two the last sentence thereof.

SEC. 10. That section fifty-two of chapter six hundred and fifty-one, Public Laws one thousand nine hundred and nine, as amended, be and the same is hereby amended so as to make the last sentence thereof read as follows:
"Every party to whom a subpoena is issued for witnesses shall pay to the clerk of the court a fee of fifty cents for the use of each witness to be subpoenaed."

Sec. 11. That if 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. 12. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 13. That this act shall become effective upon its ratification.

Ratified this the 24th day of February, A.D. 1933.

H. B. 614

CHAPTER 25
AN ACT TO PROVIDE FOR THE ELECTION OF ALDERMEN OF THE CITY OF KINSTON.

The General Assembly of North Carolina do enact:

Section 1. That hereafter the aldermen of the City of Kinston, in the County of Lenoir, shall be nominated and elected not by wards, but that, beginning with the election to be held in May, 1933, all of the aldermen of the City shall be nominated for election and elected by all the qualified voters of the City generally at the same time and place and under the same rules and regulations as are or shall be prescribed and made applicable to the nomination and election of Mayor of the City.

Section 2. That each alderman of the City shall be a resident of the City for the time prescribed by law, but it shall not be a qualification for election as alderman that residence shall be in any particular ward.

Section 3. That all laws and clauses of laws, and particularly any provision in the Charter of the City of Kinston inconsistent with this act, are hereby repealed.

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

Ratified this the 24th day of February, A.D. 1933.

S. B. 211

CHAPTER 26
AN ACT TO INCORPORATE HUBERT M. SMITH POST NO. 77, AMERICAN LEGION, HENDERSONVILLE, NORTH CAROLINA, FOR THE PURPOSE OF ACQUIRING TITLE TO REAL ESTATE IN HENDERSON COUNTY TO BE USED AS A MEETING PLACE OR CLUB HOUSE FOR SAID POST.

Whereas, there is situated in the City of Hendersonville a seven-acre tract of land known as the Rhett place, with a residence located on the southern end of said tract; and
Whereas the northern end of said tract is suitable and desirable for a public park; and

Whereas the owner of said property has offered to donate said tract to the American Legion for use as a home or club house for the Hendersonville Post; and

Whereas it is the desire of said Post to use said donation and to convey the northern part of said land to the City of Hendersonville; and

Whereas the Hendersonville Post of the American Legion is unincorporated and incapable of holding title to real estate: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Hubert M. Smith Post No. 77 of the American Legion, Hendersonville, North Carolina, shall be and the same is hereby created a corporation under such name and style for the purposes hereinafter named.

SEC. 2. The corporation shall have power to acquire title to real estate by gift, purchase or otherwise, and shall have power to convey, lease, mortgage or otherwise dispose of same in the manner hereinafter provided.

SEC. 3. The entire membership, from year to year, of said Post shall be the stockholders of the corporation and shall be the owners of the assets of said corporation, share and share alike.

SEC. 4. The Board of Directors shall consist of the Commander, the Adjutant, and all past Commanders of the Hendersonville Post and the then Commander and Adjutant shall be Chairman of the Board and Secretary, respectively: Provided, that if any Commander, Adjutant, or past Commander shall cease to be a resident of Henderson County he shall likewise cease to be a director of the corporation.

SEC. 5. The corporation shall have power to acquire title to real estate, and to convey same, or any part of same, by deed, lease, deed in trust, mortgage, or otherwise by resolution of the board of directors duly adopted in either regular or special meeting: Provided, that a majority of the entire board shall constitute a quorum with power to act. Any deed, lease, mortgage, deed in trust, or other instrument affecting the title to any real estate owned by the corporation shall be signed in the name of the corporation by the Commander and attested by the Adjutant and the seal of the corporation shall be affixed thereto by the Commander, and the same shall be acknowledged as now provided for corporations, and the resolution authorizing the same shall be made a part of the instrument itself, and said instrument when recorded will be conclusively presumed to be the act and deed of the corporation.
SEC. 6. That no officer, director, stockholder or employee of the corporation shall have power or authority to create any obligations against the corporation, this power being expressly and exclusively vested in the Board of Directors, and shall be exercised in the same manner as above provided for the execution of deeds, mortgages, deeds in trust, and leases.

SEC. 7. That the directors shall assemble in regular meeting on the first Monday in March and the first Monday in August, and special meetings at such other times as the Commander may deem necessary: Provided, that personal notices of any meeting, whether general or special, shall be given by the Adjutant to the Directors: Provided further, that a special meeting may be called at any time by any two directors of the corporation, notice of said meeting to be given in the same manner as prescribed for a call meeting by the Commander.

SEC. 8. That the corporation is hereby authorized, empowered, and directed to accept a deed in fee simple to the Rhett property in the City of Hendersonville, consisting of approximately seven acres, and to convey the following described portion of said property to the City of Hendersonville for use as a public park or for any other purpose, whether for public or private, which the Commissioners of the City of Hendersonville may deem wise and proper, including the right of sale, whether public or private, whether for cash or on terms as the City Commissioners in their discretion may decide is for the best interests of the city, in return for which the City of Hendersonville and the County Commissioners of Henderson County are fully authorized, empowered and directed to release all of said property from street assessments and all taxes—current, delinquent and future, together with the interest, penalties, and costs thereon—and the City of Hendersonville is hereby authorized to accept title to said portion of said tract, which portion is fully described as follows: Lying and being in the City of Hendersonville, Henderson County, North Carolina, and being a portion of that property described in deed recorded in the office of the Register of Deeds for Henderson County in Book No. 112, page No. 279. Beginning at a stake in the old Asheville road, said stake standing N. 12 E. 100 ft. from the corner of the Ben Mills lot, being a corner of said property, and running thence S. 43.5 E. 256 ft. to a stake; thence in a northerly direction to a stake in the western margin of Locust Street, said stake standing N. 45.5 west 320 ft. from the northern margin of Lynn Street and running thence with the said western margin of Locust Street N. 45.5 W. to the intersection of said western margin of Locust Street with the eastern margin of old Asheville road; thence with said eastern margin of said old Asheville road S. 12 W. to the point of beginning.
Land acquired tax free.

SEC. 9. That that portion of the property retained by the corporation shall be and constitute a home, meeting place, or club house of the Hubert M. Smith Post No. 77, American Legion, Hendersonville, N. C., and shall thereafter be exempt from taxation under Section 7971 (17) Sub-section No. 6 of the Consolidated Statutes.

Exception as to tax exemption.

SEC. 10. This act shall not apply to any delinquent or back taxes, the certificate of sale for which is not held by the City of Hendersonville or the County of Henderson, and the City of Hendersonville shall not be liable for any taxes of any kind on said property.

Repealing acts must refer to bill.

SEC. 11. That no act of the 1933 General Assembly or any subsequent session, either public, public-local, or private shall be construed or held to repeal, modify, or amend the provisions of this act unless this act shall be expressly referred to therein.

Conflicting laws repealed.

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 full force and effect from and after its ratification.

Ratified this the 27th day of February, A.D. 1933.

H. B. 270 CHAPTER 27

AN ACT TO AMEND CHAPTER THREE HUNDRED SEVEN, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED FIVE, AMENDING THE CHARTER OF THE LENOIR-RHYNE COLLEGE.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred seven of Private Laws of one thousand nine hundred five be amended by striking out section four and inserting in lieu thereof the following:

"Section 4. That the Trustees of said College shall have the power to confer degrees of Master of Arts and honorary degrees, and the usual degrees and distinctions of less dignity than Master of Arts, upon such persons as have been recommended by the President and professors of said College."

SEC. 2. That all degrees heretofore conferred by the Trustees of Lenoir-Rhyne College under section one be and the same are hereby validated.

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

Ratified this the 27th day of February, A.D. 1933.
H. B. 568  
CHAPTER 28

AN ACT TO AMEND CHAPTER 101 OF THE PRIVATE LAWS OF 1883, RELATIVE TO APPOINTING A COMMISSION FOR THE MANAGEMENT OF THE CEMETERY AND SALE OF CEMETERY lots IN THE TOWN OF CONOVER, CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Conover, in Catawba County, may appoint a commission of three persons from the Board of Town Commissioners, to be known as the "Cemetery Trustees," who shall have charge of the cemetery or cemeteries, subject to the control of the full board, with power to employ a keeper or other employees to care for and improve the cemeteries; and the commissioners shall make an annual appropriation for the support of cemeteries, which appropriation shall be at the disposal of said trustees or the chairman thereof, subject to the approval of the full board. The proceeds from the sale of cemetery lots and burial rights and privileges and other income from cemeteries shall be turned over to the Treasurer of the Town to be used under the direction of said town commissioners.

SEC. 2. The cemetery trustees may sell lots, parts of lots or burial places and privileges to such persons at such prices and upon such terms as they may deem best, and may refuse to sell a lot or parts of lot to any person in their discretion, and no person shall sell or transfer a lot or part of lot to another person without the consent of the trustees: Provided, that in the sale of lots only the privilege of burying therein, subject to the rules and regulations of the trustees and the ordinances of the town, so long as the interment of bodies may be permitted by the town, shall be acquired by the purchaser, but the same shall be subject to the regulations, control and supervision of the said trustees in all respects. All lots unpaid for, in whole or in part, for the space of ninety days may be resold, either publicly or privately, by the chairman of the trustees or the cemetery trustees, unless otherwise amicably adjusted between the parties. All deeds for lots or privileges and all permits shall be signed by the chairman of the cemetery trustees and attested by the town clerk.

SEC. 3. The trustees shall have power to remove trees, vines, shrubs or any other growth or structure or thing whatsoever within the cemetery, and may plant or erect or place other trees, vines, shrubs or structures therein, provided they are placed so as to not interfere with tombstones, monuments or other necessary things in said cemetery; they shall have power to make all rules and regulations, not in conflict with the ordi-
nances of the town, governing the grounds, the interment of bodies therein and the keeping and use and improvement of the cemeteries, and may require the removal of bodies buried without first obtaining a written permit, subject to the laws of the State regarding the removal of dead bodies. Any person violating any of the rules and regulations prescribed by the said trustees shall be guilty of a misdemeanor, and fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Sec. 4. The Board of Commissioners shall fix the term for which the trustees shall serve, and on failure to elect the trustees the Commissioners shall have all the power and perform all the duties herein conferred on the cemetery trustees, and in that case all deeds shall be signed by the Mayor and attested by the clerk, and all permits shall be given by the Mayor. The powers conferred on the trustees shall not prevent the Commissioners from making ordinances for the better protection and regulation of the cemeteries. The Commissioners may prohibit the interment of dead bodies within the town limits.

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

Ratified this the 27th day of February, A.D. 1933.

H. B. 589

CHAPTER 29

AN ACT TO AMEND CHAPTER 147 OF THE PRIVATE LAWS OF 1907, BEING AN ACT TO AMEND AND REVISE THE CHARTER OF THE TOWN OF WACO, IN CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section eight of chapter one hundred and forty-seven of the Private Laws of one thousand nine hundred and seven be stricken out and the following section inserted in lieu thereof:

"Section 8. That the said Board of Aldermen shall elect or appoint a town marshal, town tax collector, town treasurer and any and all other officers and employees which in their discretion may be necessary and proper for the operation and maintenance of the affairs of said municipality, and such officials and employees shall hold office for a term of two years or for such term as may be designated by the Board of Aldermen subject to removal for failure to discharge their duties or from any other cause. That the said Board of Aldermen shall fix and determine the salaries or compensation to be paid and the amount of bonds to be given by such officials and employees, and all of said bonds shall be approved by the said Board before
any such official shall be allowed to enter upon the duties of his office: Provided, however, the said Board of Aldermen may combine any number of offices or separate them as in their judgment it may seem wise to do so."

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed in so far as this act is concerned.

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

Ratified this the 27th day of February, A.D. 1933.

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H. B. 285  
CHAPTER 30  
AN ACT TO EXTEND THE TIME FOR PAYMENT OF STREET ASSESSMENTS IN THE TOWN OF ELKIN.

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 Elkin against abutting property owners for and on account of paving, grading or otherwise improving any of the public streets or sidewalks in the Town of Elkin, is hereby extended so as to be payable in fifteen equal annual installments, beginning July first, nineteen hundred and thirty-three. The amount of said installments shall draw interest from July first, nineteen hundred and thirty-three, 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 Town of Elkin 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 assessments 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 Town of Elkin, as soon as practicable after the ratification of this act and before the first day of July, nineteen hundred and thirty-three, 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 Town of Elkin, said uncollected assessments and interest to be computed to the first day of July, nineteen hundred and thirty-three. Offices may be combined.

Conflicting laws repealed.

Paving assessments in Elkin extended over 15-year period.

Interest added.

Acceleration clause.

Whole assessment payable.

Compilation of amounts due.

To July 1, 1933.
Special Assessment Book.

Contents.

Declared lien.

Existing laws applicable.

Assessments already paid unaffected.

Conflicting laws repealed.

thirty-three; 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 fifteen equal annual installments, beginning July first, nineteen hundred and thirty-three; 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 herein 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 Town of Elkin 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 and clauses of laws in conflict with this act be and the same are hereby repealed.

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

Ratified this the 28th day of February, A.D. 1933.
H. B. 333

CHAPTER 31

AN ACT TO EXTEND THE TIME FOR PAYMENT OF MUNICIPAL STREET ASSESSMENTS IN THE TOWN OF WAYNESVILLE.

The General Assembly of North Carolina do enact:

Section 1. That the Mayor and Board of Aldermen of the town of Waynesville are hereby authorized to readjust any and all assessments for street improvements heretofore made in the town of Waynesville, or any balance which may be due thereon by any property owner, by dividing the total amount due thereon, with interest, into equal annual installments not exceeding ten, the first of said installments to become due and payable on October first next succeeding the passage of a resolution by the said Board of Aldermen to readjust said assessments, and one installment to become due each year thereafter on the first days of October for the remaining successive years, as provided in said resolution; and upon such readjustment the time for the payment of said assessment shall be extended accordingly.

Sec. 2. That in making such readjustment of paving assessments the Board of Aldermen of the town of Waynesville shall publish notice of such readjustment in one issue of some newspaper published in the town of Waynesville, which notice shall set forth the name of the then owner of the property against which such assessment has been levied, or the name of the original owner in whose name said assessment was originally made, the street on which said property abuts and the amount of the assessment, with interest, and said notice shall provide for a date for a hearing and confirmation of said readjustment of said assessment, to be not less than twenty days from the publication of said notice, and at such time and place so fixed in said notice the said Board of Aldermen shall hear any complaints, and at that time or thereafter they shall have authority to correct any errors in said assessments or make adjustments thereof which they may deem equitable and just; and upon such hearing, and after the making of the corrections then determined, the said readjustment of said assessments shall be confirmed and properly entered upon the books for assessments, as provided by law.

Sec. 3. That the original principal or balance thereof of such installments shall bear interest at the rate of six per cent per annum from the date of such readjustment, and in the 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 the said Board of Aldermen may declare all of the installments remaining unpaid, due and payable, and the property on which
the original assessment was made may be sold by the municipality under the same rules, regulations, rights of redemption and savings as are now or may be hereafter prescribed for the sale of land for unpaid taxes, and lien of the assessment originally assessed against said property shall continue and remain in force as security for the payment of installments herein provided for until said installments with interest have been fully paid.

Sec. 4. 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 hereinbefore provided.

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

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

Ratified this the 28th day of February, A.D. 1933.

H. B. 424  CHAPTER 32

AN ACT TO EXTEND THE TIME FOR PAYMENT OF STREET ASSESSMENTS IN THE TOWN OF AHOSKIE, HERTFORD COUNTY.

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 Ahoskie, Hertford County, against abutting property owners for and on account of paving, grading or otherwise improving any of the public streets or sidewalks in the Town of Ahoskie, Hertford County, is hereby extended so as to be payable in ten equal annual installments, beginning July first, nineteen hundred and thirty-three. The amount of said installments shall draw interest from July first, nineteen hundred and thirty-three, at the rate of six per centum per annum: Provided, that if any property owner or other person legally liable therefore 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 Town of Ahoskie 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 taxes. The whole assessments 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 Town of Ahoskie, as soon as practicable after the ratification of this act and before the first day of July, nineteen hundred and thirty-three, 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 Town of Ahoskie, said uncollected assessments and interest to be computed to the first day of July, nineteen hundred and thirty-three, 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 ten equal annual installments, beginning July first, nineteen hundred and thirty-three; 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 herein 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. The frontage of such lot.
3. Amount that has been assessed against said lot.
4. 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 shall be immediately entered upon the 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 Ahoskie and general laws of the State applicable to the 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 affect any assessments heretofore paid, or where payment has been provided for by securities, assignments or otherwise.

Sec. 7. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

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

Ratified this the 28th day of February, A.D. 1933.
H. B. 587  CHAPTER 33

AN ACT RELATING TO SPECIAL ASSESSMENTS LEVIED BY THE TOWN OF LINCOLNTON.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for payment of any or all special assessments or installments of special assessments heretofore levied by the Town of Lincolnton for local improvements, together with all or any part of the interest accrued thereon, may be extended by resolution of the Mayor and Board of Aldermen of said town adopted before September first, one thousand nine hundred and thirty-three, 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-three, 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 twenty years after the confirmation of the assessment roll; and Provided, fourth, that in the event that said town 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. That it shall be the duty of the Mayor and Board of Aldermen of the Town of Lincolnton to cause actions to be instituted in the Superior Court not later than June first, one thousand nine hundred and thirty-four, and thereafter not later than the first day of June in each fiscal year, beginning June first, one thousand nine hundred and thirty-five, 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 Mayor and Board of Aldermen. 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 assess-
ments 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 town, 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 town may be a bidder to the same extent as an individual person or corporation, except that the delinquent assessments due the town upon the foreclosed property shall be regarded as a payment pro tanto of the purchase price. Property so purchased by the town 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. That all special assessments heretofore levied by the Town of Lincolnton 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 28th day of February, A.D. 1933.

H. B. 604  CHAPTER 34

AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE TOWN OF WINTON TO APPOINT AN AGENT OR AGENTS FOR THE COLLECTION OF TAXES IN SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Winton, in their discretion, are hereby authorized to appoint an agent for the purpose of collecting taxes in the Town of Winton where the office of tax collector is vacant by reason of the failure of the elected or appointed tax collector to qualify, the compensation of said agent to be fixed by the said Board of Commissioners not to exceed three per cent of the amount collected. Each agent so appointed shall give a good and sufficient bond to be fixed and approved by the Board of Commissioners. The said agent shall be subject to removal at any time without cause by the said board: Provided, no member of the Board of Commissioners of said town shall be appointed to act as such agent.

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. 1933.
H. B. 249  CHAPTER 35
AN ACT TO GRANT A NEW CHARTER FOR THE TOWN OF PINEBLUFF, MOORE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the inhabitants now or hereafter residing within the following boundaries, to wit: On the west side of the west line of the fruit farms of A. L. Ricker and others, numbered one to fourteen inclusive, as shown by a supplementary survey and map made by Francis Deaton in the year one thousand eight hundred and ninety-four; said line beginning at the southwest corner of fruit farm number six (No. 6) and bearing north 19.26 east, and extending to a point one hundred feet beyond the northwest corner of fruit farm number fourteen (No. 14); thence south 70.34 east to an intersection with Juniper Branch; thence with the courses of said Juniper Branch to its junction with Aberdeen Creek; thence southeast to the east line of the right-of-way of the Seaboard Air Line Railway; thence southerly with the east line of said right-of-way to a point due east of the mouth of Forked Creek at its junction with Aberdeen Creek; thence west to the mouth of said Forked Creek; thence with the courses of said Forked Creek and the south fork of same to a point where the south line of fruit farm number six (No. 6) extended easterly with a bearing of south 70.34 east intersects said south fork; thence with said line to the southwest corner of said fruit farm number six (No. 6), the point [of] beginning, shall be and remain a body politic and corporate under the name and style of the Town of Pinebluff, and shall have all the powers, rights and privileges belonging to or usually vested in or pertaining to municipal corporations.

Sec. 2. That, except as hereinafter provided for, the general laws of the State of North Carolina, chapter fifty-six, Consolidated Statutes and amendments thereto governing municipal corporations, shall be in full force and effect.

Sec. 3. That the Board of Commissioners shall have the management and control of the Waterworks System and may appoint a Commissioner of Water or other agents who shall act for them during their pleasure and according to their direction.

The Commissioner shall, in conformity to the methods hereinafter set out, fix the charges at which new installation will be made and the rate at which water will be sold and the rules and regulations governing the operations thereof.

There shall be a Basic Minimum Yearly Charge for water fixed by dividing the average yearly cost of operation of the Water System, based on the five previous years' operations, by the number of revenue-producing meters and to this quotient
adding a sufficient fraction to bring it to a whole number. This whole number shall be the Basic Minimum Charge per year in dollars.

Each user of water shall pay a yearly minimum charge based on the size of his meter connection according to the following schedule:

For three-fourths inch or smaller meter, Basic Minimum, and for each one-fourth inch that a meter may exceed three-fourths inch there shall be added fifty per cent of the Basic Minimum.

The charges for new connections shall be one hundred twenty-five per cent of the minimum charge applicable to the size of the meter installed.

Water shall be sold at a rate per thousand gallons graduated according to the amount of water used each year by a consumer in conformity to the following schedule:

1st Bracket—1st 16,000 gallons @ Basic Rate.
2nd Bracket—Next 34,000 gallons @ 10c less rate.
3rd Bracket—Next 100,000 gallons @ 20c less rate.
4th Bracket—Next 100,000 gallons @ 30c less rate.
5th Bracket—All over 250,000 gallons @ 40c less rate.

Provided, however, that no rate shall be less than ten cents per thousand gallons.

The Basic Rate shall not be more than fifty cents per thousand gallons, provided this rate, together with the graduated rates for the higher brackets, produces a sufficient income to pay the cost of operating the water system as above set out, plus twenty-five per cent for a surplus per year.

If, and when, this Basic Rate together with the higher bracket rates have produced an accumulative surplus equal to the total cost of operating the Water System for the four previous years, the Basic Rate shall be reduced to such a rate as with the proportional higher Bracket Rates will maintain the accumulative surplus at a figure not less than the total cost of operating the Water System for the three previous years.

The object being to sell the water as cheaply as possible, but to maintain a surplus for emergencies equal to the cost of operating the Water System, for not less than three years nor more than four years.

The Commissioners or their agent, either in conformity to the general law of the State or by seizure and sale of real property in conformity with the law of the State empowering the sheriff of a county to enforce the payment of taxes, may enforce the payment of water bills.

Funds collected for the operation of the Water System shall not be used for other purposes.

Sec. 4. That Pinebluff, within its entire corporate limits, where no wild bird shall ever be killed or molested except as
is hereinafter provided, is hereby declared to be a Bird Sanctuary; and it shall be the duty of the town officials to use such means as they deem best to encourage the citizenry to attract and protect all birds. A number of appropriate signs shall be placed on the highways where they enter the town, stating the town is a Bird Sanctuary and all birds are protected by both State and Federal law, and that harming them in any way is a misdemeanor and punishable as such.

It shall be unlawful within the Town limits to pursue, shoot, hunt, kill, capture, snare or net any bird, collect birds' nests, except old and abandoned nests, or eggs, and all lesser acts such as disturbing or annoying birds or placing or using any net or other device for the purpose of taking birds, whether or not they result in taking such birds, except hereinafter provided.

The Board of Commissioners may, upon the recommendation of two adults of good repute owning and maintaining residence within the town, issue licenses, revocable at their pleasure, permitting owners of real estate to shoot, trap or destroy, upon their own property, any or all birds named in the bulletins issued by the United States Biological Survey as not worthy of protection.

The shooting, trapping or destroying of all animals that prey upon birds by adult residents of the town shall be permitted and encouraged, provided it is done humanely.

It shall be the duty of the town officials to bring the citizenry to realize the great menace to bird life of homeless or uncontrolled cats, as the cat is declared by the United States Bureau of Biological Survey to be the worst animal that prey on birds.

It shall be lawful under a bird-bandimg permit issued by the United States Bureau of Biological Survey, endorsed or supplemented by the State officials of North Carolina, to maintain a bird-bandimg station and to capture alive and uninjured birds for banding purposes.

Anything herein to the contrary notwithstanding, it shall be lawful to shoot any bird of prey actually committing depredations on poultry.

Any violation of this section shall be a misdemeanor and punishable by a fine not to exceed fifty ($50.00) dollars, or imprisonment for thirty days.

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

Sec. 6. The provisions of this act shall not apply unless at the next regular municipal election held in and for the Town of Pinebluff there be submitted to the electors the question of "New Charter" or "No New Charter" and if at said election a majority of the votes cast are for "New Charter" then this act shall be in full force and effect.

Ratified this the 1st day of March, A.D. 1933.
CHAPTER 36

AN ACT TO AMEND CHAPTER 46, PRIVATE LAWS 1915, RELATING TO THE ELECTION OF A MAYOR AND COMMISSIONERS OF THE TOWN OF SMITHFIELD, JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter forty-six of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended to read as follows:

"Section 1. That all of section six of chapter two hundred and nineteen of the Private Laws of one thousand nine hundred and eleven be stricken out and in lieu thereof the following inserted:

"Section 6. That there shall be an election on Tuesday after the first Monday in May, one thousand nine hundred and thirty-three, and biennially thereafter, for a mayor and seven commissioners for said town, who shall hold their respective offices for two years until their successors are qualified. That on the first Monday in April, one thousand nine hundred and thirty-three, and biennially thereafter, a primary shall be held by each political party for the nomination of a mayor and seven commissioners for said town under the laws and regulations now in force for municipal primaries and should a second primary be necessary the same shall be held on the third Monday in April of such year.'"

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

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

Ratified this the 3rd day of March, A.D. 1933.

CHAPTER 37

AN ACT FOR THE RELIEF OF DELINQUENT TAXPAYERS OF THE TOWN OF MOUNT AIRY, IN SURRY COUNTY, AND TO PROVIDE FOR DEFERRING FORECLOSURE ACTIONS ON SALES OF PROPERTY HERETOFORE MADE FOR NON-PAYMENT OF TAXES, ETC.

The General Assembly of North Carolina do enact:

SECTION 1. That whereas real estate of various and sundry taxpayers of the town of Mount Airy has been sold for the non-payment of taxes assessed and for the non-payment of street assessments and other charges laid and levied by the Board of Commissioners of the town of Mount Airy, in Surry County; and
Whereas it is deemed to the best interests of the property owners as well as to the best interests of the town of Mount Airy that actions to foreclose upon said sales made shall be postponed and deferred, that the Board of Commissioners of the town of Mount Airy be and they are hereby authorized and empowered to defer and postpone the beginning of actions in all cases except as hereinafter provided for a term of twelve months from the first day of March, 1933.

Sec. 2. That no statute of limitations applying shall be deemed to be effective as to such foreclosure suits except from the first day of March, 1934, but that said suits and actions on authority of the Board of Commissioners shall be postponed for one year from March 1, 1933, in the discretion of said Board, and the statute of limitations shall run against said foreclosure suits only from March 1, 1934.

Sec. 3. That action taken by the Board of Commissioners of the town of Mount Airy on or before the first Tuesday in April, 1933, shall relate to and be effective as to such sales and the statute of limitations as fully as if the same shall have been taken on the first Tuesday in March, 1933.

Sec. 4. That all taxes heretofore levied and assessed, street assessments, and other valid charges and levies made and yet remaining unpaid shall remain in full force and effect unaffected by any statute of limitations or failure to commence action to foreclose.

Sec. 5. That the rate of interest chargeable on all unpaid taxes levied, on street assessments and other levies shall be that heretofore provided by law except the rate of interest chargeable or collectible from March 1, 1933, shall be only at the rate of six per cent per annum.

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

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

Ratified this the 6th day of March, A.D. 1933.

H. B. 531 . CHAPTER 38

AN ACT TO AUTHORIZE AND EMPOWER THE TOWN OF EAST FLAT ROCK, HENDERSON COUNTY, TO SELL ITS DELINQUENT TAX LIST FOR THE YEAR 1930.

Whereas, the Town of East Flat Rock is a municipal corporation situate in Henderson County, and its officials inadvertently failed to cause its delinquent tax list for the year one thousand nine hundred thirty to be advertised and sold as required by law; and
Whereas, it is the desire of the governing authority to cause said delinquent tax list for said year to be advertised and sold and preserve its lien for said past due taxes by the institution of foreclosure proceedings: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Town of East Flat Rock be and it is hereby authorized and empowered, through its tax collector, to cause its delinquent tax list for the year one thousand nine hundred thirty to be advertised and sold and tax certificates issued to purchasers at said sale.

Sec. 2. That the failure of the said Town of East Flat Rock to advertise and sell its delinquent tax list for the year one thousand nine hundred thirty within the time prescribed by statute shall not invalidate the sale herein authorized, but the same shall be as effective as if the said sale had been conducted within the time prescribed by statute.

Sec. 3. That foreclosure proceedings upon said certificates, issued in pursuance of authority herein granted, shall be instituted at any time before June first, one thousand nine hundred thirty-three, and that said proceedings shall have the same validity as though said tax certificates had been issued within the time prescribed by statute.

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 6th day of March, A.D. 1933.

H. B. 577

CHAPTER 39

AN ACT TO AMEND CHAPTER 128 OF THE PRIVATE LAWS OF 1931, RELATING TO THE TRIBAL COUNCIL OF THE EASTERN BAND OF CHEROKEE INDIANS.

The General Assembly of North Carolina do enact:

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

"Section 1. That chapter two hundred and seven of the Private Laws of one thousand eight hundred and ninety-seven be amended as follows: By striking out section one thereof and inserting in lieu thereof the following:

"Section 1. That the officers of said corporation shall consist of a Principal Chief, Assistant (or Vice) Chief, and for the
present twelve members of council as follows: From Yellow Hill settlement in Swain County, two members; from Big Cove settlement in Swain County, two members; from Birdtown settlement in Swain and Jackson Counties, two members; from Wldtown settlement in Jackson County, two members; from Painttown settlement in Jackson County, two members; from Cheoah settlement in Graham County, two members; also a Secretary Interpreter, Marshal of the band and other officers, as hereinafter provided.'"

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

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

Ratified this the 6th day of March, A.D. 1933.

H. B. 671

CHAPTER 40

AN ACT TO AMEND SECTION ONE OF CHAPTER TWO, PRIVATE LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATING TO THE ELECTION OF COTTON WEIGHER FOR MARSHVILLE, UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two of the Private Laws of one thousand nine hundred and thirty-one be and the same is hereby amended to read as follows:

"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 Marshville, North Carolina."

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 6th day of March, A.D. 1933.

S. B. 236

CHAPTER 41

AN ACT TO RATIFY AND VALIDATE EXTENSION OF BENEFIT ASSESSMENTS IN TOWN OF CHERRYVILLE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the extension of benefit assessments due the Town of Cherryville, North Carolina, in accordance with resolution adopted by the Board of Commissioners on July 7, 1931,
is hereby ratified, validated and confirmed as fully as if previously authorized.

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

Ratified this the 8th day of March, A.D. 1933.

S. B. 237  
CHAPTER 42

AN ACT TO AUTHORIZE THE BOARD OF SCHOOL COMMISSIONERS OF GASTONIA GRADED SCHOOL DISTRICT, GASTON COUNTY, TO ISSUE BONDS AND TO PROVIDE FOR A TAX LEVY FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

Section 1. Subject to a vote of the majority of the qualified voters of Gastonia Graded School District, Gaston County, the board of school commissioners of Gastonia Graded School District is hereby authorized to issue at one time not exceeding forty thousand dollars ($40,000.00) worth of bonds of said district for the purpose of refunding an outstanding indebtedness of said district incurred for the operation and maintenance of the schools in said district, the said bonds to bear interest at the rate of not exceeding six per centum per annum, payable semi-annually, and to mature in annual installments or series, the first of which shall be made payable not more than three years after the date of the said bonds, and the last not more than forty years from said date. The amount of bonds to mature in each year shall be such as will result in a practically constant amount being paid each year for the retirement of bonds and the payment of interest. If all of the bonds are not issued at the same time the bonds at any one time outstanding shall mature as aforesaid.

Sec. 2. No bonds shall be issued hereunder unless a majority of the qualified voters of said school district shall vote in favor of the issuance of same at an election to be called by the city council of the city of Gastonia, after a petition requesting said election and signed by a majority of the board of school commissioners of said district has been filed with the said city council. It shall not be necessary to submit to the voters any other details of said bonds than the amount or maximum amount thereof, and the purpose of issuance, and the fact that a tax for the payment of the bonds and interest will be levied. No other or further notice of the election shall be required than a publication not more than fifty days nor less than twenty days before said election, in a newspaper published in the City of Gastonia, and circulating within the said district, said publica-
Contents.

New registration.

Publication of notice of.

Contents.

General election laws applicable.

Preparation of bonds.

Form.

Registration.

Sale of bonds.

Commission to purchaser.

Notice of sale.

Separate fund.

Annual tax for retirement.

Section 2. The provisions of the laws hereunder, except that the election shall be canvassed by the said city council.

Sec. 3. If the said city council shall determine that a majority of the qualified voters of said district shall have voted in favor of the issuance of said bonds the board of school commissioners shall cause the same to be prepared and executed in such manner as they may determine; said bonds shall be issued in coupon form, and may, in the discretion of the board of school commissioners, be made subject to registration as to principal alone or as to both principal and interest. The said board of commissioners shall sell the said bonds, but no sale of any of the bonds shall be made at less than par and accrued interest: Provided, that the said board may pay a reasonable commission or allowance to the purchaser of said bonds, the finding of the said board as to the reasonableness of the commission or allowance to be made to be final. Notice of the sale of said bonds shall be published as required by the municipal finance act for the sale of municipal bonds. The proceeds of the said bonds shall be placed in a separate fund and used only for the purposes for which the bonds were issued.

Sec. 4. If the said city council shall determine that a majority of the qualified voters shall have voted in favor of the issuance of said bonds it shall be the duty of the said city council in each year while any of the bonds shall be outstanding to levy a tax upon all taxable property within said school district over and above all other taxes authorized or limited by law sufficient to meet the payment of the principal and interest of said bonds in accordance with their terms; which said tax when collected shall be paid over to the treasurer of the said board of school commissioners to be applied solely to the payment of the principal and interest of said bonds.
SEC. 5. The failure of the voters of said district to authorize the issuance of said bonds at the first election shall not prevent the submission of the question at other elections to be called and held in accordance with this act, but not more than one election shall be held hereunder in any one year.

SEC. 6. Application is to be made to the Local Government Commission as provided under Chapter 60, Section 11, Public Laws 1931, as follows:

Before any bonds or notes are issued by or in behalf of any unit and before the question of such issuance shall be submitted at an election, except bonds or notes whose issuance has heretofore been approved by the State Sinking Fund Commission under the provisions of Chapter two hundred and seventy-seven, Public Laws of nineteen hundred and twenty-nine, the board authorized by law to issue the same or an officer thereof shall make application to the Commission (either before or after such authorization) for its approval of the proposed bonds or notes and shall state such facts in such application or by exhibits annexed thereto in regard to such bonds or notes and such unit and its financial condition as may be required by the Commission. The Commission shall consider such application and shall determine whether the issuance of such bonds or notes is necessary or expedient.

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

Ratified this the 8th day of March, A.D. 1933.

S. B. 298

CHAPTER 43

AN ACT TO ABOLISH WARDS IN THE CITY OF GOLDSBORO AND PROVIDE FOR THE NOMINATION AND ELECTION AT LARGE OF A MAYOR AND FIVE ALDERMEN FOR SAID CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall, at the regular City Municipal Election for Mayor and Aldermen on the first Monday in May, 1933, and biennially thereafter, be elected a Mayor and five Aldermen for the City of Goldsboro who shall be residents of said City and who shall hold their offices until their successors are qualified. That said Mayor and Aldermen shall be elected at large by all of the qualified voters of said City.

Sec. 2. That said Mayor and Aldermen shall be nominated as heretofore in a City Primary, except they shall be nominated at large by all the voters of said City by a City Primary to be called by the Board of Aldermen of said City and conducted
under such rules and regulations as the Board of Aldermen may
prescribe. Such Primary shall be called on the second Wednes-
day in April, 1933, and biennially thereafter.

Sec. 3. That in such Primary, in voting for nominees for
Aldermen, the voter shall cast a ballot for as many as five Alder-
men, otherwise such ballot shall not be counted.

Sec. 4. That in such election, in voting for Aldermen, the
voter shall cast a ballot for as many as five Aldermen, otherwise
such ballot shall not be counted.

Sec. 5. If any section or sections of this Act should be uncon-
stitutional the constitutionality and validity of the remainder of
the Act shall not be affected thereby and such remainder of the
Act shall be in full force and effect.

Sec. 6. That all laws, parts of laws or clauses of laws in con-
flict with this Act are hereby repealed.

Sec. 7. That this act shall be in force and effect from and
after the date of its ratification.

Ratified this the 8th day of March, A.D. 1933.

S. B. 335

CHAPTER 44

AN ACT FOR THE RELIEF OF THE BANK OF FRANKLIN
AND ITS DEPOSITORS.

Preamble: Closing
of Bank of
Franklin.

Whereas, the Bank of Franklin, in Macon County, North Caro-
lina, closed its doors in the month of December, nineteen hun-
dred and thirty, and at the time of such closing was indebted
to the depositors in the sum of four hundred thirty-four thou-
sand two hundred and thirty-seven ($434,237.00) dollars; and

Present condition.

Whereas, the said bank since said closing has been in process
of liquidation by the officers thereof, and during such liquidation
the aforesaid indebtedness has been reduced from the said sum
of four hundred thirty-four thousand two hundred and thirty-
seven ($434,237.00) dollars to the sum of thirty-eight thousand
($38,000.00) dollars, and now has solvent assets in the sum of
one hundred forty-four thousand seven hundred and forty-one
($144,741.00) dollars, not including the stockholders' liabilities;
and

Expiration of
stockholders' agreement.

Whereas, the said bank, through its managers liquidating the
same, made an agreement with the bank depositors under the
terms of which the said depositors agreed not to call for the
payment of their deposits until or prior to the first day of
October, one thousand nine hundred thirty-three; and

Advisability of ex-
tending liquidation.

Whereas, it now appears that said depositors, because of pres-
ent financial conditions, cannot be settled with in full within
the time agreed, but that by extending the time of liquidation
the depositors, other creditors and the stockholders can be saved from any loss and paid in full: *Now, therefore,*

*The General Assembly of North Carolina do enact:*

**SECTION 1.** That the liquidating agent of the Bank of Franklin, his successor or successors, be given an extension of time, viz, to October first, one thousand nine hundred thirty-five, to complete the liquidation of said Bank of Franklin, and the said liquidating agent, his successor or successors, are directed under this act to pay to the said depositors from time to time a dividend of ten per cent with four per cent interest on said dividend, the interest to be calculated from October first, one thousand nine hundred thirty-three, as they collect a sum sufficient to pay a dividend of that amount.

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

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

Ratified this the 8th day of March, A.D. 1933.

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**H. B. 504**

**CHAPTER 45**

*AN ACT TO AMEND CHAPTER 119 OF THE PRIVATE LAWS OF NORTH CAROLINA OF ONE THOUSAND NINE HUNDRED TWENTY-SEVEN AND TO CHANGE THE CORPORATE BOUNDARIES OF THE TOWN OF WINDSOR, IN BERTIE COUNTY.*

*The General Assembly of North Carolina do enact:*

**SECTION 1.** That chapter one hundred and nineteen of the Private Laws of one thousand nine hundred and twenty-seven be and the same is hereby amended by striking out all of section one after the semi-colon (;) following the word "Aulander" in line thirty thereof and substituting therefor the following:

"Thence running a straight line an easterly course to the back northeast corner of the J. W. Lawrence residence lot at a ditch; thence running a southerly course along the back eastern line of the J. W. Lawrence lot, the Mrs. W. H. Ewell lot and the J. E. Castellow lot to Spring Street; thence running a westerly course along Spring Street to the northeast corner of the Billie B. and Moella Rice lot; thence running a southerly course along the back eastern line of the Billie B. and Moella Rice lot and the John Conner lot to the line of the Sheppard land; thence running an easterly course along the line of the Sheppard land to the right-of-way of the Carolina Southern Railway Company;
Conflicting laws repealed.

thence running along the right-of-way of the Carolina Southern Railway Company a southerly course to the present corporate boundaries of the town of Windsor in the dividing line of the J. H. White, the old Sheppard, the E. S. Dail and the A. S. Rascoe lands; thence along the present boundaries of the town of Windsor an easterly course to Cashie River; thence down Cashie River and its various courses to the place of beginning."

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

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

Ratified this the 8th day of March, A.D. 1933.

H. B. 511        CHAPTER 46

AN ACT TO REPEAL A PORTION OF CHAPTER 15, SECTION P, OF THE LICENSE SCHEDULE OF THE PRIVATE LAWS OF 1923, AND TO REMOVE A DISCRIMINATION AGAINST CERTAIN LICENSES OPERATING IN ELIZABETH CITY AND TO PLACE THEM UPON THE SAME BASIS AS SIMILAR LICENSES OPERATED IN OTHER PARTS OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That so much of chapter fifteen, Private Laws of one thousand nine hundred and twenty-three, section one hundred and forty under section P of the License Schedule, page eighty-three, reading as follows: "Provided, that no person or persons under twenty-one years of age be allowed to enter or loiter in a pool room where billiards, pool, bagatelle tables, or tables of like character, are kept for rent, hire, or for compensation directly or indirectly; and no person or persons shall be allowed to enter or participate in any game of pool, billiards, or any game of like character in a pool or billiard room where table or tables are kept for the purpose specified above without first being required by the management or attendant thereof to register his name in a book which shall be kept for that purpose, said book to have a printed head at the top of each page worded as follows:

"I hereby certify that I am not under twenty-one years of age,' said book to be open at all times to inspection by the police department or any other city official: Provided further, that any person or persons operating a pool or billiard room, where tables are kept for the purpose above specified, who shall violate any provisions of this ordinance, shall be guilty of a misdemeanor, and if convicted a second time for such offense the
board may, in its discretion, revoke said license. Any person under twenty-one years of age who shall violate any provision of this ordinance shall be guilty of a misdemeanor,” be and the same is hereby repealed.

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 8th day of March, A.D. 1933.

H. B. 608 CHAPTER 47
AN ACT TO APPOINT TRUSTEES FOR THE COOPER BURIAL GROUND IN CASWELL COUNTY.

Whereas, Elijah R. Smith and wife, Mary F. Smith, conveyed to John R. Smith, James W. Nelson, and T. Y. Compton as trustees and to their successors in office one acre of land fully described in Book 54, page 416, and which is recorded in the office of the Register of Deeds of Caswell County, and the lands conveyed for said deed to be used for a cemetery and for no other purpose;

Whereas, the trustees named in said deed are now dead and no way has been provided for the appointment of their successors: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That W. A. Nelson, Henry Warren, and Joseph H. Warren be and they are hereby appointed the trustees for the “Cooper Burial Ground,” with all the rights and privileges conveyed upon the original trustees, said trustees to hold their office during the life of each: Provided, however, that in the case of a vacancy in the Board of Trustees either by death, resignation, or otherwise, then the remaining member or members of said Board shall appoint a new trustee or trustees, and when thus appointed the said trustee or trustees shall have all the rights, powers, and privileges which the original trustees had and those appointed herein.

Sec. 2. That said trustees are authorized and empowered to acquire additional land adjoining said cemetery for cemeterial purposes either by gift or purchase.

Sec. 3. That the said trustees shall have full management control of said Cooper Burial Ground, with the right to make such rules and regulations as they shall deem necessary for permitting any one to be buried in said cemetery and for the upkeep thereof.
Conflicting laws repealed.

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

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

Ratified this the 8th day of March, A.D. 1933.

H. B. 690  
CHAPTER 48

AN ACT TO AMEND CHAPTER 194 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION 1901, SO AS TO FIX THE DATE ON WHICH THE OFFICERS OF THE CITY OF SHELBY WILL TAKE THEIR OFFICE.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-four of the Private Laws of North Carolina, session nineteen hundred and one, be amended so that section six thereof be repealed and in lieu thereof the following be substituted: That there shall be elected by the qualified voters of the City of Shelby, North Carolina, on the first Tuesday in May, one thousand nine hundred and thirty-three, and on the first Tuesday in May every two years thereafter, a Mayor and four aldermen, one alderman for and from each of the four wards of the City, who shall hold office for the term of two years from July first, one thousand nine hundred and thirty-three, and until his successor is elected and qualified; and each successive term of office shall begin July first of election year.

Sec. 2. That the present Mayor and Board of Aldermen shall hold their offices until July first, one thousand nine hundred and thirty-three, with the same power and authority as if they had been elected to hold office until said date.

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

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

Ratified this the 8th day of March, A.D. 1933.
H. B. 692

CHAPTER 49

AN ACT TO AMEND CHAPTER 351, PRIVATE LAWS OF 1913, RELATIVE TO THE CHARTER OF THE TOWN OF DALLAS, NORTH CAROLINA, PROVIDING FOR A CHANGE IN THE DATE OF ELECTION OF MAYOR AND BOARD OF ALDERMEN OF SAID TOWN AND PROVIDING FOR AN ANNUAL AUDIT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred fifty-one of the Private Laws of North Carolina for the year one thousand nine hundred thirteen be and the same is hereby amended by striking out all of Section three of said chapter and inserting in lieu thereof the following:

"Section 3. That an election shall be held for the Town of Dallas on the first Monday in May, one thousand nine hundred and thirty-three, and every two years thereafter, at which election there shall be elected by qualified voters of said town a mayor and five aldermen: Provided, that at each election the mayor and each alderman then elected shall be a qualified voter of said town. That the election for said officers of the Town of Dallas shall be conducted under the election law, as is prescribed by the General Assembly of North Carolina for the election of State and County officers."

SEC. 2. That Section five of Chapter three hundred fifty-one of the Private Laws of North Carolina for the year one thousand nine hundred thirteen be amended by striking out all of said section down to and including the word "qualified" in line ten thereof and inserting in lieu thereof the following:

"Section 5. That the Mayor and five aldermen, which shall be elected on the first Monday in May, shall, after having taken and subscribed before some person lawfully entitled to administer oaths, the oath of affirmation to support the Constitution of the United States and the Constitution of North Carolina and to faithfully perform the duties of their office (which oath or affirmation shall be entered upon the minutes of the said town, subscribed as aforesaid, and attested by the officer administering the same), shall enter into the execution of their office as of midnight, June the thirtieth, following the date of their election, and continue in office until their successors shall have been elected and qualified."

SEC. 3. That chapter three hundred fifty-one of the Private Laws of North Carolina for the year one thousand nine hundred thirteen be amended by striking out all of section fourteen and inserting in lieu thereof the following:

"Section 14. That the Mayor and Board of Aldermen shall make, or cause to be made by a public accountant, an annual
acting of the books, records and accounts of the Town Treasurer and Town Clerk, showing an itemized statement of all receipts, disbursements and financial transactions of said officer or officers. Said audit shall be made as of June thirtieth of each and every year and shall reflect the true financial condition of said Town of Dallas. The said Mayor or Board of Aldermen may, in their discretion, require from time to time other and further audits by a public accountant or a member or members of said Board."

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 8th day of March, A.D. 1933.

S. B. 257  
CHAPTER 50  
AN ACT TO AMEND THE CHARTER OF THE TOWN OF WILSON.

The General Assembly of North Carolina do enact:

SECTION 1. The Charter of the Town of Wilson, Wilson County, be and the same is hereby amended by adding thereto the following: That the Board of Aldermen shall be and it is hereby authorized and empowered to employ a City Manager, who shall be the executive agent of the Board of Aldermen in the administration of the affairs of the City. He shall be chosen by the Board of Aldermen without regard to his political opinions and solely upon the basis of his training, experience and administrative qualifications, and the choice shall not be limited to inhabitants of the City or State. No member of the Board of Aldermen shall, during the term for which elected, be chosen as City Manager. The City Manager shall receive such compensation as shall be provided by the Board of Aldermen by ordinance. He shall give such bond as may be required by the Board of Aldermen. He shall be appointed for an indefinite period and shall serve at the will of the Board of Aldermen: Provided, however, that in the event of his removal within eighteen months from the ratification of this amendment he may demand and shall be entitled to a public hearing thereon before the Board of Aldermen, prior to the date on which his final removal shall take effect, but the decision of the Board of Aldermen at such hearing shall be final, and pending such hearing the Board of Aldermen may suspend him from duty. During the absence or disability of the City Manager or while the office is not filled the Board of Aldermen may designate some properly qualified person to perform his duties.
The City Manager shall be responsible to the Board of Aldermen for the efficient administration of all the affairs of the City under his direction and control. It shall be his duty to attend the meetings of the Board of Aldermen, with the right to take part in the discussion but without a vote. He shall recommend to the Board of Aldermen from time to time such measures as he shall deem necessary, and shall furnish the Board of Aldermen with necessary information respecting any of the departments of the City under his direction and control. He shall not make any contract or purchase in the name of the City unless the same shall have been authorized by ordinance or resolution of the Board of Aldermen. The City Manager shall not be personally interested in any contract to which the City is a part. It shall be the duty of the City Manager to see that the laws and ordinances of the City are properly enforced. He shall have power and authority, pending action by the Board of Aldermen, to revoke licenses issued subject to revocation.

Unless otherwise provided in the Charter, the City Manager shall have power to appoint and remove all heads of Departments and all subordinate officers and employees of the City. Except for the purpose of inquiry, the Board of Aldermen and its members shall deal with the administrative service of the City through the City Manager. No member of the Board of Aldermen shall give orders to any subordinate of the City Manager, either publicly or privately. Where the Charter gives to the City Manager the power to appoint or to employ persons in the administrative service of the City, neither the Board of Aldermen nor any of its members shall dictate the appointment or employment of any person or persons, but the City Manager shall be left free to exercise his own judgment in appointing such person or persons, and he shall have power to suspend or dismiss any person so appointed and his action in every case shall be final.

The City Manager shall, except when clearly inconsistent with the provisions of the Charter, exercise supervision and control over all Departments and divisions created herein or that may hereafter be created by the Board of Aldermen. He shall prepare and submit to the Board of Aldermen for its consideration and action a proposed annual budget and shall keep the Board, at all times, advised as to the conditions and efficiency of the various Departments of the City under his direction and control and of the needs and condition of the City. He shall perform such other duties as may be prescribed by the Charter or be required of him by ordinance or resolution of the Board of Aldermen.

The City Manager shall not engage in electioneering nor take an active part in political campaigns nor attempt to influence political activity of City Manager prohibited.
the result of State, county or city elections except by exercising his right as a citizen to hold his own political views and to cast his own vote. Electioneering or improper political activities by the City Manager or attempts to influence the results of election or primaries shall be a cause for his immediate suspension or removal from office, either by the Board of Aldermen or by any Judge of the Superior Court having jurisdiction, upon mandamus or other appropriate proceedings instituted by any taxpayer of said city.

The City Manager shall not change or alter any salary of any employee of the Town of Wilson after the same has been fixed in the annual budget.

SEC. 2. At the time of holding the primary for the nomination of Mayor and other officers of the Town of Wilson in the year 1933, the questions of the adoption of this amendment to the Charter of the Town of Wilson shall be submitted to the qualified voters of said Town. The said election shall be held under the laws governing the holding of primary elections and elections for the Town of Wilson. At said election all those who are in favor of the adoption of the amendment shall vote a ballot upon which shall be printed or written the words “For Amendment Providing for City Manager,” and those who are opposed shall vote a ballot upon which shall be printed or written the words “Against Amendment Providing for City Manager.” If in said election a majority of the votes cast shall be “For Amendment Providing for City Manager” the said amendment shall be adopted and become a part of the Charter of the Town of Wilson, but if a majority of the votes cast shall be “Against Amendment Providing for City Manager,” said amendment shall not become a part of the Charter of the Town of Wilson.

SEC. 3. If said amendment shall be adopted as herein provided for, then, and in such event, it shall go into effect at the time of the qualification of the Mayor and Aldermen, who shall be elected at the election held in 1933.

SEC. 4. Except as herein provided, this Act shall be in force from and after its ratification.

Ratified this the 9th day of March, A.D. 1933.
S. B. 263

CHAPTER 51

AN ACT RELATING TO APPROPRIATION AND ANTICIPATION OF SCHOOL MAINTENANCE AND OTHER FUNDS IN THE CITY OF BURLINGTON.

The General Assembly of North Carolina do enact:

SECTION 1. The appropriation by the City of Burlington of Twenty Thousand Dollars ($20,000.00) to the maintenance fund of the Burlington City Graded School District for the year 1933-1934, in addition to the appropriation of school maintenance funds to be paid from the estimated collections of taxes in said fiscal year 1933-1934 levied by said City under its authority to levy taxes for the maintenance of the public schools in said School District, is hereby ratified and approved.

SEC. 2. The action of the Board of Aldermen of the City of Burlington in borrowing Twenty Thousand Dollars ($20,000.00) on School Maintenance Fund Anticipation six per cent notes of said City in the fiscal year 1933-1934 and paying the same over to the Board of Education of the Burlington City Graded School District as and for the appropriation aforesaid is hereby ratified and approved, said money having been borrowed in anticipation of the collection of taxes which are to be levied in whole or in part in years subsequent to said fiscal year 1933-1934 by the said City under its authority to levy taxes for the maintenance of the public schools of said School District.

SEC. 3. The City of Burlington is hereby authorized and empowered, as soon as this act shall become effective, to make appropriations in an aggregate amount not exceeding Twelve Thousand Dollars ($12,000.00) for the purpose of making additions to and improvements of its sewage disposal and water plants, such appropriations to be in addition to appropriations heretofore made for the fiscal year 1933-1934.

SEC. 4. For the purpose of meeting any appropriations made pursuant to the provisions of Section 3 of this act, the City of Burlington is authorized and empowered to borrow money within the aggregate amount of such appropriations in anticipation of the collection of the taxes and revenues of said City in the current and subsequent fiscal years.

SEC. 5. It shall be lawful for the City of Burlington to renew from time to time any and all notes evidencing indebtedness ratified and authorized by this act and to carry the said indebtedness as a floating indebtedness. Any such school fund maintenance indebtedness shall be repaid from the collection of taxes to be levied by the City of Burlington in the current and subsequent fiscal years for the maintenance of the public schools in said School District; and any such sewerage plant indebtedness shall be repaid from the collection of taxes and revenues of
said City in the current and subsequent fiscal years. The amounts of each class of said indebtedness to be carried as a floating debt and the amounts thereof which shall be repaid in each year subsequent to the current fiscal year shall be subject to the approval of the Local Government Commission. No note which shall evidence any of said indebtedness shall bear interest at a rate greater than six per cent per annum.

Sec. 6. Except as herein otherwise expressly provided, all notes issued and renewed to evidence indebtedness herein ratified and authorized shall be issued and renewed pursuant to the provisions of the Municipal Finance Act and the Local Government Act and acts amendatory thereof.

Sec. 7. It shall be lawful to pledge, by lodging with a custodian as provided in the Local Government Act, revenue anticipation notes of the City of Burlington, including the notes ratified and authorized by this act and any renewals thereof, as security for funds of said City (or whatever kind or nature or for whatever purpose the same have been raised or shall be held) deposited in any bank.

Sec. 8. This act is intended as a supplemental and additional grant of power to the City of Burlington and shall not supplant or repeal any existing power relating to the subject matter hereof, and the provisions of this act shall be effective notwithstanding any conflicting provisions in any general, public-local or other special act.

Sec. 9. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction the decree of such court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had there been contained herein only such provisions as shall not be held unconstitutional.

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

Ratified this the 10th day of March, A.D. 1933.

H. B. 530

CHAPTER 52

AN ACT TO ESTABLISH A BOXING COMMISSION FOR THE TOWN OF BELMONT IN GASTON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That there is hereby created a boxing commission for the town of Belmont in Gaston County, which said commission shall consist of three citizens of the town of Belmont; and the Mayor of said town 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 incorporated limits of the town of Belmont in Gaston County 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. Any person, firm, association or corporation who shall refuse to obey the rules, orders and regulations of said boxing commission or who shall be guilty of engaging in promoting, managing, aiding or abetting any boxing match within the incorporated limits of said town of Belmont without first having the written consent of said boxing commission shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding Fifty Dollars or imprisonment 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 10th day of March, A.D. 1933.

H. B. 584  CHAPTER 53

AN ACT TO REDUCE THE SALARY OF THE MAYOR OF THE CITY OF NEW BERN.

The General Assembly of North Carolina do enact:

SEC. 1. That section sixty of the Charter of the City of New Bern and amendments thereto, relating to the salary of the Mayor, be and the same are hereby amended.

SEC. 2. The salary of the Mayor of the City of New Bern shall be twelve hundred dollars ($1,200.00) per annum.

SEC. 3. That this act shall be in force and effect from and after July first, one thousand nine hundred and thirty-three.

Ratified this the 10th day of March, A.D. 1933.
S. B. 293  

CHAPTER 54

AN ACT RELATING TO THE PAYMENT OF STREET IMPROVEMENT ASSESSMENTS IN THE TOWN OF SELMA.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Selma be and they are hereby authorized and empowered to accept at their face value any and all bonds issued by said Town for street improvements, whether the said bonds are due or not, as credit on or in settlement of assessments against real estate in said Town for street improvements: Provided, that provision is made to take care of bonds which mature each year.

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

Ratified this the 11th day of March, A.D. 1933.

H. B. 467  

CHAPTER 55

AN ACT TO ALLOW THE BOARD OF ALDERMEN OF THE TOWN OF BREVARD TO EXTEND THE TIME FOR PAYMENT OF STREET ASSESSMENTS IN SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. At any time or times prior to July first, one thousand nine hundred thirty-five, the governing board of the Town of Brevard, upon petition of any property owner against whose property any special assessment for local improvements has been made, may adopt a resolution granting an extension of time for the payment of the installments of such special assessment then due and unpaid, and/or to become due in the future, by computing the total accrued unpaid interest on the entire assessment against any lot or parcel and adding the same to the total amount of the installments of such special assessment against such lot or parcel due and unpaid and to become due in the future, and dividing the new total into ten equal installments, the first of which such new installments shall become due and payable on the first day of the following October, and one due annually thereafter on the same date until all shall have been paid in serial order. Such installments shall bear interest at the rate of six per cent per annum from the date such extension of time of payment is granted, which interest shall be due and payable annually on the same date that the installments of the principal are due: Provided, however, that no such extension shall in any way discriminate in favor of or against any property assessed by virtue of the same assessment roll; and Pro-
vided further, that such extensions shall not prevent the payment of any assessment or interest at any time; and Provided further, that if any of such new installments is not paid when due it shall be subject to the same penalties as now prescribed by law for unpaid special assessments, and its payment enforced in the same manner as now prescribed by law for unpaid special assessments.

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 13th day of March, A.D. 1933.

H. B. 470

CHAPTER 56

AN ACT TO PROVIDE FOR THE PAYMENT OF MUNICIPAL STREET ASSESSMENTS IN INSTALLMENTS IN THE TOWN OF ENFIELD.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of the Town of Enfield 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-three, 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 of laws in conflict with this act, to the extent of such conflict, are hereby repealed.

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

Ratified this the 13th day of March, A.D. 1933.

H. B. 715  
CHAPTER 57
AN ACT TO EXTEND THE TIME FOR PAYMENT OF STREET ASSESSMENTS IN THE TOWN OF AULANDER, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for payment of assessments heretofore levied by the Commissioners of the Town of Aulander, Bertie County, against abutting property owners for and on account of paving, grading or otherwise improving any of the public streets or sidewalks in the Town of Aulander, Bertie County, is hereby extended so as to be payable in ten equal annual installments, beginning July first, one thousand nine hundred and thirty-three. The amount of said installment shall draw interest from July first, one thousand nine hundred and thirty-three, 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 the said Town of Aulander 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 real estate against which said assessments have been levied, in the same manner and under the same laws as real estate is sold for similar unpaid taxes. The whole assessments may be paid at any time by the payment of the principal and all accrued interest to the date of such payment.

SEC. 2. That it shall be the duty of the Board of Commissioners of the Town of Aulander, as soon as practicable after the ratification of this act and before July first, one thousand nine hundred and thirty-three, 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 Town of
Aulander, said uncollected assessments and interest to be computed to the first day of July, one thousand nine hundred and thirty-three, 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 ten equal annual installments, beginning July first, one thousand nine hundred and thirty-three; and thereafter said assessments and interest 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 herein provided, the Town Clerk shall prepare an assessment roll and record the same in a well-bound book designated "Special Assessment Book," which shall be ruled so as to conveniently show:

1. The name of such property.
2. The frontage, in feet, of such lot.
3. The amount that has been assessed against such lot.
4. Amount of such installment and the date when 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 shall be immediately made in said book, and said book shall be open to the public for 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 Aulander and amendments thereto, and the general laws of the State applicable to the 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 affect any assessment heretofore paid or where payment has been provided for by securities, assignments, or otherwise.

Sec. 7. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

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

Ratified this the 13th day of March, A.D. 1933.
H. B. 796  

CHAPTER 58

AN ACT TO PERMIT THE COMMISSIONERS OF THE TOWN OF EAST BEND OR THE TRUSTEES OF THE EAST BEND BAPTIST CHURCH, YADKIN COUNTY, TO REMOVE BODIES TO THE BENBOW CHAPEL COLORED CEMETERY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of East Bend, Yadkin County, or the trustees of the East Bend Baptist Church, be and they are hereby authorized to remove, or cause to be removed, the bodies now buried in the old colored cemetery near the white Baptist Church in said town embracing seventeen bodies, more or less, to the Benbow Chapel colored cemetery nearby in said county: Provided, that before the removal of said graves notice of such action shall be published in some newspaper published in Yadkin County for four successive weeks.

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 13th day of March, A.D. 1933.

H. B. 842  

CHAPTER 59

AN ACT TO AUTHORIZE THE GOVERNING BODY OF THE TOWN OF SPENCER TO EXTEND THE TIME FOR PAYMENT OF STREET AND SIDEWALK ASSESSMENTS AND TO COMPROMISE CLAIMS THEREFOR FOR LESS THAN THE AMOUNT OF SUCH ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Aldermen of the town of Spencer is authorized and empowered, in its discretion, to extend the time of payment of street and sidewalk assessments for at least five years from the maturity date of the last installment, the total balance due at the end of the first ten years to become due and payable in five annual equal installments, with interest at six per cent per annum: Provided, however, that if such extension of time is granted the statute of limitations will not run against the town until three years after the maturity of the last installment, payable under the extension of the time arrangement.
Sec. 2. That the Mayor and Board of Aldermen of the town of Spencer be and they are hereby authorized and empowered, in their discretion, to settle and compromise all claims for street and sidewalk assessments for an amount less than such assessments, either by accepting cash therefor or by accepting a deed from the owner of the lot or lots for the property, subject to such assessments without the necessity of bringing foreclosure proceedings and paying all the costs incident thereto.

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 13th day of March, A.D. 1933.

S. B. 278

CHAPTER 60

AN ACT TO AMEND THE CHARTER OF THE CITY OF WINSTON-SALEM, BEING CHAPTER TWO HUNDRED AND THIRTY-TWO, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN, AND CHAPTER FIFTY-ONE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE.

The General Assembly of North Carolina do enact:

Section 1. Elections:

First. On the first Tuesday after the first Monday in May, one thousand nine hundred and thirty-three, and on the first Tuesday after the first Monday in May biennially thereafter, there shall be elected a mayor, who shall be resident of the city of Winston-Salem. All persons voting for mayor shall cast their ballots in the respective wards in which said voters reside, and the person receiving the highest number of the aggregate of the votes of all the wards for the office of mayor shall be duly declared elected.

Second. There shall, on the first Tuesday after the first Monday in May, one thousand nine hundred and thirty-three, and on the first Tuesday after the first Monday in May biennially thereafter, be elected eight aldermen for said city, who shall hold their offices until their successors are qualified, of whom two shall be elected from Salem Ward, two from First Ward, two from Second Ward and two from Third Ward. Such aldermen shall be residents of the wards for which they are chosen, and shall be elected by the qualified voters of such wards respectively.

Third. There shall be at least one polling place in each ward; if the Board of Aldermen shall divide any ward into two or more precincts, there shall be one polling place in each precinct.
Selection of registrars.

Fourth. The Board of Aldermen of the City of Winston-Salem shall select, at least thirty days before any regular or special election, one person for each election precinct as established by the Board of Aldermen, who shall act as registrar of voters for such precinct; and shall make publication of the names of the persons so selected, and of the time of the election at the City Hall, or in a newspaper published in said city, immediately after such appointment, and shall cause a notice to be served upon the registrars by the sheriff of the county, the chief of police of the City of Winston-Salem or the township constable. If any registrar shall die or neglect to perform his duties, the Board of Aldermen may appoint another in his place. Notice of all special elections shall be given by publication of the ordinances calling for same in a newspaper published in the City of Winston-Salem.

Notice of election.

Fifth. Before entering upon the duties of his office each registrar shall take an oath, before some person authorized by law to administer oaths, to faithfully perform the duties of his office as registrar.

Vacancy appointments.

Sixth. It shall be the duty of the Board of Aldermen of the City of Winston-Salem to cause a registration to be made of all the qualified voters residing therein under the rules and regulations prescribed for the registration of voters for general elections. The Board of Aldermen may, when it deems the same necessary, order a new registration of voters, and unless such new registration shall be ordered, the election shall be held under the existing registration, with such revision as is herein provided.

Registration.

Seventh. In the event a new registration is ordered, the Board of Aldermen shall give thirty days notice thereof by advertisement in some newspaper published in the City of Winston-Salem before the opening of the registration books.

Notice of registration books.

Eighth. Each registrar shall be furnished with registration books, and it shall be his duty to revise the registration books of his precinct in such manner that said books shall show an actual list of the electors previously registered in such ward or precinct and still residing therein, without requiring such electors to be registered anew.

Time for registration.

Ninth. Each registrar shall, between the hours of nine o'clock a. m. and five o'clock p. m. on each day (Sunday excepted) for seven days preceding the day for closing the registration books, as hereinafter provided for, keep open said books for registration of any new electors residing in said precinct and entitled to register, whose names have never before been registered in said precinct or do not appear in the revised list. Such books shall be open until nine o'clock p. m. of each Saturday during such
registration period, and shall be closed for registration on the second Saturday before each election.

Tenth. No registration shall be allowed on the day of election, but if any person shall give satisfactory evidence to the registrar and judges of election that he has become of the age of twenty-one years or otherwise has become qualified to register and vote since the registration books were closed for registration he shall be allowed to register and vote.

Eleventh. On the Saturday preceding the election the registration books shall be kept open at the polling place from the hour of three o'clock p. m. until sunset for the inspection of the electors of the precinct, and such electors shall be allowed to object to the name of any person appearing on said books.

Twelfth. When a person is challenged, the registrar shall enter upon his books opposite the name of the person objected to the word "challenged," and the registrar shall appoint a time and place, on or before the Monday immediately preceding election day, when he together with the judges of election shall hear and decide the objection, giving personal notice to the voter so objected to; and if for any cause personal notice cannot be given, then it shall be sufficient to leave a copy thereof at his residence as the same is entered upon the registration books. If any person challenged shall be found not duly qualified, the registrar shall erase his name from the books. They shall hear and determine the cause of challenge under the rules and regulations prescribed by the general law regulating election for members of the General Assembly.

Thirteenth. The Board of Aldermen shall appoint, at least thirty days before election, two judges of election, who shall be of different political parties where possible, and shall be men of good character, able to read and write, at each place of holding election in said city, who, before entering upon the discharge of their duties, shall take an oath, before some person authorized by law to administer oaths, to conduct the election fairly and impartially, according to the Constitution and laws of the State.

Fourteenth. If any vacancy shall occur on the day of election in the office of registrar, the same shall be filled by the judges of election, and if any vacancy shall occur on that day (election day) in the office of judge the same shall be filled by the registrar; vacancies occurring at any time shall be filled by the Board of Aldermen.

Fifteenth. The registrar and judges of election shall open the polls and superintend the same until the close of election; they shall keep poll books in which shall be entered the name of every person who shall vote, and at the close of the election they shall certify the same over their proper signatures, and
deposit them with the Board of Aldermen. In case the registrar and judges of election shall fail to agree with respect to any matter pertaining to the election, the vote of any two shall control.

Sixteenth. The polls shall be open on the day of election from seven o'clock a. m. until sunset, and no longer; and each person whose name may be registered shall be entitled to vote.

Seventeenth. All qualified electors who have resided for one year in the State of North Carolina and for four months immediately preceding an election within the limits of any voting precinct of the City of Winston-Salem, and not otherwise, shall have the right to vote in such precinct: Provided, that a qualified elector who shall have resided in the City of Winston-Salem four months immediately preceding an election shall not be deprived of his right to vote by reason of his having moved from one voting precinct into another within such period, but such elector may register and vote in the precinct from which he has moved.

Eighteenth. When the election shall be finished the registrar and judges of election shall open the boxes and count the ballots, reading aloud the names of the persons which shall appear on each ballot. The counting of votes shall be continued without adjournment until completed, and the result thereof declared.

Nineteenth. Immediately after any election the registrars shall deposit the registration books for the respective precincts with the Secretary of the Board of Aldermen.

Twentieth. The registrar and judges of election in each voting precinct shall appoint one of their number to attend the meeting of the board of canvassers as a member thereof, and shall deliver to the member who shall have been so appointed the original returns of the result of the election in such precinct; and the members of the board of canvassers who shall have been so appointed shall attend the meeting of the board of canvassers and shall constitute the board of town canvassers for such election, and a majority of them shall constitute a quorum.

Twenty-first. The Board of Canvassers shall meet on the next day after the election at twelve o'clock M. at the mayor's office, and they shall each take the oath prescribed in the general law governing elections for members of the board of county canvassers.

Twenty-second. The Board of Canvassers shall, at their meeting, select one of their number to act as chairman and one to act as secretary, and in the presence of such electors as choose to attend shall open, canvass and judicially determine the result, and shall make abstracts stating the number of legal ballots cast in each precinct for each office, and the name of each
person voted for, and the number of votes given to each person for each different office, and shall sign the same. It shall have power and authority to pass upon judicially all the votes relative to the election and judicially determine and declare the result of the same, and shall have power and authority to send for papers and persons and examine the latter upon oath; and in case of a tie between two opposing candidates, the results shall be determined by lot. In all other respects all elections held in the City of Winston-Salem shall be conducted as prescribed for the election of members of the General Assembly.

Twenty-third. No special election shall be held for any purpose in said City unless at least thirty days notice shall have been given of the same by advertisement in some newspaper published in said City.

Twenty-fourth. The Board of Aldermen shall cause to be printed upon said ballots as an independent or non-partisan candidate the name of any qualified voter who has been requested to be a candidate for office by written petition signed by at least ten per cent of those entitled to vote for a candidate for such office according to the vote cast in the last municipal election for the particular office, when such petition is accompanied by an affidavit from such proposed candidate that he seeks to become an independent or non-partisan candidate and does not affiliate with any political party: Provided, such petition is filed with the Secretary of the Board of Aldermen on or before twelve o’clock M. on the second Tuesday preceding the general municipal election.

Twenty-fifth. All elections held by virtue of this Act shall be under the supervision of the Chief of Police of the City of Winston-Salem, who shall attend the polls and, by his regular force of police and such additional number whom the Mayor may appoint as special deputies, preserve order.

Twenty-sixth. On Monday next succeeding the day of election the mayor and the Aldermen elected thereat shall qualify by taking the oath now provided by law for commissioners of towns; shall succeed to and have all the rights, powers and duties now provided by law for such board as well as those conferred on them by the provisions of this Act, and shall hold office until their successors are elected and qualified.

Twenty-seventh. The ballots printed and used under this Act for primary or general municipal elections shall be printed and in the possession of the Secretary of the Board of Aldermen at least five days previous to the date of the primary or general municipal election, and shall contain the names of all candidates who have been put in nomination by any primary, convention, mass meeting, or other assembly of any political party or have duly filed notice of their independent candidacy, and all
questions or issues to be voted on: Provided, that in case the candidate has not been selected by primary election his name, as the candidate of the respective political party, has been duly filed with the Secretary of the Board of Aldermen by twelve o'clock M. on the second Tuesday before the municipal election.

**Filing of names.**

Primaries.

**Time of.**

Nominations.

**Date of primary.**

Registration and officials.

**Time of registration.**

Election details applicable to primaries.

**Filing of names.**

Primaries.

**Time of.**

Nominations.

**Date of primary.**

Registration and officials.

**Time of registration.**

Election details applicable to primaries.

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First. On application of the executive committee or duly constituted administrative body of a political party, which was qualified as a political party at the preceding gubernatorial election, as defined by Section six thousand and fifty-two of the Consolidated Statutes of North Carolina, not less than seven weeks prior to the city election, the Board of Aldermen shall order a primary for such party to be held and conducted, as hereinafter set forth, to nominate candidates for mayor and members of the Board of Aldermen, and the persons receiving the highest number of votes of their respective parties shall be deemed to be the nominees of their said respective parties and for said offices: Provided, that no one shall participate in such election except duly qualified electors who affiliate with the political party in whose primary he seeks to vote.

Second. The primary shall be held at a date to be fixed by the Board of Aldermen, which date shall not be later than the second Tuesday before the general municipal election.

Third. The registration of voters and the conduct of the primary election shall be under the control of the registrar and judges for the regular municipal election, as above set forth: Provided, that if the primary is participated in by the members of only one political party both judges for the primary election may be members of the political party participating in the primary.

Fourth. For registration for the primary election each registrar shall, between the hours of nine o'clock a. m. and five o'clock p. m. on each day (Sunday excepted) for seven days preceding the day for closing the registration books, as hereinafter provided for, keep open said books for registration of any new electors residing in said precinct and entitled to register, whose names have never before been registered in said precinct or do not appear in the revised list. Such books shall be open until nine o'clock p. m. of each Saturday during such registration period, and shall be closed for registration on the second Saturday before the primary election.

Fifth. As to registration, procedure as to challenges, vacancies in the offices of the registrar or judges of election and canvassing of election returns, and all respects, the provisions of this Act with respect to the general municipal election shall apply to primary elections.
Sixth. The polls shall be open on the day of the primary election from seven o'clock a. m. until sunset, and no longer, and each person whose name shall be registered shall be entitled to vote.

Seventh. Every candidate for selection as the nominee of any political party for the office of mayor or member of the Board of Aldermen shall file with the Secretary of the Board of Aldermen by twelve o'clock M. on the second Tuesday before such primary election is to be held a notice of his candidacy and pledge in the following form, the blanks being properly filled in and the same signed by the candidate:

“I hereby file my notice as a candidate for the nomination as..................in the Primary Election to be held on..................... 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 Election all candidates nominated by the..................party.”

SEC. 3. Statutes Applicable:
Sections nine and ten of Chapter two hundred and thirty-two of the Private Laws of one thousand nine hundred and twenty-seven are hereby repealed. The provisions of Sections two thousand six hundred and forty-nine to two thousand six hundred and seventy-two, inclusive, of the Consolidated Statutes of North Carolina shall not apply to elections in the City of Winston-Salem. Primary and municipal elections in the City of Winston-Salem shall be conducted subject to the provisions of Chapter one hundred and sixty-four of the Public Laws of one thousand nine hundred and twenty-nine, except as otherwise provided herein. In cases in which no provision is made in this Act or in Chapter one hundred and sixty-four of the Public Laws of one thousand nine hundred and twenty-nine for the conduct of primary elections, the provisions of Sections six thousand and eighteen to six thousand and fifty-three, inclusive, of the Consolidated Statutes of North Carolina shall control in so far as they may be applicable, and in cases in which no provision is made in this Act or in Chapter one hundred and sixty-four of the Public Laws of one thousand nine hundred and twenty-nine for the conduct of general municipal elections, the provisions of law with respect to the election of members of the General Assembly shall apply in so far as they may be applicable. Elections held for the purpose of authorizing the issuance of bonds, the contracting of any debt, the pledge of the City’s faith for the loan of its credit, and elections held for the purpose of annexing territory to the City, shall be conducted under the provisions of the Municipal Finance Act, one thousand nine hundred and twenty-one (Chapter 56, sub-chapter III, C. S.) and any amendments thereto.
Tax penalties.

Sec. 4. Tax Penalties:

Section one of the Chapter fifty-one of the Private Laws of one thousand nine hundred and thirty-one is hereby amended so as to read as follows:

"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 second day of December next after due and payable, there shall be deducted a discount of one per cent.

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

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

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

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

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

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

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

Sec. 5. Validation Clause:

All proceedings heretofore taken by the Board of Aldermen for the City of Winston-Salem, for the levying of special assessments for local improvements of every character, are hereby legalized and validated. This Act shall be deemed to remedy any defect as to the existence or sufficiency of the petition of the property owners as to the amount of any assessment, as to notice, advertisement, hearing, award of contracts, computation of assessments, or in any other respect as to which the General Assembly of North Carolina could have originally authorized the action taken, and with the same effect as if the action taken had been previously duly authorized by act of the General Assembly.

Sec. 6. Special Police:

Section twenty-three of Chapter two hundred and thirty-two of the Private Laws of one thousand nine hundred and twenty-
of the section:

"Any person, firm or corporation doing business in the City of Winston-Salem, or having property therein requiring special protection, may make application to the Board of Aldermen to commission such person or persons, as the applicant may designate, to act as policemen or special officer for the applicant. The Board of Aldermen, upon such application, may appoint such person or so many of them as it may deem proper to be such special policeman, and shall direct its Secretary to issue to the person so appointed a commission to act as such special policeman. Every special policeman so appointed shall, before entering upon the duties of his office, take and subscribe the usual oath; such oath with a copy of the commission shall be filed with the Secretary of the Board of Aldermen, and such policemen shall severally possess within the corporate limits of the City of Winston-Salem all the powers of policemen: Provided, that every policeman so appointed shall, before entering the duties of his office, enter into a bond in the sum of five hundred dollars, payable to the City of Winston-Salem, conditioned for the faithful performance of the duties of his office, with good and sufficient surety, to be passed upon and accepted by and filed with the Secretary of the Board of Aldermen. The compensation of such special policeman shall be paid by the applicants for which the policemen are respectively appointed. They shall be employees of the respective applicants and shall not be employees of the City of Winston-Salem, and the City of Winston-Salem shall have no liability to them by reason of such appointment under the Workmen's Compensation Act or otherwise. Any such appointment may be terminated at any time by the Board of Aldermen or by the applicant filing a notice with the Secretary of the Board of Aldermen to the effect that the applicant no longer requires the services of such policeman."

Sec. 7. This Act shall be in full force and effect from and after its ratification: Provided, that this act shall not apply to pending litigation.

Ratified this the 15th day of March, A.D. 1933.

S. B. 378

CHAPTER 61

AN ACT RELATING TO THE HOLDING OF TOWN ELECTIONS IN THE TOWN OF SMITHFIELD, JOHNSTON COUNTY.

Whereas, there is not sufficient time to comply with the requirements of the general laws before the time for holding election in the Town of Smithfield during the present year of one
thousand nine hundred thirty-three under the recent act passed by the General Assembly: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be sufficient for the registration books to be opened on March fifteenth, one thousand nine hundred thirty-three, and remain open until sundown on March twenty-fifth, one thousand nine hundred thirty-three, on each day, except Sunday, from nine a.m. until sundown of each day, for the registration of any qualified voter in the Town of Smithfield who is not already a registered voter; and it shall be sufficient notice, provided notice of either primary election or general election in one thousand nine hundred thirty-three is given by publication once a week for two weeks in a newspaper published in Smithfield. This section shall apply only for the year one thousand nine hundred thirty-three.

SEC. 2. That any qualified voter desiring to become a candidate for any office, mayor or commissioner, to be voted on in said election or primary shall deliver to the town clerk a notice of his candidacy and the office for which he desires to run, and shall deposit with the town clerk the sum of five dollars at least ten days before the time set for the holding of the first primary. This section shall apply for the year one thousand nine hundred thirty-three and each subsequent election 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 15th day of March, A.D. 1933.

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S. B. 339

CHAPTER 62

AN ACT RELATING TO THE EXTENSION OF TIME FOR PAYMENT OF SPECIAL ASSESSMENTS LEVIED BY THE CITY OF SALISBURY.

The General Assembly of North Carolina do enact:

SECTION 1. The time for payment of any or all special assessments, including street and sidewalk assessments, or installments of special assessments heretofore levied by the City of Salisbury for local improvements, together with all or any part of the interest accrued thereon, may be extended by resolution of the City Council of said city adopted before September 1, 1933, 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 install-
ments, payable in each year on the same date that taxes for the
year are payable, beginning in the year one thousand nine hun-
dred and thirty-three, with interest as provided by law: Pro-
vided, however, first, that such extension shall not prevent the
payment of any assessments or interest at any time, and Pro-
vided, second, that all assessments contained in the same assess-
ment roll shall be extended without any 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 eight-
een years after the confirmation roll: Provided, that this act
shall apply to and include the Towns of Asheboro and Liberty,
Randolph County.

Sec. 2. That any and all acts heretofore done and steps taken
by the City of Salisbury in the paving of the streets and side-
walks of the City of Salisbury and the assessments levied ther-
for are hereby in all respects approved and validated: Provided,
however, this shall not affect pending litigation.

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 10th day of March, A.D. 1933.

H. B. 552

CHAPTER 63

AN ACT FOR THE RELIEF OF C. D. SAWYER, TAX COL-
LECTOR FOR THE TOWN OF ROBINSVILLE, GRAHAM
COUNTY, AUTHORIZING THE COLLECTION OF BACK
TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That C. D. Sawyer, tax collector for the town of
Robbinsville, Graham County, North Carolina, and/or his suc-
cessor or successors in office, is hereby authorized and empowered
to collect all taxes due the town of Robbinsville for the years
one thousand nine hundred and twenty-six, one thousand nine
hundred and twenty-seven, one thousand nine hundred and
twenty-eight, one thousand nine hundred and twenty-nine, one
thousand nine hundred and thirty and one thousand nine hundred
and thirty-one.

Sec. 2. That the mayor and the Board of Aldermen of the
town of Robbinsville are hereby authorized, empowered and
directed to cause lands to be sold to satisfy taxes levied for the
years one thousand nine hundred and twenty-six, one thousand
nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty and one thousand nine hundred and thirty-one as provided by law for the sale of lands for taxes at any time prior to October first, one thousand nine hundred and thirty-three, and such sale or sales shall be validated and declared to be good and valid as if the property had been sold at the regular time as provided by statute.

SEC. 3. That the time for the collection of taxes by said town of Robbinsville for the years one thousand nine hundred and twenty-six, one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, and one thousand nine hundred and thirty-one is hereby extended until October first, one thousand nine hundred and thirty-three, and the acts of the said C. D. Sawyer, tax collector, as aforesaid, in collecting said taxes in the manner as now provided by law for the collection of taxes are hereby validated.

SEC. 4. That all certificates of sale of land so made by the town of Robbinsville are hereby deemed to be in force and effect from the year one thousand nine hundred and twenty-six until October first, one thousand nine hundred and thirty-three, and may be collected until that time, and any sales made thereunder be and the same are hereby approved and validated to all intents and purposes and with such force and legal effect as if such sales had been held and conducted at the time provided by statute.

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. 1933.

H. B. 762

CHAPTER 64

AN ACT TO AMEND THE CHARTER OF THE TOWN OF BESSEMER CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter thirty of the Private Laws of one thousand nine hundred and thirteen, and all acts amendatory thereof, be and the same are hereby amended by striking out all of sub-section (e) of section ten and inserting in lieu thereof the following:
Sec. 2. The recorder shall be deemed an inferior court to be known as the Recorder's Court of the Town of Bessemer City, with exclusive, original and final jurisdiction of all misdemeanors committed within the corporate limits of the Town of Bessemer City. The said Court shall have a seal with the impression "The Recorder's Court of the Town of Bessemer City," which seal shall be used in the attestation of writs, warrants and other proceedings, acts or judgments of said court in the same manner and to the same effect as the seal of other courts in North Carolina. The Recorder shall hold sessions on Monday, Wednesday and Friday of each week, and oftener if deemed necessary, at the Town Hall in the Town of Bessemer City, and he shall receive a salary of not to exceed eight hundred dollars per year to be fixed and determined by the Board of Town Commissioners and paid by the Town of Bessemer City in equal monthly installments. Should the Recorder be prevented from attending to his duties on account of sickness or other disability or be absent from the Town of Bessemer City the Mayor shall appoint a substitute recorder who shall have all the power and authority conferred upon the duly appointed recorder during the time said recorder is prevented from attending to his duties aforesaid, and the substitute recorder shall be paid the same as that of the regular recorder for such time as he shall serve, to be deducted from the compensation due the regular recorder.

Sec. 3. In addition to the jurisdiction given the said court in the foregoing section of this act, said court is hereby given exclusive jurisdiction to hear and bind over to the Superior Court all persons charged with any felony committed within the corporate limits of the Town of Bessemer City where preliminary investigation thereof is now conferred upon justices of the peace.

Sec. 4. Said court shall have the same power to punish for contempt and as for contempt as is given to the Superior Courts of the State by statute, and the procedure in such matters shall be the same as is now provided for Superior Courts. The said court shall have full power, in any case in which he shall adjudge that the prosecution was not required by the public interest, to tax the prosecutor with the costs of said action, and should the court adjudge that such prosecution is frivolous or malicious he may imprison such prosecutor for the non-payment of the costs as provided by law until such costs are paid.

Sec. 5. The code of procedure in said court shall be the same as now prescribed for courts of justices of the peace except that no criminal action may be removed from said court.

Sec. 6. The recorder shall keep a complete and accurate record of all the proceedings had before him, and each month he shall turn over to the County Treasurer all fines collected by him and to the Treasurer of the Town of Bessemer City all

| Sec. 2 | The recorder shall be deemed an inferior court to be known as the Recorder's Court of the Town of Bessemer City, with exclusive, original and final jurisdiction of all misdemeanors committed within the corporate limits of the Town of Bessemer City. The said Court shall have a seal with the impression "The Recorder's Court of the Town of Bessemer City," which seal shall be used in the attestation of writs, warrants and other proceedings, acts or judgments of said court in the same manner and to the same effect as the seal of other courts in North Carolina. The Recorder shall hold sessions on Monday, Wednesday and Friday of each week, and oftener if deemed necessary, at the Town Hall in the Town of Bessemer City, and he shall receive a salary of not to exceed eight hundred dollars per year to be fixed and determined by the Board of Town Commissioners and paid by the Town of Bessemer City in equal monthly installments. Should the Recorder be prevented from attending to his duties on account of sickness or other disability or be absent from the Town of Bessemer City the Mayor shall appoint a substitute recorder who shall have all the power and authority conferred upon the duly appointed recorder during the time said recorder is prevented from attending to his duties aforesaid, and the substitute recorder shall be paid the same as that of the regular recorder for such time as he shall serve, to be deducted from the compensation due the regular recorder.

| Sec. 3 | In addition to the jurisdiction given the said court in the foregoing section of this act, said court is hereby given exclusive jurisdiction to hear and bind over to the Superior Court all persons charged with any felony committed within the corporate limits of the Town of Bessemer City where preliminary investigation thereof is now conferred upon justices of the peace.

| Sec. 4 | Said court shall have the same power to punish for contempt and as for contempt as is given to the Superior Courts of the State by statute, and the procedure in such matters shall be the same as is now provided for Superior Courts. The said court shall have full power, in any case in which he shall adjudge that the prosecution was not required by the public interest, to tax the prosecutor with the costs of said action, and should the court adjudge that such prosecution is frivolous or malicious he may imprison such prosecutor for the non-payment of the costs as provided by law until such costs are paid.

| Sec. 5 | The code of procedure in said court shall be the same as now prescribed for courts of justices of the peace except that no criminal action may be removed from said court.

| Sec. 6 | The recorder shall keep a complete and accurate record of all the proceedings had before him, and each month he shall turn over to the County Treasurer all fines collected by him and to the Treasurer of the Town of Bessemer City all
costs collected by him in criminal cases, except such costs as may be due any officer or other person not paid a salary by the Town of Bessemer City.

Sec. 7. The Board of Town Commissioners are hereby empowered to appoint a prosecuting attorney for said court for a term ending with the expiration of the terms of office of the Board of Town Commissioners, whose duty it shall be to prosecute all criminal actions coming before the court; and he shall receive a salary not to exceed eight hundred dollars per year to be fixed and determined by the Board of Town Commissioners of the Town of Bessemer City and paid by the Town of Bessemer City in equal monthly installments.

Sec. 8. In each criminal case disposed of by said recorder, where the defendant pleads guilty or is convicted, there shall, in addition to other lawful costs, be allowed the following fees to be taxed as a part of the costs against the defendant, viz: for the recorder, two dollars; for the prosecuting attorney, two dollars; and the recorder, in addition to the above, shall receive the same fees for all warrants and other process, papers or affidavits in criminal actions as are now allowed the clerks of the Superior Courts or justices of the peace in similar cases. All such costs in criminal actions allowed the recorder, the prosecuting attorney and all police officers of the Town of Bessemer City who are on a salary shall be paid to the Treasurer of the Town of Bessemer City for the use of the Town and to reimburse it for the expense of supporting said court.

Sec. 9. This act shall not interfere with justices of the peace in the Town of Bessemer City in issuing warrants and other papers, but in all criminal actions arising within the Town of Bessemer City they shall make all warrants returnable to the said Recorder's Court within thirty days from the issuance thereof.

Sec. 10. 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 Recorder's Court for the Town of Bessemer City, North Carolina.

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

Ratified this the 16th day of March, A.D. 1933.
H. B. 785  
CHAPTER 65  
AN ACT TO REPEAL THE CHARTER OF THE TOWN OF RUTHERFORD COLLEGE, BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter forty-four of the Private Laws of 1871-1872 incorporating the town of Excelsior, and chapter eighteen of the Private Laws, Extra Session, one thousand nine hundred and twenty-one, amending said act and changing the name of said town to Rutherford College, be and the same are hereby repealed, it being the intent and purpose of this act to abolish the municipal corporation known as the town of "Rutherford College."

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. 1933.

S. B. 315  
CHAPTER 66  
AN ACT RELATIVE TO THE INCORPORATED BOUNDARY LINE OF THE TOWN OF BAKERSVILLE, AND TO AUTHORIZE AND EMPOWER THE CLERK OF THE SUPERIOR COURT OF MITCHELL COUNTY TO APPOINT SUCCESSORS TO MEMBERS OF THE BOARD OF ALDERMEN OF SAID TOWN WHO MAY RESIGN.

Whereas, the present corporation of the Town of Bakersville, North Carolina, extends one mile in all directions from the courthouse in said Town; and

Whereas, it is the desire of a majority of the taxpayers of said Town that said corporation limits be reduced: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the said corporation limits shall extend only one-half mile in all directions from the courthouse in said Town.

SEC. 2. That the Mayor and Board of Aldermen of said Town, as soon as practical, employ a surveyor to survey out and mark the boundary lines of said half-mile limit.

SEC. 3. That the Clerk of the Superior Court of Mitchell County be and is hereby authorized and empowered to appoint successors to members of said Board who may resign.

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

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

Ratified this the 20th day of March, A.D. 1933.
S. B. 385

CHAPTER 67

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

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter three hundred sixty-eight, Public-Local Laws of Session of one thousand nine hundred eleven, and acts amendatory thereof, be and the same is hereby amended as follows:

That Section four of said Chapter be amended as follows:

“Said Police Justice shall receive as compensation for his services a salary of sixty-five ($65.00) per month.”

SEC. 2. That Section five of said Chapter be amended as follows:

“Said Police Court shall hold regular sessions on Monday, Wednesday and Saturday of each week. The Court shall convene at 9 o’clock a. m. in the court room in the Town Hall, and shall continue to hold until the business of said Court is completed, the same as the Superior Court, and the Police Justice may in his discretion call extra sessions of said Court, and shall call extra sessions if prisoners cannot make bond, and shall have the power in case of a conflict with another Court to change the dates of regular terms for holding the same during the time of such conflict.”

SEC. 3. That section eight of said Chapter be amended by adding on at the end thereof the following:

“That said Police Justice may also issue warrants for felonies, and upon the hearing and upon finding probable cause may bind the defendant or defendants to the Superior Court as now provided by the General Laws of the State for Justices of the Peace.”

SEC. 4. That Section twelve of said Chapter be and the same is hereby amended to read as follows:

“Said Justice shall preside over said Police Court and try and determine all actions coming before him, the jurisdiction of which is conferred by this Act and by Chapter three hundred sixty-eight, Public-Local Laws of one thousand nine hundred and eleven, except in cases where he is legally incompetent to try the same, in which cases the said case shall be tried by the Assistant Police Justice of said Court; such legal incompetency shall be considered to mean such incompetency as would disqualify a judge of the Superior Court to try, under the same circumstances, a case pending in the Superior Court.”
SEC. 5. That Section eighteen of said Chapter and amendments thereto shall read as follows:

"In case of a vacancy occurring in the office of Police Justice of said Town for any cause, such vacancy shall be filled by the appointment of a Police Justice for the remainder of the term by the Board of Aldermen of the Town of Canton until a successor is elected in the manner provided by said act and qualified, and the Assistant Police Justice shall remain as such assistant unless appointed to the Police Justice office by said Board of Aldermen."

SEC. 6. That all costs due to officers by reason of serving of any process of the Court shall be paid to the officer serving the same except where the officer is receiving a salary from the Town of Canton, and in that event the costs shall be paid to the said Town.

SEC. 7. That said Police Court shall have a seal with the impression "The Police Justice's Court of the Town of Canton," or of similar wording, which shall be used in attestation on warrants or other processes or decrees of the Court in the same manner and to the same effect as the seal of other Courts in the State, and any process when attested by the seal shall run to any County in the State, and be directed to the Sheriff or other legal officer of any County, but no process to be executed in Haywood County shall require the attestation by the seal.

SEC. 8. That the Board of Aldermen of the Town of Canton may appoint an assistant Police Justice for the Court, who shall be a resident of Canton, and who shall have the jurisdiction and authority conferred upon the Police Justice when the Police Justice shall be prevented from attending to his duties on account of sickness or other temporary disability or by reason of his temporary absence.

The Assistant Police Justice shall receive the compensation allowed to the Police Justice for such service for the time that he may render such services, and the compensation shall be deducted from the salary of the Police Justice, and in case of a vacancy in the office of the Assistant Police Justice, the same shall be filled by appointment as provided for the Police Justice.

SEC. 9. The Board of Aldermen of the Town of Canton may appoint a Prosecuting Attorney in the Court, who shall be a resident of Canton, and who shall appear for the prosecution in all cases therein, and when especially requested by the governing body of the Town of Canton, shall assist in the prosecution of the cases which may be bound over or appealed from the Justice's Court to the Superior Court.

For his services he shall be paid a salary of not exceeding the sum of Fifty ($50.00) Dollars per month, to be determined
by the Board of Aldermen, both of which said salaries shall be payable by the 10th of each month for the preceding month.

Sec. 10. There shall be a Clerk of said Court who shall be a resident of the Town of Canton, and who shall be appointed by the Board of Aldermen of said town at the time and for the same period as provided for the Police Justice, Provided said Clerk may hold some other other position with the Town of Canton (except in the Police Department); said Clerk before entering upon the duties of his office shall enter into a bond with sufficient surety in a sum to be fixed by the governing body of the Town of Canton, payable to the State, conditioned upon the true and faithful accounting for and paying over of all moneys to the proper parties which may come into his hands by virtue of his office; the bond shall be approved by the Board of Aldermen and filed with the Clerk of the Town of Canton; the Clerk shall make monthly settlements in writing with the Treasurer of the Town and County of Haywood and other persons entitled to the money which has come into his hands belonging to them respectively.

Sec. 11. It shall be the duty of the Clerk of the Court to receive and keep an accurate and true record of all costs and fines, penalties, forfeitures, and punishments by the Court imposed, and the record shall show the name and residence of the offender, the nature of the offense, the date of the hearing of the trial, and the punishment imposed, which record shall at all times be open to inspection by any of the city authorities or other person having business relating to the Court. The clerk shall keep a permanent docket for recording all the processes issued by the Court, which shall conform to the dockets kept by the Clerk of the Superior Court. He shall also keep in proper files, to be provided by the city, a record of all cases which shall be disposed of in the Court and the disposition made thereof.

Sec. 12. The Clerk of the Court shall have the same power and authority conferred upon the Police Justice to issue warrants for the arrest of all persons charged with the commission of offenses within the Town of Canton which warrants shall be made returnable before the Police Justice of said Court at a regular sitting thereof; warrants shall be issued only upon affidavit made as now required by law to support warrants issued by a Justice of the Peace; the Clerk shall also have the same power and authority of the Justice of the Peace or Clerk of the Superior Court to issue subpoenas or other process to run anywhere within the State and any such subpoena or other process which shall run beyond the County in which the Court is located, the same shall be attested by the seal of the Court: Provided further, that the powers herein given to the Clerk shall
not deprive the Police Justice of signing any process or precept for such Court by him. The said Clerk shall receive as compensation for his services a salary not to exceed the sum of twenty-five dollars per month to be established by the Board of Aldermen of the Town of Canton, which shall be payable at the same time and in the same manner as provided for the Police Justice.

Sec. 13. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

Sec. 14. That this act shall be in full force and effect from and after the first day of May, one thousand nine hundred and thirty-three.

Ratified this the 20th day of March, A.D. 1933.

H. B. 805  CHAPTER 68

AN ACT TO PROVIDE THE REGULATION OF PEDDLERS IN THE CITY OF CHARLOTTE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. Any person, firm or corporation who or which sells or offers for sale from a cart, wagon, truck, automobile or other vehicle operated over and upon the streets and/or highways within the City of Charlotte, Mecklenburg County, or railroad car, any fresh fruits and/or vegetables, shall apply for in advance and procure from the City tax collector a license for each vehicle, or for each railway car from which such fresh fruits and/or vegetables are sold, or offered for sale, and shall pay for such license a tax of One Hundred and Fifty Dollars.

Sec. 2. This section shall not apply to the sale of fresh fruits and/or vegetables raised on the premises owned or occupied by the person, firm or corporation selling same.

Sec. 3. Any person, firm or corporation violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the Court: Provided, the fine shall not be less than twenty per cent of the tax, in addition to the tax and cost.

Sec. 4. These license taxes are not to be prorated and are not transferable.

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

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

Ratified this the 20th day of March, A.D. 1933.
H. B. 846  
CHAPTER 69
AN ACT TO AMEND CHAPTER 490, PRIVATE ACTS OF THE GENERAL ASSEMBLY 1907, SO AS TO PERMIT POLICE OFFICERS OF THE TOWN OF DENTON TO SERVE PROCESS ONE MILE BEYOND THE LIMITS OF THE TOWN OF DENTON.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter 490 of the Private Acts of the General Assembly 1907 be and the same is hereby amended by adding a new section at the end of section 4 as follows:

SEC. 4½. That the police officers referred to in this section, that is to say, the chief of police and such other policemen as may be appointed by the mayor, shall have full power and authority to serve process issued to them in all the territory extending one mile in each direction from the corporate limits of the town of Denton in the same manner and with the same authority as such officers shall be authorized to execute and serve process inside the corporate limits of the said town of Denton.

In addition to his duties as chief of police, the mayor and commissioners for the town of Denton shall have the power to require the said chief of police to collect and account for all taxes assessed by the town of Denton which have heretofore been collected by the tax collector of the town of Denton. All laws provided in the Local Government Commission Act apply.

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

Ratified this the 20th day of March, A.D. 1933.

H. B. 848  
CHAPTER 70
AN ACT TO AMEND THE CHARTER OF THE CITY OF LEXINGTON AND VALIDATE CERTAIN ACTS OF THE CITY OF LEXINGTON.

The General Assembly of North Carolina do enact:

SECTION 1. That any and all acts heretofore done and steps taken by the City of Lexington in the paving of streets and sidewalks and the assessments levied therefor are hereby in all respects approved and validated.

SEC. 2. That the time for payment of any and all special assessments or installments for local improvements, together with all or any part of the interest accrued thereon, may be extended by resolution of the City Council for a period not exceeding ten years, in equal annual installments.
SEC. 3. That it shall be the duty of the City Council of the City of Lexington to institute an action in the Superior Court of Davidson County not later than September 1, 1933, to enforce collection of all special assessments (including interest thereon) for local improvements, and not extended as provided by law, and the time for filing such actions by the City of Lexington for all special assessments heretofore levied is hereby extended until September 1, 1933.

SEC. 4. That no action for damages against said City of any character whatever, to either person or property, shall be instituted against the City of Lexington unless, within six months after the happening or infliction of the injury complained of, the complainant, his executors or administrator, shall have given notice in writing to the Council of such injury, stating in such notice the date and place of happening or infliction of such injury and the amount of damages claimed therefor; but it 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, and that all such actions must be commenced within six months of the filing of said notice.

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 and effect from and after its ratification.

Ratified this the 20th day of March, A.D. 1933.

H. B. 861       CHAPTER 71

AN ACT TO AMEND THE CHARTER OF THE TOWN OF MOREHEAD CITY SO AS TO PROVIDE FOR THE ELECTION OF CHIEF OF POLICE.

The General Assembly of North Carolina do enact:

SECTION 1. That at the time of the election of mayor and members of the board of commissioners of the Town of Morehead City for the year nineteen hundred and thirty-three, and biennially thereafter, there shall be elected a chief of police of the said Town under the same laws and regulations now prescribed for the election of other officials of the said municipality. The qualifications of said chief of police shall be as now or which may hereafter be prescribed by law, and he shall give bond regularly conditioned as now, or which may hereafter be, prescribed and shall hold office until his successor shall have been duly elected and qualified. Any vacancy occurring by

Suits to enforce collection of special assessments.

Filing of claims against city before commencing suit.

Running of statute.

Conflicting laws repealed.

Police chief of Morehead City made elective.

Qualifications.

Bond.

Vacancies.
reason of death or disqualification shall be filled by the Board of Commissioners of the said Town.

SEC. 2. That any and all provisions of chapter two hundred and two, Private Laws of nineteen hundred and twenty-five, inconsistent with the provisions of this act, and all other 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 20th day of March, A.D. 1933.

S. B. 252

CHAPTER 72

AN ACT TO CLOSE A ROAD AND CERTAIN STREETS ON THE CAMPUS OF HARRIS HIGH SCHOOL AT SPRUCE PINE, N. C.

Whereas, a large portion of the school grounds of Harris High School, comprising the northwestern section of the campus and including the present athletic field and adjacent play-grounds, was originally a portion of a sub-division and as such was composed of certain lots, streets and an extension of a road known as Riverside Drive; and

Whereas, later this portion was added by purchase to the original campus of Harris High School, for the purpose of enlarging play facilities for the children attending said school; and

Whereas, the sections of the street extending from Peterson Street and Tappan Street to the original campus road and line are no longer needed for public purposes, a new roadway having been constructed from the school buildings to the State Highway on the southwestern side of the campus; and

Whereas, Riverside Drive after a period of more than ten years has not been officially laid off and opened up to the public; and

Whereas, only one property holder could have any personal interest in the opening up of this road, and an adequate roadway can be secured for him on the southern side of the campus: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That Riverside Drive and extensions of Peterson and Tappan Streets on the campus of said school are hereby declared closed and the area which would be occupied by them is hereby reserved for play-ground space for the children attending said school.

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

Ratified this the 20th day of March, A.D. 1933.
S. B. 407  
CHAPTER 73

AN ACT TO AUTHORIZE THE GOVERNING BODY OF THE TOWN OF RAEFORD TO EXTEND THE TIME FOR PAYMENT OF STREET AND SIDEWALK ASSESSMENTS AND TO COMPROMISE CLAIMS THEREFOR FOR LESS THAN THE AMOUNT OF SUCH ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Aldermen of the town of Raeford is hereby authorized, empowered and directed to extend the time of payment of street and sidewalk assessments for at least ten years from the maturity date of the last installment, the total balance due at the end of the present expiration may become payable in ten annual equal installments, with interest at six per cent per annum on the amount of such extension, which amount shall be the original principal of said assessments: Provided, however, that if such extension of time is granted, the statute of limitations will not run against the town until three years after the maturity of the last installment, payable under the extension of the time arrangement.

SEC. 2. That the Mayor and Board of Aldermen of the town of Raeford be and they are hereby authorized and empowered, in their discretion, to settle and compromise all claims for street and sidewalk assessments for an amount less than such assessments, either by accepting cash therefor, or by accepting a deed from the owner of the lot or lots for the property, subject to such assessments, without the necessity of bringing foreclosure proceedings and paying all the costs incident thereto.

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 26th day of March, A.D. 1933.

H. B. 704  
CHAPTER 74

AN ACT TO AMEND CHAPTER 206, PUBLIC-LOCAL LAWS OF EXTRA SESSION OF 1920, PROVIDING COMPENSATION FOR COTTON WEIGHER AT ENFIELD.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred and six, Public-Local Laws of Extra Session of nineteen hundred and twenty, shall be amended to read as follows: "That the cotton weigher of the Town of Enfield shall receive as compensation for assessing the cotton weighing business, as provided in said Chapter, the sum of five dollars per day for each day during which he shall weigh cotton, to be paid in full at the termination of each year of his service, and to be subject to the same conditions and limitations as set forth in said Chapter."
for each bale of cotton weighed and marked by him the sum of twelve cents, six cents thereof to be paid by the buyer and six cents thereof to be paid by the seller of said bale of cotton.”

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 20th day of March, A.D. 1933.

H. B. 860  
CHAPTER 75

AN ACT AUTHORIZING THE TOWN OF MOREHEAD CITY TO ESTABLISH A PORT COMMISSION FOR THE SAID TOWN, TO PRESCRIBE THE DUTIES OF THE SAID COMMISSION AND TO AUTHORIZE THE SAID TOWN TO CO-OPERATE WITH THE SAID COMMISSION IN CARRYING OUT THE PURPOSES AND INTENTS OF THIS ACT.

The General Assembly of North Carolina do enact:

SECTION 1. There is hereby created a board to be known as the Port Commission of Morehead City, and which board is hereby constituted a body politic and corporate. The said board shall be composed of five members, all of whom shall be experienced business men and residents of Morehead City, and who shall be appointed by the Board of Commissioners of Morehead City, and two of whom shall be appointed for a term of two years and so designated, two for a term of four years and so designated, and one for a term of five years and so designated; and their successors in each class shall be appointed for a term of four years. Each of the members and their successors so appointed shall take and subscribe, before some official authorized to administer oaths, an oath of office and file the same with the said Board of Commissioners of Morehead City. The said board shall organize by electing one of its members Chairman and another Secretary, and shall elect a Treasurer of said board and who shall not be a member thereof, and shall fix the compensation of said treasurer and prescribe his duties. The said treasurer shall give bond in such amount as the board shall determine in some reliable surety company doing business in the State of North Carolina, and the premium required to be paid on said bond shall be paid by the said Port Commission. Said Port Commission shall meet in regular session at least once each month at a place and date to be fixed by the said Board, and shall meet in special session at such other times and places as the Chairman of said Commission or any two members thereof may request. The members of the said Board

Conflicting laws repealed.
shall receive no compensation, per diem or otherwise, but shall be allowed and paid their actual expenses incurred in transacting the business and at the instance of the said Commission.

Sec. 2. The said Port Commission shall have power:

(1) To sue and be sued in the name of the said Port Commission; to acquire by purchase and condemnation, and to hold lands for the purpose of constructing, maintaining or operating the terminal or terminals hereinafter referred to; and to make such contracts and to hold such personal property as may be necessary for the exercise of the powers of the said Port Commission.

(2) To charge and collect reasonable and adequate wharfage fees and other fees, tolls or dues for the use of such city terminal or terminals, or for the service rendered in the operation thereof.

(3) To develop the port facilities of Morehead City by acquiring by purchase (construction or otherwise), improving, maintaining and operating a city terminal or terminals for said city, upon the water front of said city, including all necessary wharves, piers, bulkheads, slips, docks, sheds, warehouses, elevators, and railroad and steamship facilities, and also necessary lands, rights in lands and water rights, to be used and operated for the following purposes, namely: for the landing, loading and unloading of vessels, for the loading and unloading of railroad cars or other carriers, for the interchange or transfer of goods, merchandise or other property between vessels, railroad cars or other carriers, and for the temporary shelter or storage of goods, merchandise or property carried or about to be carried by such vessels, railroad cars or other carriers.

(4) To issue bonds and/or other securities or obligations for the purpose of providing funds for such construction, maintaining and/or operating the said terminal or terminals. Said bonds, if and when so issued, shall be denominated "Port Commission Bonds of Morehead City," and shall be issued in such form and denominations and shall mature at such time or times, not exceeding fifty years after their date, and shall bear such rate of interest, not exceeding six per cent per annum, payable either annually or semi-annually, as the said Port Commission may determine. The bonds shall be signed by the Chairman of said Port Commission Board, and the corporate seal affixed or impressed upon each bond and attested by the Secretary to the said Board. The coupons to be attached to said bonds shall bear the facsimile signature of the Chairman officiating at the time of the issuance of said bonds. Such bonds and/or notes issued for the purpose or purposes above set out may be sold at private sale, for not less than par, to the Reconstruction Finance Corporation or other governmental agency, with the
Bonds exempt from taxation.

Bond resolution as to creation of retirement funds.

Fees.

Tolls.

Sinking funds.

Application of receipts.

Bond limits.

Terms of contract with bondholders.

General details.

Employment of assistants.

Fiscal year.

Annual report.

Right of eminent domain.

approval of the Board of Commissioners of Morehead City; but if such private sale is not so made to said Reconstruction Finance Corporation or other governmental agency, then the sale shall be made under the provisions of the Municipal Finance Act of the State and with the approval of the Local Government Commission.

Bonds and notes issued under this act shall be exempt from all State, county or municipal taxes or assessments, direct or indirect, general or special, and the interest paid on said bonds or notes shall not be subject to taxation as income, nor shall said bonds or notes, or coupons of said bonds, be subject to taxation when constituting part of the surplus of any bank, trust company or other corporation.

(5) Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract with the holders of the bonds, as to:

(a) Pledging the wharfage fees and other fees, tolls, dues or other revenues to secure the payment of the bonds;

(b) The rates of the tolls to be charged for the use of the facilities of the terminal or terminals, and the use and disposition of the tolls and other revenues;

(c) The setting aside of reserves or sinking funds, and the regulation and disposition thereof;

(d) Limitation on the purposes to which the proceeds of sale of any issue of bonds to be issued may be applied;

(e) Limitations on the issuance of additional bonds, and

(f) The procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given.

(6) To do all things necessary or convenient to carry out the powers expressly given in this act.

Sec. 3. The said Port Commission is hereby authorized to employ engineers, attorneys, and other persons whose services may be deemed by the Port Commission to be necessary or useful in carrying out the provisions of this act.

Sec. 4. Said Port Commission shall be operated on a fiscal year basis which shall be from July first to June thirtieth. It shall be the duty of the Port Commission to file with the Commissioners of Morehead City annually a report showing the total receipts, costs of operation and disbursements.

Sec. 5. That whenever it shall become necessary for the Port Commission to exercise the right of eminent domain (and that right is hereby expressly granted to said Port Commission) and it shall become necessary for said Port Commission to acquire any lands, water frontage, or right-of-way by condemnation, the said Port Commission is authorized to institute a proceeding
in the Superior Court of Carteret County, making parties to it all persons, firms or corporations interested in the ownership of said property, and the proceeding shall be substantially the same as that set forth in Consolidated Statutes, chapter thirty-three, article two, as amended.

Sec. 6. All wharfage fees and other fees, tolls, dues, or other revenues derived by the Port Commission from the operation of such terminal or terminals shall be applied to the payment of the cost of the operation and administration of said terminal or terminals (including interest on bonds or other evidences of indebtedness issued therefor, and the cost of insurance against loss by injury to persons or property), and the balance to be paid to the Treasurer and to be used for the purpose of providing a sinking fund with which to pay at or before maturity all bonds and/or notes or other evidences of indebtedness incurred for and on behalf of the building, constructing, maintaining, and operating of said terminal.

Sec. 7. Whenever the said Port Commission shall determine that such wharfage fees and other fees, tolls, dues and other revenues will be or are insufficient to pay in any year the cost of operation and administration of said terminal or terminals (including interest on bonds or other evidences of indebtedness issued therefor, and the cost of insurance against loss by injury to persons or property), and sinking fund requirements for such year, it shall certify to the Board of Commissioners of Morehead City the amount of such anticipated or existing deficiency, and upon receipt of such certificate it shall be the duty of said Board of Commissioners of Morehead City to cause to be levied on all the taxable property within the territorial limits of said City in the same manner as other City taxes are levied, a special tax in an amount sufficient to meet such deficiency, not exceeding, however, an amount equivalent to ten cents on each one hundred dollars of taxable values for the year or years in which such levy is sought and/or required to be made, and the tax so levied shall be in addition to all other taxes authorized by law to be levied in said municipality; and the authorization for such levy and the levy of such taxes for said special purpose are hereby declared to be levies for necessary purposes, notwithstanding any prohibition in any general or special acts now existing. Any indebtedness incurred by said Port Commission pursuant to this act shall not be taken into consideration in determining the power of the City of Morehead to become further indebted: Provided, however, that the Board of Commissioners of Morehead City shall not make or cause to be made such tax levy as above provided for until there first shall have been submitted to the qualified voters of the said municipality the question of special tax levy for the indicated purpose and a majority
of the qualified voters shall have voted in favor of such special levy.

SEC. 8. That the Board of Commissioners of Morehead City be, and it hereby is, empowered and directed to submit to the voters of Morehead City at such time or times as may be agreed upon by the members of the said Port Commission and of the said Board of Commissioners the question whether said special levy shall be made. The said Board of Commissioners shall for at least twenty days before the election give public notice of such election, together with notice of the purpose thereof by publication in some newspaper published in the said municipality and by posting said notice on the public bill board at the city hall and three other public places in said municipality: Provided, that if a majority of the qualified voters shall not vote for said special levy at the election so held, said Board of Commissioners may submit the said question to said voters at any other time or times and under the provisions hereinafter set out.

SEC. 9. That any election held under the provisions of this act shall be conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for city officials of the said municipality. The said Board of Commissioners shall appoint the registrar and judges of election and any other election officials, and the registration and challenge of voters shall be conducted in the same manner as now provided by law for the election of city officials; and the said Board of Commissioners shall order a new registration for the said election or elections, as under the law now providing for registration for special elections. At the close of the polls the ballots shall be counted and the returns certified and made to the said Board of Commissioners forthwith, and the results of said election shall be tabulated and declared by said Board, all of which shall be recorded in the minutes of the said Board of Commissioners, and no other recording and declaring of the results of the said election shall be necessary. At said election or elections the ballots (which shall be provided by the Board of Commissioners) tendered and cast by the voters shall have written or printed upon them the words "For annual levy not exceeding ten cents and for a period not exceeding thirty years for port terminal facilities" or "Against annual levy not exceeding ten cents and for a period not exceeding thirty years for port terminal facilities," and all electors who favor such special levy shall cast a ballot for said special levy, and all those opposed to the levy shall cast a ballot against such special levy.

SEC. 10. The said Port Commission shall have power to institute suits or other proceedings in the State or United States Courts, or before the Interstate Commerce Commission or the
Corporation Commission of the State of North Carolina, and to enter into negotiations with the United States Shipping Board or any other legally constituted agency, either State or Federal, in the furtherance or interest of the said terminal project and development.

Sec. 11. That it is hereby declared to be the policy of the State of North Carolina to promote, encourage and develop water transportation, service, and facilities in connection with the commerce of the United States, and to foster and preserve in full vigor both rail and water transportation, and that Morehead City, North Carolina, is hereby declared to be a port to be developed in connection with the interior of the State of North Carolina and other States, and that it is hereby declared and deemed by the State of North Carolina necessary and desirable and in the public interest of the entire State that there shall be established through Morehead City, through connecting water-and-rail rates in connection with shipping companies and other transportation companies and in accordance with the provisions of the acts of Congress in the United States and the laws of North Carolina. The said Port Commission shall be regarded as performing an essential governmental function in undertaking the construction, maintenance and operation of the said terminal or terminals and in carrying out the provisions of this act in relation thereto, and shall be required to pay no taxes or assessment upon any of the properties acquired or used by it for such purposes.

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

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

Ratified this the 22nd day of March, A.D. 1933.

H. B. 904  CHAPTER 76

AN ACT VALIDATING SALE OF LANDS OCTOBER 5, 1931, BY TAX COLLECTOR, CITY OF SOUTHPORT, FOR UNPAID 1930 TAXES.

The General Assembly of North Carolina do enact:

Section 1. That the sale of lands by the tax collector of the City of Southport on October fifth, one thousand nine hundred thirty-one, for unpaid taxes for the year one thousand nine hundred thirty, be and the same is hereby validated.

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

Ratified this the 23rd day of March, A.D. 1933.
S. B. 375

CHAPTER 77

AN ACT TO AMEND CHAPTER 94, PRIVATE LAWS OF 1899, RELATING TO THOMPSON INSTITUTE OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Private Laws of North Carolina, Session 1899, Chapter 94, be and the same is hereby amended as follows:

Section 1. Amend Section 1 by changing the period at the end of said section to a comma and by adding the following: "the same to be under the supervision of the Lumber River Baptist Association."

SEC. 2. Amend Section 2 by changing the period at the end of said section to a comma, and by adding the following: "all schools and the care and supervision of the property belonging to the Thompson Institute shall be under the care and supervision of the Lumber River Baptist Association."

SEC. 3. Amend Section 3 by changing the period at the end of said section to a comma, and by adding the following: "and that any or all of said Trustees may be subject to removal by the Lumber River Baptist Association at any time for a good cause, and their successors appointed by the Lumber River Baptist Association."

SEC. 4. Amend Section 5 by striking out the words "five hundred" in line 7, and inserting in lieu thereof the words "not less than one thousand, the bond to be given by some surety company, to be approved by the Board of Trustees of the Thompson Institute."

SEC. 5. Amend Section 6 by changing the period at the end of said section to a comma and by adding the following: "the Secretary shall make a full, complete and faithful report of all proceedings of the Board to the Lumber River Baptist Association annually, or as the Association may require, showing a complete, detailed account of all moneys received and all moneys expended, and a full, complete and faithful report to said Lumber River Baptist Association as herein above stated, and the failure of the Secretary of said Board of Trustees of the Thompson Institute to comply with this section, upon request of the Lumber River Baptist Association, he shall be guilty of a misdemeanor and punished therefor in cases of misdemeanor as prescribed by the Consolidated Statutes of North Carolina."

SEC. 6. Amend Section 7 by changing the period at the end of said section to a comma and adding the following: "to be approved by the Lumber River Baptist Association."

SEC. 7. Amend Section 9 by changing the period at the end of said section to a comma, and by adding the following: "under
the supervision and approval at all times of the Lumber River Baptist Association."

Sec. 8. Amend Section 10 by changing the period at the end of said section to a comma, and by adding the following: "and report the same to the Lumber River Baptist Association, as hereinbefore set out."

Sec. 9. Amend Section 11 by changing the period at the end of said section to a comma, and by adding the following: "but no action shall be taken by the Board of Trustees in accordance with this section, except under the orders and directions of the Lumber River Baptist Association, and with the approval, knowledge, and consent of said Lumber River Baptist Association, and that said Board of Trustees of the Thompson Institute shall not incumber, dispose of, alter, or change any of the property belonging to the Thompson Institute, of whatever kind, nature, or description, without first obtaining the approval, consent, and directions of the Lumber River Baptist Association."

Sec. 10. Amend Section 12 by changing the period at the end of said section to a comma, and by adding the following: "but that the said Trustees of said Thompson Institute shall not be permitted to expend any money in permanent improvements, or in permanent buildings, except as it is authorized to do so by the Lumber River Baptist Association, and at all times the said Trustees shall cause said school to be operated in accordance with the rules and doctrines of the Lumber River Baptist Association."

Sec. 11. That all laws and clauses of laws in conflict with this act are hereby repealed so far as the said Corporation is concerned and no further.

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

Ratified this the 24th day of March, A.D. 1933.

H. B. 974

CHAPTER 78

AN ACT TO AMEND THE CHARTER OF THE CITY OF KINSTON RELATING TO CITY REALTY AND VOTING PRECINCTS.

The General Assembly of North Carolina do enact:

Section 1. That sub-section six of chapter twenty-four of the Charter of the City of Kinston, being chapter five hundred and seventy-eight, Public-Local Laws of one thousand nine hundred and eleven, as amended by sections three and seven of chapter one hundred nine, Private Laws of one thousand nine hundred
and nineteen, be and the same is further amended so that the whole of said sub-section six shall read as follows:

“(6) There shall be not less than two voting or polling places in the City of Kinston for the voters thereof, such voting or polling places to be designated by the city council of the City, one of which shall be on the west side of Queen Street and one on the east side of said street. In the event of the consolidation of two or more voting precincts into one, it shall not be necessary to order a new registration of voters in such consolidated precinct, and the then existing registration books in the precincts consolidated may be used until the new registration book or books herein provided for shall be prepared. Upon such consolidation of precincts it shall be the duty of the city council to make suitable provision for the transcription and consolidation of the then existing registration books into one registration book, or one set of registration books, in which shall appear the names, with other data required, of all the registered voters in the new or consolidated precinct. And except as herein provided the registration of voters, the return of elections, and the declaration of the results of elections shall be under such rules and regulations as may be established by the city council not inconsistent with the provisions of the general laws of the State.

The votes cast for mayor shall be at the same time and places as may be prescribed for the election of aldermen, and the city council shall have the right to enact such appropriate ordinances as may be necessary to make this provision effective. In all city elections, primary or general, each voter shall vote for one candidate for mayor and five candidates for aldermen, and every ballot which fails to comply with this provision shall be invalid and shall not be counted in determining the results of the election.”

Sec. 2. That sub-section (9) of Section 29 of the said Charter of the City of Kinston be and the same is hereby amended by changing the period at the end of the first paragraph thereof to a colon and adding a second proviso as follows: "Provided further, that in any case where the City of Kinston has or shall become the owner of any real estate, or any interest therein, by reason of having become the purchaser thereof at foreclosure sale for the non-payment of taxes or paving assessments, then the city council shall have power by a majority vote to sell the same at private sale at such price as may be fixed by the council.”

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 24th day of March, A.D. 1933.
CHAPTER 79

AN ACT TO PROVIDE FOR THE ELECTION OF TRUSTEES FOR THE TROY SPECIAL CHARTER SCHOOL DISTRICT AT THE NEXT MUNICIPAL ELECTION.

The General Assembly of North Carolina do enact:

SECTION 1. That at the next municipal election to be held on the first Tuesday after the first Monday in May, nineteen hundred and thirty-three, in the Town of Troy, Montgomery County, and biennially thereafter, there shall also be held an election for five members of the school committee of the Troy Special Charter School District, to be voted for by the qualified voters of said district, and the five candidates receiving the highest number of votes shall be declared elected school committeemen for the Troy Special Charter School District, who shall serve for a term of two years and until their successors are elected and qualified. Any vacancy occurring on said committee, either by resignation, death or otherwise, during the said term, shall be filled by said committee.

SEC. 2. That any person residing outside the limits of the Town of Troy and within the boundaries of the Troy Special Charter School District shall be entitled to register and vote in said election for said committeemen in addition to the qualified voters of said district living within the limits of said town. That a special book shall be provided for the registration of voters living outside the limits of said town who shall register and vote in the precinct in which the courthouse is located in said town, and special boxes shall be provided at each voting place in the Town of Troy in which shall be deposited the votes for said committeemen.

SEC. 3. That the election officials of the Town of Troy shall conduct said election under the rules governing and controlling regular and special municipal elections.

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 27th day of March, A.D. 1933.
H. B. 903  

CHAPTER 80

AN ACT TO REPEAL THE CHARTER OF THE TOWN OF CONNELLY SPRINGS, BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the charter of the town of Connelly Springs, Burke County, which was incorporated under the provisions of Article thirteen, Chapter fifty-six of the Consolidated Statutes, 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 27th day of March, A.D. 1933.

H. B. 1005  

CHAPTER 81

AN ACT TO EXTEND THE TIME FOR PAYMENT OF STREET ASSESSMENTS IN THE TOWN OF AYDEN, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for payment of assessments heretofore levied by the Commissioners of the Town of Ayden, Pitt County, against abutting property owners for and on account of paving, grading or otherwise improving any of the public streets or sidewalks in the Town of Ayden, Pitt County, is hereby extended so as to be payable in five equal annual installments, beginning November first, one thousand nine hundred and thirty-four. The amount of said installments shall draw interest from November first, one thousand nine hundred and thirty-four, at the rate of six per cent per annum: Provided, that if the property owner or any person legally liable therefor shall fail to pay any of said installments or interest as the same comes due, as provided for in this act, the board of commissioners of the said Town of Ayden 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 said real estate against which said assessments have been levied, in the same manner and under the same laws as real estate is sold for similar unpaid taxes. The whole assessments may be paid at any time by the payment of the principal and all accrued interest to the date of such payment.

Sec. 2. That it shall be the duty of the Board of Commissioners of the Town of Ayden, as soon as practicable after the ratification of this act, and prior to the maturity date of the first payment under the extension hereof, to cause to be com-
piled 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 Ayden, said unpaid and uncollected assessments and interest to be computed to the 1st day of November, one thousand nine hundred and thirty-four, 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 five equal installments, beginning November first, one thousand nine hundred and thirty-four, and thereafter said assessments and interest so computed 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 Town Clerk shall prepare an assessment roll and record the same in a well-bound book, designated "Special Assessment Book," which shall be ruled so as to conveniently show:

1. The name of such property.
2. The frontage, in feet, of such lot.
3. The amount that has been assessed against such lot.
4. The amount of such installments and the date when the installments shall become due, and all entries of payment shall be immediately made in said book, and said book shall be open to the public for 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 as aforesaid.

Sec. 5. That all provisions of the Charter of the Town of Ayden and amendments thereto, and any special Act of the Legislature relative thereto and the general laws of the State applicable to the 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 the said Board of Commissioners of the Town of Ayden, in their discretion, shall have the power and authority, where the frontage of any lot shall permit, to divide the assessments against any particular lot, where purchaser or purchasers desire to own a portion of said land and not the whole thereof, so that the purchaser thereof may be charged with the assessments only upon the lot or parcel of land so purchased by said purchaser. The division of any lot and consequently the assessments shall be exercised only in the discretion of the said Board of Commissioners.

Sec. 7. The Statute of Limitations shall not begin to run as against any payment until the final and last payment shall have accrued under the provisions of this act.
Sec. 8. That nothing contained in this act shall be construed to affect any assessment heretofore paid.

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

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

Ratified this the 27th day of March, A.D. 1933.

H. B. 1040  CHAPTER 82

AN ACT VALIDATING THE PURCHASE BY THE COMMISSIONERS OF THE TOWN OF ELKIN CERTAIN REAL ESTATE TO BE USED FOR STREET AND OTHER PURPOSES.

Whereas, it is desirable that a new street be made from the north end of the Hugh Chatham Memorial Bridge in the Town of Elkin eastwardly through the R. M. Chatham property to a point on Main Street near an alley between the R. M. Chatham and the R. H. Chatham line, and that the property between the new proposed street and Main Street be deeded to the Town of Elkin for the purpose of creating a public park or to be disposed of by the Town of Elkin as it sees fit; and

Whereas, the Town Commissioners of the Town of Elkin in regular meeting assembled have purchased from R. M. Chatham a right-of-way through this property fifty feet in width for the purpose of constructing a street and sidewalk and have purchased the property between the new proposed street and Main Street for and in consideration of the street assessments against the said R. M. Chatham property and the taxes due the Town of Elkin and unpaid at this time: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the action of the Town Commissioners of Elkin, North Carolina, in the purchase of the above mentioned property from R. M. Chatham, be and the same is hereby ratified and validated, said property being described as follows:

Beginning at the north end of the Hugh Chatham Memorial Bridge on Gwyn Avenue and extending easterly through the said R. M. Chatham property a distance of about five hundred thirty-five feet to Main Street; thence westerly along Main Street to a point fifty feet from Gwyn Avenue; thence northwardly to a point fifty feet from the north end of Hugh Chatham Memorial Bridge and also a fifty foot right of way from the end of the new Hugh Chatham Memorial Bridge to Main Street adjoining this property on the north, and as a consideration there-
for cancelling and marking paid in full the entire amount of street assessments due against his property known as the R. M. Chatham home place, fronting Main Street and Gwyn Avenue in the Town of Elkin, North Carolina, and in addition thereto marking paid and satisfied the unpaid property taxes due by the said R. M. Chatham on this property to the Town of Elkin, and that said action of said Commissioners is hereby ratified, confirmed and validated in every respect.

Sec. 2. That the Commissioners of the Town of Elkin are hereby empowered, whenever 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 in part that certain lot or parcel of land deeded to the Town of Elkin by R. M. Chatham except that portion used for street and sidewalk, and upon such sale, if any, to convey title to any of said property in their official capacity in fee simple to the purchaser.

Sec. 3. That all laws and clauses and parts of laws inconsistent with the provisions of this act be and the same are hereby repealed.

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

Ratified this the 27th day of March, A.D. 1933.

H. B. 1079  CHAPTER 83
AN ACT AUTHORIZING THE CITY OF GREENSBORO TO ISSUE TAX ANTICIPATION CERTIFICATES.

The General Assembly of North Carolina do enact:

SECTION 1. That the City of Greensboro at any time or times prior to May 1st, 1935, is hereby authorized and empowered upon resolution duly adopted by the City Council of said City to issue tax anticipation certificates in such denomination or denominations as directed in the authorizing resolution and in an amount not exceeding one-half of the taxes levied and uncollected for the current fiscal year, such tax anticipation certificates to be redeemed by the City at par and accrued interest at any time designated in such resolution not exceeding six months from the date of issue, to bear interest payable only at maturity or date of redemption at a rate not exceeding two per cent per annum and to be accepted by said City in payment of any debt or obligation to it owing. The uncollected taxes, or so much thereof as may be necessary to redeem at par and accrued interest the total amount of such certificates, shall be pledged by the City for the redemption of such certificates and interest at the date of their maturity.
Notes for Greensboro School District.

May be used for payment of debts.

Sale of.

Provision for payment in budgets.

Permission of, and reports to, Local Government Commission.

Conflicting laws repealed.

SEC. 2. That upon request of the Board of Education of the Greater Greensboro School District the City of Greensboro be and it is hereby authorized to issue tax anticipation certificates in an amount not exceeding one-half of the taxes levied and uncollected during such current fiscal year by the City of Greensboro for the benefit of such school District, such certificates if and when issued to be delivered by the said City to the Treasurer of the said School Board. The issue of tax anticipation certificates predicated on uncollected taxes levied for the benefit of the Greater Greensboro School District shall be subject to the same restrictions and provisions as hereinabove set out.

SEC. 3. That the tax anticipation certificates herein authorized may be issued and delivered by the City of Greensboro or by the said Greater Greensboro School District in payment of any debt or obligation owing by the said City or by said School District, and may also be privately sold at par and accrued interest by the City Treasurer at any time prior to the date of redemption.

SEC. 4. If any tax anticipation certificates herein authorized be outstanding and unpaid at the beginning of any fiscal year, provision shall be made in the annual budget and appropriation ordinance of such fiscal year for the payment of all such certificates predicated upon the taxes of the previous year or years.

SEC. 5. That the City Treasurer of the City of Greensboro shall file with the Local Government Commission of North Carolina a copy of the proceedings authorizing the issuance of any tax anticipation certificates as herein authorized, and shall at the end of each month file with the Local Government Commission of North Carolina a detailed report setting forth the amount of such tax anticipation certificates then outstanding.

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

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

Ratified this the 27th day of March, A.D. 1933.

H. B. 865

CHAPTER 84

AN ACT TO AMEND CHAPTER 651 OF THE PUBLIC LAWS OF 1909, AS AMENDED, RELATING TO THE MUNICIPAL COURT OF THE CITY OF GREENSBORO.

The General Assembly of North Carolina do enact:

Section 1. That Chapter 651 of the Public Laws of 1909, as amended, be and the same is hereby amended by adding after Section 5 thereof a section as follows:
Section 5½. In addition to the jurisdiction conferred upon the Municipal Court of the City of Greensboro by Section 3 of Chapter 651 of the Public Laws of 1909, as amended, the said Municipal Court of the City of Greensboro shall have the following additional jurisdiction:

a. The Municipal Court of the City of Greensboro shall have exclusive final jurisdiction to hear and determine all misdemeanors above the final jurisdiction of justices of the peace occurring or committed outside of the City of Greensboro and outside of the one-mile area around the corporate limits of the City of Greensboro, but within the County of Guilford, exclusive of High Point Township, Deep River and Jamestown Townships.

b. All justices of the peace holding the preliminary hearing in cases of misdemeanors wherein the Municipal Court of the City of Greensboro is given final jurisdiction as hereinbefore provided shall, if probable cause be found, bind the defendant or defendants over to the Municipal Court of the City of Greensboro for trial to the next following court day, and the witnesses for the State shall be recognized to appear in the Municipal Court of the City of Greensboro at the time herein provided for trial.

c. That all processes issued from either the civil or criminal division of the Municipal Court of the City of Greensboro, for defendant or defendants, parties or witnesses living or residing out of the city limits of the City of Greensboro, and beyond the one-mile area around the corporate limits of the City of Greensboro, shall be directed to and served by the Sheriff or other lawful officer of the County of Guilford, exclusive of the police or police department of the City of Greensboro. That in no cases in which the processes issued from the criminal division of the Municipal Court are served by the sheriff or other lawful officer of Guilford County, exclusive of the police or police department, shall the charge of $1.00 to the use of the police pension fund, as provided by law, be added into the bill of costs. Nothing herein, however, shall be construed to affect the present right to add the sum of $1.00 into the bill of costs to the use of the police pension fund of the City of Greensboro in all cases heretofore provided by law, wherein the process shall be issued to the police department of the City of Greensboro and served by any policeman of the City of Greensboro within the corporate limits thereof, or within the one-mile area surrounding the corporate limits of the City of Greensboro.

d. That witnesses in attendance upon the Municipal Court of the City of Greensboro, in either the criminal or civil division thereof, responsive to a subpœna requiring their presence in said Court, shall be permitted to prove their attendance with the Clerk of said Court or Courts, and upon proving their at-
tendance shall be entitled to receive out of the costs when collected by said Court from the party against whom said costs shall be taxed the sum of 50 cents per day for each day said witness or witnesses shall attend said Court responsive to said subpoena, and in addition thereto the said witness or witnesses shall be entitled to receive mileage at the rate of five cents per mile for one round trip to Court whenever the said witness or witnesses shall reside outside of the corporate limits of the City of Greensboro and outside the one-mile area surrounding the corporate limits of the City of Greensboro: Provided, however, that the witness or witnesses shall not be permitted to prove their attendance unless they shall be sworn and testify or be tendered to the Court or the adverse party; and Provided further, that no more than two witnesses whose testimony is to the same effect shall be permitted to prove their attendance in any given case: Provided, however, that the City of Greensboro shall not be liable for any of the witness fees hereinbefore provided, unless the same shall be paid by the party against whom the said costs shall be taxed, and unless said witness or witnesses shall have proven their attendance before the bill of costs in said case or cases shall be fixed by the Clerk and paid by the party against whom the same is taxed.

e. That no part of the costs taxed against defendants following their conviction, incarceration or sentence by the Municipal Court of the City of Greensboro to the county jail, the county road, the county farm or county home shall be borne or paid by the County of Guilford.

f. That the charter of the City of Greensboro is hereby amended so as to provide that the Judge of the civil division of the Municipal Court of the City of Greensboro, the Judge of the criminal division of the Municipal Court of the City of Greensboro, and the prosecuting attorney of the criminal division of the Municipal Court of the City of Greensboro shall be appointed by the Governor of North Carolina, who shall make such appointments to become effective January 1, 1934, present incumbents to hold office until that time. Thereafter each appointee shall hold office for a term of two years or until his successor is appointed by the Governor and qualified. In case of a vacancy during the term, the Governor shall appoint the successor in said office of said Court for the unexpired portion of the term.

Sec. 2. That Section 34 of Chapter 651 of the Public Laws of 1909, as amended, be and the same is hereby amended by striking out subsections a, b, c, and d and inserting in lieu thereof the following:

a. Where the plaintiff, or any one of the plaintiffs, if an individual or natural person, lives in the County of Guilford, exclusive of High Point, Deep River and Jamestown Townships.
b. Where the defendant, or any one of the defendants, if an individual or natural person, lives in the County of Guilford, exclusive of High Point, Deep River and Jamestown Townships.

c. Where the plaintiff, or any one of the plaintiffs, if a corporation, has a place of business in the County of Guilford, exclusive of High Point, Deep River and Jamestown Townships.

d. Where the defendant, or any one of the defendants, if a corporation, has a place of business in the County of Guilford, exclusive of High Point, Deep River and Jamestown Townships.

SEC. 3. That Section 49 of Chapter 651 of the Public Laws of 1909, as amended, be amended by adding at the end of said section the following:

The appellant, upon perfecting an appeal to the Superior Court from any judgment rendered in the civil division of the Municipal Court, shall, as a condition precedent to the perfection of his appeal in the event the amount in controversy be in excess of the civil jurisdiction of justices of the peace, give the prosecution bond as required of plaintiffs instituting suits or actions in the Superior Court.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed, in so far as the same relate to the County of Guilford, exclusive of High Point, Deep River and Jamestown Townships.

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

Ratified this the 28th day of March, A.D. 1933.

H. B. 1012  CHAPTER 85

AN ACT TO DESCRIBE AND DEFINE THE LIMITS AND BOUNDARIES OF THE CITY OF SALUDA, IN POLK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The City of Saluda shall be the area within the following described boundaries, to wit:

Beginning at a stone on the point of the ridge in the turn of Groves Road in the Polk-Henderson County line (said stone being a permanent and well-defined marker and monument, which has always been the N. W. corner of the City of Saluda), and running thence S. 5,994 feet to a concrete corner; thence E. 1,970 feet to a stone corner; thence S. 87½ degrees E. 2,330 feet to a concrete corner; thence N. 26 degrees E. 700 feet to a concrete corner; thence N. 50 degrees E. 4,400 feet to a concrete corner; thence N. 8 degrees W. 700 feet to a concrete corner; thence N. 32 degrees W. 400 feet to a concrete corner; thence
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N. 60 degrees W. 3,055 feet to a concrete corner; thence W. 4,600 feet to the point of beginning. The above measurements are by horizontal measurement, and the corners above called for have been marked with permanent concrete posts and markers.

Sect. 2. All of the above described area is declared to be in Polk County.

Sect. 3. All laws in conflict herewith are hereby repealed.

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

Ratified this the 28th day of March, A.D. 1933.

H. B. 1047

CHAPTER 86

AN ACT TO AMEND CHAPTER 285 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATIVE TO FEES AND COMPENSATION OF THE OFFICERS OF HAMLET RECORDER’S COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred eighty-five of the Public-
Local Laws of one thousand nine hundred seventeen be and the
same is hereby amended by striking out the provisions of section
three and inserting in lieu thereof the following:

“That from and after the first day of December, one thousand
nine hundred thirty-four, the salary of the Recorder shall be
in the sum of seventy-five dollars per month, payable monthly,
and before entering upon the discharge of his duties he shall
take and subscribe the oath of office as prescribed in article six,
section seven, of the Constitution of North Carolina, and the
oath as taken and subscribed shall be recorded by the Clerk of
the Superior Court in his office.”

Sect. 2. That chapter two hundred eighty-five of the Public-
Local Laws of one thousand nine hundred seventeen be further
amended by striking out the provisions of section twelve and
inserting in lieu thereof the following:

“(a) The Prosecuting Attorney shall be, by virtue of his
office, Clerk of the said Court, and he shall keep the criminal
dockets of said court, and shall otherwise possess all the powers
and functions conferred upon, and discharge all the duties re-
quired of Clerks of the Superior Court under the general law
as may be incident and relative to his duties as Clerk of said
Recorder’s Court, and from and after the first day of July, one
thousand nine hundred thirty-three, he shall receive the sum
of seventy-five dollars per month, payable monthly, for his ser-
vices, and he shall give bond in the sum of two thousand dollars
for the faithful performance of his duties.
“(b) In each case disposed of by the Recorder, where the defendant is convicted or pleads guilty, there shall, in addition to other lawful costs, be taxed against the defendant as a part of the costs the sum of four dollars, which shall be paid into the general fund of Richmond County to be applied upon the salaries of the Judge and Prosecuting Attorney of said Court.

“(c) All justices of the peace, constables, and sheriffs issuing or serving warrants or other processes returnable to the Recorder's Court shall receive the same fees as are now allowed such officers and justices of the peace for Richmond County by law for such services, which fees shall be collected and paid out by the Clerk of said Court in the same manner as by law provided for the collection and distribution of such fees by the Clerk of the Superior Court: Provided, that when any process is served by an officer of the Town of Hamlet, who is on a salary, the fees to which such officer may be entitled, shall be paid to the Treasurer of the Town of Hamlet.”

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

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

Ratified this the 28th day of March, A.D. 1933.

S. B. 397

CHAPTER 87

AN ACT TO ALLOW THE TAX COLLECTOR OF THE TOWN OF STAR TO COLLECT BACK TAXES.

The General Assembly of North Carolina do enact:

Section 1. That L. T. Saunders, Tax Collector for the town of Star, who by virtue of his office has had the tax lists for the purpose of collecting taxes in said town for the years one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, and one thousand nine hundred and thirty-one, and in case of his death or default in collection, his personal representative is hereby authorized and empowered to collect arrears of taxes for each of the years aforesaid, under such rules and regulations as are now or may hereafter be provided for the collection of taxes.

Sec. 2. That the authority herein given shall cease and determine on the first day of January, one thousand nine hundred and thirty-five.

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

Ratified this the 30th day of March, A.D. 1933.
S. B. 462  CHAPTER 88

AN ACT SUPPLEMENTAL TO SENATE BILL 335, THE SAME BEING "A BILL TO BE ENTITLED AN ACT FOR THE RELIEF OF THE BANK OF FRANKLIN AND ITS DEPOSITORS," RATIFIED ON THE 8TH DAY OF MARCH, 1933.

Whereas, the Bank of Franklin, in Macon County, North Carolina, closed its doors in the month of December, nineteen hundred and thirty, and at the time of such closing was indebted to the depositors in the sum of four hundred thirty-four thousand two hundred and thirty-seven ($434,237.00) dollars; and

Whereas, the said Bank since said closing has been in process of liquidation by the officers thereof, and during such liquidation the aforesaid indebtedness has been reduced from the said sum of four hundred thirty-four thousand two hundred and thirty-seven ($434,237.00) dollars to the sum of thirty-eight thousand dollars ($38,000.00) dollars, and now has solvent assets in the sum of one hundred forty-four thousand seven hundred and forty-one ($144,741.00) dollars, not including the stockholder's liabilities; and

Whereas, the said bank, through its managers liquidating the same, made an agreement with the bank depositors under the terms of which the said depositors agreed not to call for the payment of their deposits until or prior to the first day of October, one thousand nine hundred thirty-three; and

Whereas, it now appears that said depositors, because of present financial conditions, cannot be settled with in full within the time agreed, but that by extending the time of liquidation the depositors, other creditors and stockholders can be saved from any loss and paid in full: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the liquidating agent of the Bank of Franklin, his successor or successors, be given an extension of time, viz, to October first, one thousand nine hundred thirty-five, to complete the liquidation of said Bank of Franklin, and the said liquidating agent, his successor or successors, are directed under this act to pay to the said depositors from time to time a dividend of ten per cent with four per cent interest on said dividends, the interest to be calculated from October first, one thousand nine hundred thirty-three, as they collect a sum sufficient to pay a dividend of that amount; but no assessment shall be declared against the stockholders and no judgment against stockholders enforced prior to April first, nineteen hundred and thirty-five, with which to pay any dividend or to be used for any other purpose.
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 30th day of March, A.D. 1933.

H. B. 466  CHAPTER 89
AN ACT TO ALLOW THE TAX COLLECTOR OF THE TOWN OF BREVARD TO RECEIVE BONDS OR NOTES OF SAID TOWN IN PAYMENT OF SPECIAL ASSESSMENTS.

The General Assembly of North Carolina do enact:

Section 1. The governing board of the Town of Brevard may, by resolution duly adopted and recorded on its minutes, authorize the Tax Collector and/or Treasurer of said Town to receive in payment of any installment or installments of the principal and/or interest of any special assessment, any bond or bonds of said Town due or to become due in the fiscal year in which said installment or installments or principal and/or interest shall become due, at par value. The Tax Collector and/or Treasurer shall be allowed full credit in his settlement with the Town for all such bonds of said Town so received by him in payment of any installment or installments of principal and/or interest of any special assessments in accordance with such resolution or resolutions.

Sec. 2. That all laws or 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. 1933.

H. B. 468  CHAPTER 90
AN ACT TO AUTHORIZE THE TAX COLLECTOR OF THE TOWN OF BREVARD TO RECEIVE BONDS OR NOTES OF SAID TOWN IN PAYMENT OF DEBT SERVICE PORTION OF CURRENT OR DELINQUENT TAXES.

The General Assembly of North Carolina do enact:

Section 1. The governing board of the Town of Brevard may, by resolution duly adopted and recorded on its minutes, authorize the Tax Collector and/or Treasurer of said Town to receive in payment of the debt service portion of current and/or delinquent taxes any bond or bonds, or note or notes of said town in payment of debt service portion of taxes.
due or to become due in the current fiscal year at par value. The Tax Collector and/or Treasurer of said Town shall be allowed full credit in his settlement with said town for all bonds or notes of said town so received by him in payment of the debt service portion of any tax in accordance with such resolution or resolutions.

Sec. 2. That all laws or 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. 1933.

H. B. 1017  CHAPTER 91

AN ACT TO AUTHORIZE THE CITY OF SALUDA TO ACCEPT PAST DUE STREET IMPROVEMENT BONDS AND COUPONS AS PAYMENT ON STREET ASSESSMENTS.

The General Assembly of North Carolina do enact:

Section 1. The City of Saluda is hereby authorized and empowered to accept any past due street improvement bond or coupon on said bonds as payment on any street assessment.

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 effect from and after its ratification.

Ratified this the 30th day of March, A.D. 1933.

H. B. 1071  CHAPTER 92

AN ACT TO AUTHORIZE THE GOVERNING BODY OF THE TOWN OF RED SPRINGS TO EXTEND THE TIME FOR PAYMENT OF STREET AND SIDEWALK ASSESSMENTS.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Aldermen of the town of Red Springs is hereby authorized, empowered and directed to extend the time of payment of street and sidewalk assessments for at least five years from the maturity date of the last installment, the total balance due at the end of the present expiration may become payable in five annual equal installments, with interest at six per cent per annum on the amount of such extension, which amount shall be the original principal of said assessments: Provided, however, that if such extension of time is granted the statute of limitations will not run against the town
until three years after the maturity of the last installment, payable under the extension of the time arrangement.

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 30th day of March, A.D. 1933.

S. B. 454  CHAPTER 93
AN ACT RELATING TO THE SALE OF PROPERTY IN THE TOWN OF SEABOARD FOR DELINQUENT TAXES FOR THE YEARS 1931 AND 1932.

Whereas, owing to the present financial distress, the Commissioners of the town of Seaboard have postponed the advertisement and sale of land for taxes due for the years 1931 and 1932:

Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the action of the Commissioners of the town of Seaboard, Northampton County, in postponing the sale of land for taxes for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two be and the same is hereby validated, and the Commissioners of said town are hereby authorized and empowered at any time within one year from the date of the ratification of this act to advertise and sell any and all property in the town of Seaboard on which the taxes due said town for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two have not been paid.

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

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

Ratified this the 31st day of March, A.D. 1933.

H. B. 1114  CHAPTER 94
AN ACT AUTHORIZING THE CITY OF GASTONIA TO ISSUE TAX ANTICIPATION CERTIFICATES.

The General Assembly of North Carolina do enact:

Section 1. That the City of Gastonia at any time or times prior to May 1st, 1935, is hereby authorized and empowered upon resolution duly adopted by the City Council of said City to issue tax anticipation certificates in such denomination or denominations as directed in the authorizing resolution and in an amount not exceeding one-half of the taxes levied and uneol-
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lected for the current fiscal year, such tax anticipation certificates to be redeemed by the City at par and accrued interest at any time designated in such resolution not exceeding six months from the date of issue, to bear interest payable only at maturity or date of redemption at a rate not exceeding two per cent per annum, and to be accepted by said City in the payment of any debt or obligation to it owing. The uncollected taxes, or so much thereof as may be necessary to redeem at par and accrued interest the total amount of such certificates, shall be pledged by the City for the redemption of such certificates and interest at the date of their maturity.

SEC. 2. That upon request of the Board of School Commissioners of the Gastonia Graded School District, the City of Gastonia be and it is hereby authorized to issue tax anticipation certificates in an amount not exceeding one-half of the taxes levied and uncollected during such current fiscal year by the City of Gastonia for the benefit of such School District, such certificates if and when issued to be delivered by the said City to the Treasurer of the said School Board. The issue of tax anticipation certificates predicated on uncollected taxes levied for the benefit of the Gastonia Graded School District shall be subject to the same restrictions and provisions as hereinafter set out.

SEC. 3. That the tax anticipation certificates herein authorized may be issued and delivered by the said City of Gastonia or by the said Gastonia Graded School District in payment of any debt or obligation owing by the said City or by said School District, and may also be privately sold at par and accrued interest by the City Treasurer at any time prior to the date of redemption.

SEC. 4. If any tax anticipation certificates herein authorized be outstanding and unpaid at the beginning of any fiscal year, provision shall be made in the annual budget and appropriation ordinance of such fiscal year for the payment of all such certificates predicated upon the taxes of the previous year or years.

SEC. 5. The City Treasurer of the City of Gastonia shall file with the Local Government Commission of North Carolina a copy of the proceedings authorizing the issuance of any tax anticipation certificates as herein authorized, and shall at the end of each month file with the Local Government Commission of North Carolina a detailed report setting forth the amount of such tax anticipation certificates then outstanding.

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

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

Ratified this the 31st day of March, A.D. 1933.
H. B. 851  CHAPTER 95
AN ACT TO AMEND CHAPTER 84, PRIVATE LAWS OF 1885, RELEATING TO TIME FOR HOLDING ELECTIONS IN THE TOWN OF AULANDER.

The General Assembly of North Carolina do enact:

Section 1. That Section four of Chapter eighty-four, Private Laws of Session one thousand eight hundred and eighty-five, be and the same is hereby amended by striking out the word "annually" in line three (3) of said Section and inserting in lieu thereof the word "biennially."

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

Ratified this the 3rd day of April, A.D. 1933.

H. B. 1011  CHAPTER 96
AN ACT TO AUTHORIZE THE TOWN OF SANFORD TO REFUND CERTAIN OUTSTANDING BONDS.

The General Assembly of North Carolina do enact:

Section 1. The Town of Sanford is hereby authorized to issue bonds of said town for the purpose of refunding or paying all or any part of the indebtedness of said town evidenced by bonds heretofore issued and now outstanding: Provided, said bonds are by their terms payable prior to the first day of January, nineteen hundred and thirty-seven.

Sec. 2. The procedure for the issuance of said bonds shall be that prescribed by the Municipal Finance Act, 1921, as amended, for the issuance of funding and refunding bonds, and all the provisions of said act applicable to funding or refunding bonds shall apply to the refunding bonds authorized to be issued by this act: Provided, however, that such refunding bonds may be authorized by a single ordinance or by two or more ordinances, as may be determined by the board of aldermen of said town; and Provided further, that the provisions of sections 2942 and 2952 of the Consolidated Statutes, concerning the time of maturity of bonds and related matters, shall not apply to such refunding bonds, and such refunding bonds may be issued without regard to the provisions of said sections. As applied to such refunding bonds, the words "this act" and "this law" in the Municipal Act, 1921, as amended, shall be read and understood as if they referred to this act. Such refunding bonds are hereby declared to be issued for necessary expenses of the Town of Sanford.

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

Ratified this the 3rd day of April, A.D. 1933.
H. B. 1042

CHAPTER 97

AN ACT TO EXTEND THE JURISDICTION OF THE MAYOR OF THE TOWN OF HAZELWOOD.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the jurisdiction heretofore granted to the Mayor of the Town of Hazelwood, in Haywood County, the said Mayor shall have original and concurrent jurisdiction with the Superior Court of Haywood County on all offenses committed within the corporate limits of the Town of Hazelwood, which are below the grade of a felony as defined by law, and the same are hereby declared to be misdemeanors.

SEC. 2. That the cost in said Mayor's Court shall be the same and taxed and allowed as for municipal Recorder's Courts, as set forth in section fifteen hundred and forty-seven of article eighteen of chapter twenty-seven of the Consolidated Statutes of North Carolina, and said Mayor shall have the same authority as granted to such Recorder's Court in section fifteen hundred and fifty-six of said article eighteen of chapter twenty-seven of the Consolidated Statutes.

SEC. 3. The Mayor shall have the right to direct the town attorney to act as prosecuting attorney in such cases as he may deem proper, and where such prosecuting attorney appears in a case, the cost shall be taxed for such prosecuting attorney as provided for in section fifteen hundred and fifty-six in said article eighteen of chapter twenty-seven of the Consolidated Statutes.

SEC. 4. The policemen, duly appointed by the Town of Hazelwood, shall have the same authority as peace officers, and for serving criminal process anywhere within Waynesville Township, as heretofore given to the policemen or constable by law within the corporate limits of the Town of Hazelwood.

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

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

Ratified this the 3rd day of April, A.D. 1933.
S. B. 290

CHAPTER 98

AN ACT TO AMEND THE CHARTER OF THE CITY OF HICKORY BY PROVIDING FOR THE RE-ASSESSMENT OF STREET IMPROVEMENT LIENS, ETC.

The General Assembly of North Carolina do enact:

SECTION 1. That the following provision of Section 7 of Article VIII of Chapter 68 of the Private Laws of North Carolina, Session 1913, be and it is hereby repealed: "Provided further, where permanent street improvements shall be made, the property bearing such assessment shall not be assessed again until after the expiration of ten years from the date of the last preceding assessment."

SEC. 2. That Article VIII of Chapter 68 of the Private Laws of North Carolina, Session 1913, be amended by adding the following sections to said article:

(a) All special assessments or installments of special assessments, together with all interest thereon to March 31, 1933, heretofore levied by the City Council, that are past due on said date may be declared by the City Council to be principal money owing to the City of Hickory as of March 31, 1933. The City Council may by resolution extend the time of payment of said principal money so that the same, together with interest thereon from March 31, 1933, shall become due and payable in thirty-six monthly installments, payable on the first day of each month, beginning on the first day of April, 1933. The City Council may also authorize the City Manager to accept twelve equal monthly payments in settlement of any installment that hereafter becomes due and payable.

(b) The extension of the time of payment of said assessment shall not deprive the owner of property of the right to pay all or any installment of any assessment and interest before the maturity thereof.

(c) Upon the failure of any person to pay as many as three monthly payments, the City Council is authorized and empowered at its option to declare all subsequent installments due and payable.

(d) The City of Hickory, acting through the City Council, may correct, cancel or remit any assessment for a local improvement, and may remit, cancel or adjust the interest or penalties on any such assessment; and it has the power, when in its judgment there is any irregularity, omission, error or lack of jurisdiction in any of the proceedings relating thereto, to set aside the assessments made by it in any local improvement district, and it also has the power to set aside the assessment made by it against one or more parcels or tracts of land in any improvement district without setting aside the assessments...
against other parcels or tracts of land in said district, and thereupon to make a reassessment in the entire district or against one or more parcels or tracts of land in said district. In such case interest at the rate of six per centum per annum on the actual expense of the improvement shall be included as a part of the cost of such improvements, which cost shall not include that incurred at street intersections. The proceeding shall be in all respects as in case of local assessments, and the reassessment shall have the same force and effect as if it had originally been properly made.

(e) Under the provisions of the Charter of the City of Hickory there is now no statute of limitations applicable to street improvement assessments made by its City Council; but after the extension of time as provided in subsections (a) and (b) of Section 2 of this act, all installments falling due after March 31, 1933, shall be barred by the lapse of ten years from the date of maturity thereof.

(f) Whenever in opening, extending or widening any street, avenue, alley or public place of the City a small parcel or tract of land is cut off or separated by such work from a larger tract or boundary of land owned by the City, the City Council may authorize and empower the Mayor and City Manager to execute and deliver in the name of the City a deed conveying said cut off or separated parcel or tract of land to an abutting or adjoining property owner or owners in exchange for rights-of-way for said street, avenue, alley or public place or in settlement of any alleged damages sustained by said abutting or adjoining property owner; and all deeds and conveyances heretofore or hereafter so executed and delivered shall convey all title and interest the City has in such property notwithstanding no public sale after advertisement was, or is hereafter, made.

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

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

Ratified this the 5th day of April, A.D. 1933.

H. B. 38

CHAPTER 99

AN ACT TO AMEND CHAPTER 51 OF THE PRIVATE LAWS OF 1927, BEING AN ACT ENTITLED "AN ACT TO INCORPORATE CHARLOTTE PARK AND RECREATION COMMISSION."

The General Assembly of North Carolina do enact:

Section 1. That Chapter 51 of the Private Laws of the Session of 1927, being "An Act to Incorporate Charlotte Park and Recreation Commission," be and the same hereby is amended
by striking out the period at the end of Section eleven thereof and substituting a semi-colon therefor and by adding thereto the following:

"Provided, that hereafter the said Governing Body of the City of Charlotte shall levy a tax rate for the use of said Park and Recreation Commission that will produce a total revenue of Twelve Thousand ($12,000.00) Dollars in any one year, and no more: Provided, however, that said tax rate shall in no event exceed a levy of two cents (.02c) on the one hundred dollar valuation of real and personal property in the City of Charlotte; and Provided further, that said Charlotte Park and Recreation Commission is hereby prohibited from borrowing money from any source whatever, but the Governing Body of said City may in its discretion advance and loan to said Charlotte Park and Recreation Commission in anticipation of uncollected taxes such sums, not exceeding in the aggregate at any time the total amount of taxes theretofore levied for the aforesaid purposes and then remaining uncollected, and in the event of such advancements in anticipation of uncollected taxes the said City of Charlotte shall have a lien upon such uncollected taxes for the amount of such advances, and shall reimburse itself for such amounts out of such taxes as and when collected."

Sec. 2. That, except as herein amended and added to, the said Chapter 51 of the Private Laws of 1927 shall be and remain in full force and effect.

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

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

Ratified this the 5th day of April, A.D. 1933.

H. B. 1037

CHAPTER 100

AN ACT TO PROVIDE FOR THE INSPECTION OF CERTAIN FRESH MEATS AND MEAT PRODUCTS SOLD AND DELIVERED TO CONSUMERS RESIDING WITHIN THE CITY OF BURLINGTON.

The General Assembly of North Carolina do enact:

Section 1. No person, firm or corporation shall, at or from any place of business in Alamance County, sell or offer for sale and deliver to consumers within the City of Burlington for human food any fresh meats or meat products, such as are subject to inspection within said City under the provisions of its Ordinances relating to the inspection of meats, unless and until license as provided by said Ordinances for conducting a market,
store or shop for the sale of fresh meats shall have been first obtained, and all such meats and meat products offered for sale and delivery to consumers within said City shall have been first inspected pursuant to the provisions of said Ordinances as the same are now and shall from time to time hereafter be in effect within said City and, by virtue of this Act, within Alamance County.

Sec. 2. Penalties for violation by persons, firms and corporations outside the corporate limits of the City of Burlington of any and all ordinances hereby made effective as to such persons, firms and corporations shall, from time to time, be provided and enforced by the City of Burlington, and, with respect to all such ordinances and their violation, such persons, firms and corporations shall be within the jurisdiction of the Mayor's Court of the City of Burlington.

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

Ratified this the 5th day of April, A.D. 1933.

H. B. 1097

CHAPTER 101

AN ACT TO MAKE THE LICENSE OR PRIVILEGE TAXES ISSUED BY THE CITY OF ROCKY MOUNT CONFORM TO THE FISCAL YEAR OF SAID CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That all license and privilege taxes imposed by the City of Rocky Mount for the privilege of carrying on a business or exercising a privilege, whether imposed under authority of chapter two hundred and nine of the Private Laws of one thousand nine hundred and seven or under the provisions of the Revenue Act of the State of North Carolina, shall be due and payable on or before the first day of July of each calendar year, and shall be issued for twelve months and shall expire on the thirtieth day of June of the following calendar year: Provided, that where the licensee begins such business or exercises such privilege after the first day of January and prior to the thirtieth day of June of each calendar year then such licensee shall be required to pay only one-half of the tax prescribed if so provided in the ordinance imposing the tax.

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

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

Ratified this the 5th day of April, A.D. 1933.
H. B. 1133  
CHAPTER 102  
AN ACT TO AUTHORIZE THE CITY COUNCIL OF THE CITY OF GASTONIA TO EXTEND THE TIME OF THE PAYMENT OF SPECIAL ASSESSMENTS.

The General Assembly of North Carolina do enact:

Section 1. That at any time or times prior to July 1, 1935, the City Council of the City of Gastonia may adopt a resolution granting an extension of time for the payment of any installment or installments, and accrued interest thereon, of any special assessment for local improvements due prior to July 1, 1933, so that the first of such installments so extended may be payable not later than one year from the date when the final installment of the original special assessment becomes due, and the last of such installments so extended shall become due not later than ten years from the first of such installments, and so that each other installment so extended may be payable annually thereafter in serial order: Provided, however, no such extension shall in any way discriminate in favor of or against any property assessed by virtue of the same assessment roll.

Sec. 2. The City of Gastonia is hereby authorized to accept in payment of special assessments bonds issued by said city: Provided, however, that the City Council shall have the right to designate the issues and the maturities, by resolution, which may be accepted by the City in payment of special assessments.

Sec. 3. The authority contained in this act shall be in addition to and not in substitution of, any authority to grant extension of the time of payment of special assessments contained in any other act or acts.

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

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

Ratified this the 5th day of April, A.D. 1933.

S. B. 503  
CHAPTER 103  
AN ACT TO AMEND CHAPTER 174, PUBLIC LAWS 1905, SO AS TO DECREASE THE NUMBER OF TRUSTEES OF THE MORGANTON GRADED SCHOOL, AND TO PROVIDE FOR THE ELECTION OF THEIR SUCCESSORS BY THE PEOPLE.

The General Assembly of North Carolina do enact:

Section 1. That Section 2 of Chapter 174, Public Laws 1905, be amended by striking out the word “nine” in line two and inserting in lieu thereof the word “five.”
SEC. 2. That Section 3 of Chapter 174, Public Laws 1905, be stricken out and the following inserted in lieu thereof: “That the Trustees shall be men of liberal education and good character, who shall be residents of said district, and that after the expiration of the term of office of the Trustees named herein not more than three of them shall belong to the same political party; that one of said Trustees shall be appointed for two years, two for four years and two for six years; that H. L. Riddle shall serve as Trustee from May 1, 1933, to May 1, 1935; that Phifer Smith and Ernest Bolick shall serve as Trustees from May 1, 1933, to May 1, 1937; that H. J. Hatcher and J. W. Carter shall serve as Trustees from May 1, 1933, to May 1, 1939: Provided, that where a vacancy occurs on the Board of Trustees, either by death or resignation, it shall be filled by the other members of the Board of Trustees until the next regular election, as hereinafter provided, at which time said vacancy shall be filled by election in the manner hereinafter provided for the election of Trustees; that the successors to the Trustees herein appointed shall be elected by the qualified voters of said district as their several terms shall expire; that an election shall be held in said district on the first Monday in May, beginning in one thousand nine hundred and thirty-five, for the purpose of electing Trustees, and biennially thereafter on the first Monday in May, as their terms shall severally expire. The Trustees elected at such elections shall serve for six years, and until their successors are elected and qualified, and the terms of Trustees so elected shall begin on the first day of May occurring after their respective elections.”

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

SEC. 4. This Act shall be enforced from and after its ratification.

Ratified this the 7th day of April, A.D. 1933.

H. B. 1059  CHAPTER 104

AN ACT PROVIDING FOR THE WORKING OF PRISONERS ON THE STREETS OF THE TOWN OF MAIDEN, IN CATAWBA COUNTY, NORTH CAROLINA. (APPLICABLE ALSO TO THE TOWN OF CONOVER.)

The General Assembly of North Carolina do enact:

SECTION 1. That the Mayor of the Town of Maiden, North Carolina, is hereby constituted an inferior court, and as such shall, within the corporate limits of the Town of Maiden, have all powers, jurisdiction and authority of Justices of the Peace
in criminal actions, to issue process, to hear and determine all causes of action which may arise upon the ordinances, by-laws, and regulations of the town and which may arise by the charge of a violation of any State law wherein a Justice of the Peace would have jurisdiction; to enforce penalties, fines and judgments of the court by issuing execution on any adjudged violation of the same, and to execute the by-laws, ordinances, and regulations of the Board of Aldermen. If any party or parties, individual or individuals are convicted of a violation of any of the ordinances or of a violation of the State law wherein a Justice of the Peace has jurisdiction, after having been accused and tried, the defendant shall be fined, in the discretion of the Mayor or court, not exceeding fifty dollars if fined at all, or, in the discretion of the court, the offender may be imprisoned not more than thirty days in the town lock-up or in the common jail of the county, and that in all cases where a defendant may be adjudged to be imprisoned by said court, the court may, in its discretion, adjudge also that the said defendant be worked during his imprisonment on the public streets, public roads, sidewalks, or other public works of the town. The Mayor shall have the authority to order prisoners worked on the streets and sidewalks, etc., of the town for not exceeding thirty days for the violation of any of the ordinances or laws heretofore mentioned or referred to in this act.

Sec. 2. That this act shall apply also to the Town of Conover, in Catawba County, North Carolina.

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 7th day of April, A.D. 1933.

S. B. 498

CHAPTER 105

AN ACT TO AMEND SECTION FIVE OF CHAPTER 314 OF THE PRIVATE LAWS OF NORTH CAROLINA, 1909, RELATING TO THE ELECTION OF THE MAYOR OF THE TOWN OF TARBORO, EDGECOMBE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section five of Chapter 314 of the Private Laws of North Carolina of 1909 be amended so that instead of the Mayor of the Town of Tarboro being elected annually by a qualified vote of said Town that said Mayor shall be elected to hold office for a period of two years.
Conflicting laws 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 10th day of April, A.D. 1933.

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H. B. 991

CHAPTER 106

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR STREET ASSESSMENTS IN THE TOWN OF LEAKSVILLE, AND CERTIFICATES ISSUED IN PURSUANCE THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That the sales of land for failure to pay street assessments, held or conducted by the tax collector and treasurer of the Town of Leaks vil le, North Carolina, during the year one thousand nine hundred thirty-two and during the months of January and February of the year one thousand nine hundred thirty-three, on any day subsequent to or other than the first Monday in June of the year one thousand nine hundred thirty-two, be and the same are hereby approved, confirmed, validated and declared to be proper, valid and legal sales of such lands and legally binding in all respects, and all certificates of sale made and issued upon and in accordance with such sales be, and they are hereby approved, confirmed, and validated to all intents and purposes and with such force and legal effect as if said sales had been conducted and held on said first Monday of June, one thousand nine hundred thirty-two.

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

Ratified this the 10th day of April, A.D. 1933.

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H. B. 1007

CHAPTER 107

AN ACT EXTENDING THE LICENSING POWER OF THE GOVERNING BOARD OF THE CITY OF LENOIR.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the powers specifically enumerated in the charter of the city of Lenoir, Caldwell County, and all amendments thereto, the governing body of said city is hereby granted the power to license and regulate all shows, circuses, and other exhibitions of a similar character, whether admission is charged or not, within a distance of one mile of the corporate limits of said city.
Chapter 107—108—109

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 10th day of April, A.D. 1933.

H. B. 1061  Chapter 108


The General Assembly of North Carolina do enact:

Section 1. That Chapter fifteen of Private Laws of one thousand nine hundred and twenty-seven providing for election of a chief of police for the town of Marshall, in the County of Madison, is hereby repealed.

Sec. 2. That Chapter seventy-five of Private Laws of one thousand nine hundred twenty-nine fixing the salary and duties of the chief of police in the town of Marshall, in the County of Madison, is hereby repealed.

Sec. 3. That this act shall be in force and effect from and after the first Tuesday in May, 1933.

Ratified this the 10th day of April, A.D. 1933.

H. B. 1077  Chapter 109

An Act Relating to Special Assessments Levied by the City of Greensboro.

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 Greensboro for local improvements, together with all or any part of the interest accrued thereon, may be extended by resolution of the City Council of said city adopted before July first, one thousand nine hundred thirty-five, 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 such assessments were payable under the original resolution con-

Conflicting laws repealed.

Ch. 15, Private Laws 1927, repealed, as to election of Marshall Police Chief.

Ch. 75, Private Laws 1929, repealed, as to his salary and duties.

Effective May, 1933.

Special assessments payable in installments in Greensboro.

Interest added.

Over ten-year period.
Full payment allowed.

No discrimination.

Limit on extension.

Extension abrogated upon bond default by City.

Acceleration clause.

Suit for collection.

City may purchase land foreclosed.

Assessments validated.

Pending litigation unaffected.

Conflicting laws repealed.

firming such assessments, beginning in the year one thousand nine hundred and thirty-three, with interest on deferred installments at the same rate as originally prescribed: *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 may 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 original assessment roll: *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 on any valid bond payable out of special assessments so extended, such special assessments may be declared 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.** Upon default in the payment when due of any special assessment, installment thereof or interest thereon, hereinbefore or hereafter levied by the City of Greensboro, the entire unpaid balance of such special assessment shall then become due and payable, and the said city may enforce the same through the procedure prescribed by law for the collection of delinquent taxes, or, in the discretion of its governing body, may institute suit in the Superior Court of Guilford County and enforce the collection of the total unpaid balance of such special assessment, with interest, in the manner prescribed for the foreclosure of mortgages: *Provided, however,* that the said city may bid on and become the purchaser of any property sold through foreclosure proceedings as herein authorized.

**Sec. 3.** All special assessments heretofore levied by the City of Greensboro 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 from and after its ratification.

Ratified this the 10th day of April, A.D. 1933.
CHAPTER 110
AN ACT TO GRANT A NEW CHARTER FOR THE TOWN OF PINEBLUFF, MOORE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section four, paragraph four, of an Act entitled "An Act to Grant a New Charter for the Town of Pinebluff, Moore County, North Carolina," enacted by the General Assembly of North Carolina, session of 1933, it being House Bill No. 249, be and the same is hereby amended by inserting between the words "all" and "animal" in line one thereof, the word "wild."

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 10th day of April, A.D. 1933.

CHAPTER 111
AN ACT TO AMEND CHAPTER 71 OF PRIVATE ACTS OF NORTH CAROLINA, SESSION 1872-'73, RELATING TO THE CHARTER OF MOORESVILLE, IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three, chapter seventy-one of the Private Acts of Session one thousand eight hundred seventy-two and seventy-three, be amended by striking out the words "and of town clerk" in line six of section three and by adding at the end of section three the following words: "The town clerk shall hereafter be elected by the Board of Commissioners."

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

Ratified this the 10th day of April, A.D. 1933.

CHAPTER 112
AN ACT TO AMEND SENATE BILL 385 OF THE GENERAL ASSEMBLY OF NORTH CAROLINA OF THE YEAR 1933, RELATING TO THE POLICE COURT IN THE TOWN OF CANTON, HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section 2 of Senate Bill 385 of the General Assembly of 1933 be amended by adding to the end thereof the following:
"In each case disposed of by the Police Justice where the defendant is convicted or pleads guilty there shall in addition to other lawful costs be allowed the sum of four dollars and fifty cents to be taxed as a part of the costs against the defendant. All costs recovered and collected in the Court, except as herein otherwise provided, shall belong to the Town of Canton and be paid into the treasury thereof by the Clerk of said Police Court when making his monthly settlement as hereinafter provided. All fines and penalties collected shall be paid by the Clerk of the Court to the county treasurer as provided by law, and all fees allowed by law for an arrest or serving other process in a criminal action when the same shall have been made by the Chief of Police or other officer who is on a salary shall be paid to the treasury of the Town of Canton for the use of the same and to reimburse it for the expense of maintaining the Police Court: Provided further, that it shall be lawful to tax each prisoner as a part of the cost money expended for his board while confined in the city jail."

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

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

Ratified this the 11th day of April, A.D. 1933.

S. B. 533

CHAPTER 113

AN ACT TO REPEAL SENATE BILL NUMBER 335 ENTITLED "AN ACT FOR THE RELIEF OF THE BANK OF FRANKLIN AND ITS DEPOSITORS," RATIFIED BY THE GENERAL ASSEMBLY, MARCH 8, 1933, AND SENATE BILL NUMBER 462, RATIFIED BY THE GENERAL ASSEMBLY, MARCH 30, 1933, ENTITLED "AN ACT SUPPLEMENTAL TO SENATE BILL 335, THE SAME BEING 'A BILL TO BE ENTITLED AN ACT FOR THE RELIEF OF THE BANK OF FRANKLIN AND ITS DEPOSITORS,' RATIFIED ON THE 8TH DAY OF MARCH, 1933."

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill Number 335, entitled "An Act for the Relief of the Bank of Franklin and its Depositors," ratified by the General Assembly, March 8, 1933, and Senate Bill Number 462, ratified by the General Assembly, March 30, 1933, entitled "An Act Supplemental to Senate Bill 335, the same being 'A Bill to Be Entitled An Act for the Relief of the Bank of
Franklin and its Depositors,' ratified on the 8th day of March, 1933," be and the same are hereby repealed.

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

Ratified this the 11th day of April, A.D. 1933.

H. B. 953

CHAPTER 114

AN ACT TO AMEND THE CHARTER OF THE NEW BERN GRADED SCHOOLS, AND TO PROVIDE FOR THE APPOINTMENT OF THE BOARD OF TRUSTEES OF THE NEW BERN GRADED SCHOOLS.

The General Assembly of North Carolina do enact:

SECTION 1. That if this act be ratified by a majority of the voters of the City of New Bern in the manner hereinafter provided, the Board of Trustees of the New Bern Graded Schools shall, after the first Monday in January, nineteen hundred and thirty-four, consist of nine members, to be appointed by the Board of Aldermen of the City of New Bern, three of whom shall be appointed for a term of six years, three for a term of four years, and three for a term of two years. All said members shall be residents of and appointed from said city at large.

Sec. 2. That upon the expiration of the term for which the members of the Board of Trustees are appointed, their successors shall be appointed by the said Board of Aldermen for a term of six years. If any vacancy occurs in the Board of Trustees by reason of death, resignation, removal from the city, or otherwise, such vacancy shall be filled for the unexpired term by said Board of Aldermen.

Sec. 3. That when appointed the said Board of Trustees shall, upon qualification, succeed to and become fully and completely vested with all property, rights, powers, duties, and privileges of the present Board of Trustees, and such other rights, powers, and duties as may be conferred by law.

Sec. 4. That said Board of Trustees at their first meeting, and annually thereafter, shall elect a chairman and vice-chairman and secretary, whose terms of office shall continue for the period of one year. The secretary may or may not be a member of said Board of Trustees. His compensation shall be fixed by said Board of Trustees, and he shall perform the usual and customary duties of such office.

Sec. 5. That said Board of Trustees shall employ the superintendents, principals, teachers and servants of said schools, and fix their compensation and term of employment within the Membership on Board of Trustees of New Bern Graded Schools.

Term of office.

Vacancies.

Powers and duties.

Election of officers.

Secretary.

Compensation.

Employment of school teachers and officials.
Removal.

Administrative powers.

Act submitted to voters.

Ballots.

Certifying results.

Effective date.

Appointment of first Trustees.

Conflicting laws repealed.

limits of the law of North Carolina relative to same, and shall have right to remove any of such employees for cause.

Sec. 6. That the said Board of Trustees is hereby vested with full authority, and it shall be its duty, to efficiently administer all affairs of said schools.

Sec. 7. That this act shall not go into effect until it is ratified by a majority of the qualified voters of said city in the next general election to be held in said city in May, nineteen hundred and thirty-three. The said Board of Aldermen shall prepare and submit in such election ballots to read as follows:

“For adoption of the new system for appointment of Trustees for the New Bern Graded Schools.”

“Against adoption of the new system for appointment of Trustees for the New Bern Graded Schools.”

That immediately after such election said Board of Aldermen shall canvass, declare and publish the result of said election. If a majority of the votes cast shall be for adoption of the new system for appointment of Trustees for the New Bern Graded Schools, the provisions of this act shall become effective the first Monday in January, nineteen hundred and thirty-four, and said Board of Aldermen shall, at the regular December, nineteen hundred and thirty-three, meeting, appoint nine Trustees, three of whom shall serve until the first Monday in January, nineteen hundred and thirty-six, three until the first Monday in January, nineteen hundred and thirty-eight, and three until the first Monday in January, nineteen hundred and forty. At the regular meeting of said Aldermen in December, nineteen hundred and thirty-five, and every second year thereafter, three Trustees shall be appointed to supply the places of Trustees whose terms will expire in January thereafter. Said Trustees shall, upon qualification, assume the duties of said office.

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

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

Ratified this the 11th day of April, A.D. 1933.
H. B. 1060  
CHAP. 115

AN ACT TO AMEND CHAPTER 115, PRIVATE LAWS OF 1899, RELATING TO THE CHARTER OF THE TOWN OF GREENVILLE.

The General Assembly of North Carolina do enact:

Section 1. Chapter one hundred fifteen, Private Laws eighteen hundred ninety-nine, relating to the charter of Greenville, as amended by Chapter two hundred sixty-one, Private Laws nineteen hundred and seven; Chapter ninety-eight, Private Laws of nineteen hundred nineteen; Chapter two hundred seventy-eight, Private Laws nineteen hundred nineteen; Chapter eighty-four of the Private Laws of nineteen hundred twenty-five, as well as other acts amendatory of said Chapter, shall be, and is hereby, further amended as follows: Strike out all of section four of said act, as amended, and insert in lieu thereof another section four as follows:

"Section 4. That an election (2) shall be held annually on the first Monday in May (3) of each and every year by the qualified voters residing in the several wards of the town for the election of aldermen; and the First Ward shall elect one alderman on the first Monday in May, nineteen hundred thirty-three, and biennially thereafter, whose term of office shall be two years; and the Second Ward shall elect at the election to be held on the said first Monday in May, one thousand nine hundred and seven, two aldermen, one of said aldermen to be elected for a term of one year and the other said alderman to be elected for a term of two years, and said ward shall elect each and every year thereafter one alderman for the term of two years; and the Third Ward shall elect at the election to be held on the first Monday in May, one thousand nine hundred and seven, two aldermen, one of said aldermen to be elected for a term of one year, and the other of said aldermen to be elected for a term of two years, and said ward shall elect each and every year thereafter one alderman for the term of two years, and said ward shall elect each and every year thereafter one alderman for the term of two years; and the Fourth Ward shall elect, at the election to be held on the first Monday in May, one thousand nine hundred and seven, two aldermen, one of said aldermen to be elected for a term of one year and the other of said aldermen to be elected for a term of two years, and said ward shall elect each and every year thereafter one alderman whose term of office shall be two years; and the Fifth Ward shall elect on the first Monday in May, nineteen hundred thirty-three, and biennially thereafter, one alderman whose term of office shall be two years.

That each member of the board of aldermen (4) of the town of Greenville shall be paid for his services in attending the regular monthly meetings of the board of aldermen, as provided
Docking for absences.

Pay of Mayor pro-tem.

Ch. 211, Private Laws 1905, amended.

Control over public utilities.

Conflicting laws repealed.

for in the charter of said town, the sum of five dollars for each regular meeting: Provided, that any alderman failing to be present at the time of calling the board to order at any regular meeting, or who shall fail to remain present until adjournment, shall have no pay for such meeting. That the mayor (5) pro tem, in addition to the amount which he shall be paid for his services as alderman under the provisions of the foregoing section, shall be paid the sum of fifty dollars per year, to be paid quarterly."

Sec. 2. Chapter two hundred eleven, Private Laws of nineteen hundred five, is hereby amended as follows: Insert after the word "sewerage" in line two of section four, and before the words "and electric lights" in said line, the words "including storm sewers, gas," so that the said section shall read:

"Section 4. That said commission shall faithfully see that the system of water, sewerage (including storm sewers), gas and electric lights are orderly and properly conducted," and so on to the end of the said section.

Sec. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 4. This Act shall be in full force and effect from and after its ratification.

Ratified this the 11th day of April, A.D. 1933.

H. B. 1075  CHAPTER 116

AN ACT TO AMEND CHAPTER 76, PRIVATE LAWS OF 1931, RELATING TO THE RUNNING AT LARGE OF STOCK IN THE VILLAGE OF PORTSMOUTH, CARTERET COUNTY, SO AS TO EXEMPT PONIES AND/OR HORSES FROM THE PROVISIONS OF SAID ACT.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter seventy-six, Private Laws of nineteen hundred and thirty-one, be and the same is hereby amended by striking out the word "horses" wherever the same may appear, so that the provisions of the said act shall not apply to ponies and/or horses.

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 11th day of April, A.D. 1933.
S. B. 456

CHAPTER 117

AN ACT RELATING TO THE COLLECTION OF THE AMOUNT DUE THE TOWN OF RUTHERFORDTON FOR SALE OF WATER AND LIGHT PLANTS AND CREATING A SINKING FUND WITH THE AMOUNT RECEIVED.

The General Assembly of North Carolina do enact:

Section 1. That the Town Council of the town of Rutherfordton is hereby authorized and empowered to accept payment in cash the balance due said town by the Southern Public Utilities Company of approximately two hundred thousand dollars due for the purchase of the municipal water and light plants, and upon the payment of said amount the council is authorized and empowered to cancel the mortgage or lien held by said town on the property so purchased.

Sec. 2. That the money received by said Town as authorized by Section one shall constitute a sinking fund to be used for the sole purposes of making adjustments with bondholders of said Town of Rutherfordton, and/or purchasing bonds of said Town in the open market which may be bought for fifty per cent of the par value or less, in the discretion of said council.

Sec. 3. That the said money so received shall be deposited in some bank or trust company, properly safeguarded with good and sufficient bond or bonds, as now required by law in the handling of State and county funds; or, in the discretion of the Council of said Town, may be invested in registered United States bonds until the necessity to use said funds for the purposes set forth arises, and is so declared by proper resolution of the Council.

Sec. 4. That any improper diversion of said funds shall constitute a misdemeanor, and any one convicted of improperly diverting said funds or any part thereof shall be fined or imprisoned in the discretion of the court.

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

Ratified this the 13th day of April, A.D. 1933.
S. B. 508  

CHAPTER 118

AN ACT TO AMEND CHAPTER 44 OF THE PRIVATE LAWS OF NORTH CAROLINA, 1907, RELATING TO THE CHARTER OF THE TOWN OF GARLAND, SAMPSON COUNTY, SO THAT THE OFFICERS OF SAID TOWN SHALL BE ELECTED BIENNIALY INSTEAD OF ANNUALLY.

The General Assembly of North Carolina do enact:

SECTION 1. That line five of Section 3 of Chapter 44 of the Private Laws of North Carolina, 1907, be amended by striking out the word “annually” after the word “and” and before the word “thereafter” 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 its ratification.

Ratified this the 13th day of April, A.D. 1933.

S. B. 515  

CHAPTER 119

AN ACT TO AMEND THE CHARTER OF THE TOWN OF BELHAVEN, BEAUFORT COUNTY, BEING CHAPTER 246, PRIVATE LAWS OF 1907.

The General Assembly of North Carolina do enact:

SECTION 1. That the charter of the Town of Belhaven, Beaufort County, North Carolina, enacted by the General Assembly of 1907, it being Chapter 246, Private Laws of 1907, entitled “An Act to Recharter the Town of Belhaven, Beaufort County, and to Repeal Former Charter,” be, and the same hereby is, amended as follows: By striking out from the said Act all of the words and figures in Section twenty-five (25) thereof.

SEC. 2. That all laws and parts of laws in conflict herewith are hereby repealed.

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

Ratified this the 13th day of April, A.D. 1933.
H. B. 1257  

CHAPTER 120  

AN ACT RELATING TO ELECTIONS AND THE HOLDING OF SECOND PRIMARIES IN THE CITY OF KINSTON.

The General Assembly of North Carolina do enact:

SECTION 1. That sub-section six of chapter twenty-four of the Charter of the City of Kinston, being chapter five hundred seventy-eight, Public-Local Laws of one thousand nine hundred eleven, as amended and re-enacted by House Bill number nine hundred seventy-four, ratified March twenty-fourth, one thousand nine hundred thirty-three, be and the same is further amended by striking out the last sentence of said section one, sub-section six, of the Charter of said city.

Sec. 2. That in all primary elections in the City of Kinston, when a second primary shall become necessary, such second primary shall be held two weeks after the first primary.

Sec. 3. That the provisions of this act shall be applicable to any second primary between the candidates voted upon in the city primary election held on April fourth, one thousand nine hundred thirty-three.

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 April, A.D. 1933.

S. B. 534  

CHAPTER 121  

AN ACT TO REQUIRE MUNICIPAL ELECTIONS IN THE TOWN OF ROANOKE RAPIDS, HALIFAX COUNTY, NORTH CAROLINA, TO BE HELD UNDER THE PROVISIONS OF THE GENERAL ELECTION LAW, PROVIDING FOR A SECRET BALLOT AND TO PRESCRIBE THE METHOD OF BECOMING A CANDIDATE FOR A MUNICIPAL OFFICE IN SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. Any duly qualified voter residing in the Town of Roanoke Rapids, Halifax County, North Carolina, may become a candidate for Mayor or Commissioner of said town by filing his, or her, notice of candidacy with the Clerk of said town at least ten days prior to any municipal election, and said notice shall, in the event of a candidacy for the office of Commissioner, state the ward in which the candidate lives and from which he, or she, is a candidate.
Secret balloting.

High candidate declared elected.

SEC. 2. All municipal elections hereafter held in said town shall be conducted by secret ballot, and under the provisions of the General Election Law of North Carolina as far as it may be applicable.

SEC. 3. The candidate receiving the largest number of votes for Mayor or Commissioner from his, or her, respective ward shall be declared elected, although such candidate may not have received a majority of the votes cast.

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

Ratified this the 18th day of April, A.D. 1933.

H. B. 833  CHAPTER 122
AN ACT TO APPOINT TRUSTEES FOR ANDREWS SCHOOL DISTRICT IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Mrs. Giles Cover, H. C. Whitaker, D. H. Tillett, H. M. Whitaker, and J. W. Brown be and they are hereby appointed trustees for Andrews School District; and the term of office of Mrs. Giles Cover, H. C. Whitaker and D. H. Tillett shall expire on the first Monday in April, one thousand nine hundred and thirty-five, and the term of office of H. M. Whitaker and J. W. Brown shall expire on the first Monday in April, one thousand nine hundred and thirty-seven.

SEC. 2. That hereafter the Board of Education of Cherokee County, on the first Monday in April of each odd year and as the terms of office of the members of the said board of trustees expire, shall appoint for a term of four years members of the said Board of Trustees to take the place of those whose term of office shall have expired; and that in case of resignation, death or otherwise, there may occur a vacancy on the said Board of Trustees the Board of Education of Cherokee County shall fill such vacancy by appointing some one to take the place of the member who caused a vacancy, and the person thus appointed shall hold office for and during the period of time which the member creating such vacancy would have had to serve had he served out his term of office.

SEC. 3. That nothing herein contained shall be construed or operate to impair, abrogate or abolish any and all rights and privileges which are now held by and exercised by the said Andrews School District except as herein specified.

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 18th day of April, A.D. 1933.
H. B. 1196  CHAPTER 123

AN ACT TO FIX THE TERM OF OFFICE OF THE MAYOR AND COMMISSIONERS OF THE CITY OF SALUDA AND TO FIX THE MAYOR'S SALARY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the next election in the City of Saluda there shall be elected four commissioners, and two of the commissioners so elected having the highest number of votes shall hold office for a term of four years, and the other two commissioners shall hold office for a term of two years. That thereafter two commissioners shall be elected at each election for a term of four years.

Sec. 2. That at the next election in the City of Saluda the mayor of the City of Saluda shall be elected for a term of four years, and that hereafter the term of office of the mayor of the City of Saluda shall be four years.

Sec. 3. That the commissioners of the City of Saluda shall be empowered to fix the salary of the mayor of the City of Saluda.

Sec. 4. All laws in conflict herewith are hereby repealed.

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

Ratified this the 18th day of April, A.D. 1933.

H. B. 1219  CHAPTER 124

AN ACT TO CREATE AND APPOINT A BOARD OF TRUSTEES FOR THE AURORA GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That a Board of Trustees for the government of the Aurora Graded School District in Beaufort County, North Carolina, to be composed of five members, and the following named residents of said district are hereby appointed: H. W. Hudnell and C. L. Broome are hereby appointed for a term of six years; that Paul T. Sparrow and C. A. Litchfield are hereby appointed for a term of four years, and C. T. Allen is hereby appointed for a term of two years from the first day of April, one thousand nine hundred and thirty-three.

Sec. 2. Said Board shall have power and authority to generally control the said school, to elect teachers therefor, including a superintendent, and such other employees as they may desire from time to time, said control to be by and with the consent and approval of the County Board of Education of Beaufort County.
Vacancy appointments.

Conflicting laws repealed.

SEC. 3. In case of a vacancy occurring on said board, either by death, removal, resignation, or otherwise, the remaining members of the said board are hereby authorized and empowered to fill said vacancy, or vacancies, by appointment, and when such appointment, or appointments, are made to fill vacancies, the same shall be certified to the Superintendent of Public Instruction of Beaufort County.

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

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

Ratified this the 18th day of April, A.D. 1933.

H. B. 1245  CHAPTER 125

AN ACT TO AMEND HOUSE BILL 671 OF THE GENERAL ASSEMBLY OF 1933, ENTITLED "AN ACT TO AMEND SECTION 1, CHAPTER 2, OF THE PRIVATE LAWS OF 1931, RELATING TO THE ELECTION OF COTTON WEIGHER OF MARSHVILLE, NORTH CAROLINA."

The General Assembly of North Carolina do enact:

SECTION 1. That section one of House Bill six hundred and seventy-one, ratified on the sixth day of March, nineteen hundred and thirty-three, be and the same is hereby amended by inserting between the word "in" and the words "Lanes Creek" in line one the words "Walters Store Precinct of."

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 18th day of April, A.D. 1933.

S. B. 453  CHAPTER 126

AN ACT TO PROVIDE FOR THE MANNER OF THE PAYMENT OF CERTAIN STREETS, SIDEWALK AND SEWER ASSESSMENT LIENS IN THE CITY OF GOLDBORO.

The General Assembly of North Carolina do enact:

SECTION 1. That the tax collector of the City of Goldsboro shall compute the total and unpaid balances of every street, sidewalk and/or sewer assessment lien in said City. Such computation shall be made as of the first Monday in September,
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1933. After such computation he shall divide the total of every such computed lien into ten equal parts, exclusive of fractions; after such division said tax collector shall number such ten parts of every such lien in consecutive numbers from one to ten, both inclusive. Such ten parts of every such lien are hereinafter referred to and designated as assessment lien installments.

Assessment lien installment No. 1 shall be due and payable to the City of Goldsboro on the first Monday in September, 1933; assessment lien installment No. 2 shall be due and payable to said City on the first Monday in September, 1934; assessment lien installment No. 3 shall be due and payable to said City on the first Monday in September, 1935; assessment lien installment No. 4 shall be due and payable to said City on the first Monday in September, 1936; assessment lien installment No. 5 shall be due and payable to said City on the first Monday in September, 1937; assessment lien installment No. 6 shall be due and payable to said City on the first Monday in September, 1938; assessment lien installment No. 7 shall be due and payable to said City on the first Monday in September, 1939; assessment lien installment No. 8 shall be due and payable to said City on the first Monday in September, 1940; assessment lien installment No. 9 shall be due and payable to said City on the first Monday in September, 1941; and assessment lien installment No. 10 shall be due and payable to said City on the first Monday in September, 1942. Each assessment lien installment shall bear interest at the rate of six per cent per annum until paid. A discount of five per cent shall be allowed on each such installment which is paid sixty days prior to its maturity.

Sec. 2. That all such assessment liens for such street, sidewalk and/or sewer improvements, as evidenced by such computation and herein referred to and designated as assessment lien installments, shall continue, be and remain a first and valid lien (except for the lien of ad valorem taxes) against the property abutting such improvements, and such liens shall remain in force, to the extent of the unpaid balance thereof, for a period of fifteen years after maturity thereof and for fifteen years after the last payment of principal or interest thereon. That the tax collector shall have an Assessment Lien Book containing assessment lien tickets, on which tickets shall be set forth the total lien assessment, the current assessment lien installment, the location of the land, the number of lineal feet of the improvement, the name of the owner of the lot and such other information as he may deem advisable to place thereon. Said Assessment Lien Book shall be open to the inspection of the public at the office of the City Tax Collector.

Sec. 3. If any such assessment lien installment or the interest thereon is not paid when the same becomes due, then all of the interest added. Discount for prior payment. Declared continuing lien. 15-year statute made applicable. Assessment Lien Book. Open to public. Acceleration clause.
unpaid assessment lien installments of that particular assessment lien shall become immediately due and payable, and the tax collector for said City is fully authorized and empowered, if the same is not paid within six months thereafter, to advertise the land abutting such improvement at the courthouse door and three other public places in the City of Goldsboro for thirty days, and once a week for two successive weeks in some newspaper published in the City of Goldsboro, and after such advertisement sell such land at the courthouse door in Goldsboro, N. C., for cash, to the highest bidder, and convey the same by deed to the purchaser, and out of the proceeds of such sale pay said assessment liens, and any balance remaining shall be turned over to the owner of said lot of land.

Sec. 4. That all laws or parts 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 18th day of April, A.D. 1933.

S. B. 455  
CHAPTER 127

AN ACT TO AMEND CHAPTER 114 OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-NINE RELATIVE TO REGULATING OPENING OF GASOLINE STATIONS AND LUNCH STANDS IN STANLY COUNTY ON SUNDAY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred fourteen of the Private Laws of one thousand nine hundred and twenty-nine be and the same is hereby amended by adding at the end of Section two thereof the following: "Provided, however, that this act shall not apply to gasoline stations and places selling lunches and drinks located on State Highway Number 27, within said territory, except during the hours from 10:30 a. m. to 1:00 o'clock p. m."

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

Ratified this the 18th day of April, A.D. 1933.
The General Assembly of North Carolina do enact:

Section 1. The time for payment of any or all special assessments, including street and sidewalk assessments, or installments of special assessments heretofore levied by the City of Thomasville for local improvements, together with all or any part of the interest accrued thereon, may be extended by resolution of the City Council of said City adopted before September 1st, 1933, 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 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-three, with interest as provided by law: Provided, however, first, that such extension shall not prevent the payment of any assessments or interest at any time; and Provided, second, that all assessments contained in the same assessment roll shall be extended without any 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 roll.

Sec. 2. That any and all acts heretofore done and steps taken by the City of Thomasville in the paving of the streets and sidewalks of the City of Thomasville and the assessments levied therefor are hereby in all respects approved and validated.

Sec. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed: Provided, this Act is not intended to repeal any statutes of limitations contained in the Charter of the City of Thomasville.

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

Ratified this the 18th day of April, A.D. 1933.
H. B. 1276  

CHAPTER 129

AN ACT TO PROVIDE FOR ELECTION IN THE TOWN OF TRENTON, JONES COUNTY.

Whereas, the charter of the Town of Trenton, Jones County, provides that town elections shall be held on the first Tuesday of the month of May in all odd years; and

Whereas, due to delay or misunderstanding in calling for such election in time for the regular town election on the first Tuesday in May, nineteen hundred and thirty-three; and

Whereas, at a town meeting duly held on April tenth, nineteen hundred and thirty-three, 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 of said Town of Trenton shall be held on the first Tuesday in June, nineteen hundred and thirty-three, in lieu of the regular May election; and hereafter the election date for said town shall be on the first Tuesday in May unless otherwise provided by the charter of said town or by general statute.

Sec. 2. That the present mayor and aldermen of the Town of Trenton shall provide printed ballots for such election to be held on the first Tuesday in June, and the candidates nominated by the town meeting of April the tenth shall be the names printed on said official ballots and said election shall be held and conducted in all respects as provided in said charter of said Town of Trenton, in so far as the same is not in conflict with the provisions of this act.

Sec. 3. That the same registrar and poll holders appointed originally for said election shall act for the election on the first Tuesday in June.

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

Ratified this the 18th day of April, A.D. 1933.

H. B. 866  

CHAPTER 130

AN ACT TO AUTHORIZE THE CITIES OF GREENSBORO AND HIGH POINT TO ISSUE FUNDING AND REFUNDING BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That each of the cities of Greensboro and High Point (each of which is hereinafter called "the City") is hereby authorized to issue bonds of such City at one time or from time to time for the purpose of funding or refunding any or all notes
and bonds of such City now outstanding and renewals and extensions thereof.

Sec. 2. That the governing body of each of said cities (hereinafter called "the City Council") shall have full authority by resolution to carry out the powers conferred by this act without submitting the question of issuing the bonds to the voters and any resolution authorizing such bonds shall be in force from and after its passage.

Sec. 3. That the City Council shall determine by resolution the rate or rates of interest to be paid, not exceeding six per centum (6%) per annum, and the time or times of payment of such interest, and the maturity or maturities of the bonds, which shall be at a time or times not exceeding forty (40) years from the date of the bonds, as well as the form of the bonds, the officers by whom they shall be executed and the medium of payment and the place or places in North Carolina or any other State at which the principal and interest shall be payable. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds, such signatures shall nevertheless be valid and sufficient for all purposes, the same as if they had remained in office until such delivery. The bonds may be made registerable as to principal alone and as to both principal and interest, under such terms and conditions as may be determined by the City Council. In the discretion of the City Council the right to redeem at par all or any of the bonds before maturity may be reserved upon terms and conditions to be fixed by resolution.

Sec. 4. That such bonds may be exchanged for not less than an equal amount of indebtedness to be retired thereby, including indebtedness not matured if the unmatured indebtedness be then redeemable or if the holders thereof be willing to surrender the same for retirement. Unless so exchanged such bonds may be sold at not less than par, and the proceeds thereof shall be applied to the payment of such indebtedness due or redeemable or which may be so surrendered. No funding or refunding bonds shall be delivered, unless delivered in exchange for evidence of indebtedness to be funded or refunded thereby, except in the amount necessary to secure moneys for (a) the payment of matured or redeemable indebtedness or (b) the payment of unmatured indebtedness the evidences of which shall then be on deposit with a bank or trust company in North Carolina or in the City of New York for surrender to the City upon receipt therefor of a sum not exceeding the amount of such indebtedness.

Sec. 5. That the bonds herein authorized may be named or designated as the City Council may determine and may by their names or designations indicate the purpose or purposes for
which the notes or bonds funded or refunded were issued or the proceeds thereof expended.

Sec. 6. That the City Council may provide in the resolution authorizing the issuance of any such funding or refunding bonds, and such provision may be recited in the bonds, that in case of default by the City in the payment of any of its bond or note indebtedness at any time outstanding or the interest thereon as the same fall due and the continuance of such default for a period to be stated in the resolution, which period shall not be less than sixty (60) days, all bonds authorized by such resolution shall become and be immediately due and payable upon the filing of a notice or notices at the office of the State Treasurer of the State of North Carolina, which notice or notices (a) shall recite such default and its continuance for the prescribed period, (b) shall declare such bonds to be immediately due and payable, (c) shall specify the amount, date, designation and numbers of such bonds held by the signer or signers thereof, and (d) shall be signed and verified under oath before an officer competent to administer oaths by the holder or holders of a majority in amount of the bonds of such issue then outstanding. The City Council may also provide in such resolution that such declaration of maturity shall be subject to revocation, after which such bonds shall become due and payable at the date of maturity therein stated and not earlier (except by subsequent proceedings for declaring earlier maturity as in this section provided), by the filing at the office of said State Treasurer of a notice or notices which (e) shall declare that the signer or signers thereof revoke such declaration of maturity, (f) shall specify the amount, date, designation and numbers of the bonds held by such signer or signers, and (g) shall be signed and verified as hereinabove required by the holder or holders of a majority in amount of the bonds of such issue then outstanding. In the absence of proof to the contrary, each such notice so filed shall be presumed to have been signed and verified by the holder of the bonds therein specified. All bonds issued under the authority of this act shall have all the qualities and incidents of negotiable instruments under the negotiable instruments law of North Carolina, and such negotiability shall not be affected either by the adoption of the provisions hereinabove in this section authorized or by the recital thereof in the bonds.

Sec. 7. That in the discretion of the City Council there may be pledged to the payment of any or all such bonds the collections or proceeds of any or all uncollected taxes or special assessments and any or all moneys to be derived from the sale or transfer of tax sale certificates and deeds and from the operation, sale, transfer or lease of any real estate, if such certificates, deeds or real estate shall have been acquired prior to the issu-
ance of such funding or refunding bonds in connection with the enforcement of liens for taxes or special assessments, subject, however, to any other outstanding pledge of such taxes or special assessments, certificates, deeds or money theretofore made. The City Council may in its discretion provide in the resolution authorizing the issuance of any such funding or refunding bonds that, so long as any of the bonds issued pursuant to such resolution are outstanding, the City will not pledge the revenues from any specified public utility of the City without securing such bonds equally and ratably with other obligations to be secured by such pledge. The City Council may also, in its discretion, provide in the resolution authorizing the issuance of any such funding or refunding bonds that in the event that the City should sell any specified public utility of the City in whole or in part, there shall be paid into the sinking fund or retirement fund for the bonds issued pursuant to such resolution that proportion of the proceeds of such sale which the amount of such bonds outstanding at the time of such sale bears to the total amount of bonds of the City then outstanding; and it may be further provided in such resolution that no such sale shall be made unless said proportion of the market value of the proceeds of sale is in the form of cash, to be paid into the sinking fund or retirement fund for such bonds. The expression "proceeds of such sale," as used herein, includes any amount received by the City for a franchise to operate such public utility. All such provisions contained in any such resolution shall be considered a part of the contract between the City and the holders of the bonds issued pursuant to such resolution.

In each fiscal year while any of such bonds shall be outstanding there shall be levied upon all taxable property in the City an ad valorem tax sufficient to pay the interest thereon as it falls due and the principal of such bonds which shall then have matured in accordance with their terms or by declaration of earlier maturity as in this act provided, or which shall mature within the same fiscal year and any sinking fund or retirement fund payments which may be provided for by the bonds or by the resolution authorizing the same, as well as all deficits in said interest, principal and sinking fund or retirement fund requirements arising by failure to comply with the provisions hereof or by failure to collect the taxes levied or otherwise: Provided, however, that the City Council, in its discretion, may levy in any fiscal year a tax sufficient to pay, in addition to the interest and principal which shall fall due in such fiscal year, any portion of the interest or principal which shall fall due in the succeeding fiscal year, and may also levy in any fiscal year a tax for sinking fund or retirement fund payments in addition to the tax required for such payments by the resolution author-
Surplus collections in any fiscal year may be considered in reducing tax for following year.

Or in sinking fund increments of later years.

Use of sinking fund for bond purchase or redemption only.

Expenses of issuing bonds.

Bonds not subject to legal limitations.

Designation of depositories for retirement funds.

Limitation on deposits in designated depositories.

Depository bond.

izing any of such bonds: *Provided further,* that the City Council, in its discretion, may provide in the resolution authorizing the issuance of any such funding or refunding bonds, that if at the time of any annual tax levy there shall be in the fund or funds provided for such bonds, interest and sinking fund or retirement fund, an amount exceeding the amount at such time required for such fund or funds, the tax required by this section for the then current fiscal year may be reduced by an amount which shall not exceed such excess, and may also provide in the resolution authorizing the issuance of any such funding or refunding bonds that if in any fiscal year the amount paid into the sinking fund or retirement fund for such bonds shall exceed the minimum amount required by such resolution, the excess may be applied to the reduction of the amount required to be contributed to such sinking fund or retirement fund in any later year or years.

SEC. 8. That the City Council may provide in the resolution authorizing the issuance of any such funding or refunding bonds that the sinking fund or retirement fund provided for such bonds shall be used solely for the purchase or redemption of the bonds authorized by such resolution, and all bonds so purchased or redeemed shall be cancelled and shall not be reissued.

SEC. 9. That the City Council is hereby authorized to pay such expenses as it may deem reasonable and proper for carrying out the provisions of this act.

SEC. 10. That no bonds issued under the authority of this act shall be subject to any limitations of indebtedness prescribed by any laws, general or special.

SEC. 11. That the City Council may provide in the resolution authorizing the issuance of any such funding or refunding bonds that one or more trust companies or banks, either in North Carolina or in any other State, shall act as a depository or depositories of moneys provided for the payment of such bonds, interest or sinking or retirement fund, and that such moneys shall be paid to such depository or depositories by the collecting officer or agent of the City as and when the same shall be collected, and may also provide in such resolution the manner and conditions under which such moneys shall be secured and paid out: *Provided, however,* that unless otherwise provided in any such resolution no such moneys shall be deposited in any depository in excess of five per centum (5%) of its combined capital and surplus unless such depository shall have given as security therefor a surety bond approved by the City Council in the amount of such deposit, executed by a surety company qualified to transact business in North Carolina and acceptable to the United States Government as surety for deposits in the amount of such deposit, or unless, in lieu of such surety bond as
to all or any part of such deposit, the depositary shall have lodged with the City or an agent thereof as collateral security an amount of bonds or other securities acceptable as security for postal savings deposits whose market value shall equal the amount of such deposit or such part thereof.

Sec. 12. That this act is intended as a supplemental and additional grant of power to the City of Greensboro and to the City of High Point, and shall not supplant or repeal any existing powers for the issuance of funding or refunding bonds, or any provisions of law for the payment of bonds issued under such powers, or for the custody of moneys provided for such payment.

Sec. 13. That this act shall constitute full authority for the things herein authorized and no proceedings, publications, notices, consents or approvals shall be required for the doing of the things herein authorized except such as are herein prescribed and required, and except that the provisions of the Local Government Act as to the approval of the issuance of bonds by the Local Government Commission and the endorsement of such approval upon bonds shall be applicable to the bonds authorized by this act.

Sec. 14. That the authority conferred by this act may be exercised at any time and from time to time, and the authorization of funding or refunding bonds by one resolution shall not prevent the authorization of additional funding or refunding bonds by subsequent resolution or resolutions. One resolution may provide for the issuance of two or more separate series or classes of funding or refunding bonds and each series or class may have different terms and provisions from the others, and the bonds of each series or class may bear interest at different rates.

Sec. 15. That all notes and bonds of the City of Greensboro and of the City of High Point now outstanding are hereby validated and legalized and declared to be valid obligations of said cities, respectively.

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 from and after its ratification.

Ratified this the 19th day of April, A.D. 1933.
H. B. 1207  

CHAPTER 131

AN ACT TO DEFINE THE BOUNDARIES OF MOREHEAD CITY HARBOR, TO PROVIDE FOR THE APPOINTMENT OF A HARBOR MASTER AND PILOTS, AND TO REGULATE PILOTAGE FEES.

The General Assembly of North Carolina do enact:

Section 1. Morehead City harbor or port is hereby defined as follows:

Beginning at a point on Bogue Sound, known as the south-east corner of the reservation known as Camp Glenn, and running thence a southerly course across the waters of Bogue Sound to the marshes adjacent to Bogue Island; thence in an easterly direction following the shore line to the extreme eastern point of Bogue Island; thence a northerly direction to the beacon at the mouth of the dredged channel leading to the Town of Beaufort; thence with the western boundaries of said channel to the beacon opposite that point locally known as "Town Marsh"; thence in a northwesterly direction to the marsh on Shark Shoal; thence with the western boundary of said marsh to and across Lewis' thoroughfare to an unknown marsh; thence with the western boundary of said marsh and beyond to a beacon, which beacon is a westerly course from Gallant's Point; thence with the western boundary of the dredged channel to the beacon situated at the junction of the two channels; thence a west-southwesterly course to Crab Point; thence with the various courses of the shore line of Crab Point thoroughfare, Dill's Creek, and Calico Creek to the head of Calico Creek; thence in an easterly direction following the southern shore line of Calico Creek to the City limits of Morehead City; thence with the northern shore line of said City limits to the extreme eastern boundary of said City limits; thence around the extreme eastern point of Morehead City and following the southern shore line to Twenty-eighth Street and on to the point of beginning.

Sec. 2. Morehead City Port Commission is hereby vested with full power and authority to appoint by appropriate resolution of said Commission a harbor master for the said port district, defining his duties, and determine and fix his compensation. Said appointment shall be made annually, with first appointment not later than June first, nineteen hundred and thirty-three. The harbor master so appointed shall at all times be under the jurisdiction of the Morehead City Port Commission, and may at any time be removed by said Commission, for cause, upon ten days notice.

Sec. 3. Morehead City Port Commission shall from time to time make and establish such rules and regulations respecting the qualifications, arrangements and stations of pilots as to the
said Commission shall be deemed most advisable, including the
power and authority to declare, prescribe, and otherwise limit
the number of pilots necessary to maintain an efficient pilotage
service for Morehead City port district and bar. It shall have
authority to impose such reasonable fines, penalties and for-
feitures as may be prescribed by the said Port Commission for
the purpose of enforcing any and all such rules and regulations
as may from time to time be prescribed by the Commission. It
shall have power and authority, if and when it may be caused
to appear that the best interests of the said port so requires,
to organize into a mutual association all pilots licensed by it, and
under such reasonable rules and regulations as may be pre-
scribed; and any licensed pilot failing or refusing to become a
member of such association so organized shall be subject to
suspension or a revocation of his license in the judgment and
at the discretion of the said Port Commission. The Port Com-
mission may from time to time examine, or cause to be ex-
amined, such persons as may offer themselves to be licensed as
pilots and, under the seal of the said Commission, shall execute
and issue commissions to all such applicants as may be approved.

SEC. 4. The said Port Commission shall have authority to de-
terminate and fix the license fees to be paid by all pilots so com-
missioned by it, including the renewal fees for said licenses,
and which fees shall be paid to and used by said Port Commis-
sion in partial defrayal of its expenses; and it shall have power
and authority (and it is hereby declared to be its duty) to
establish the rate or rates of pilotage in and over the said port
district and bar, and by appropriate action shall publish and
promulgate such rates as may be declared. Said Port Commiss-
ion shall also have jurisdiction to hear and determine any and
all matters of dispute between any pilot and any master of a
vessel, or between pilots themselves, respecting the pilotage of
any vessel.

SEC. 5. Every person before being commissioned as a pilot
shall give bond for the faithful performance of his duties, ac-
ceptable to said Morehead City Port Commission, and payable
to the State of North Carolina, in a sum to be authorized by the
said Commission of not less than two hundred dollars nor more
than one thousand dollars. Every bond so taken shall be filed
with and preserved by the said Port Commission and by it held
in trust for every person, firm or corporation who may be in-
jured by the negligence or the misconduct of any such pilot,
and any such person, firm or corporation so injured may severally
bring suit against the penalty of said bond.

SEC. 6. Morehead City Port Commission is hereby vested with
the power and authority to name, and/or authorize, designate,
and approve stevedoring companies organized or to be organized

Pilotage.
Fines and penalties.
Association of pilots.
Membership compulsory.
Licensing of pilots.
License fees.
Pilotage rates.
Settlement of disputes.
Bond of pilots.
Condition of bond.
Control over stevedoring.
for the purpose of carrying on the business of stevedoring in and at aforesaid harbor, to fix and prescribe the rules and regulations for their operation, and to fix and determine the fees that shall be paid to said Port Commission by such company or companies for such privilege.

Sec. 7. It is hereby declared to be the purpose of this act to vest in Morehead City Port Commission the power and authority to exercise full jurisdiction and control over Morehead City harbor, as herein defined, and in the exercise of such jurisdiction it is expressly authorized and empowered to make any and all reasonable rules and regulations within the scope of its authority and to do any and all things necessary and/or required to be done in the furtherance of the interests of navigation, as the same may relate itself to the said harbor. To this end all authority heretofore by legislative act vested in any board of commissioners of navigation, pilots association or other board or agency for the regulation of Morehead City harbor, as herein defined, or any portion of the same, or regulating the licensing and appointment of pilots, is hereby deemed and declared vested in Morehead City Port Commission, and any and all provisions of any Public, Public-Local or Private acts and any and all powers therein conferred, wherever the same may be in conflict with the provisions of this act and the general purposes of the same, are hereby repealed.

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

Ratified this the 19th day of April, A.D. 1933.

H. B. 1136

CHAPTER 132

AN ACT TO AMEND CHAPTER 569 OF THE PUBLIC-LOCAL LAWS OF 1913, AS AMENDED, RELATING TO THE MUNICIPAL COURT OF THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

Section 1. That Chapter 569 of the Public-Local Laws of 1913, as amended, be and the same is hereby amended by adding a section after Section 7 thereof, as follows:

Section 7½. In addition to the criminal jurisdiction conferred by Chapter 569 of the Public-Local Laws of 1913, as amended, the Municipal Court of the City of High Point shall have the following jurisdiction:

(a) The Municipal Court of the City of High Point shall have exclusive final jurisdiction to hear and determine all misdemeanors above the final jurisdiction of justices of the peace occurring or committed outside of the City of High Point and
outside of the one mile area around the corporate limits of the City of High Point but within the townships of High Point, Jamestown and Deep River in the County of Guilford.

(b) All justices of the peace holding the preliminary hearing in cases of misdemeanors wherein the Municipal Court of the City of High Point is given final jurisdiction as hereinbefore provided, shall, if probable cause be found, bind the defendant or defendants over to the Municipal Court of the City of High Point, for trial to the next following court day, and the witnesses for the State shall be recognized to appear in the Municipal Court of the City of High Point at the time herein provided for trial.

(c) That all processes issued from the Municipal Court of the City of High Point, for defendant or defendants, parties or witnesses living or residing out of the city limits of the City of High Point, and beyond the one mile area around the corporate limits of the City of High Point, shall be directed to and served by the Sheriff or other lawful officer of the County of Guilford, exclusive of the police or police department of the City of High Point.

(d) That witnesses in attendance upon the Municipal Court of the City of High Point, in cases provided for in this section, responsive to a subpoena requiring their presence in said Court, shall be permitted to prove their attendance with the Clerk of said Court, and upon proving their attendance shall be entitled to receive out of the costs when collected by said Court from the party against whom said costs shall be taxed the sum of 50 cents per day for each day said witness or witnesses shall attend said court responsive to said subpoena, and in addition thereto the said witness or witnesses shall be entitled to receive mileage at the rate of five cents per mile for one round trip to court whenever the said witness or witnesses shall reside outside of the corporate limits of the City of High Point, and outside the one mile area surrounding the corporate limits of the City of High Point: Provided, however, that the witness or witnesses shall not be permitted to prove their attendance unless they shall be sworn and testify or be tendered to the court or the adverse party; and Provided further, that no more than two witnesses whose testimony is to the same effect shall be permitted to prove their attendance in any given case: Provided, however, that the City of High Point shall not be liable for any of the witness fees hereinbefore provided, unless the same shall be paid by the party against whom the said costs shall be taxed, and unless said witness or witnesses shall have proven their attendance before the bill of costs in said case or cases shall be fixed by the Clerk and paid by the party against whom the same is taxed.
Binding over felonies.

(e) The Municipal Court of the City of High Point shall have jurisdiction concurrently with the Justices of the Peace to act as committing magistrate in all cases involving felonies occurring or committed within the Townships of High Point, Jamestown and Deep River, but outside of the corporate limits of the City of High Point, in Guilford County, and, if probable cause be found, to bind over the defendant or defendants therein to the Superior Court of Guilford County. The witnesses for the State in such cases shall be recognized to appear in the Superior Court of Guilford County upon probable cause being found against the defendant or defendants in such cases by the said Municipal Court.

Sec. 2. That Chapter 569 of the Public-Local Laws of 1913, as amended, be and the same is hereby amended as follows:

(a) By striking out the second sentence of section 8, as amended and inserting in lieu thereof the following: The Municipal Court of the City of High Point shall have original concurrent jurisdiction with the Superior Courts in all civil actions, matters and proceedings, and divorce actions, including also all proceedings whatever, ancillary, provisional and remedial to civil actions founded on contract or tort (excepting special proceedings, quo warranto, mandamus, caveat to wills, administration, condemnation proceedings and street widening proceedings) in the following cases: (1) In cases in which the plaintiff, or any one of the plaintiffs, or the defendant, or any one of the defendants, is a resident of the City of High Point or within one mile thereof, or of High Point, Deep River or Jamestown Townships in Guilford County; (2) and in addition to the jurisdiction above named and regardless of the place of residence of the parties the said court shall have concurrent jurisdiction with the Superior Courts in the cases and actions above designated wherein the defendant or defendants shall reside in any of the counties of the State of North Carolina or can be found therein, or which have an office or property in this State; and Provided, that if the defendant cannot be found the same rules and regulations as to the service of summons by publication as are now provided in the Superior Courts, the Clerk of the Municipal Court of the City of High Point having the same powers and duties therein as the Clerks of the Superior Courts; and further Provided, that in civil actions in which any defendant or defendants reside outside of High Point, Deep River or Jamestown Townships, but in the County of Guilford, upon written request of the defendant or his attorney, made before time for answering expires, said case shall be remanded to the Superior Court of Guilford County for trial.
SEC. 3. That Chapter 569 of the Public-Local Laws of 1913, as amended, be and the same is hereby further amended as follows:

(a) By adding the following to the end of section 8 thereof as amended: The Judge of the Municipal Court of the City of High Point shall have the same power and duty as the Judges of the Superior Courts with reference to the transfer and removal of actions begun and pending in said Municipal Court to the Superior Courts of the various counties of this State, and the causes for removal shall be the same as prescribed by law for similar motions in the Superior Courts, in so far as same may be applicable to, and not inconsistent with, the provisions of this Act.

(b) By further adding the following to the end of Section 8 thereof as amended: Wherever by law it is provided that any action, matter or proceeding shall, or may, be brought in, removed to, or heard by the Superior Courts, the Municipal Court of the City of High Point shall have concurrent jurisdiction and power with such Superior Courts therein, if such action, matter or proceeding be one over which said Municipal Court would otherwise have jurisdiction as provided in this Act. And wherever it is provided by law that a judge of the Superior Courts shall, or may, perform any act with reference to any action, matter or proceeding, the Judge of the Municipal Court of the City of High Point shall have like power and duty with reference to any such action, matter or proceeding properly cognizable by, or within the jurisdiction of, the said Municipal Court.

SEC. 4. That Chapter 569 of the Public-Local Laws of 1913, as amended, be and the same is hereby further amended as follows:

(a) By striking out the first nine lines of paragraph (f) of Section 8 thereof as amended down to the semi-colon appearing in the said ninth line of said paragraph, and inserting in lieu thereof the following: That on or before the first Monday in May, one thousand nine hundred thirty-three, the Clerk and Judge of said Municipal Court of the City of High Point, and the Sheriff of Guilford County, or one of his deputies, shall cause to be transcribed a list of all the male taxpayers of High Point, Deep River and Jamestown Townships in Guilford County, and out of said list they shall select not less than 2,000 nor more than 3,000 names, which said names shall be delivered to the Clerk of the Municipal Court of the City of High Point.

SEC. 5. A declaration that any one section, sub-section, or part of sub-section of this Act is unconstitutional by a court of competent jurisdiction shall not be held to impair the validity of the remainder of this Act.
Conflicting laws repealed.

Sec. 6. That all laws and clauses of laws in so far as they conflict with this Act are hereby repealed.

Sec. 7. That this Act shall become effective from and after its ratification.

Ratified this the 20th day of April, A.D. 1933.

H. B. 1212  CHAPTER 133

AN ACT TO DEFINE THE BOUNDARIES OF KELLY CEMETERY, ABBOTT'S TOWNSHIP, BLADEN COUNTY, AND TO APPOINT TRUSTEES FOR SAID CEMETERY.

The General Assembly of North Carolina do enact:

Section 1. That the hereinafter described lot of land in Abbott's Township, Bladen County, shall be known and designated as “Kelly Cemetery.” The boundaries of said cemetery shall be as follows: Beginning at an iron stake on the south side of a new road leading to the Dr. McKinnon old place, running S. 12 E. 3½ chains to an iron stake, thence with W. C. LaFurge line S. 44 E. 3½ chains to an iron stake, thence south 12 E. 3½ chains to an iron stake and persimmon tree pointers in line of John F. McNair estate, thence with line of said John F. McNair to the beginning.

Sec. 2. That J. C. Atkinson, E. F. English, James F. Russ, A. L. McEwen and T. C. Russ be and they are hereby appointed trustees of the said Kelly Cemetery. That it shall be the duty of said trustees to provide for the upkeep of said cemetery, to keep up the corners, protect growth and lay off and designate burial plots. That any vacancy occurring among said trustees from death, resignation or otherwise shall be filled by the remaining trustees.

Sec. 3. That any person found trespassing on said Kelly Cemetery shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days.

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

Ratified this the 20th day of April, A.D. 1933.
S. B. 545  

CHAPTER 134

AN ACT TO AMEND CHAPTER 343, PRIVATE LAWS OF NORTH CAROLINA, SECTIONS 31 AND SUB-SECTION "C" THEREOF, RELATING TO THE PRIMARIES OF THE TOWN OF LUMBERTON.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter 343, Section 31, Sub-section "C," Private Laws of 1907, shall be amended by adding the following at the close of Sub-section "C" of Section 31 of said chapter:

"Provided, however, that when the time has expired for filing notices of candidacies for the ensuing primary to be held there has been the name of only one candidate filed for any given office, the City Clerk of the Town of Lumberton shall certify the name of said candidate and the fact that there is no opposition to the managers of said primary, which said managers shall declare the unopposed candidate the nominee for the office for which he was a candidate, and the name of said nominee shall be certified to the Mayor and Board of Commissioners of the Town of Lumberton as the nominee and no primary election shall be required for the purpose of voting on said candidate."

SEC. 2. That all laws or clauses of laws in conflict with any of the provisions of this Act are hereby repealed.

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

Ratified this the 21st day of April, A.D. 1933.

S. B. 532  

CHAPTER 135

AN ACT TO AMEND CHAPTER 51, PRIVATE LAWS, EXTRA SESSION 1913, AND TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF THE TOWN OF ROWLAND TO EXTEND THE TIME OF PAYMENT OF STREET AND SIDEWALK ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of the town of Rowland is hereby authorized and empowered, in its discretion by a resolution duly adopted and recorded, to extend the time of payment of street and sidewalk assessments, issued under authority of Chapter 51, Private Laws, Extra Session of 1913, for a period of not exceeding five years from the maturity of the last installment, the total balance due at the end of the present expiration date may become payable in equal annual installments over the period during which the said Board has extended Rowland street and sidewalk assessments extended, thus amending ch. 51, Private Laws ex-1913.

Not more than five years.
the time of payment, under authority of this act, with interest at the rate of six per cent per annum on the amount of such extension: Provided, however, that if an extension is granted under authority of this act, the Statute of Limitations shall not begin to run against said town until three years after the maturity of the last installment payable under the extension granted under authority of this act.

Sec. 2. The Board of Commissioners of the Town of Rowland may, in its discretion, if the extension originally granted under this act is less than five years, by subsequent resolution or resolutions, extend the time of payment of street and sidewalk assessments: Provided, that the total time of such extensions shall not exceed five years from the date of the maturity of the last installment.

Sec. 3. The Board of Commissioners of said Town of Rowland in any resolution extending time of payment of assessments may, in its discretion, require as a condition precedent to any extension of time of payment the execution of renewal notes by the present owner and/or owners of the property: Provided, however, that no lien or indebtedness held by, or due to, the Town of Rowland by reason of said street and/or sidewalk amounts shall be released or invalidated by any act of the Board of Commissioners in extending the time of payment thereof under authority of this act: Provided further, that any suit heretofore instituted to foreclose any note or lien by reason of any paving assessment under said Chapter 51, Private Laws, Extra Session of 1913, may be nonsuited upon the defendants complying with requirements set out by the Board of Commissioners as conditions precedent for an extension of time of payment.

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 24th day of April, A.D. 1933.

S. B. 540

CHAPTER 136

AN ACT RELATING TO THE EXTENSION OF TIME FOR PAYMENT OF SPECIAL ASSESSMENTS LEVIED BY THE CITY OF CONCORD.

The General Assembly of North Carolina do enact:

SECTION 1. The time for payment of any or all special assessments, including street and sidewalk assessments, or installments of special assessments heretofore levied by the City of Concord for local improvements, together with all or any part
of the interest accrued thereon, may be extended by resolution of the Board of Aldermen of said city adopted before December first, nineteen hundred and thirty-three, 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 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-three, with interest as provided by law: Provided, however, first, that such extension shall not prevent the payment of any assessments or interest at any time; and Provided, second, that all assessments contained in the same assessment roll shall be extended without any 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 roll.

Sec. 2. That any and all acts heretofore done and steps taken by the City of Concord in the paving of the streets and sidewalks of the City of Concord and the assessments levied therefor are hereby in all respects approved and validated: Provided, however, this shall not affect pending litigation.

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 24th day of April, A.D. 1933.

H. B. 1199

CHAPTER 137

AN ACT TO RELIEVE CHURCH PROPERTY IN THE TOWN OF WHITAKERS, IN THE COUNTIES OF EDGECOMBE AND NASH, AND AHOSKIE, IN HERTFORD COUNTY, FROM ALL STREET OR SIDEWALK PAVING ASSESSMENTS, WHEN 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 be hereafter acquired by any of the churches of the town of Whitakers and Ahoskie, and used for church or parsonage purposes, shall be relieved from all special assessments for street or sidewalk paving already done and from future assessments.

Sec. 2. That in case all or any part of the said special paving assessments have heretofore been paid by any of the said churches of the said Town of Whitakers and the Town of

Ten annual installments.

Interest added.

No discrimination.

No extension over 18 years from confirmation of roll.

Assessments validated.

Pending litigation unaffected.

Conflicting laws repealed.

Churches in Whitakers and Ahoskie relieved from special assessments.

Repayment of assessments already settled for.
Ahoskie, the Board of Commissioners of said towns are authorized, empowered and directed, within any time within three years from the first Monday in May, nineteen thirty-three, to repay such church or churches the amount so paid by said church or churches on said special paving assessments without interest.

SEC. 3. That when any of such property shall cease to be owned and used by any of said churches for church purposes, during the period for levying and collecting said special paving assessments, or any extension of such period as may be authorized by law, 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 Whitakers and the Town of Ahoskie, on Tuesday after the first Monday in May, nineteen thirty-three, there shall be submitted to the qualified voters the question of relieving said churches from the payment of said special 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 the 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 24th day of April, A.D. 1933.

H. B. 1211

CHAPTER 138

AN ACT TO CHANGE THE INCORPORATED BOUNDARIES OF THE TOWN OF WHITEVILLE, IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the incorporated boundaries of the Town of Whiteville as defined in chapter two hundred sixty-seven, Private Laws of North Carolina, session one thousand eight hundred ninety-one, page twelve hundred and forty-six, as amended by chapter fifty, page sixty-eight, Public-Local and Private Laws of North Carolina, session nineteen hundred and twenty-seven, be amended and changed as follows, to wit:
“Beginning at a point the northeast intersection of Maultsby and East Lewis Streets and running with the northern margin of East Lewis Street 1,092.8 feet to the northeast intersection of Thompson and East Lewis Streets; thence with the east margin of Thompson Street to the southeast intersection of Thompson Street and North Carolina Highway number 20; thence across said Highway north 4 degrees 30 minutes east 1,259 feet to a point in branch at old Toon field; thence north 81 degrees 45 minutes west 530 feet to the southeast intersection of North and Franklin Streets; thence with the eastern margin of Franklin Street north 12 degrees 30 minutes east 872 feet to another point in the old Toon field; thence a line north 79 degrees 30 minutes west 1,980 feet to the eastern margin of West Street extended; thence with the eastern margin of West Street south 5 degrees 45 minutes west 802 feet to the northeast intersection of North and West Streets; thence north 81 degrees 45 minutes west 612 feet to a point in the north margin of North Street extended; thence south 5 degrees 45 minutes west 1,210 feet to the south margin of North Carolina Highway number 20; thence south 4 degrees west 768 feet to the extension of the west margin of Patterson Street (corner of Town Park property); thence with the west margin of Patterson Street south 30 minutes east 1,075 feet to the north margin of West College Street; thence with the north margin of West College Street westwardly 710 feet to the present city limits, and then with present city limits to the beginning.”

SEC. 2. That the provisions of this act shall not become effective nor shall the corporate limits of the Town of Whiteville be changed according to the above described boundaries until this act shall have been ratified by the qualified voters of said town at the next biennial municipal election for the said town to be held on the second Tuesday in May, one thousand nine hundred and thirty-three: Provided, that it shall be the duty of the governing body of the said town at such election to provide a ballot box at each voting precinct and ballots upon one of which shall be printed the words “For Changing Corporate Boundaries” and on the other shall be printed the words “Against Changing Corporate Boundaries.” In the event a majority of the votes so cast shall be in favor of the change in the corporate limits of said Town of Whiteville, as above set out, then and in such event the provisions of this act shall be fully and in all respects operative: Provided further, that if a majority of the votes so cast shall be against the change in the corporate limits of said Town of Whiteville, as above set out, then and in such event the provisions of this act shall not go into force and effect.
H. B. 1049  CHAPTER 139

AN ACT TO AMEND CHAPTER 27, SUB-CHAPTER 4, ARTICLES 18, 21 AND 23, OF THE CONSOLIDATED STATUTES AND AMENDMENTS THERETO, RELATING TO MUNICIPAL RECORDER'S COURTS TO EXTEND THE CRIMINAL AND CIVIL JURISDICTION OF THE RECORDER'S COURT OF WENDELL TO INCLUDE ALL OF MARKS CREEK TOWNSHIP AND SAINT MATTHEWS TOWNSHIP, IN WAKE COUNTY, AND TO PROVIDE FOR THE ELECTION OF THE RECORDER OF SAID COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That all of the criminal and civil jurisdiction of the Recorder's Court of Wendell, established under chapter 27, subchapter 4, articles 18, 21 and 23, of the Consolidated Statutes and amendments thereto, shall extend to and include all of Marks Creek Township and Saint Matthews Township in Wake County with the same rules of procedure and right of appeal as now provided by law.

SEC. 2. That the Recorder of said Court shall be nominated in the primary and elected in the general election by the qualified voters of Marks Creek Township and Saint Matthews Township in the same manner and at the same time as other officers of Wake County are nominated and elected, and shall hold office for two years and until his successor is elected and qualified.

SEC. 3. That the Recorder of said Court shall be a person of good moral character, qualified to vote in Wake County, and a resident of Marks Creek Township or Saint Matthews Township.

SEC. 4. That the Recorder of said Court shall be elected as now provided by law and shall hold office until his successor is elected and qualified under the provisions of this act at the next general election in 1934.

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 24th day of April, A.D. 1933.
CHAPTER 140

AN ACT TO AMEND CHAPTER 59 OF THE PRIVATE LAWS OF 1931 AND CHAPTER 208 OF THE PRIVATE LAWS OF 1927, 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 fifty-nine of the Private Laws of one thousand nine hundred and thirty-one, and 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 are 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 the sum of twenty-five dollars per annum, payable on such dates and at such times as the Board of Commissioners of the Town of Warsaw may determine, and also the regular fees allowed by law, for the issuance of processes or trial of any criminal action."

Sec. 2. That the office of secretary to the Board of Commissioners, as designated by the charter, or of town clerk, and the office of superintendent of waterworks for said Town shall be and is hereby consolidated and made one office to be filled by one person, and that the salary for the said official after the consolidation shall not exceed the sum of seventy-five dollars per month, which shall include all supplements for any purpose. That the said salary shall be paid to the said official on the first day of each month, upon a warrant signed by the Mayor and approved by the Board of Commissioners.

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

Sec. 4. That this act shall be in full force and effect from and after the first Monday in June, nineteen hundred and thirty-three.

Ratified this the 24th day of April, A.D. 1933.
S. B. 573

CHAPTER 141

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF HOUSE BILL 249, IT BEING "AN ACT TO GRANT A NEW CHARTER FOR THE TOWN OF PINEBLUFF, MOORE COUNTY, NORTH CAROLINA," RATIFIED MARCH 1ST, 1933.

The General Assembly of North Carolina do enact:

Section 1. That House Bill 249, it being "An Act to grant a new charter for the town of Pinebluff, Moore County, North Carolina," ratified March first, one thousand nine hundred and thirty-three, be and the same is amended as follows:

In line one of paragraph four of Section 4 of said Act, after the word "all" and before the word "animals" in said line of said Act as ratified and filed in the office of Secretary of State, insert the word "wild."

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

Ratified this the 26th day of April, A.D. 1933.

H. B. 1041

CHAPTER 142

AN ACT TO EXEMPT CHURCH PROPERTY USED EXCLUSIVELY FOR RELIGIOUS SERVICES AND PASTORS RESIDENCES FROM THE PAYMENT OF STREET PAVING ASSESSMENTS AND SIDEWALK ASSESSMENTS IN THE TOWN OF ELKIN.

The General Assembly of North Carolina do enact:

Section 1. That for the year one thousand nine hundred and thirty-three 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 or assessments and sidewalk assessment or assessments.

Sec. 2. That this act shall only apply within the corporate limits of the Town of Elkin, North Carolina.

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

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

Ratified this the 26th day of April, A.D. 1933.
H. B. 1098  

CHAPTER 143  

AN ACT TO AMEND CHAPTER 342, PRIVATE LAWS OF 1901, RELATING TO SCOTLAND NECK.

The General Assembly of North Carolina do enact:

SECTION 1. That section 13 of Chapter 342 of the Private Laws of 1901, entitled "An act to enlarge and amend the charter of Scotland Neck," be and the same is hereby repealed, and in lieu thereof the following is inserted:

"Section 13. The Board of Commissioners may annually lay a tax on all trades, professions and franchises carried on within the town of Scotland Neck, unless otherwise provided by law, and may lay a tax on all such shows and exhibitions for reward as are taxed by the General Assembly of North Carolina, and on all dogs, and on swine, horses and cattle running at large within the town."

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

Ratified this the 26th day of April, A.D. 1933.

H. B. 1268  

CHAPTER 144  

AN ACT TO AMEND CHAPTER 95 OF THE PRIVATE LAWS OF 1927 RELATIVE TO PENSIONING THE DISABLED AND SUPERANNUATED POLICEMEN OF THE CITY OF ASHEVILLE AND THEIR WIDOWS.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of said act be amended by striking out from and after the word "Act," in line one through the word "Department" in line four, and inserting in lieu thereof the Civil Service Board; and said act shall be further amended by inserting after the word "Department" in line nine of said section one and before the word "of" "and said widows of said policemen."

Sec. 2. That sub-section five of section three be amended as follows: That line one of said sub-section shall be amended by striking out the words "The said board shall have authority" and substituting in lieu thereof "It shall be the duty of said board"; that said sub-section shall be further amended by inserting in line five before the word "Provided" "one per cent of the monthly salary of each policeman."

Sec. 3. That sub-section four of section eight be amended by adding at the end of said section the following: "That the widow of any policeman killed in the line of duty, so long as she re-
mains unmarried, shall receive one-half of the salary of her deceased husband."

SEC. 4. That section thirteen of said act be amended by adding the following: "Provided, that if said pensioner shall be receiving any sum under the Workman's Compensation Act by reason of his employment by the City of Asheville, then in that event said amount allowed under said Compensation Act, as long as the same is operative, shall be deducted from the pension herein granted by this act."

SEC. 5. That this act shall be construed as a supplemental act to the now existing Policeman's Pension Act known as Chapter 95 of the Public Laws of 1927; this act shall not be construed to require any larger appropriation to be made to the Policeman's Pension Fund than is now required to be made by Chapter 95, Private Laws 1927, and as embraced in the city charter; and this act shall not be construed to repeal said acts or any other acts relating to the same such matter.

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

Ratified this the 26th day of April, A.D. 1933.

H. B. 1348

CHAPTER 145

AN ACT TO EMPOWER THE BOARD OF ALDERMEN OF THE CITY OF ROCKY MOUNT TO RELIEVE CHURCHES OF PAVING ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Aldermen of the City of Rocky Mount be and it is hereby authorized and empowered, in its discretion, to cancel the indebtedness or any part thereof due by churches of the City of Rocky Mount for sidewalk, curb and gutter, or street paving and to relieve the churches of the payment of the same: Provided, however, that the provisions of this act shall apply only to the indebtedness now due and shall in no wise affect the payment and collection of assessments hereafter levied.

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

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

Ratified this the 26th day of April, A.D. 1933.
H. B. 1335  

CHAPTER 146

AN ACT TO SUBMIT TO THE VOTERS OF THE CITY OF RALEIGH THE QUESTION OF INCREASING THE TERMS OF OFFICE OF THE CITY COMMISSIONERS FROM TWO TO FOUR YEARS.

The General Assembly of North Carolina do enact:

SECTION 1. That at the next municipal election to be held in the City of Raleigh on the first Monday in May, one thousand nine hundred and thirty-three, there shall be submitted to the qualified voters of said city the question of increasing the terms of office of the three city commissioners from two years to four years, and the City Clerk shall cause ballots to be prepared to that end and purpose, which ballots shall read "For Four-Year Terms of City Commissioners" and ballots which shall read "Against Four-Year Terms of City Commissioners," and at each polling place a special box shall be provided for the receipt of said ballots.

SEC. 2. That if a majority of the votes cast shall be "For Four-Year Terms of City Commissioners," then and in that event section one of Article nine of chapter fifty-nine of the Private Laws of one thousand nine hundred and thirteen shall be and become amended to read as follows:

"Section 1. There shall, on the first Monday in May, one thousand nine hundred and thirty-three, and every four years thereafter, be elected a mayor (who shall also be commissioner of public accounts and finances), a commissioner of the department of public works, a commissioner of the department of public safety, who together shall constitute the board of commissioners of the city of Raleigh, and there shall also, at the same time, be elected a judge of the municipal court and such other elective officers as may be provided by law."

SEC. 3. That if a majority of the votes cast shall be "Against Four-Year Terms of City Commissioners," then and in that event the terms of office of the city commissioners shall be and remain as set forth in said section one of article nine of chapter fifty-nine, Private Laws one thousand nine hundred and thirteen, and amendments thereto.

SEC. 4. That the said election shall be conducted under the same rules and regulations governing the election of city commissioners to be held on the same date.

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 26th day of April, A.D. 1933.
H. B. 1404 CHAPTER 147

AN ACT PROVIDING FOR THE ELECTION OF THE RECORDER AND THE PROSECUTING ATTORNEY OF THE RECORDER'S COURT OF ROCKY MOUNT BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

Section 1. That the board of aldermen of the city of Rocky Mount is hereby authorized and directed, at its meeting to be held on Thursday after the first Monday in May, one thousand nine hundred and thirty-three, to elect a Recorder and a Prosecuting Attorney of the Recorder's Court of Rocky Mount who shall each hold office for a term of one year.

Sec. 2. That at the municipal election to be held in the city of Rocky Mount in May, one thousand nine hundred and thirty-four, there shall be elected, and biennially thereafter, by the qualified voters of said city a Recorder and a Prosecuting Attorney of the Recorder's Court of Rocky Mount who shall hold office for a term of two years from the date of their said election and until their successors are elected and qualified.

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 26th day of April, A.D. 1933.

S. B. 553 CHAPTER 148

AN ACT TO PROVIDE THE REGULATION OF PEDDLERS IN THE CITY OF CHARLOTTE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That any person, firm or corporation who, or which, offers for sale from a cart, wagon, truck, automobile or other vehicle operated over and upon the streets and/or highways within the City of Charlotte, Mecklenburg County, any ice, shall apply for in advance and procure from the City Tax Collector a license for each vehicle from which said ice is sold or offered for sale, and pay for such license a tax of One Hundred ($100.00) Dollars: Provided, however, that nothing in this section shall be construed to apply to regular established ice manufacturers, or their agents, located and doing business in the City of Charlotte.

Sec. 2. Any person, firm or corporation violating any of the provisions of this section shall be guilty of a misdemeanor, and
upon conviction shall be fined the sum of Fifty ($50.00) Dollars, and each offense shall constitute a separate action.

Scc. 3. That these license taxes are not to be prorated and are not transferable.

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

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

Ratified this the 27th day of April, A.D. 1933.

S. B. 449  CHAPTER 149

AN ACT AMENDING CHAPTER 149 OF THE PRIVATE LAWS OF 1931 ENTITLED "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 of Chapter one hundred forty-nine of the Private Laws of one thousand nine hundred and thirty-one is hereby stricken out and the following is inserted in lieu thereof:

"Taxes for the support and maintenance of the schools in said local tax school district shall be levied and collected by the same officials as now provided by law, but a separate levy for school purposes shall be made at the time all other taxes are levied, and shall be so set up upon the books of the authorities now charged by law with the duty of levying a school tax for the support and maintenance of the local tax school district of the City of Asheville; also the tax collecting officer charged with the duty of collecting this tax shall set up upon the books this tax separately from the other taxes, and the taxpayers are authorized to pay it separately from the other taxes. Nothing in the General Laws of North Carolina heretofore enacted, or which may be hereafter enacted by the General Assembly of one thousand nine hundred and thirty-three, shall be construed to prohibit the levying and collecting of, within the said Asheville Local Tax School District, special or supplementary taxes in the amount and at the rate heretofore provided by law; and the said Asheville Local Tax School District is hereby specifically authorized to make such levy and collection of such supplementary tax and as an exception to the General Law. 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

Taxes not prorated.
Conflicting laws repealed.

Ch. 149, Private Laws 1931, amended.
Separate school tax for Asheville.
Separate accounting.
No general or special law to prohibit levy.
Allocation of proceeds of special tax.
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 applied under such rules and regulations as 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 a voucher, duly executed, in the way and manner provided by law for the execution of vouchers in 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 validated authority for the payment of school funds."

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 27th day of April, A.D. 1933.

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S. B. 437  CHAPTER 150

AN ACT TO AMEND CHAPTER ONE HUNDRED AND THIRTY-ONE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATING TO SPECIAL ASSESSMENTS LEVIED BY THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

SECTION 1. That section 1 be and the same is hereby amended by striking from said section the following language: "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. That section 2 be and the same is hereby amended by striking out the last two words of the second line of said section 2, said words being "The Superior," and by striking out all of line five (5) and the first three words in line six (6) of said section, said words being, "June in each fiscal year beginning June first, one thousand nine hundred thirty-two," and inserting in lieu thereof the following: "July in each year beginning July first, one thousand nine hundred thirty-three."
H. B. 1086

CHAPTER 151

AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE CITY OF HENDERSONVILLE AND THE BOARD OF WATER COMMISSIONERS OF THE CITY OF HENDERSONVILLE TO CANCEL ASSESSMENTS AGAINST ALL CHURCHES AND SYNAGOGUES LOCATED IN THE CITY OF HENDERSONVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the City of Hendersonville are hereby authorized and empowered, in their discretion, to discharge, surrender, cancel and/or release all street assessments assessed by the City of Hendersonville for street improvements against the property of all churches and synagogues situated in the City of Hendersonville.

SECTION 2. That the Board of Water Commissioners of the City of Hendersonville are hereby authorized and empowered, in their discretion, to discharge, surrender, cancel and/or release street assessments.
all water and/or sewer assessments assessed against the property of all churches and synagogues situated in the City of Hendersonville.

SEC. 3. That the authority and power contained in this act to discharge, surrender, cancel and/or release street assessments and water and/or sewer assessments shall be confined to those assessments assessed against the property of churches and synagogues used strictly for religious worship, or property held by any church or synagogue situated in Hendersonville as a home for its pastor.

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 28th day of April, A.D. 1933.

H. B. 1340

CHAPTER 152

AN ACT TO INCORPORATE THE TOWN OF CHERRY, IN
WASHINGTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seventy-nine, Private Laws one thousand nine hundred and thirty-one, be and the same is hereby repealed.

SEC. 2. That the town of Cherry in Washington County be and the same is hereby incorporated by the name and style of the Town of Cherry, and shall be subject to all the provisions of chapter fifty-six of the Consolidated Statutes, known as the Municipal Corporations Act.

SEC. 3. That the corporate limits of the said town shall be as follows: Beginning at a post ninety-four yards in a southerly direction from the sign-post in the fork of the river road running north seventy degrees west to Walker's canal, thence along said canal four hundred yards to an iron post, thence north four hundred and seventy-eight yards to a stake near a pine stump in W. C. Spruill's field, thence south forty-five degrees east to the creek swamp and along the creek and river swamp to the beginning.

SEC. 4. That the officers of said corporation shall consist of a mayor, three commissioners, regular and special policemen, clerk and treasurer and such other officers as the town commissioners may elect; and the following named persons shall fill the offices of mayor and commissioners from their qualification until Tuesday after the first Monday in June, one thousand nine hundred and thirty-three, and until their successors are elected and quali-

Sec. 5. That the clerk, treasurer and regular policemen shall be appointed by the town commissioners, and the special policemen shall be appointed by the mayor.

Sec. 6. That an election shall be held in the said town on Tuesday after the first Monday in June, one thousand nine hundred and thirty-three, for a mayor and three commissioners, which election shall be called by the town clerk to be appointed by the town commissioners herein named, and shall be held in accordance with the laws of North Carolina regulating elections in towns and cities. The officers elected at said election shall hold their office until Tuesday after the first Monday in May, one thousand nine hundred and thirty-five, when, and biennially thereafter, their successors shall be elected.

Sec. 7. That the mayor and commissioners shall form a council and make, publish and enforce ordinances for the government of said town not inconsistent with the Constitution of the United States and the Constitution of North Carolina and the laws of said sovereignties.

Sec. 8. That the officers provided for by this act shall qualify within ten days after the ratification thereof before a justice of the peace or Clerk of the Superior Court, and all officers hereafter elected shall qualify in like manner.

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

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

Ratified this the 28th day of April, A.D. 1933.

H. B. 1438

CHAPTER 153

AN ACT TO AMEND CHAPTER 197, PRIVATE LAWS 1907, RELATING TO ELECTIONS IN THE TOWN OF GARNER.

The General Assembly of North Carolina do enact:

Section 1. That section four of chapter one hundred and ninety-seven of the Private Laws of one thousand nine hundred and seven be and the same is hereby amended by striking out the first three lines of said section down to and including the word "after" in line four and inserting in lieu thereof the following:

"That the mayor and board of aldermen shall be elected by the qualified voters of said town on the first Monday in May, one thousand nine hundred and thirty-three, and biennially thereafter."
Conflicting laws repealed.

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 April, A.D. 1933.

S. B. 593

CHAPTER 154

AN ACT TO AMEND THE CHARTER OF THE TOWN OF MORGANTON, PROVIDING FOR PAYMENT OF TAXES IN PARTIAL OR INSTALLMENT PAYMENTS.

The General Assembly of North Carolina do enact:

Section 1. That the Charter of the Town of Morganton, being Chapter 104 of Private Laws of 1913, as amended by Chapter 108 of Private Laws of 1917, Chapter 91 of Private Laws of 1921 (extra session), and Private Laws of 1923, be and the same is hereby amended by adding at the end of Section nine, Article XI (Finance and Taxation), of said Charter, the following proviso:

"Provided, that the Town Council may, in its discretion, accept the payment of ad valorem taxes on all real estate and personal property and poll tax within the corporate limits of said town, subject to taxation under the Charter and laws of the State of North Carolina, in partial payments by the adoption of a resolution by the Town Council providing for the payment of such ad valorem taxes by partial payments."

Upon the adoption of such resolution all taxpayers who fail to pay their taxes in full on or before January 1, 1934, and each year thereafter, shall be liable for and pay all ad valorem taxes due said town in partial or installment payments of ten percent per month until the whole amount of said tax is paid and discharged. Upon the default in the payment of any monthly installment the town is authorized and empowered to collect said tax in the way and manner now prescribed by law. That any tax due and owing said town and paid on said installment plan shall not be liable for any penalty or interest, provided such installments are regularly made when due.

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

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

Ratified this the 1st day of May, A.D. 1933.
CHAPTER 155
AN ACT TO AMEND HOUSE BILL NUMBER 1114, RATIFIED ON MARCH 31ST, 1933, ENTITLED "AN ACT AUTHORIZING THE CITY OF GASTONIA TO ISSUE TAX ANTICIPATION CERTIFICATES."

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number one thousand one hundred fourteen, ratified on the thirty-first day of March, nineteen hundred and thirty-three, and which was entitled "An act authorizing the City of Gastonia to issue tax anticipation certificates," be and the same is hereby amended by striking out the hyphenated word "one-half" in line five of section one thereof and inserting in lieu thereof the words "eighty per cent."

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

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

Ratified this the 1st day of May, A.D. 1933.

CHAPTER 156
AN ACT TO ALLOW THE COMMISSIONERS OF THE TOWN OF HENDERSONVILLE TO ACCEPT BONDS AND/OR NOTES IN PAYMENT OF CERTAIN TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of City Commissioners of the Town of Hendersonville are hereby authorized, directed and empowered to accept city bonds and/or notes and/or coupons that are past due or which may become due within the fiscal year in payment of the debt service portion of past due or current taxes: Provided, however, the taxpayer shall be required to pay the balance of his taxes, due for each year on which bonds and/or notes and/or coupons are used in cash.

SECTION 2. That the tax collector for said city is hereby authorized and directed to accept any such past due bonds and/or notes and/or coupons at par, plus accrued interest, in payment of the debt service portion of such taxes and not otherwise: Provided, the taxpayer completes the payment of his taxes, in cash as hereinbefore required, and when such bonds and/or notes and/or coupons have been so accepted by said tax collector, he shall be allowed the full credit therefor in his settlements with the Board of City Commissioners on such taxes.

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

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

Ratified this the 2nd day of May, A.D. 1933.
H. B. 1342  CHAPTER 157
AN ACT TO PROVIDE FOR THE NOMINATION OF THE OFFICERS OF THE TOWN OF BENSON, JOHNSTON COUNTY, BY A PRIMARY INSTEAD OF BY A CONVENTION.

The General Assembly of North Carolina do enact:

Section 1. That on Tuesday after the first Monday in April, one thousand nine hundred and thirty-five, and biennially thereafter, a primary shall be held by each of the political parties for the nomination of a mayor and four commissioners for the town of Benson, Johnston County, under the laws and regulations now in force for municipal primaries; and should a second primary be necessary, the same shall be held on Tuesday after the third Monday in April of such year.

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 2nd day of May, A.D. 1933.

H. B. 1369  CHAPTER 158
AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF THE TOWN OF MOREHEAD CITY TO EXTEND THE TIME FOR THE PAYMENT OF SPECIAL ASSESSMENTS FOR LOCAL IMPROVEMENTS.

The General Assembly of North Carolina do enact:

Section 1. The Board of Commissioners of the Town of Morehead City at any time prior to September first, nineteen hundred and thirty-three, by appropriate resolution regularly adopted, may extend the time for the payment of any and all installments of special assessments for local improvements at that time due and unpaid, so that the first of such assessments, the period of payment for which may be so extended, shall become due and payable October first, nineteen hundred and thirty-four, and all subsequent installments serially becoming due and payable on the first day of October each and every subsequent year during the period of extension: Provided, however, that the said Board of Commissioners shall not extend the time for final payment for more than ten years from October first, nineteen hundred and thirty-four.

Sec. 2. That it shall be the duty of the said Board of Commissioners, and it is hereby authorized and directed, in the
computation of the amount of special assessments due, to add to the original amount of said special assessments all accrued and unpaid interest at the rate of six per cent per annum, which sum total shall be declared the principal amount due for the purpose of determining the basis on which the new assessment roll shall be set up, and such principal amount so declared shall then be extended for payment over the period of time so authorized by the said Board, with such installments becoming due and payable annually from October first of each year, with interest, during the period of such extension, and beginning with the year nineteen hundred and thirty-four: Provided, however, that such extension as herein authorized shall not in any way discriminate in favor of or against any property assessed by virtue of such new assessment roll; nor shall such extension prevent the owner or owners of any property or properties against which such assessments have been made to pay any and all assessments and/or interest at any time.

Sec. 3. That in case of the failure or neglect of any property owner or railroad 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 such property shall be sold by the said municipality under the same rules and regulations now prescribed by law for the sale of lands for unpaid taxes: Provided, however, that the whole assessment may be paid at the time of paying any assessment by payment of the principal and all interests accrued to that date.

Sec. 4. No statute of limitation shall bar the right of the said municipality to enforce the remedies now provided by law for the collection of unpaid assessments, save from and after ten years from first default in the payment of any such assessment due.

Sec. 5. That the provisions of this act shall be, and are hereby, declared applicable also to the Town of Beaufort, Carteret County.

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

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

Ratified this the 2nd day of May, A.D. 1933.
H. B. 1370  

CHAPTER 159

AN ACT TO EMPOWER THE GOVERNING BODY OF THE TOWN OF WEAVERVILLE, BUNCOMBE COUNTY, TO RELIEVE CHURCHES OF PAVING ASSESSMENTS. (APPLICABLE ALSO TO THE MUNICIPALITIES OF CLYDE, CANTON AND HAZELWOOD, IN HAYWOOD COUNTY.)

The General Assembly of North Carolina do enact:

SECTION 1. That the governing body of the Town of Weaverville, Buncombe County, be and it is hereby authorized and empowered, in its discretion, to cancel the indebtedness or any part thereof due by churches of the Town of Weaverville for sidewalk, curb and gutter, or street paving, and to relieve the churches of the payment of the same: Provided, however, that the provisions of this act shall apply only to the indebtedness now due and shall in no wise affect the payment and collection of assessments hereafter levied: Provided, that the provisions of this act shall also apply to the cities of Asheville and Waynesville, and to Brevard in Transylvania County.

SEC. 2. That this act shall also apply to the municipalities of Clyde, Canton and Hazelwood, in Haywood County.

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 2nd day of May, A.D. 1933.

H. B. 1376  

CHAPTER 160

AN ACT TO AMEND CHAPTER 26, PRIVATE LAWS 1929, RELATING TO THE AUDITING OF THE BOOKS OF THE TOWN OF VANCEBORO, CRAVEN COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. Amend section one, chapter twenty-six, Private Laws nineteen hundred and twenty-nine, by striking out all after the comma, following the word "promptness" in next to the last line of said section, and inserting in lieu thereof the following: "and said Mayor and Board of Commissioners shall on or before June thirtieth of each year, beginning with the year nineteen hundred and thirty-three, cause said books and minutes to be audited and the results published."

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

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

Ratified this the 2nd day of May, A.D. 1933.
H. B. 1412  

CHAPTER 161

AN ACT AUTHORIZING THE COMMISSIONERS OF THE TOWN OF BLOWING ROCK TO POSTPONE THE SALE OF LAND FOR DELINQUENT TAXES FOR THE YEARS 1932 AND 1933 UNTIL THE FIRST MONDAY IN SEPTEMBER.

The General Assembly of North Carolina do enact:

Section 1. That the commissioners of the town of Blowing Rock, Watauga County, be and they are hereby authorized to postpone the sale of land in said town on which the taxes for the year one thousand nine hundred and thirty-two are due and unpaid until the first Monday in September, one thousand nine hundred and thirty-three; and the said commissioners are also authorized to postpone the sale of land for taxes which may become due and unpaid for the year one thousand nine hundred and thirty-three until the first Monday in September, one thousand nine hundred and thirty-four, said sales to be held after due advertisement for four weeks prior thereto, as now provided by law, and all such sales held on said dates shall be as valid as if same had been held on the date prescribed by law.

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

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

Ratified this the 2nd day of May, A.D. 1933.

H. B. 1440  

CHAPTER 162

AN ACT TO AMEND CHAPTER 196, PRIVATE LAWS OF THE STATE OF NORTH CAROLINA, 1929, BEING AN ACT TO AMEND THE ACT INCORPORATING THE CITY OF THOMASVILLE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That section five of chapter one hundred ninety-six of the Private Laws of North Carolina one thousand nine hundred twenty-nine be and the same is hereby amended by striking out the word "fifty" in line seventeen thereof and inserting in lieu thereof the words "one hundred and fifty," and by striking out the word "fifty" in line twenty-four and inserting in lieu thereof the words "one hundred and fifty."

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 2nd day of May, A.D. 1933.
H. B. 1295  
CHAPTER 163  
AN ACT TO REGULATE PEDDLING IN THE CITY OF ELIZABETH CITY.

The General Assembly of North Carolina do enact:

SEC. 1. Any person, firm or corporation who shall carry from place to place any goods, wares, merchandise, game, poultry, fish, fruits, vegetables, butter, eggs, or other foodstuffs whatsoever and offer to sell or barter the same, or actually sells or barters the same, in the City of Elizabeth City, unless such person, firm or corporation maintains a regular place of business in the city of Elizabeth City and pays the usual city license for operating such business, shall be deemed a peddler, and shall apply for and procure from the city of Elizabeth City an annual license for the privilege of transacting such business, and shall pay for such annual license the following tax:

Peddler, on foot, each .................................................................$ 25.00
Peddler, with horse or other animal and vehicle, each vehicle ................................................................................. 50.00
Peddler with vehicle propelled by motor or other mechanical power or from railway or box car, each vehicle or car ........................................................................................................ 100.00

SEC. 2. The governing body of the city of Elizabeth City shall, by proper ordinance, have the right, in its discretion, to designate an open lot or lots upon which all peddlers shall display their goods, wares, merchandise, and foodstuffs to the public, and when said governing body shall so designate any lot or lots, as aforesaid, it shall be unlawful for any peddler to offer for sale or sell his said goods, wares, merchandise, or foodstuffs upon the streets of the city of Elizabeth City.

SEC. 3. This act shall not apply to any person, firm or corporation who shall raise their own foodstuffs or produce and offer for sale or sell same in the city of Elizabeth City.

SEC. 4. A peddler within the meaning of this act shall expressly include any person, firm, or corporation who or which shall sell or offer to sell, at other than a definite place of business operated by the seller, any goods, wares, merchandise, or other things mentioned in section one of this act to license dealers or retailers, and at the time of such sale or exposure for sale shall deliver, or offer to deliver, the goods, wares, merchandise, or other articles to the buyer, and any delivery made on the day of sale shall be construed as equivalent to delivery at the time of sale: Provided, this section shall not apply to any person, firm or corporation, so selling or offering for sale, who or which maintains a regular place of business for the sale of the particular articles so sold or offered for sale in Elizabeth
City, and pays the usual license for operating such business. Every person, firm or corporation claiming exemption from the provisions of this section on the ground that he or it is delivering goods, wares, or merchandise previously sold to the customer shall, upon request of any police, tax or revenue officer, furnish evidence of his or its claim other than his or its mere statement, which evidence may be an invoice or signed order describing the goods, wares or merchandise involved, and the amount and price thereof, and failure to furnish such evidence shall be sufficient ground for charging the person operating with a violation of this section, and in any prosecution for a violation of this section the claim aforesaid must be corroborated by satisfactory evidence.

Sec. 5. Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and each day's violation thereof shall constitute a separate and distinct offense.

Sec. 6. That nothing in this act shall be construed as repealing, altering, or conflicting with any ordinance or other law of the city of Elizabeth City requiring the sale and delivery of certain products only in and from the city market.

Sec. 7. That for the period of time between the ratification of this act and September first, one thousand nine hundred and thirty-three, the latter date being the beginning of the license year of said city of Elizabeth City, there shall be charged and collected by said city, for the said licenses herein provided for, one-half the amounts set out in section one hereof.

Sec. 8. That if any section of this act be declared unconstitutional by the Supreme Court of North Carolina it shall in no wise affect the other sections herein, and they shall remain in full force and effect.

Sec. 9. That all laws or clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 3rd day of May, A.D. 1933.
H. B. 1360  CHAPTER 164
AN ACT AUTHORIZING THE CITY OF LEXINGTON TO BORROW MONEY FOR THE PAYMENT OF EXPENSES INCURRED IN CONNECTION WITH REPAIRING, RENOVATING AND IMPROVING CERTAIN PROPERTY OWNED BY SAID CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That the City of Lexington may borrow a sum of money not exceeding Ten Thousand ($10,000.00) Dollars for the purpose of reimbursing the General Fund of said City for expenditures made out of said fund for the necessary expenses incurred in connection with repairing, renovating and improving certain property owned by said City which is now used as a municipal hall and administration building, said property abutting West Center Street, State Street and West First Street, and applying to the payment of outstanding notes of said city issued in anticipation of the collection of taxes and other revenues.

SEC. 2. A negotiable note shall be issued for money borrowed under the preceding section, issuance of which note shall be authorized by a resolution of the Board of Aldermen of said City fixing the actual face amount of said note and the rate of interest to be paid upon the amount borrowed, not exceeding six per centum per annum, and the date or dates of maturity of all or any part of the principal of said note: Provided, all of the principal of said notes shall mature not later than seven years from the date thereof. The Board of Aldermen of said City are hereby authorized to secure the payment of principal and interest of said note by execution and delivery therewith of a deed of trust against the property described in section one of this act. Said note shall be executed by the signatures of the mayor and the city clerk, and the corporate seal of the City of Lexington shall be affixed thereto.

SEC. 3. The Board of Aldermen of the City of Lexington are hereby authorized, empowered and directed to levy annually upon taxable property of said City a tax sufficient for the payment of the principal and interest of said note as the same fall due in accordance with its terms.

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

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

Ratified this the 3rd day of May, A.D. 1933.
H. B. 1378  

CHAPTER 165

AN ACT TO ALLOW THE GOVERNING BODIES OF THE TOWNS OF BLADENBORO AND ELIZABETHTOWN TO REFUND LOCAL IMPROVEMENT ASSESSMENTS.

The General Assembly of North Carolina do enact:

Section 1. That the governing bodies of the Towns of Elizabethtown and Bladenboro owning assessments or certificates for lands in their several units which were due in the year of 1931, and in any year prior thereto, at the request of the owner or owners of the land against which lands local improvement assessments have been made and remain due for the said years or any of the said years, are hereby authorized and empowered to enter into agreements with the owners of the lands against which assessments have been made, whereby such assessments may be paid in installments covering a period not to exceed five years, and paying interest at the rate of six per cent (6%) per annum, payable annually from and after the first day of April, 1933: Provided, that unless such agreements are entered into on or before the first day of September, 1933, this section shall become inoperative, and the said governing boards are authorized to proceed with foreclosure proceedings as authorized by law:

Provided, that as a condition precedent to the settlement the several governing bodies are authorized and empowered in their discretion to require the payment of local improvement assessments due in the year of 1932.

Sec. 2. When said agreement is entered into between the said governing bodies and the owners of land against which assessments are due for the said years, the governing bodies shall take from the owner or owners a note, in substantially the following form:

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

For...........................assessments due in the years 192..., 192..., 192..., 193..., 193..., on those lands in the Town of............................., North Carolina, adjoining the lands of.............................., I or we promise to pay to the order of............................the sum of $.........................with interest from April 1, 1933, at the rate of six per cent (6%) per annum, payable annually, and payable as to principal in ................................annual payments of $.................on the.............day of..........................in each of the years.........................., respectively.

Upon my failure to pay any installments of principal or interest the whole amount shall immediately become due and payable. This note shall constitute a lien on land above described, and the said lands shall be subject to foreclosure sale at the option of the said Town of............................., as provided by law, upon my failure to make the payments as above set out.

Witness my hand and seal, this the.............day of............., 1933.
SEC. 3. That the said note when given shall thereby as above set out constitute a lien on the said lands subject only to the lien due for taxes levied by the County of Bladen and the State of North Carolina, and except current taxes, and shall be of the same dignity of the lien of the current taxes, and said notes shall be considered as a continuing lien on the land from the time such local improvement assessments first attached against said lands, and shall not be considered a novation; and the said governing bodies taking said note shall have the right of foreclosure on said land under the law governing foreclosure of sale of lands under tax sale certificates at any time after said note or any installment thereof is due, and within twelve months thereafter. The said governing body shall have a right to the option of foreclosure after the failure of any of the payments as provided in said note, but shall not be compelled to foreclose until the whole note is due and within twelve months thereafter.

SEC. 4. All notes taken for local improvement assessments shall be and constitute a continuing lien from the time the assessments were originally made on the lands therein described, but the said notes shall not be subject to be reduced to a personal judgment.

SEC. 5. Whenever a note is given and taken, as heretofore provided, the same shall be registered in the office of the Register of Deeds of the County of Bladen in a book to be kept and marked "Tax Liens"; said notes shall be prepared and recorded at the cost of the maker.

SEC. 6. The Towns of Elizabethtown and Bladenboro having local assessments due in the years of 1925, 1926, 1927, 1928, 1929, 1930 and 1931, whether foreclosure proceedings have been instituted or not, are hereby given until July 1, 1934, to institute said proceedings with all the rights and privileges and liens which they had at any time heretofore, which right shall be in addition to and not in abrogation of the rights heretofore granted for foreclosure in the event a note is taken as hereinbefore provided.

SEC. 7. Whenever any lands for which the Towns of Elizabethtown and Bladenboro on local improvement assessments are owned by minors or by several persons as tenants in common, the note heretofore provided may be made and executed by either one or more of the tenants in common, and in case of a minor, have his or her guardian or receiver; and the note when so executed, either by one tenant in common alone or by a guardian or receiver, shall constitute a lien as herein provided on the whole interest in said land, if the local improvement assessments were assessed against the whole of said property.
Sec. 8. All the laws or clauses of laws in conflict with the act are hereby repealed.

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

Ratified this the 3rd day of May, A.D. 1933.

H. B. 1408 CHAPTER 166

AN ACT RELATING TO THE SALARY OF THE MAYOR AND COMMISSIONERS OF THE TOWN OF BENSON, JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the salary of the mayor of the town of Benson, Johnston County, be and the same is hereby fixed at twenty-five dollars ($25.00) per month, and the compensation of each of the commissioners of said town is hereby fixed at three dollars ($3.00) for each regular meeting attended and one dollar ($1.00) for each called meeting: Provided, however, that the said board of commissioners, in its discretion, is hereby empowered to increase or decrease the above salary and compensation allowed said officials.

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 3rd day of May, A.D. 1933.

S. B. 608 CHAPTER 167

AN ACT TO AUTHORIZE AND EMPOWER THE CITY OF WILMINGTON TO DONATE WATER TO THE YOUNG MEN’S CHRISTIAN ASSOCIATION OF SAID CITY.

The General Assembly of North Carolina do enact:

Section 1. That the City of Wilmington be and it is hereby authorized and empowered, in the discretion of its governing body, to supply, without cost to the Young Men’s Christian Association of Wilmington, N. C., water in such amount as it may deem necessary and essential, under reasonable rules and regulations to be promulgated by said governing body.

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 3rd day of May, A.D. 1933.
S. B. 616  CHAPTER 168

AN ACT TO AMEND CHAPTER 367, PRIVATE LAWS OF 1911, RELATING TO THE INCORPORATION OF THE TOWN OF ARTHUR IN PITTS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend Section 1, Chapter 367, Private Laws of 1911, by striking out of line three the word "Arthur" and inserting in lieu thereof the words "Bell-Arthur."

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 ratification.

Ratified this the 3rd day of May, A.D. 1933.

H. B. 1008  CHAPTER 169

AN ACT TO AMEND THE CHARTER OF THE TOWN OF GRANITE FALLS.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter three hundred and twenty-three, Private Laws of one thousand eight hundred and ninety-nine, entitled "An act to incorporate the Town of Granite Falls in Caldwell County," be and the same is hereby amended by inserting at the end of said section the following: "That the term of office of the Mayor and Commissioners of said town, commencing with July first, one thousand nine hundred and thirty-four, shall begin on the first day of July following the first Monday in May of each year, and expire on the thirtieth day of June the following year: Provided, that the Mayor and Commissioners elected on the first Monday in May, one thousand nine hundred and thirty-three, shall hold office until June thirtieth, one thousand nine hundred and thirty-four.

SEC. 2. That section sixteen, chapter three hundred and twenty-three, of the Private Laws of one thousand eight hundred and ninety-nine be and the same is hereby amended by striking out the word "five" in line four of said section and inserting in lieu thereof the word "seventy."

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

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

Ratified this the 4th day of May, A.D. 1933.
H. B. 1269  

CHAPTER 170

AN ACT TO REPEAL SENATE BILL 158, THE SAME BEING "A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE INSPECTION OF MEATS AND MEAT MARKETS IN THE VILLAGE OF HAW RIVER, IN ALAMANCE COUNTY," RATIFIED FEBRUARY 20TH, 1933.

Whereas, Senate Bill one hundred fifty-eight will work a hardship upon the merchants of Haw River in the County of Alamance; and

Whereas, the merchants and citizens of Haw River in Alamance County do not feel there is a need for such law: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill number one hundred and fifty-eight, session one thousand nine hundred and thirty-three, ratified February twentieth, one thousand nine hundred and thirty-three, be and the same is hereby repealed.

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

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

Ratified this the 4th day of May, A.D. 1933.

H. B. 1479  

CHAPTER 171

AN ACT TO ENABLE THE CITY OF ROCKY MOUNT TO MAKE TEMPORARY ADVANCES TO THE ROCKY MOUNT GRADED SCHOOL DISTRICT.

Whereas, the City of Rocky Mount, pursuant to the provisions of chapter fifty-three of the Public Laws of nineteen hundred and one, annually levies and collects the taxes of the Rocky Mount Graded School District; and

Whereas, due to the prevailing economic crisis many taxpayers have failed to pay the taxes so levied and the Rocky Mount Graded School District is without funds to meet its appropriations: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the City of Rocky Mount be and it is hereby authorized, in the discretion of its Board of Aldermen, to make, from time to time, temporary advances from its general fund to the Rocky Mount Graded School District for the purpose of meeting appropriations made for the current fiscal year, in
Limit on amount.

Repayment from school taxes.

Act inoperative after January 1, 1935.

Conflicting laws repealed.

Anticipation of the collection of its taxes of such fiscal year and within the amount of such appropriations: Provided, that the aggregate amount of funds so advanced shall not at any time exceed the sum of twenty-five thousand dollars. All taxes thereafter collected by the City of Rocky Mount and belonging to the Rocky Mount Graded School District shall be applied as credits upon the said indebtedness until the said indebtedness is paid in full. Since the advances herein authorized are temporary only, the amount payable to the City may be treated as cash in the computation of its annual tax levy.

Sec. 2. The authority herein granted is for the purpose of meeting an immediate emergency and shall extend only to January first, nineteen hundred and thirty-five, and after January first, nineteen hundred and thirty-five, this act shall become inoperative.

Sec. 3. All laws or clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 4th day of May, A.D. 1933.

H. B. 1380

CHAPTER 172

AN ACT VALIDATING CERTAIN TAX SALES IN THE TOWN OF COLUMBUS, POLK COUNTY, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of the town of Columbus, Polk County, are hereby authorized to advertise all delinquent taxes in said town due for the years one thousand nine hundred and twenty-six to one thousand nine hundred and thirty-two, inclusive, and to sell all property on which said taxes are due and unpaid and to issue to the purchaser or purchasers of same tax sale certificates as if the said delinquent taxes had been advertised and the property sold according to the law then existing, and the acts of said commissioners in failing to advertise and sell property are hereby validated.

Sec. 2. That the board of commissioners of said town, after passing suitable resolutions, may advertise and sell at one advertisement all property on which the taxes are due and unpaid for the years one thousand nine hundred and twenty-six to one thousand nine hundred and thirty-two, inclusive.

Sec. 3. That after due advertisement according to law of said unpaid and delinquent taxes the said board of commissioners, or its authorized agents, shall issue to the purchaser a tax sale...
certificate on which the holder of such certificate may bring suit for foreclosure according to the general law, and said certificate so purchased shall be a valid tax lien on such property as if the property had been sold according to law in the year in which the same should have been sold.

Sec. 4. That the action of the board of commissioners in postponing from year to year the advertisement and sale of property for unpaid and delinquent taxes for the years one thousand nine hundred and twenty-six to one thousand nine hundred and thirty-two, inclusive, shall in no wise invalidate the sale of said property for unpaid delinquent taxes as set out in this act.

Sec. 5. That this act shall apply only to the town of Columbus, Polk County.

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

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

Ratified this the 5th day of May, A.D. 1933.

H. B. 1411  
CHAPTER 173
AN ACT TO AMEND CHAPTER 37, PRIVATE LAWS OF 1909, RELATING TO THE CHARTER OF THE CITY OF LENOIR.

The General Assembly of North Carolina do enact:

Section 1. That Section three, Chapter thirty-seven, Private Laws of one thousand nine hundred nine, be amended by striking out the words “within five days after such notification” in line seven and inserting in lieu thereof the following: “on the first day of July next ensuing.”

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

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

Ratified this the 5th day of May, A.D. 1933.

H. B. 1385  
CHAPTER 174
AN ACT TO ALLOW THE COMMISSIONERS OF THE TOWN OF LAUREL PARK IN HENDERSON COUNTY TO ACCEPT BONDS AND/OR NOTES IN PAYMENT OF TAXES.

The General Assembly of North Carolina do enact:

Section 1. That from and after the ratification of this act it shall be lawful for the Tax Collector of the Town of Laurel Park in the discretion of the Board of Commissioners to accept
matured bonds or notes of said town in payment of taxes, either
current or delinquent, due by any taxpayer of said town, and
any such bonds or notes may be accepted by the tax collector
at par and accrued interest.

SEC. 2. That any such bonds or notes so accepted by the tax
collector in payment of taxes shall be termed as cash in settle-
ment by the tax collector and 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 full force and effect from and
after its ratification.

Ratified this the 5th day of May, A.D. 1933.

H. B. 1495   CHAPTER 175

AN ACT TO AMEND CHAPTER TWO HUNDRED AND
THIRTY-ONE OF THE PRIVATE LAWS OF ONE THOU-
SAND NINE HUNDRED AND TWENTY-SEVEN OF NORTH
CAROLINA, RELATIVE TO THE OFFICE OF CITY MAN-
AGER OF THE CITY OF SALISBURY.

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 re-
pealing Section seventeen of said Chapter and inserting in lieu
thereof the following:

"Section 17. In the event the City Manager shall be sick,
as absent from the City or otherwise unable to perform the duties
of his office, or should the position of City Manager be vacant,
the Council may delegate the duties of the City Manager to one
of its members to be performed ex officio, as mere auxiliary
duties, and designate one of its members to perform such duties,
and the person so designated shall have all of the powers and
authority of the City manager while he shall serve in that
capacity, and shall receive such compensation as the Council
shall determine, but shall receive no salary as a member of the
City Council."

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

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

Ratified this the 5th day of May, A.D. 1933.
H. B. 1533

CHAPTER 176

AN ACT TO VALIDATE THE MUNICIPAL ELECTION HELD IN THE TOWN OF FARMVILLE, PITT COUNTY, ON MAY SECOND, ONE THOUSAND NINE HUNDRED AND THIRTY-THREE.

The General Assembly of North Carolina do enact:

Section 1. That the regular municipal election held in the town of Farmville, Pitt County, on May second, one thousand nine hundred and thirty-three, for the election of mayor and town commissioners, be and the same is hereby in all respects validated, and the candidates receiving a majority of the votes cast in said election are hereby declared to be the duly elected officials of said town to serve until the next biennial municipal election or until their successors are elected and qualified.

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 May, A.D. 1933.

S. B. 596

CHAPTER 177

AN ACT TO AMEND CHAPTER FORTY-TWO, PRIVATE LAWS OF NINETEEN HUNDRED THIRTY-ONE, RELATING TO THE ELECTION OF SCHOOL TRUSTEES FOR THE BOARD OF SCHOOL TRUSTEES OF ROANOKE RAPIDS BY THE QUALIFIED VOTERS OF THE ROANOKE RAPIDS GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

Section 1. That Section four, Chapter forty-two, Private Laws of nineteen hundred thirty-one, be and the same is hereby repealed and the following enacted are substituted therefor:

"Section 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 serve until the next biennial general election for trustees of the Roanoke Rapids Graded School District when his successor shall be duly elected for the unexpired term."

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

Ratified this the 8th day of May, A.D. 1933.
S. B. 644  CHAPTER 178
AN ACT TO AMEND SECTION 3, CHAPTER 21, OF THE PRIVATE LAWS OF 1931, IN RESPECT TO THE CITY GOVERNMENT OF MONROE.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter twenty-one of the Private Laws of one thousand nine hundred thirty-one be and the same is hereby amended so as to read as follows:

“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 fill said vacancy as so created for the remainder of said term.”

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 8th day of May, A.D. 1933.

S. B. 645  CHAPTER 179
AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO ACCEPT CERTAIN BONDS IN PAYMENT OF TAXES, SPECIAL ASSESSMENTS AND OTHER DUES.

The General Assembly of North Carolina do enact:

SECTION 1. That in any ordinance or resolution authorizing or providing for the issuance of bonds of the City of Winston-Salem for the purpose of funding or refunding indebtedness which is now outstanding and which matures within one year after the ratification of this act, it shall be lawful to incorporate provisions making the said bonds and/or coupons of such bonds, acceptable at par, at or after their maturity, in payment of taxes, special assessments or any other dues payable to the City of Winston-Salem, to the fullest extent not prohibited by or not inconsistent with the Constitution of this State or of the United States. Such provisions shall have the force of contract between said City and the holders of said bonds, and said City is hereby authorized to do all things necessary or convenient for the purpose of carrying out said provisions.

Sec. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

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

Ratified this the 8th day of May, A.D. 1933.
S. B. 646

CHAPTER 180

AN ACT TO LEGALIZE MASS MEETINGS IN THE TOWN OF ROXBORO FOR THE PURPOSE OF NOMINATING MUNICIPAL OFFICERS, AND TO REGULATE THE PRINTING AND USE OF OFFICIAL BALLOTS IN SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. That the governing body of the town of Roxboro may, prior to any general election of municipal officers, call a non-partisan mass meeting of the electors of said municipality for the nomination of such officers, to be held not less than fifteen (15) days preceding the date of said election.

Sec. 2. The calling of such mass meeting shall be advertised by publishing notice thereof in some newspaper published in said municipality for not less than ten (10) days immediately preceding the date thereof.

Sec. 3. That only electors of said municipality shall be eligible members of said mass meeting, either to vote or otherwise participate therein. The term "electors" as used herein shall include only registered voters of said municipality and persons not registered but possessing the requisite qualifications for registration. The said mass meeting shall be otherwise organized and conducted under rules and regulations formulated by the governing body of said municipality: Provided, that no such rules and regulations may be made or amended within fifteen (15) days next preceding the date of such mass meeting, and they shall at all times be open to public inspection.

Sec. 4. That the names of the candidates for municipal offices nominated at the said mass meeting shall be placed on the official ballot of said municipality used at the ensuing election of municipal officers, and shall be designated on such official ballot as "Mass Meeting Ticket." The names of other candidates for said offices shall also be placed on said official ballots: Provided, such candidate or candidates file with the clerk of such municipality not less than five (5) days preceding the date of such election written notice and request to have their names so entered upon said ballots. No ballot, other than the official printed ballot, as provided by law, shall be voted or counted.

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

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

Ratified this the 8th day of May, A.D. 1933.
H. B. 1350  
CHAPTER 181
AN ACT TO RELEASE CHURCH PROPERTY IN THE TOWN OF BOONE, WATAUGA COUNTY, FROM THE PAYMENT OF STREET AND SIDEWALK PAVING ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That all property owned by churches or religious denominations within the corporate limits of the town of Boone, Watauga County, shall be exempted from the payment of all street and sidewalk paving assessments from paving already done and also from future paving assessments.

SEC. 2. 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 paving assessments, the same shall immediately become liable for the unpaid paving assessments as may appear on the assessment roll of said town.

SEC. 3. That this act shall not take effect until ratified by a majority of the registered voters of the town of Boone at a regular election or at a special election to be duly called by the governing authorities of said town.

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 8th day of May, A.D. 1933.

H. B. 1386  
CHAPTER 182
AN ACT TO AID THE COLLECTION OF BACK TAXES IN THE CITY OF HENDERSONVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the City of Hendersonville is hereby authorized and empowered, in its discretion, to make a general order allowing any uncollected back taxes owing to said city for the year nineteen hundred and thirty-one and previous years to be paid at any time on or before April first, nineteen hundred and thirty-five, in whole or in part, with bonds or notes of said city of any issue or series which have matured, such order to apply not only as to all of the property assessed against any taxpayer, but also as to any one or more parcels of real estate so assessed; and the Tax Collector of said city shall accept such bonds and/or notes at par, plus accrued interest, if any, to apply on such taxes: Provided, that such bonds or notes shall not be accepted in payment of such taxes unless there shall be paid in cash at the same time all of the taxes for the year nineteen hundred and thirty-two:
Provided further, that such bonds or notes shall not be accepted in part payment of any taxes, unless there shall be paid in cash at the same time the balance of the taxes for any year or years on which such bonds or notes are applied.

Sec. 2. The tax against any one or more pieces of real estate assessed against any taxpayer may be paid under the provisions of this act, and such piece or pieces of real estate redeemed: Provided, the proportionate part of the tax charged and assessed against the personal property of the party in whose name such piece or pieces of land is assessed shall also be paid.

Sec. 3. That no interest, costs or penalties shall be added to the taxes for the year nineteen hundred and thirty-one and previous years paid under the provisions of sections one and two of this act, but any discount allowed under the general law for payment of back taxes shall not apply as to taxes paid with bonds or notes of the City of Hendersonville.

Sec. 4. That any uncollected street paving assessments or other special assessments owing to the City of Hendersonville for any year or years, past or future, may be paid in whole or in part with bonds or notes of the City of Hendersonville, of any issue or series which have matured; and the Tax Collector of the City of Hendersonville shall accept such bonds and or notes at par plus accrued interest, if any, to apply on such assessments and/or the interest, costs and penalties thereon. In all cases where the City of Hendersonville has heretofore accepted bonds or notes of the City in payment or part payment of assessments, the same is hereby ratified and approved.

Sec. 5. That the Board of Commissioners of the City of Hendersonville is hereby authorized and empowered to sell and convey (at public or private sale) any land which the City may have acquired, or may hereafter acquire, under foreclosure of tax liens or otherwise, at such price and on such terms as it may see fit, and may accept any outstanding bonds or notes of the City of Hendersonville which have matured at par, plus accrued interest, if any, to apply in payment or part payment of the purchase price of such land: Provided, that this section shall not apply to land held and used for municipal purposes.

Sec. 6. That nothing herein contained shall be construed to require the City of Hendersonville to accept its bonds or notes for any other purpose than herein provided, nor to pay any cash if bonds or notes are presented in a greater amount than the taxes or assessments to be paid thereby.

Sec. 7. That all laws or clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 8th day of May, A.D. 1933.
CHAPTER 183

AN ACT TO RELEASE CHURCH PROPERTY IN THE TOWN OF BENSON, JOHNSTON COUNTY, FROM THE PAYMENT OF STREET AND SIDEWALK PAVING ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That all property owned by churches or religious denominations within the corporate limits of the town of Benson, Johnston County, shall be exempted from the payment of all street and sidewalk paving assessments for paving already done and also from future paving assessments.

Sec. 2. That when any 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 paving assessments, the same shall immediately become liable for the unpaid paving assessments as may appear upon the assessment roll of the said town.

Sec. 3. That this act shall not take effect until ratified by a majority of the registered voters of the town of Benson at a regular election or at a special election to be duly called by the governing authorities of said town.

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 8th day of May, A.D. 1933.

CHAPTER 184

AN ACT TO PROVIDE FOR A NEW REGISTRATION OF THE VOTERS OF THE CITY OF RALEIGH BEFORE THE NEXT MUNICIPAL ELECTION.

The General Assembly of North Carolina do enact:

SECTION 1. That before the next primary to be held in the City of Raleigh for the nomination of city officers there shall be a new registration of the voters of said city, and said registration shall be had in accordance with the sections of Article three of Chapter fifty-six of the Consolidated Statutes relating to registration of voters in municipal elections, and the primaries and elections thereafter held in the city of Raleigh shall be held under the registration herein provided for.

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

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

Ratified this the 8th day of May, A.D. 1933.
CHAPTER 185

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF SENATE BILL No. 385, IT BEING ENTITLED "AN ACT TO AMEND CHAPTER 368 OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED ELEVEN AND AMENDMENTS THERETO, RELATING TO THE POLICE COURTS IN THE TOWN OF CANTON, HAYWOOD COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That Section ten of Senate Bill No. 385, entitled "Act to Amend Chapter Three Hundred and Sixty-eight of Public-Local Laws One Thousand Nine Hundred and Eleven, and amendments thereto, relating to the Police Court of the Town of Canton, Haywood County," ratified on the 20th day of March, 1933, be and the same is hereby amended, by striking out the words "at the time and for the same period as provided for the Police Justice" in the first sentence of said section and inserting in lieu thereof the following, "at the time to serve at the pleasure of the Board of Aldermen, and said section be and the same is hereby further amended by striking out the comma following the word "Canton" and the words "except in the Police Department," enclosed in parenthesis.

Sec. 2. All 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 8th day of May, A.D. 1933.

S. B. No. 385, Private Laws 1933, amended, as to Canton Police Court.

CHAPTER 186

AN ACT TO PROVIDE THE REGULATION AND TAXATION OF PEDDLERS IN THE CITY OF CHARLOTTE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That any person, firm or corporation who or which offers for sale from a cart, wagon, truck, automobile or other vehicle operated over and upon the streets and/or highways within the City of Charlotte, Mecklenburg County, any ice shall apply for in advance and procure from the City Tax Collector a license for each vehicle from which said ice is sold or offered for sale, and pay for such license a tax of one hundred ($100.00) dollars: Provided, however, that nothing in this section shall be construed to apply to regular established ice manufacturers or their agents located and doing business in the City of Charlotte.
Violation made misdemeanor.

Licenses not prorated or transferable. Conflicting laws repealed.

SEC. 2. Any person, firm or corporation violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined the sum of fifty ($50.00) dollars, and each offense shall constitute a separate action.

SEC. 3. That these license taxes are not to be prorated and are not transferable.

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 9th day of May, A.D. 1933.

S. B. 666

CHAPTER 187

AN ACT REQUIRING THE GOVERNING BODY AND ELECTION OFFICIALS OF THE TOWN OF ANDREWS, CHEROKEE COUNTY, TO HEREAFTER COMPLY WITH THE GENERAL ELECTION LAWS OF NORTH CAROLINA IN CALLING AND HOLDING ELECTIONS FOR THE ELECTION OF MAYOR AND MEMBERS OF THE BOARD OF ALDERMEN.

Whereas, the governing body of the Town of Andrews, Cherokee County, has heretofore disregarded the general election laws provided for the election of county and State officers and have proceeded under a plan of its own invention of advertising in advance of said election, in which as many as would could qualify as candidates; and

Whereas, this practice has resulted in a multiplicity of candidates offering themselves for election, which has resulted in much confusion to the qualified electors: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the governing body of the Town of Andrews, Cherokee County, is hereby directed to call an election for the election of a Mayor and four members of a Board of Aldermen to be held on the first Tuesday after the first Monday in May, 1934, and annually thereafter.

SEC. 2. That said governing body of the Town of Andrews shall strictly conform to the election laws now in effect, or hereafter may be enacted by the State of North Carolina for the election of county and State officers, by calling a primary, convention or mass meeting in advance of said election as prescribed in the General Election Laws, and at such primary, convention or mass meeting one person shall be selected as candidate for Mayor and four persons shall be selected as members of a Board of
Aldermen, and such names as may be selected as herein provided shall be placed on a ballot to be voted for in such election.

Sec. 3. That each of the two leading political parties now predominating in North Carolina shall be required to select their candidates as herein provided, and the names of the candidates representing the two political parties shall be placed in separate columns on said ballot as now provided by law for the election of county and State officers, and in all respects said municipal elections shall be held under the same rules, regulations and laws as are now in effect or hereafter may be adopted by the General Assembly of North Carolina.

Sec. 4. That all 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 date of ratification.

Ratified this the 9th day of May, A.D. 1933.

H. B. 1147

CHAPTER 188

AN ACT TO AMEND CHAPTER 195 OF THE PRIVATE LAWS OF 1927, RELATIVE TO THE CORPORATE LIMITS OF THE TOWN OF CAROLINA BEACH.

The General Assembly of North Carolina do enact:

Section 1. That Chapter 195 of the Private Laws of 1927, describing the City limits of the Town of Carolina Beach, be and the same is hereby amended so as to define and limit the boundary lines of said Town of Carolina Beach as follows:

The incorporate limits of the Town of Carolina Beach shall be as follows: Beginning at an iron stake at low-water mark of the Atlantic Ocean, at a line between what is known as Wilmington Beach and Carolina Beach on the Atlantic Ocean, and running thence northwardly along the low-water mark of the Atlantic Ocean to a point (2,165) feet north of the northeast corner of Lot No. 10 in Block 27, as described on map of Carolina Beach, and running thence westwardly about (350) feet to Myrtle Grove Sound, thence southwardly along the east line of Myrtle Grove Sound at low-water mark to Third Avenue north, as described on the map of Carolina Beach, thence in a south-westwardly direction crossing Myrtle Grove Sound to the point where the northern line of Goldsboro Avenue intersects the western side of Myrtle Grove Sound at low-water mark, as shown on the map of Carolina Beach, as recorded in the records of New Hanover County, in map book 2, page 106, as prepared by J. L. Becton, C.E., January, September, 1913, thence westwardly
along the northern line of Goldsboro Avenue and C. A. Bache's line and a westerly extension thereof to the center of Harper Avenue, thence northwesterly along the center of said Harper Avenue to Ocean City Boulevard (or Federal Point Road), thence in a southerly direction along the east line of Ocean City Boulevard to the center of Sumter Avenue, thence east down the center of said Sumter Avenue to Sixth Avenue, and thence running southwardly along the center of Sixth Avenue to the line of property known as Wilmington Beach at an iron stake, thence eastwardly to an iron stake, the point of beginning at low-water mark of the Atlantic Ocean.

SEC. 2. That all laws and clauses of laws in conflict with this act as to the City limits of Carolina Beach are hereby repealed.

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

Ratified this the 9th day of May, A.D. 1933.

H. B. 1511

CHAPTER 189

AN ACT TO VALIDATE A MUNICIPAL ELECTION TO BE HELD FOR THE TOWN OF PANTEGO, BEAUFORT COUNTY, ON TUESDAY, MAY 9, 1933.

Whereas, at the regular primary election held in Pantego, Beaufort County, on April twenty-fifth, one thousand nine hundred and thirty-three, certain candidates were nominated; and

Whereas, the general election was called and advertised for Tuesday, May ninth, one thousand nine hundred and thirty-three; and

Whereas, the calling of the election on May ninth, one thousand nine hundred and thirty-three, was in error as same should have been called for Tuesday, May second, one thousand nine hundred and thirty-three; and

Whereas, same had been regularly advertised and the public generally given due notice of said election: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the general election to be held Tuesday, May ninth, one thousand nine hundred and thirty-three, in the town of Pantego, Beaufort County, for the election of officers nominated at the primary election on April twenty-fifth, one thousand nine hundred and thirty-three, be and the same is hereby validated in all respects, and the successful candidates shall be declared elected to their respective offices.

SEC. 2. That this act shall apply only to the election to be held during this year and shall in no way be construed as repealing
or amending the present law concerning date of election in any other respect.

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 9th day of May, A.D. 1933.

S. B. 659  
CHAPTER 190  
AN ACT TO REPEAL CHAPTER 40, PRIVATE LAWS OF 1874-1875, REPEALING THE CHARTER OF THE TOWN OF MORRISVILLE, WAKE COUNTY.

Whereas, House Bill No. 821, with the same title as this bill, was passed and sent to the Senate and duly referred to the Senate Committee on Counties, Cities and Towns, and said bill has been lost; and

Whereas, said bill provided for an election to be held in the Town of Morrisville to determine if said charter should be repealed; and

Whereas, the citizens of Morrisville, thinking said bill had been passed, did hold said election in accordance with the provisions of said bill, and a majority of the ballots cast in said election were for repeal: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the action of the voters of the Town of Morrisville, Wake County, repealing the charter of the said town is hereby ratified and confirmed, and Chapter 40 of the Private Laws of 1874-1875 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 9th day of May, A.D. 1933.

H. B. 1329  
CHAPTER 191  
AN ACT TO AMEND CHAPTER 205 OF THE PRIVATE LAWS OF 1929, RELATING TO THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE.

Whereas, it appears from written statements filed with the members of the House of Representatives and the Senator from Buncombe County, North Carolina, which statements were made by the members of the General Assembly of North Carolina for
the year one thousand nine hundred and twenty-nine, when the
corporate limits of the City of Asheville were extended by virtue
of an act of the Legislature so as to include the territory hereinafter mentioned, that the inclusion of such territory was done
by mistake and error, and that the said members of the General
Assembly of one thousand nine hundred and twenty-nine were
not aware at the time of the passage of the said act extending
the territory of the City of Asheville that the lands hereinafter
described were included in said territory; and

Whereas, it appears to the General Assembly of North Carolina that said error should in justice be corrected by eliminating
said territory from the corporate limits of the City of Asheville:

Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That that portion of the territory now included
within the corporate limits of the City of Asheville, and
described herein be and the same is hereby excluded from the
corporate limits of the City of Asheville, said territory being
described as follows:

Beginning at the southeast corner of the corporate limits of
the City of Asheville as defined in the act of the General As-
sembly of the Session of one thousand nine hundred and twenty-

nine, Private Laws, Chapter two hundred and five, and running
thence as described in said act northwardly eleven hundred and
twenty feet to the intersection of the said line with Forrest
Avenue, now Britton Street; thence in a westwardly direction
with Britton Street to its intersection with Hendersonville
Road, and continuing the same direction thirty-two hundred feet
to the intersection with the southern line of the corporate limits
of the City of Asheville, as defined in said act; thence eastwardly
with said line of the corporate limits of the City of Asheville
about three thousand feet to the point or place of beginning.

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

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

Ratified this the 9th day of May, A.D. 1933.
H. B. 1509  
CHAPTER 192  
AN ACT TO REGULATE PEDDLING IN THE CITY OF WINSTON-SALEM.

The General Assembly of North Carolina do enact:

Section 1. Any person, firm or corporation who shall carry from place to place any goods, wares, merchandise, game, poultry, fish, fruits, vegetables, butter, eggs, or other foodstuffs whatsoever and offer to sell or barter the same, either at wholesale or at retail—that is, either for resale or for use or consumption by the purchaser, in the City of Winston-Salem, shall be deemed a peddler, and shall apply for and procure from the City of Winston-Salem a license for the privilege of transacting such business, and shall pay for such license such tax as the Board of Aldermen may prescribe, not exceeding the following amounts:

Peddlers, on foot, each..................................................$ 50.00
Peddlers, with horse or other animal and vehicle, each vehicle ................................................................. 100.00
Peddlers, with vehicle propelled by motor or other mechanical power or from railway or box car, each vehicle or car................................................................. 150.00

Sec. 2. The Board of Aldermen of the City of Winston-Salem shall have the authority to regulate the time, place and conditions under which the business of peddling may be carried on, and shall also, in its discretion, have the right to designate an open lot or lots upon which all peddlers shall display their goods, wares, merchandise and foodstuffs to the public, and when said Board shall so designate any lot or lots, as aforesaid, it shall be unlawful for any peddler to offer for sale or sell his said goods, wares, merchandise or foodstuffs upon the streets of the City of Winston-Salem.

Sec. 3. This act shall not apply to any person, firm or corporation who shall raise their own foodstuffs or produce and offer for sale or sell same in the City of Winston-Salem, or any person who shall have made or manufactured by his own hands or by any members of his immediate family the article or articles being offered for sale in the City of Winston-Salem.

Sec. 4. Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the Court, and each day's violation thereof shall constitute a separate and distinct offense.

Sec. 5. That if any section of this act be declared unconstitutional by the Supreme Court of North Carolina it shall in no
wise affect the other sections herein, and they shall remain in full force and effect.

Sec. 6. That all laws or clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 9th day of May, A.D. 1933.

H. B. 1547  CHAPTER 193

AN ACT FOR THE RELIEF OF THE INDIGENT FAMILIES OF THE CITY OF WILMINGTON BY THE CITY FURNISHING WATER TO SUCH INDIGENT FAMILIES, AND OTHERWISE REGULATING THE MINIMUM CHARGES CHARGED FOR WATER FURNISHED BY THE CITY OF WILMINGTON.

The General Assembly of North Carolina do enact:

Section 1. That in consequence of the general depression that prevails throughout the nation, and for that reason there are many indigent families in the City of Wilmington who have been unable to pay their water rent for the use of water, and the water having been ordered shut off by authorities of the City of Wilmington for the non-payment of said water rent, thereby causing unsanitary conditions to exist and thereby endangering the health of the people of the City of Wilmington. In the interest of better sanitary conditions the City Commissioners of the City of Wilmington shall hereby immediately comply with the provisions of this act.

Sec. 2. That where water has been shut off from the premises of an indigent family for non-payment of water rent, the City Commissioners, after having investigated the ability to pay such water rent by the said indigent person, may cancel such amount of money that may be due the City of Wilmington by the indigent person for the use of water, and suspend further payment of water rent until, in the opinion of the Commissioners of the City of Wilmington, that the said person is again able to pay rent for use of water.

Sec. 3. That the recommendation of the Executive Secretary of the Associated Charities of the City of Wilmington, or that of the Welfare Officer of New Hanover County, that such applicant for the use of free water is indigent and unable to pay said water rent may be accepted by the City Commissioners as to the indigence of such person in lieu of investigations by the said City Commissioners.
Sec. 4. Only one minimum charge for the use of water shall be assessed against any property in the City of Wilmington, except upon the application of the owner or tenant of said property, for more than one service pipe to supply water for each tenant.

Sec. 5. Upon application the City of Wilmington shall furnish, through one service pipe, the supply of water for property owned by the applicant located within the boundaries of a city block, and only one minimum service charge shall be assessed against the said property.

Sec. 6. If any part of this Act is declared unconstitutional it shall in no way invalidate any other section of this Act.

Sec. 7. All laws or clauses of laws in conflict with this Act are hereby repealed.

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

Ratified this the 9th day of May, A.D. 1933.

S. B. 660

CHAPTER 194

AN ACT TO APPOINT A COTTON WEIGHER FOR THE TOWN OF STANFIELD IN STANLY COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That there shall be appointed for the town of Stanfield, in Stanly County, North Carolina, one cotton weigher, sworn to perform his duties faithfully, whose duty shall be to weigh all cotton sold in bales in said town and to make just and proper deduction for water or any other damages.

Section 2. That all cotton sold in bales in the town of Stanfield shall be weighed by a sworn cotton weigher, who shall give bond in the sum of two hundred ($200) dollars, to be approved by the Board of County Commissioners of Stanly County, for the faithful performance of his duties; and said weigher shall receive in full compensation for his services the sum of ten (10) cents per bale for each bale weighed, the seller and the purchaser to pay five (5) cents each, and that the purchaser shall retain five cents of the purchase price and shall be responsible to the said weigher for his fees and to whom said weigher shall look to for such fees.

Section 3. That the term of said officer shall be two years, beginning with the first day of August, one thousand nine hundred and thirty-three, and that his successor shall be elected biennially thereafter by the Board of County Commissioners of Stanly County, in session held for that purpose on the first
Monday in June of the year for which such cotton weigher is
to be elected, and his bond approved by the said Board of County
Commissioners of Stanly County on the first Monday in July of
each year, when such election shall recur as by this act provided.

SEC. 4. That it shall be the duty of the cotton weigher to keep
separated, as nearly as possible, the cotton belonging to different
buyers weighed by him, so that cotton belonging to different
buyers shall not become mixed on the yard or platform where
the weighing is done, such as may be established for public
convenience; and furthermore, it shall be his duty to keep a
record of all cotton weighed, showing the name of the seller
and buyer, the grade of cotton, and the price paid, if known,
to such weigher.

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

SEC. 6. That said cotton weigher may, if he shall deem it
proper, appoint one or more assistants or deputies in the dis-
charge of his duties in said position, but the said cotton weigher
shall be responsible on his bond for each and all of the acts of
any person or persons so appointed by him.

SEC. 7. That the said Board of County Commissioners of
Stanly County are empowered to remove for good cause shown
and to fill all vacancies in said position of cotton weigher.

SEC. 8. That all laws and clauses of laws now existing in con-
lict with the provisions of this act are hereby repealed.

SEC. 9. This act shall be in force from and after its ratifi-
cation.

Ratified this the 9th day of May, A.D. 1933.

S. B. 682

CHAPTER 195

AN ACT TO PROVIDE FOR A SPECIAL ELECTION FOR
MAYOR AND COMMISSIONERS OF THE TOWN OF HOLLY
SPRINGS, WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That a special election for the election of mayor
and commissioners of the Town of Holly Springs, Wake County,
shall be held in said town on the first Monday in June, one
thousand nine hundred and thirty-three, and the mayor and
four commissioners so elected shall serve until the first Monday
in May, one thousand nine hundred and thirty-five. No further
registration of voters shall be allowed for said election and only
those registered under a new registration had immediately prior
to May first, one thousand nine hundred and thirty-three, shall be permitted to vote in said election. The registrar and pollholders for said election shall be appointed by the board of commissioners who were in office on May first, one thousand nine hundred and thirty-three, and said election shall be held under the same rules and regulations now provided by law for the conduct of municipal elections.

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

Ratified this the 11th day of May, A.D. 1933.

H. B. 1503

CHAPTER 196

AN ACT TO VALIDATE THE MUNICIPAL ELECTION OF MOREHEAD CITY HELD MAY 2ND, 1933.

Whereas, in the municipal election held for the Town of Morehead City on May second, nineteen hundred and thirty-three, there has arisen some question as to whether the said election should have been held and/or otherwise conducted under the provisions of the charter of said municipality or under the provisions of the general law controlling; and

Whereas, it appears that the election itself was conducted under the general law while the preliminaries and proceedings leading up to the election were had under the provisions of the charter of the said municipality: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the municipal election held in and for the Town of Morehead City, May second, nineteen hundred and thirty-three, together with the manner and method of naming candidates to be voted upon at and in said election, and also all other matters and things done in connection therewith are hereby approved, ratified, and confirmed.

Sec. 2. That all officers certified after having been elected at the time of the said election are hereby declared to have been duly and regularly elected and are entitled to qualify and enter upon the duties of their offices.

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 11th day of May, A.D. 1933.
H. B. 1551

CHAPTER 197

AN ACT TO COMPEL THE CLOSURE OF SERVICE STATIONS, STORES, SOFT DRINK STANDS, AND OTHER LIKE ESTABLISHMENTS, AND TO PREVENT THE CONDUCT OF THE SAME AND THE SALE OF MERCHANDISE THEREFROM DURING CERTAIN HOURS ON SUNDAY, NEAR OAK RIDGE MILITARY INSTITUTE, IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful for any person or persons to open or keep open any filling station, service station, store, soft drink stand, eating place or restaurant, or other establishment conducted for the servicing of motor vehicles, or the sale of merchandise, refreshments, drinks, or other things whatsoever to the public, or for the operation of any games, slot machines, or other devices of a similar kind, or for any person or persons to sell or offer for sale therein any of the articles above mentioned between the hours of ten o'clock a.m. and four o'clock p.m., and/or between the hours of six o'clock p.m. and twelve o'clock p.m., on Sunday, within one and one-half miles of the Administration Building of Oak Ridge Military Institute.

SECTION 2. Any person guilty of violation of this act shall be guilty of a misdemeanor, and shall be fined or imprisoned, within the discretion of the Court.

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

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

Ratified this the 11th day of May, A.D. 1933.

H. B. 1553

CHAPTER 198

AN ACT AMENDING CHAPTER 651, PUBLIC LAWS 1909, RELATING TO THE MUNICIPAL COURT OF THE CITY OF GREENSBORO.

The General Assembly of North Carolina do enact:

SECTION 1. That Section thirty-two of Chapter six hundred fifty-one, Public Laws nineteen hundred and nine, as amended, be and the same is hereby amended by adding at the end of said section the following subsection:

"(c) It is the intent of this act that in any case where the Municipal Court of the City of Greensboro has jurisdiction of the cause of action, whether such cause of action is within the
jurisdiction of justices of the peace or of the Superior Court, the process of said Municipal Court may run anywhere within the State of North Carolina, subject only to the provisions of Section thirty-four of Chapter six hundred fifty-one, Public Laws, nineteen hundred and nine, and notwithstanding the provisions of Section one thousand four hundred ninety of the Consolidated Statutes of North Carolina or of any other general or special act; and that the running of such process outside of Guilford County in those cases within the jurisdiction of justices of the peace shall not be limited to those cases in which the process of a court of the justice of the peace would run outside the county."

Sec. 2. That section ten of House Bill number three hundred thirty-seven, relating to the Municipal Court of the City of Greensboro, ratified February twenty-fourth, nineteen hundred and thirty-three, be and the same is hereby amended by striking out the word "fifty-two" where it occurs in said section and inserting in lieu thereof the word "fifty-three."

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 11th day of May, A.D. 1933.

H. B. No. 337, Private Laws 1933, amended.

Conflicting laws repealed.

H. B. 1567

CHAPTER 199

AN ACT TO CHANGE THE HOURS WHEN THE POLLS SHALL OPEN AND CLOSE IN ALL CITY ELECTIONS TO BE HELD IN THE CITY OF DURHAM.

The General Assembly of North Carolina do enact:

Section 1. That in all general, primary and special elections held in the City of Durham the polls shall open on the day of election from five-thirty o'clock a. m. until seven o'clock p. m., and no longer.

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

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

Ratified this the 11th day of May, A.D. 1933.
H. B. 1581  CHAPTER 200

AN ACT TO AMEND CHAPTER 266, PRIVATE LAWS OF NORTH CAROLINA, SESSION 1923, RELATING TO THE WATER SYSTEM OF TOWN OF LENOIR.

The General Assembly of North Carolina do enact:

Section 1. That section two, chapter two hundred sixty-six, Private Laws of North Carolina, Session one thousand nine hundred and twenty-three, be, and the same is, hereby amended by adding at the end of said section the following sentence: "The said Town of Lenoir is hereby authorized to assume the payment of any liens or incumbrances that may exist at the time of the purchase or condemnation by it upon any land, or lands, to be used as a part of its water system, whether within or without the corporate limits of said town, and the amount of the installments that may be due or accrue under such liens or incumbrances shall be added to its existing debt and the installments accruing appropriated for in the annual budget of said town."

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

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

Ratified this the 11th day of May, A.D. 1933.

H. B. 1608  CHAPTER 201

AN ACT TO AMEND SENATE BILL NUMBER 339 RELATING TO THE EXTENSION OF TIME FOR PAYMENT OF SPECIAL ASSESSMENTS LEVIED BY THE CITY OF SALISBURY, AS RATIFIED ON MARCH 16, 1933.

The General Assembly of North Carolina do enact:

Section 1. That Senate Bill number three hundred and thirty-nine, as ratified on March sixteen, one thousand nine hundred and thirty-three, be amended by adding after the words "Randolph County" at the end of section one of said act the words "Siler City, Chatham 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 11th day of May, A.D. 1933.
S. B. 642  CHAPTER 202
AN ACT TO RELEASE CHURCH PROPERTY IN THE TOWN OF EAST FLAT ROCK, HENDERSON COUNTY, FROM THE PAYMENT OF STREET AND SIDEWALK PAVING AND SEWERAGE ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That all property owned by churches or religious denominations within the corporate limits of the town of East Flat Rock, Henderson County, shall be exempted from the payment of all street and sidewalk paving and sewerage assessments which have already been made and from all such future assessments.

Sec. 2. 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 paving and sewerage assessments, the same shall immediately become liable for the unpaid paving and sewerage assessments as may appear on the assessment roll of said town.

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 11th day of May, A.D. 1933.

S. B. 671  CHAPTER 203
AN ACT TO AMEND HOUSE BILL NO. 1059 WHICH IS ENTITLED "AN ACT PROVIDING FOR THE WORKING OF PRISONERS ON THE STREETS OF THE TOWN OF MAIDEN IN CATAWBA COUNTY, NORTH CAROLINA." (APPLICABLE ALSO TO THE TOWN OF CONOVER.)

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill No. 1059, entitled "An Act Providing for the Working of Prisoners on the Streets of the Town of Maiden in Catawba County, North Carolina" (applicable also to the Town of Conover), which was enacted by the 1933 session of the General Assembly of North Carolina, now in session, and ratified on the seventh day of April, one thousand nine hundred thirty-three, be and the same is hereby amended as follows, to wit, by adding at the end of Section 2 the following: "Also to the town of Brookford in Catawba County, North Carolina."

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 11th day of May, A.D. 1933.
S. B. 673  

CHAPTER 204  

AN ACT TO AUTHORIZE THE ISSUANCE OF SCRIP BY THE CITY OF STATESVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Aldermen of the City of Statesville is hereby authorized and empowered to from time to time issue and reissue negotiable scrip of the City of Statesville, based upon uncollected delinquent taxes and/or collateral bonds or notes executed to and held by such city for delinquent taxes or for the redemption of lands sold for taxes for the years 1927, 1928, 1929, 1930 and 1931, and which shall be also a direct obligation of the City of Statesville. The said scrip or evidence of indebtedness shall bear the date of its issue, and shall be in such form as may be determined by said Board of Aldermen and be executed in the name of said City by the facsimile signature of its mayor, attested by the facsimile signature of its clerk, and payable at a definite date fixed by said Board, but no longer than twelve months from the date of issuance thereof, and shall bear interest from the date of issue at a rate to be fixed by said Board not exceeding 6 per cent per annum, payable only at maturity or on redemption, which time shall first occur, and interest thereon shall close at the date of maturity whether presented for a redemption on said date or not. Such scrip or evidence of indebtedness shall state in its face that it is issued under authority of this act; that the same is a direct obligation of the City of Statesville, and that in addition thereto its payment is secured by a pledge of the collections from the above recited uncollected delinquent taxes and/or collateral bonds and notes held by said city for said taxes or for the redemption of lands sold for said taxes for said years. Such issue or reissue shall never at any time exceed 50 per cent of the then said uncollected delinquent taxes for said years and/or such collateral bonds or notes executed to and held by said city for such delinquent taxes or redemption of lands sold for taxes, and may be issued and reissued upon resolutions passed by the Board of Aldermen from time to time in their discretion in such gross amounts so fixed by such resolutions, not exceeding said maximum herein fixed. The said scrip shall be in denominations to be fixed by the said Board of Aldermen, but in no event greater than Twenty Dollars ($20.00). The said scrip may be issued and used for value at not less than par in payment, satisfaction and settlement of the obligations of said City for services to or purchases made by it, but its acceptance shall not be obligatory, and the same may be sold for cash by the said city at not less than par.
SEC. 2. That all uncollected delinquent taxes for the years 1927, 1928, 1929, 1930, 1931 and 1932 and/or collateral bonds or notes executed to and held by the City of Statesville for delinquent taxes or for redemption of land sold for taxes for any of said years, and the proceeds therefrom shall be a part of the General Fund of said city and payable thereto and disbursement made part of general fund.

Delinquent taxes

as to scrip required.

provided, that nothing contained in this Section shall be construed so as to abridge in any way the rights of the holders of said scrip or evidences of indebtedness to have immediate payment thereof when due.

provided.

Payable when due.

Time and terms on which scrip is callable.

Publication of call.

Separate fund for retirement of scrip.

Retirement.

Secure. 3. That such scrip shall be callable for redemption by the City of Statesville at par and accrued interest at any time not less than 30 days from date of last publication of notice of a resolution to such effect passed by the Board of Aldermen and published once a week for two weeks in some newspaper of general circulation published in Iredell County, at the expiration of which time interest shall cease on all not presented for redemption.

Sec. 4. All moneys collected and received in payment of such delinquent taxes and/or collateral bonds for delinquent taxes or land redemptions upon which the issuance of said scrip is based shall be kept in a separate fund by the Board of Aldermen or the treasurer or other fiscal or financial agent of said city, and a separate account thereof kept by the City Clerk and/or
Treasurer, and all such moneys and funds shall be faithfully used and applied in the redemption of said city scrip at the time named therein for its payment and redemption; and if sufficient from such source has not been collected at the time fixed for its payment or redemption, the same, if the same be not reissued, it shall be paid from the other funds on hand, each account for the benefit of which advancements have been made from said scrip to bear its pro rata part thereof.

Sec. 5. That the City Clerk and/or Treasurer of the City of Statesville shall file with the local Government Commission of North Carolina a copy of the proceedings authorizing the issuance of any scrip hereunder or as herein authorized, and shall at the end of each month file with the Local Government Commission of North Carolina a detailed report setting forth the amount of such scrip then outstanding and which has not been actually redeemed and retired.

Sec. 6. The said scrip or evidence of indebtedness under the provisions of this act shall be receivable at the face thereof by the City of Statesville or any officer thereof authorized to collect or receive money for it, in settlement of all taxes, fines, amercements, costs, debts or other public dues or demands and payable to said city, the same to be received minus the interest then accrued according to its tenor, if the said scrip shall not then be due according to its tenor, and if the same shall not have been previously called for redemption or payment as herein provided; and the same shall be received plus the accrued interest according to its tenor if said scrip then be due, past due or previously called for redemption. When so received and the same is not then due according to its tenor and has not been previously called for redemption or payment, the same may be by the said city again paid out and used as if not paid to the said city; and such payment on such debt or demand of the said city to it, before maturity, shall not be a payment or redemption thereof by the said city unless the Board of Aldermen, in its discretion, shall so provide by resolution, as to any such scrip then on hand or to be thereafter received by it, or it may, in its discretion, cause, by resolution duly adopted, the retirement of all or any portion thereof so received and in its hands, and an issue of a like amount in lieu thereof, to be used in the way and manner herein provided, not exceeding the maximum herein fixed.

Sec. 7. That any person unlawfully forging, counterfeiting or uttering such forged or counterfeited scrip as authorized in this act shall be guilty of a felony.

Sec. 8. That this act shall apply to the City of Statesville only.
Sec. 9. That all laws and clauses of laws in conflict with this act, in so far as they apply to the City of Statesville, are hereby repealed.

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

Ratified this the 11th day of May, A.D. 1933.

S. B. 674

CHAPTER 205

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF SENATE BILL NO. 593, IT BEING "AN ACT TO AMEND THE CHARTER OF THE TOWN OF MORGANTON, PROVIDING FOR THE PAYMENT OF TAXES IN PARTIAL OR INSTALLMENT PAYMENTS," RATIFIED MAY 1ST, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill No. 593, entitled "An act to amend the charter of Morganton, providing for the payment of taxes in partial or installment payments," ratified May 1st, 1933, be and the same is hereby amended as follows:

In paragraph three of Section one strike out the words and figures "January 1, 1934," and insert in lieu thereof the words "November first, nineteen hundred thirty-three."

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

Ratified this the 11th day of May, A.D. 1933.

H. B. 1486

CHAPTER 206

AN ACT TO ALLOW THE COMMISSIONERS OF THE TOWN OF AYDEN TO ACCEPT MUNICIPAL BONDS IN PAYMENT OF CERTAIN TAXES AND STREET ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Ayden is hereby authorized and empowered, in its discretion, to accept, at par value, Town of Ayden bonds and/or coupons, either past due or which mature during the fiscal year, in payment of past due taxes and/or past due street and pavement assessments: Provided, if the par value of said bonds and coupons so tendered in payment of said past due taxes or street and pavement assessments shall be accepted by said Board of Commissioners and the par value thereof, with accrued interest,
shall be in excess of said taxes past due and/or street and pavement assessments past due, the said Board of Commissioners shall not be required to pay the difference in cash, unless the said bonds and/or coupons so tendered shall be past due and in line for payment.

SEC. 2. That the Tax Collector for said Town is hereby authorized and empowered and directed, upon authority from the Board of Commissioners of said Town, to accept any such bonds and/or coupons at par value and accrued interest in payment of said taxes and/or street and paving assessments, and the said Tax Collector shall be allowed full credit therefor in settlement of such taxes and assessments.

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

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

Ratified this the 11th day of May, A.D. 1933.

S. B. 657  CHAPTER 207

AN ACT TO PROVIDE FOR THE CITY OF GOLDSBORO TO ACCEPT ITS BONDS IN THE PAYMENT OF CITY TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Aldermen of the City of Goldsboro may accept its own bonds in payment of City taxes and City street, sidewalk and sewer assessments, subject to the following provisions:

(a) Bonds accepted in payment of taxes and assessments for the years 1931 and prior years may be accepted at par.

(b) Bonds maturing on or before January 1, 1938, may be accepted in payment of taxes and assessments for the year 1932 and subsequent years on a basis of their true and actual bona fide cost to the taxpayer: Provided, however, that bonds maturing subsequent to January 1, 1938, may be accepted in payment of taxes and assessments for the year 1932 and subsequent years, but in arriving at the allowance to be made for such bonds the Board shall allow the market value and not the cost value, but in no event shall the allowance be in excess of the cost to the taxpayer.

(c) In no event shall bonds be accepted for taxes and assessments at more than par and accrued interest.

(d) For the purpose of determining the true and actual bona fide cost to the taxpayer of the bonds offered in payment of such taxes or assessments the City shall make examination of both the taxpayer and the seller in order to satisfy itself of the price.
paid and that no rebate or other consideration has entered into or will enter into such transaction.

(e) The Board of Aldermen may, however, accept bonds issued for street or sidewalk improvements at par in discharge of past due assessments levied for such bonds.

SEC. 2. That all laws, parts or clauses of laws in conflict with this Act are hereby repealed.

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

Ratified this the 12th day of May, A.D. 1933.

H. B. 1539  
CHAPTER 208

AN ACT TO AUTHORIZE THE GOVERNING BODIES OF THE CITY OF SALISBURY AND THE TOWN OF SPENCER TO CANCEL ASSESSMENTS AGAINST ALL CHURCHES LOCATED IN SAID CITIES.

The General Assembly of North Carolina do enact:

SECTION 1. That the governing bodies of the city of Salisbury and the town of Spencer are hereby authorized, in their discretion, to discharge, surrender, cancel, or release all street assessments assessed by the city of Salisbury or the town of Spencer for street improvements against the properties of all churches and the homes of the pastors or priests of said churches situated in the city of Salisbury or the town of Spencer.

SEC. 2. That the authority and power contained in this act to discharge, surrender, cancel or release street assessments and water or sewer assessments shall be confined to assessments against the property of churches or the homes of the pastors or priests, used strictly for religious worship, or the property held by such church situate in the city of Salisbury or the town of Spencer as a home for its pastor or priest. That the act shall become effective when the same has been submitted to the qualified voters of the citizens of the city of Salisbury and the town of Spencer and ratified by them at an election to be called by the governing bodies of said cities.

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 12th day of May, A.D. 1933.
H. B. 1592  
CHAPTER 209

AN ACT APPOINTING A COTTON WEIGHER FOR THE TOWN OF SPRING HOPE IN NASH COUNTY.

Whereas, the law provides that a cotton weigher for the town of Spring Hope should be elected as provided for the election of City officials and no person offered for this position during the last election, and said office became vacant for lack of election: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That J. N. Bergeron be and he is hereby appointed cotton weigher for the town of Spring Hope, to be invested with all the duties, powers and authority vested in said office, and to receive compensation therefor as is now provided by law.

Sec. 2. That the term of office of said cotton weigher shall continue until the next general election to be held in the town of Spring Hope and until his successor has been duly elected and qualified in the manner provided by law.

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

Ratified this the 12th day of May, A.D. 1933.

H. B. 1598  
CHAPTER 210

AN ACT TO EMPOWER THE BOARD OF COMMISSIONERS OF THE CITY OF SMITHFIELD, JOHNSTON COUNTY, TO RELIEVE CHURCHES OF PAVING ASSESSMENTS.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of the City of Smithfield, Johnston County, be and it is hereby authorized and empowered, in its discretion, to cancel the indebtedness or any part thereof due by churches of the City of Smithfield for sidewalk, curb and gutter, or street paving, and to relieve the churches of the payment of the same: Provided, however, that the provisions of this act shall apply only to the indebtedness now due, and shall in no wise affect the payment and collection of assessments hereafter levied; and Provided further, that a majority of those voting at any election upon the question shall have voted for such cancellation. Such election to be held and conducted as now provided for municipal elections.

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

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

Ratified this the 12th day of May, A.D. 1933.
H. B. 1605  CHAPTER 211

AN ACT TO AUTHORIZE THE TOWN OF SANFORD TO ACCEPT LEE COUNTY SCRIP IN PAYMENT OF WATER RENT, ACCOUNTS AND TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Town of Sanford is hereby authorized and empowered to accept Lee County scrip or Tax Anticipation Notes, issued April 1, 1933, pursuant to an Act of the 1933 Session of the General Assembly of North Carolina, in payment of water rents, accounts, and taxes due said Town of Sanford, in such amounts and under such conditions and provisions as may be prescribed by proper resolution of the Board of Aldermen of said Town of Sanford.

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

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

Ratified this the 12th day of May, A.D. 1933.

H. B. 1612  CHAPTER 212

AN ACT TO AMEND CHAPTER SIXTY-THREE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND FIFTEEN, RELATING TO THE CHARTER OF THE TOWN OF BENSON.

The General Assembly of North Carolina do enact:

SECTION 1. That section fifty-seven of chapter sixty-three of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by inserting a period in lieu of the comma after the word "thereto" in line three of said section and striking out the following words in lines three and four: "and the coupons shall be receivable in payment of town taxes."

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 12th day of May, A.D. 1933.
S. B. 689

CHAPTER 213

AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE TOWN OF ZEBULON, WAKE COUNTY, TO ACCEPT AT FACE VALUE BONDS OF SAID TOWN IN PAYMENT OF TAXES OR PAVING ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of the town of Zebulon, Wake County, be and they are hereby authorized and empowered, in their discretion, to accept at face value matured bonds of said town in payment of taxes or street paving assessments due and owing said town by the holders of said bonds.

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 12th day of May, A.D. 1933.

S. B. 695

CHAPTER 214

AN ACT TO REPEAL CHAPTER 176 OF THE PRIVATE LAWS OF 1927, RELATIVE TO THE OPERATION OF POOL ROOMS IN HAW RIVER TOWNSHIP, ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter one hundred seventy-six of the Private Laws of nineteen twenty-seven 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 12th day of May, A.D. 1933.

H. B. 1633

CHAPTER 215

AN ACT AMENDING CHAPTER 210 OF THE PUBLIC-LOCAL LAWS OF THE YEAR 1889, RELATIVE TO THE CHARTER OF THE TOWN OF CARY, WAKE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the Mayor of the town of Cary shall be paid the sum of one dollar and fifty cents for each meeting night which he attends, and each Commissioner shall be paid the sum of one dollar for each meeting night which he attends.

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 12th day of May, A.D. 1933.
H. B. 1121  

CHAPTER 216


The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred ninety-two of the Private Laws of one thousand eight hundred eighty-nine, and chapter two hundred thirty-one of the Private Laws of one thousand eight hundred ninety-three, and chapter one hundred twelve of the Private Laws of one thousand nine hundred and eleven, and Chapter three hundred twenty-three of the Private Laws of one thousand nine hundred and fifteen, and Chapter one hundred nineteen of the Private Laws of one thousand nine hundred twenty-seven, be and the same are hereby amended so that the corporate limits and boundaries of the Town of Windsor, Bertie County, North Carolina, be and the same are hereby fixed, marked and designated as follows:

Beginning at a culvert at the edge of the Cashie River, below the old log landing of the Carolina Southern Railway Company, and running in western direction along the Carolina Southern Railway Company and the Simpson line to the western edge of the Carolina Southern Railway Company's holdings; thence running the Carolina Southern Railway Company's holdings and right of way in a northern direction to a point due east of a marked elm standing on the Gilliam-Winfree Rosefield lands; thence running in a straight line in a western direction to where a dead cedar formerly stood at the southeast corner of Gray's lane and the State Highway leading from Windsor to Williamston; thence following the various courses of the line or boundaries of the Town of Windsor as same are now established to the Cashie River and down the Cashie River to the point of beginning, the culvert hereinbefore referred to.

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

SEC. 3. That the governing body of the Town of Windsor, Bertie County, North Carolina, is hereby authorized and empowered to call a special election or to submit the question to a vote of the people at the time of the holding of any other elec-
Election advertised.

Ballots.

Instructions.

Voting hours.

Canvassing returns.

Certification of results.

Will of voters to determine.

tion, municipal or county, at which time all voters who shall be 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 Town of Windsor, Bertie County, North Carolina. Such election shall be advertised by the governing body of the Town of Windsor once each week for four successive weeks, and not less than thirty (30) days between the date of the first advertisement and date of holding the election. At each voting place in the said Town at such election there shall be provided one box in which each person entitled to vote may deposit their ballot. Such ballot shall be printed under the direction and supervision of the Municipal Board of Elections to be appointed by the governing body of the Town of Windsor. Each ballot shall have printed in the upper half thereof the words "For city extension" and underneath those words the words "Against city extension." A voting square shall be placed opposite each of said phrases. Those wishing to vote that the provisions of this Act shall become law applicable to the Town of Windsor shall place a cross in the voting square opposite the words "For city extension," and those wishing to vote against the provisions of this Act becoming a law applicable to the Town of Windsor shall place a cross in the voting square opposite the words "Against city extension." The polls shall be open from sunrise to sunset; and within ten (10) hours from the time the polls are closed in the election, the election officers for each precinct shall count the ballots, and within three (3) days shall certify the results to the Board of Elections provided for in this Act, who shall within twenty-four (24) hours after the receipt of same examine such certificates and formally declare whether the majority of those voting have voted for city extension or against city extension. Thereupon the said Board of Elections, acting as a canvassing body, shall certify the result of their examination to the governing body of the Town of Windsor, who shall cause the same to be spread upon the minutes at the next meeting after the receipt of such report. If it shall appear from the certificate of the Board of Elections to the governing body of the Town of Windsor that a majority of those voting at such election have voted for city extension, the foregoing provisions of this Act shall at once become effective, and the law applicable to the Town of Windsor, Bertie County, North Carolina, as if unconditionally enacted by the General Assembly of North Carolina. If it shall appear that the majority of the votes cast are against city extension, then this Act shall become null and void. This Act shall be in force and effect from the date of declaring carried the election "For city extension" by the Municipal Board.
of Elections in the manner hereinbefore set out: Provided, how-
ever, 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 12th day of May, A.D. 1933.

H. B. 1615

CHAPTER 217

AN ACT TO VALIDATE CERTAIN PROCEDURE IN REGARD
TO STREET ASSESSMENTS IN THE TOWN OF LITTLE-
TON.

Whereas, the Town of Littleton, in the Counties of Halifax
and Warren, North Carolina, has heretofore paved certain streets
and sidewalks in the Town of Littleton, pursuant to resolutions
adopted by the governing body thereof, on April seventh, nine-
teen hundred and twenty-four, and March sixteenth, nineteen
hundred and twenty-five, and September eighth and nineteenth,
nineteen hundred and twenty-seven, and has assessed part of the
said cost thereof against the abutting property owners; and

Whereas, the said property owners have received and are
enjoying the benefits of said improvements; and

Whereas, there may be some question as to whether the records
of the Town of Littleton show that a proper petition or peti-
tions for and notice of said assessments was given as required
by statute; and

Whereas, in said assessment proceedings, the governing body
of said town failed to provide and record proper assessment
rolls and to give notice thereof and to conduct hearings thereon
in the manner as provided 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 assess-
ments so far as the lack of petitions and notice and assessment
rolls and notice thereof and hearings thereon would effect it,
and no further: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the action of the Board of Commissioners
(Aldermen) of the Town of Littleton in levying assessments on
adjoining property owners for street and sidewalk pavements,
as above mentioned, set forth and described, are hereby vali-
dated, notwithstanding the lack of petitions and notice of said
assessments and assessment rolls and the failure of the governing
body of said town to provide and record proper assessment
rolls and to give notice thereof and to conduct hearings thereon

Preamble: Paving done and assessments made in
Littleton.

Benefits enjoyed.

Faulty notice.

Validation necessary.

Assessments validated.
in the manner as provided by statute, 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. That this act shall be in force and effect from and after its ratification.

Ratified this the 12th day of May, A.D. 1933.

H. B. 1632

CHAPTER 218

AN ACT TO ALLOW THE COMMISSIONERS OF THE TOWN OF EAST FLAT ROCK OF HENDERSON COUNTY TO ACCEPT BONDS IN PAYMENT OF CERTAIN TAXES.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Town Commissioners of East Flat Rock are hereby authorized, empowered and directed to accept bonds and/or coupons of said town that are past due or which may become due within the fiscal year in payment of the debt service portion of past due or current taxes: Provided, however, the taxpayer shall be required to pay the balance of his taxes due for each year on which bonds and/or coupons are used, in cash.

Sec. 2. That the Tax Collector for said town is hereby authorized and directed to accept any such past due bonds and/or coupons at par plus accrued interest in payment of the debt service portion of such taxes and not otherwise: Provided, the taxpayer completes the payment of his taxes in cash as hereinbefore required, and when such bonds and/or coupons have been so accepted by said Tax Collector he shall be allowed full credit therefor in his settlements with the Board of Town Commissioners on such taxes.

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 12th day of May, A.D. 1933.
H. B. 627  CHAPTER 219

AN ACT TO AMEND CHAPTER 186, PRIVATE LAWS 1931, BEING "AN ACT TO AMEND SENATE BILL NUMBER 395, BEING THE CHARTER OF THE CITY OF ASHEVILLE," PERTAINING TO THE REDUCTION OF SALARIES OF COUNCILMEN AND OTHER EMPLOYEES.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter one hundred eighty-six, Private Laws of one thousand nine hundred thirty-one, be and the same is hereby repealed and the following substituted therefor, so that the same shall read as follows: "Each member of the council shall receive a salary of two hundred forty 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 six hundred dollars per year. The City Manager shall in no event receive a salary to exceed six thousand dollars per year; the Corporation Council shall receive a salary of thirty-six hundred dollars per year and the Solicitor of the Police Court shall receive a salary of eighteen hundred dollars per year; the Director of Public Safety shall not receive a salary in excess of twenty-four hundred dollars per year; all of said salaries to be paid upon a monthly basis. All other salaries shall be fixed by the Council, or Governing Body, of the City of Asheville."

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 and effect from and after the next municipal election held in the City of Asheville.

Ratified this the 13th day of May, A.D. 1933.

H. B. 1622  CHAPTER 220

AN ACT TO FIX THE TIME TO LEVY TAXES FOR THE TOWN OF MURPHY.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of the Town of Murphy shall, not later than the second Monday in August, nineteen hundred and thirty-three, proceed to list property for taxation and levy such rate of tax for current expenses as may be necessary and such rates for other purposes as may be authorized by law: Provided, however, that the time for making said levy for the year one thousand nine hundred and thirty-three be, and the same is hereby, extended to the second Monday in September, one thousand nine hundred and thirty-three.
Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict herewith, whether general or special, are hereby repealed.

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

Ratified this the 13th day of May, A.D. 1933.

H. B. 1643     CHAPTER 221

AN ACT TO AMEND CHAPTER THIRTY-ONE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND FIFTEEN RELATING TO THE NUMBER OF COMMISSIONERS OF THE TOWN OF PINK HILL, LENOIR COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter thirty-one of the Private Laws of one thousand nine hundred and fifteen be and the same is hereby amended by adding at the end of said section the following:

"That from and after the next election for officers of municipalities as provided by the general law, the officers of said corporation shall consist of a mayor and three commissioners."

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 13th day of May, A.D. 1933.

H. B. 1647     CHAPTER 222

AN ACT TO VALIDATE THE ELECTION OF MAY SECOND, 1933, FOR THE TOWN OF NEWPORT, CARTERET COUNTY, AND TO PROVIDE FOR BOND FOR THE TOWN TREASURER.

The General Assembly of North Carolina do enact:

SECTION 1. That the municipal election held for and in the Town of Newport, Carteret County, May 2, 1933, be and the same hereby is in all respects validated and confirmed; and the officials whose names have been certified as elected for the various offices of said Town are hereby declared to have been regularly and duly elected.

SEC. 2. That it shall be the duty of the Board of Commissioners of said Town to fix and determine the amount of bond to be given by the Treasurer of said Town: Provided, however,
that said Commissioners shall not authorize a bond of less than Five Hundred ($500.00) Dollars, nor more than Fifteen Hundred ($1,500.00) Dollars.

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 13th day of May, A.D. 1933.

H. B. 1664    CHAPTER 223

AN ACT TO AMEND CHAPTER 121, PRIVATE LAWS OF 1931, IN ORDER TO CLARIFY THE ELECTION LAWS OF THE CITY OF ASHEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section seventy-nine of chapter one hundred and twenty-one, Private Laws of nineteen hundred and thirty-one, is amended by striking out the following: "Candidates who have received a majority of the votes cast" in lines eight and nine of said section and inserting in lieu thereof the words, "Nine candidates who have received the highest number of votes cast." That this act is also drawn for the purpose of repealing chapter one hundred and twenty-five, Public-Local Laws of nineteen hundred and thirty-one, and that said chapter is hereby repealed.

Sec. 2. The nine candidates for the office of Council of the City of Asheville who received the highest number of the votes cast in the general municipal election held in Asheville on Tuesday, May ninth, nineteen hundred and thirty-three, are declared to have been duly elected, and the Municipal Board of Elections of the City of Asheville is directed to forthwith issue certificates of election to such candidates.

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

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

Ratified this the 13th day of May, A.D. 1933.
S. B. 717

CHAPTER 224

AN ACT RELATING TO THE CHARTER OF THE TOWN OF ELM CITY.

The General Assembly of North Carolina do enact:

Section 1. That the charter of the Town of Elm City be amended as follows: That the Town of Elm City shall on the first Tuesday in April, one thousand nine hundred and thirty-five, and biennially thereafter, nominate its candidates for mayor and board of commissioners in a primary in the manner provided under the State Primary Law.

Sec. 2. That the person receiving the highest number of votes cast for the office of Mayor shall be declared the nominee by the town board of elections, and that the five persons receiving the highest number of votes cast for the office of commissioner shall be declared the nominees by the town board of elections, and that there shall be no second primary under this act.

Sec. 3. That any qualified elector residing in the Town of Elm City shall have the right to become a candidate for nomination in said primary: Provided, he shall file his notice of candidacy and pay over to the Clerk of the Town of Elm City a fee of one ($1.00) dollar at least ten days prior to the first Tuesday in April.

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

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

Ratified this the 13th day of May, A.D. 1933.

S. B. 725

CHAPTER 225

AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE TOWN OF SELMA TO APPOINT A COTTON WEIGHER FOR SAID TOWN AND TO FIX THE COMPENSATION OF SAID COTTON WEIGHER.

The General Assembly of North Carolina do enact:

Section 1. That the commissioners of the town of Selma, Johnston County, be and they are hereby authorized and empowered, in their discretion, to appoint some suitable person as public cotton weigher in said town and to fix his compensation.

Sec. 2. That the cotton weigher herein authorized to be appointed shall be appointed only after notice has been given and public hearing had.
S. B. 728
CHAPTER 226
AN ACT TO REGULATE THE ELECTION OF THE MUNICIPAL OFFICERS FOR THE TOWN OF ASHEBORO.

The General Assembly of North Carolina do enact:

SECTION 1. That on the Tuesday following the first Monday in May, 1935, and biennially thereafter, there shall be held an election in the several voting precincts in the town of Asheboro for the purpose of electing a Mayor and five town commissioners.

SECTION 2. That the said election for the said town officers of Asheboro shall be conducted by, and held under the supervision of, the Randolph County Board of Elections instead of being conducted by the town governing body as at present. The said County Board of Elections shall appoint the registrars and judges of elections for the several town precincts, all of whom shall be residents of the town, and it shall provide for the registration of voters within the town. The County Board of Elections shall also provide for the holding of said elections, for the canvassing of the votes, and for declaring the results of said elections, and shall issue certificates of election to the successful candidates. The said County Board of Elections shall have authority to establish new voting precincts or polling places in the town, or it may adopt the present voting precincts or polling places, but the election precincts or polling places as now fixed shall remain as they are until altered. In the case of the alteration of the election precincts or polling places therein, the said Board shall first give twenty days notice thereof prior to the beginning of the registration period in some public newspaper published in the town and a notice posted at the courthouse door. The said County Board of Elections shall have power from time to time to order a revision of the polling books of any voting precinct in the town, and to order a new registration in the town when deemed advisable. If and when a new registration is ordered, like notice of twenty days shall be given as hereinbefore provided for the alteration of an election precinct or polling place. The registration books shall remain open for the registration of voters and for the hearing of challenges for the same period of time and on the same days as is now provided for same.
Filing candidacies. Sec. 3. That any resident of the town of Asheboro desiring to become a candidate for the office of Mayor or Commissioner shall, at least fourteen days prior to the election, file with the Chairman of the County Board of Elections a notice of such candidacy in substantially the following form:

NOTICE OF CANDIDACY.

State of North Carolina, Randolph County.

I, __________________________, hereby give notice that I reside at ______________________ Street, town of Asheboro, Randolph County; that I affiliate with the ______________________ political party; that I am a candidate for the office of ______________________ (Mayor or Commissioner) to be voted upon at the election to be held on the ______ day of ____________, 19_____; and I hereby request that my name be printed upon the official ballots for the election of said officer.

(Signed) __________________________
Candidate.

Filing fee. Each such candidate shall, at the time of filing the aforesaid Notice of Candidacy, pay to the Chairman of the County Board of Elections, to be turned over to the town treasurer, the sum of one dollar.

Publication of list of candidates. Sec. 4. That immediately upon the expiration of the time for filing the Notice of Candidacy the Chairman of the County Board of Elections shall cause to be published at least twice in a newspaper printed in the town the names of the candidates as they are to appear upon the election ballots.

Printing of ballots. Sec. 5. That the Chairman of the County Board of Elections shall thereupon cause the election ballots to be printed, authenticated with a facsimile of his signature at the bottom of the face of the ballot. Upon the ballot the names of the candidates for Mayor, arranged alphabetically, shall be placed with a voting square at the left of each name. Following shall appear the names of the candidates for town Commissioners arranged alphabetically as to party affiliation with a voting square at the left of the name of each such candidate. The ballots shall be printed upon white paper and shall be headed “Official Ballot, Town of Asheboro, Municipal Election (date).” Opposite the name of each candidate on the election ballot shall be printed, at the right of each name, the party affiliation of such candidate.

Form of ballot. Sec. 6. That the form of the election ballot shall be substantially as follows:
OFFICIAL BALLOT
TOWN OF ASHEBORO

Municipal Election

(Date)

Instructions

1. To vote for a candidate on the ballot make a cross (X) mark in the voting square at the left of his name.
2. If you tear or deface or wrongly mark the ballot, return it to the registrar and get another.

FOR MAYOR
(Vote for One)

(Dem.)

(Dem.)

(Rep.)

FOR COMMISSIONERS
(Vote for Five)

(Dem.)

(Dem.)

(Dem.)

(Dem.)

(Rep.)

(Rep.)

(Rep.)

Facsimile Signature Chairman
County Board of Elections.

Sec. 7. That the Chairman of the County Board of Elections, after having the election ballots printed, shall cause to be delivered to each polling place a number of ballots equal to one and one-half times the number of qualified registered voters at such polling place so that such ballots shall be available to the voters at the time the polls are opened.

Sec. 8. That in all elections held under the provisions of this act no markers or assistants shall be appointed to assist a voter in marking his ballot, and no person except the judges of election and registrar shall be allowed to stand within the voting enclosure, except that two watchers, a policeman or police officer may be allowed within the voting enclosure to maintain order, but shall not assist any voter in marking his ballot.
Counting ballots.

 Returns under oath.

 Canvassing returns.

 Declaration and publication of result.

 Certificates of election.

 Declaration as to officers elected.

 Mayor.

 Commissioners.

 Party lines preserved.

 Independent candidates not allowed.

Expense of elections borne by Town.

SEC. 9. That immediately upon the closing of the polls the judges of election and registrar shall count the ballots in the presence of such watchers as may desire to be present, and when the count is completed the judges and registrar shall make a sworn return thereof of the results to the town clerk, and shall also keep a duplicate return to be delivered to the Chairman of the County Board of Elections on the following day to be canvassed, said returns to be made on blanks given them by County Board.

SEC. 10. That on the day following the election the County Board of Elections shall meet at the courthouse at eleven o'clock for the purpose of making a public canvass of the votes cast in said election. At this meeting the registrar shall deliver to said Board a duplicate of the return made to the town clerk of the votes cast in his voting precinct on the preceding day. After the canvass is completed the Chairman of the County Board of Elections shall declare the results of the election, and shall have the results published at least once in the newspaper printed in the town. The County Board shall also sign a sworn abstract of the votes cast in said election and officially certify a copy of same to the town clerk to be kept in the permanent records of the town. The Chairman of the County Board shall also issue a certificate of election to the successful candidates.

SEC. 11. That in making the canvass of the election the County Board of Elections shall declare elected to the office of Mayor the candidate receiving the highest number of votes cast for said office; that the three candidates of the majority party for town Commissioners who received the highest number of votes and the two candidates of the minority party who received the highest number of votes for Commissioner shall likewise be declared elected to said offices. In the event that no candidate for the minority party files for town Commissioner, then all five Commissioners shall be selected from the majority party, and if only one candidate of the minority party should file for Commissioner, then four Commissioners shall be selected from the majority party.

SEC. 12. That there shall be printed on the official election ballots the names of such candidates as have filed the required Notice of Candidacy and paid the filing fees, and no other names shall be placed on the ballots. No independent candidates' names shall be printed on the official ballots, and no ballots shall be allowed to be voted in the election except the official ballots printed and distributed by the County Board of Elections as herein provided.

SEC. 13. All expense attached to the conduct of the elections herein provided for shall be paid by the town, but the Chairman of the County Board of Elections shall approve all items of
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expense before they are paid. The compensation to be paid the
registrars, judges and other election officials shall be the same
as that provided for under the State election law.

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

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

Ratified this the 13th day of May, A.D. 1933.

H. B. 1650

CHAPTER 227

AN ACT TO AMEND THE CHARTER OF THE TOWN OF
WRIGHTSVILLE BEACH.

The General Assembly of North Carolina do enact:

Section 1. That on the first Monday in June, one thousand
nine hundred thirty-three, and on the first Monday in June every
two years thereafter, the Governor of the State of North Caro-
lina shall appoint a mayor and four aldermen for the Town of
Wrightsville Beach, who shall constitute the governing body of
said Town, and who shall possess and be invested with all
powers and duties which are now or may hereafter be given by
law to the governing bodies of cities and towns in the State of
North Carolina: Provided, however, that two of the persons on
said governing body shall be legal residents of the Town of
Wrightsville Beach and three shall be freeholders in said Town.

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

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

Ratified this the 13th day of May, A.D. 1933.

S. B. 694

CHAPTER 228

AN ACT AUTHORIZING THE BOARD OF ALDERMEN OF
THE CITY OF WASHINGTON TO APPOINT NINE, IN-
STEAD OF SEVEN, TRUSTEES OF THE WASHINGTON
PUBLIC SCHOOL DISTRICT, AMENDING SECTION SIX,
CHAPTER 409, PUBLIC LAWS 1899, IN REFERENCE
THERETO.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Aldermen of the City of Wash-
ington be, and they hereby are, authorized and empowered to
appoint nine, instead of seven, Trustees of the Washington Pub-
Ch. 409, Public Laws 1899, thus amended.

The General Assembly of North Carolina do enact:

Section 1. That from and after July first, nineteen hundred and thirty-three, the Board of Water Commissioners of the City of Hendersonville are hereby authorized, in their discretion, to pay over, or cause to be paid over, to the Treasurer of the City of Hendersonville, on the first day of each month the net income derived from the operation of the water system of the City of Hendersonville, or so much thereof as may be necessary to enable the city to meet its general operating expenses.

Section 2. The net income of the said water system shall be the sum total of all water rents collected less the actual cost of operation, debt service not included. Upon receipt of the money provided for in section one hereof it shall be the duty of the Treasurer to place same in a special fund to be known as the Water Revenue Account. It shall be lawful for the Commissioners of the City of Hendersonville to use said fund, or any part thereof, for the general operating expenses of the city, but at the end of each fiscal year the city may cause any unused portion of said fund to be transferred to a fund to be known as the Special Debt Service Fund.

Section 3. Nothing herein contained shall be construed so as to interfere with the power of the Board of Water Commissioners to maintain, operate and keep in repair the water system of the City of Hendersonville nor to prevent the disbursement of money for the necessary expenses of same. Nothing herein contained shall be construed to in any wise affect the act of nineteen hundred and thirty-one providing for an election to be held in the City of Hendersonville on May second, nineteen hundred
and thirty-three, to pass upon the question of abolishing the Board of Water Commissioners of the City of Hendersonville.

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 July first, nineteen hundred and thirty-three.

Ratified this the 13th day of May, A.D. 1933.

H. B. 1444

CHAPTER 230

AN ACT TO AMEND THE CHARTER OF THE CITY OF HENDERSONVILLE.

The General Assembly of North Carolina do enact:

Section 1. That the City of Hendersonville, through its Board of Commissioners, with the approval of the Local Government Commission, may borrow money for the purpose of buying outstanding bonds of said city whenever the same may be bought for less than the par value of said bonds, said money to be borrowed in anticipation of the collection of taxes and revenues of such fiscal year. Such loans shall be paid not later than the tenth day of October in the next succeeding fiscal year. Provision shall be made in the Annual Budget and Annual Appropriation Ordinance of each fiscal year for the payment of all unpaid loans predicated upon the taxes and revenue of the previous fiscal year.

Sec. 2. Negotiable notes shall be issued for all moneys borrowed under this act, and said notes shall be issued pursuant to the provisions of section two thousand nine hundred thirty-five of the Consolidated Statutes.

Sec. 3. That any notes issued pursuant to this act shall bear interest not to exceed four per cent per annum.

Sec. 4. That any notes issued pursuant to the provisions of this act may be disposed of either at public or private sale, and in such manner as the governing body of said City may provide for.

Sec. 5. All funds realized on account of any notes issued and sold pursuant to the provisions of this act shall be used exclusively for the purpose of buying and retiring outstanding bonds of the City of Hendersonville: Provided, any bonds bought pursuant to this act must be bought for less than their par value.

Sec. 6. That no act of the present Assembly shall be construed to repeal, modify or amend this act unless the same be expressly referred to therein.
Conflicting laws repealed.

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 13th day of May, A.D. 1933.

H. B. 1586  CHAP. 231
AN ACT VALIDATING NOTES OF THE CITY OF THOMASVILLE AND THE CITY OF LEXINGTON.

The General Assembly of North Carolina do enact:

Section 1. That all outstanding notes of the City of Thomasville and the City of Lexington be and they are hereby validated.

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

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

Ratified this the 13th day of May, A.D. 1933.

H. B. 1595  CHAP. 232
AN ACT AUTHORIZING POSTPONEMENT OF SALES FOR CERTAIN DELINQUENT TAXES AND SPECIAL ASSESSMENTS.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Aldermen of the City of Elizabeth City and the Tax Collector thereof are hereby authorized and empowered, in their discretion, to postpone and defer the advertisement and sale of land for past due assessments for local or special improvements and/or for delinquent taxes assessed for the year one thousand nine hundred thirty-two from the time now provided by law to such time as may be just and proper, not later than the first Monday in December, one thousand nine hundred and thirty-three.

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

Ratified this the 13th day of May, A.D. 1933.
H. B. 1658  
CHAPTER 233

AN ACT TO AUTHORIZE THE TOWN OF WENDELL TO ACCEPT ITS OWN BONDS IN PAYMENT OF TAXES AND STREET ASSESSMENTS AND TO PURCHASE ITS OWN BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Town of Wendell, a municipal corporation, is hereby authorized to accept its own bonds in payment of taxes and street assessments due it or to become due: Provided, the provisions of this section shall only apply to bonds that are matured.

Sec. 2. That said Town of Wendell is hereby authorized to purchase its own bonds at any price not in excess of the amount expressed in said bonds plus interest.

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

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

Ratified this the 13th day of May, A.D. 1933.

H. B. 1671  
CHAPTER 234

AN ACT TO ALLOW COMPENSATION TO THE BOARD OF ALDERMEN OF THE CITY OF SOUTHPORT, NORTH CAROLINA, FOR REGULAR MEETINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Aldermen of the City of Southport, North Carolina, be and is hereby authorized to charge and receive as compensation two dollars for each alderman for every regular meeting of said board attended, not exceeding twelve regular meetings of said board in any one year: Provided, that any alderman serving and receiving compensation as Clerk of the Board of Aldermen or Treasurer of the said city shall not be entitled to compensation as alderman.

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

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

Ratified this the 13th day of May, A.D. 1933.
CHAPTER 235

AN ACT PROVIDING FOR THE MAYOR OF THE CITY OF HENDERSONVILLE TO SERVE AS JUVENILE JUDGE OF THE SAID CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That the mayor of the City of Hendersonville and his successor in office be and he is hereby appointed, without additional salary, to serve as judge of the juvenile court of said city, and as such shall exercise the same powers and jurisdiction within the City of Hendersonville as now exercised by the Clerk of the Superior Court of Henderson County as judge of the juvenile court.

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 15th day of May, A.D. 1933.

CHAPTER 236

AN ACT TO REPEAL CHAPTER 151, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN, AND TO AMEND CHAPTER 136, PUBLIC LAWS OF ONE THOUSAND NINE HUNDRED SEVENTEEN, SO AS TO PRESCRIBE THE TIME FOR THE CITY COUNCIL OF THE CITY OF REIDSVILLE TO BE INDUCTED INTO OFFICE AND TO MAKE THE MUNICIPAL YEAR AND FISCAL YEAR CONCURRENT.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter 151, Private Laws of nineteen hundred twenty-seven, entitled "An Act to Amend Part 5, Section 5, Chapter 136, Public Laws of 1927, Prescribing the Time the City Council of Reidsville Shall be Inducted Into Office," be and is hereby repealed.

SEC. 2. That Section five, Part five, Chapter one hundred thirty-six, Public Laws of one thousand nine hundred and seventeen, be amended by adding to said section the following:

"Provided, that the City Councilmen or Commissioners of the City of Reidsville shall, from and after the ratification of this Act, meet at ten o'clock on the first day of July, one thousand nine hundred thirty-four, unless said first day falls on Sunday, and in that event on the Monday following, and biennially thereafter, and be sworn in, and shall enter upon their duties upon
that date; that Councilmen or Commissioners now in office shall hold over until said first day of July, one thousand nine hundred thirty-four, or until their successors are elected and qualified. The purpose of this Act is to make the municipal year and the fiscal year for the City of Reidsville concurrent."

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 15th day of May, A.D. 1933.

H. B: 1572 CHAPTER 237

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE TOWN OF MOREHEAD CITY, AFTER NOTICE AND PUBLIC HEARING, TO RELIEVE CHURCH PROPERTIES OF SPECIAL ASSESSMENTS.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of the Town of Morehead City is hereby authorized, by appropriate resolution consistent with the requirements of this act, to relieve church properties within the incorporated limits of said municipality of special assessments for street and sidewalk improvements: Provided, however, that before the adoption of such resolution the Mayor and Clerk to the board shall cause to be published over their official signatures a notice containing a statement of the effect of the adoption of such resolution, and naming a time and place for the official board to sit and hear any and all interested persons before final action is taken: Provided further, that official and final action respecting the subject matter shall be taken by said Board of Commissioners not later than September first, nineteen hundred and thirty-three.

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 15th day of May, A.D. 1933.
H. B. 1588  
CHAPTER 238

AN ACT TO ALLOW THE TOWNS OF ROCKINGHAM AND ELLERBE TO ACCEPT THEIR RESPECTIVE BONDS IN PAYMENT OF PAST DUE TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That if any person, firm or corporation is due the Town of Rockingham any taxes for any year or years prior to the year one thousand nine hundred and thirty-three, or street paving assessments or improvements due or to become due, and is the holder or becomes the holder of any of the bonds of the Town of Rockingham, it shall be lawful for such person, firm or corporation to pay such past due taxes or street paving assessments with said bond or bonds at their par value, and may, within the discretion of the Commissioners of the Town of Rockingham, be accepted by them in payment of such taxes and paving assessments or improvements: Provided, that in no case shall the Town of Rockingham be liable to such person, firm or corporation for the difference between the taxes and assessments due by such person, firm or corporation and the par value or other value of such bonds: Provided further, that if an action has already been commenced to enforce collection of said taxes or paving assessments such person, firm or corporation shall first pay the costs thereof before being entitled to the provisions of this act.

SEC. 2. That where any two or more persons, firms or corporations are, or may become, the joint holders of any of the bonds of the Town of Rockingham it shall be lawful for said holders of such bonds to tender the same to the Town of Rockingham as pro rata payment of their respective taxes and street paving assessments as hereinbefore set forth and as their respective interest in said bond or bonds may appear, and the Town of Rockingham may, within the discretion of the Town Commissioners, accept the same as payment thereof to the par value of said bond.

SEC. 3. That if any person, firm or corporation is due the Town of Ellerbe any taxes for any year or years prior to the year one thousand nine hundred and thirty-two, or street paving assessments or improvements due or to become due, and is the holder or becomes the holder of any of the bonds of the Town of Ellerbe, it shall be lawful for such person, firm or corporation to pay such past due taxes or street paving assessments with said bond or bonds at their par value, and may, within the discretion of the Commissioners of the Town of Ellerbe, be accepted by them in payment of such taxes and paving assessments or improvements: Provided, that in no case shall the Town of Ellerbe be liable to such person, firm or corporation for

Bonds acceptable for taxes and street assessments in Rockingham.

<table>
<thead>
<tr>
<th>Bonds acceptable for taxes and street assessments in Rockingham.</th>
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<tbody>
<tr>
<td>Town not liable for difference between amount of bonds and debts paid.</td>
</tr>
<tr>
<td>Costs of foreclosure actions added.</td>
</tr>
<tr>
<td>Joint owners of bonds may have like privilege.</td>
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Bonds acceptable for taxes and street assessments in Ellerbe.

<table>
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<tr>
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</table>
the difference between the taxes and assessments due by such person, firm or corporation and the par value or other value of such bonds: Provided further, that if an action has already been commenced to enforce collection of said taxes or paving assessments, such person, firm or corporation shall first pay the costs thereof before being entitled to the provisions of this act.

Sec. 4. That where any two or more persons, firms or corporations are, or may become, the joint holders of any of the bonds of the Town of Ellerbe it shall be lawful for said holders of such bonds to tender the same to the Town of Ellerbe as pro rata payment of their respective taxes and street paving assessments as hereinbefore set forth and as their respective interest in said bond or bonds may appear, and the Town of Ellerbe may, within the discretion of the Town Commissioners, accept the same as payment thereof to the par value of said bond.

Sec. 4½. That no bonds shall be accepted as herein provided unless and until the Board of Town Commissioners of the Town of Ellerbe and/or the Town of Rockingham shall have decided in a duly called meeting for this purpose that said method of collecting or adjusting taxes and assessments is for the best interest of the Town of Rockingham or the Town of Ellerbe, as the case may be, and that it will permit collection in full of taxes of otherwise doubtful value.

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 and remain in full force and effect from and after its ratification and until May first, one thousand nine hundred and thirty-four.

Ratified this the 15th day of May, A.D. 1933.

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H. B. 1689          CHAPTER 239

AN ACT TO AMEND CHAPTER ONE HUNDRED AND EIGHTY-SEVEN OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATING TO THE SALARY OF THE MAYOR OF THE TOWN OF BOONE, WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and eighty-seven of the Private Laws of one thousand nine hundred and thirty-one be and the same is hereby amended to read as follows:

"Section 2. That the mayor of the town of Boone, North Carolina, shall receive for his service such sum as may be fixed by the Board of Aldermen, in their discretion, to be not less
than three hundred nor more than one thousand dollars per annum, and the aldermen of said town shall be entitled to receive the sum of not exceeding one hundred dollars each per annum for their services: Provided, however, that the clerk of said board may be paid, in addition to his regular salary for his services as clerk, a sum not to exceed one hundred dollars per annum, to be fixed by said board.”

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 15th day of May, A.D. 1933.

S. B. 744 CHAPTER 240

AN ACT TO AUTHORIZE THE CITY OF DURHAM TO ACCEPT CERTAIN BONDS IN PAYMENT OF TAXES, SPECIAL ASSESSMENTS AND OTHER DUES.

The General Assembly of North Carolina do enact:

SECTION 1. That in any ordinance or resolution authorizing or providing for the issuance of bonds or notes of the City of Durham for the purpose of funding or refunding indebtedness which is now outstanding and which matures within one year after the ratification of this act, it shall be lawful to incorporate provisions making the said bonds, or notes and/or coupons of such bonds, acceptable at par, at or after their maturity, in payment of taxes, special assessments or any other dues payable to the City of Durham, to the fullest extent not prohibited by or not inconsistent with the Constitution of this State or of the United States. Such provisions shall have the force of contract between said City and the holders of said bonds or notes, and said City is hereby authorized to do all things necessary or convenient for the purpose of carrying out said provisions.

Sec. 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

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

Ratified this the 15th day of May, A.D. 1933.
S. B. 735  CHAPTER 241

AN ACT TO CREATE A POLICE AND FIREMAN'S RELIEF FUND FOR PERSONS ENGAGED IN DEPARTMENTAL SERVICE IN THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

SECTION 1. That this act shall be known and may be cited as "The Police and Firemen's Relief Fund of the City of High Point," and shall apply to those persons engaged in the enforcement of the criminal laws of the State of North Carolina and the City of High Point within the jurisdiction of the municipal court of the City of High Point and firemen employed in the said city, and shall apply only to the City of High Point.

Sec. 2. Officers within the meaning of this act shall include all arresting officers within the City of High Point who make arrests under criminal process of the municipal court of the City of High Point, and persons properly deputized to make or help make arrests in special cases as provided by the statutes and all members of the city's fire department.

Sec. 3. The Mayor of the City of High Point, the Chief of Police of the City of High Point, the Chief of the Fire Department of the City of High Point, the Judge of the Municipal Court and the City Manager of the City of High Point, and their successors in office, are hereby created a board to administer the provisions of the act; and said board shall elect its own chairman and also appoint an officer of the board to be known as "Commissioner of the Police and Firemen's Relief Fund of the City of High Point," who shall act as secretary to the board, and shall act under the instructions of the board in all matters pertaining to the administration of this act.

Sec. 4. The board created under the provisions of this act shall serve without compensation, and the maximum amount that may be expended under this act for the administration thereof, including expenses and salary of the secretary to the board and other expenses, shall not exceed the sum of Six Hundred Dollars ($600.00) per year; and the board may designate some bank in the City of High Point to act as treasurer under this act to receive the funds to be collected and deposited by the Secretary; and said funds shall be checked out under the provisions and for the purposes of this act upon drafts drawn by the secretary and countersigned by the chairman of the board herein created; and the board may require that the secretary and treasurer shall give good and sufficient bond, the amount to be determined in the discretion of the board, for the proper performances of the duties of said officers; and in case such bond is required, the fee for said bond shall be paid out of the fund herein mentioned.
The fund, or any part thereof, may be invested by the board in such securities as are authorized by State law for the investment of public sinking funds.

Sec. 5. That in order to provide funds for the "Police and Firemen's Relief Fund of the City of High Point," herein set out, there shall be taxed in the bill of costs in all criminal cases wherein there is a conviction or a plea of guilty in the municipal court of the City of High Point, except for violations of municipal ordinances, a fee of one dollar ($1.00), to be known as the "Police and Firemen's Relief Fund Fee"; and same shall be collected by the clerk of the municipal court of the City of High Point, or in cases of appeal from said municipal court same shall be taxed in the bill of cost and collected by the clerk of the court in which the case is finally determined and paid over to the clerk of the municipal court of the City of High Point; and all said money collected by the clerk of the Superior Court shall be paid over to the clerk of the municipal court of the City of High Point on the first day of each and every month, and there shall accompany such remittance a detailed and itemized statement of the cases in which said funds have been collected; the blank or said statement to be made by the clerk of the Superior Court shall be furnished to said clerk by the board herein created. In all cases where the defendant is committed to the roads, the fee herein provided shall not be charged against said defendant where said defendant serves the sentence imposed by the court: Provided further, that where the defendant is convicted on more than one charge the fee hereinbefore provided for shall only be taxed in the cost in one conviction.

Unclaimed, abandoned and lost property which has come lawfully into the possession of the Police and Fire Departments, and weapons lawfully seized by any member of the police and Fire Departments of the City of High Point, after being held by the departments for ninety days and then duly advertised, on the order of said commission, may be sold at public outcry to the highest bidder, except that weapons and firearms may be sold only to licensed dealers in firearms, and the proceeds added to the fund herein created.

The board created under the provisions of this act is authorized and empowered by unanimous resolution to provide for the deduction of one per centum from the monthly salaries of all officers and employees of the police and fire departments to be added to the fund herein created. The fund may be augmented by similar resolution through the dedication to it of all moneys received by members of the police and fire departments in the form of rewards or pay for special service: Provided, that such dedication shall be by uniform rule promulgated by the board and published to the members of the departments.
Sec. 6. The funds accumulated under this act shall be known as the "Police and Firemen's Relief Fund of the City of High Point," and shall be used as a fund for all arresting officers and firemen as defined in Section two hereof, and their families, under the following terms and conditions, that is to say: If an officer, while in the actual performance of his duties, shall become disabled there shall be paid to him a sum not in excess of Five Hundred Dollars ($500.00), and a monthly pension while so disabled not in excess of seventy-five dollars ($75.00) per month, and the board may pay to such disabled officer an additional sum not in excess of twenty dollars ($20.00) per month for each child or dependent under the age of eighteen years while the disability of such officer may exist and while the said officer shall live; and in case of death resulting while in the actual performance of his duties, if the officer shall be married, the board may pay immediately to the widow of such officer a sum not in excess of five hundred dollars ($500.00), and may further pay a sum not in excess of fifty dollars ($50.00) per month for said widow during widowhood, and in addition thereto the board may pay the said widow for the support of any dependent children she may have a sum not in excess of twenty dollars ($20.00) per month for each child until said child shall reach the age of eighteen (18) years; and in case of death resulting while in the actual performance of official duties under this act, where the individual or officer as herein defined may not be married, the board may pay to the nearest dependent next of kin of deceased a sum not in excess of five hundred dollars ($500.00), or in lieu thereof the board may pay the funeral expenses of deceased not in excess of five hundred dollars ($500.00); and it is further the true intent, meaning and purpose of this act that any payments enumerated in this act are limited to be not in excess of the maximum amount or amounts herein set out; and it is further the true intent, meaning and purpose of this act that the board shall be empowered hereunder, in its discretion, to pay any amount less than the maximum enumerated, and said board may refuse to make a payment of any amount in any case in any or all of the classes herein enumerated.

Sec. 7. All officers within the meaning of this act, after having served as such for a period of twenty (20) years or more in the service of the municipality of the City of High Point, such service to be computed from actual time of service, whether commencing before or after the ratification of this act, who shall have attained the age of fifty (50) years, may, in the discretion of the board, be retired on a pension, to be determined by the board, and not in excess of one hundred dollars ($100.00) per month, said application for retirement pension being considered
Refusal of pension in event of misconduct.

Power of board to accept donations to Fund.

Investigations made by board.

Expenses of administration chargeable to Fund.

Violation of terms of Act made misdemeanor.

Conflicting laws repealed.

Valid parts of Act upheld.

Effective June 1, 1933.

by the board by voluntary application of such officer, or upon recommendation of the municipal governing body of the City of High Point, in whose service such officers shall be, and it shall be in the discretion of the board created by this act to refuse any applicant or recommended officer credit on the twenty (20) years service provision herein set out when such officer or officers have been discharged from the service on account of misconduct on the part of such officer or officers.

SEC. 8. The board created by this act shall have power and authority to accept donations from outside or private sources to be placed in the fund created and provided for by this act.

SEC. 9. The board, in its discretion, may at any time it sees fit have investigated and make allowances and payments in cases coming within the provisions of this act, but accruing prior to the enactment hereof: Provided, that the funds in the treasury may justify such action on the part of the board.

SEC. 10. All expenses for administering this act shall be paid out of the funds provided for herein, and the board hereunder created shall make all such rules, regulations and provisions as may be necessary to the proper administration of this act.

SEC. 11. Any person or officer of court covered by the provisions of this act who shall fail to comply with the provisions thereof and make proper accounting and remittance to the treasurer designated by the board, or to the secretary, funds collected under and by virtue of this act, as provided herein, shall be guilty of a misdemeanor, and when convicted shall be fined or imprisoned in the discretion of the court.

SEC. 12. All laws and clauses of laws in conflict with this act are hereby repealed, and if any section hereof be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of this act as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

SEC. 13. This act shall be in force and effect from and after the first day of June, one thousand nine hundred and thirty-three.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1623  Chapter 242

AN ACT TO REPEAL CHAPTER 9 OF THE PRIVATE LAWS OF 1927, AND TO AMEND CHAPTER 32 OF THE PRIVATE LAWS OF 1915, RELATING TO THE TAX COLLECTOR OF THE CITY OF NEW BERN.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter nine of the Private Laws of one thousand nine hundred and twenty-seven, amending section four of chapter thirty-two of the Private Laws of one thousand nine hundred and fifteen, be and the same is hereby repealed.
SEC. 2. That section four of chapter thirty-two of the Private
Laws of one thousand nine hundred and fifteen be and the same
is hereby amended by striking out the word "three" in the line
twenty-five of said section and by inserting in lieu thereof the
words "a commission or salary to be annually fixed and approved
by the Board of Aldermen of the City of New Bern."

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 July
first, one thousand nine hundred thirty-three.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1702

CHAPTER 243
AN ACT TO AUTHORIZE THE TOWN OF MARSHVILLE TO
ACCEPT ITS OWN BONDS IN PAYMENT OF TAXES AND
STREET ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Town of Marshville, a municipal cor-
poration, is hereby authorized to accept its own bonds in pay-
ment of taxes prior to the year one thousand nine hundred
thirty-three and of street assessments due or to become due.

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 15th day of May, A.D. 1933.

H. B. 1701

CHAPTER 244
AN ACT SUPPLEMENTAL AND AMENDATORY TO HOUSE
BILL 1664, THE SAME BEING ENTITLED "AN ACT TO
AMEND CHAPTER 121, PRIVATE LAWS 1931, IN ORDER
TO CLARIFY THE ELECTION LAWS OF THE CITY OF
ASHEVILLE," RATIFIED MAY 13, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number one thousand six hundred
sixty-four, ratified the thirteenth day of May, one thousand nine
hundred thirty-three, the same being an act to amend Chapter
one hundred twenty-one, Private Laws of one thousand nine
hundred thirty-one, in order to clarify the election laws of the
City of Asheville, be and the same is hereby amended as follows:

By inserting in line nine the words "Private Laws" instead
of "Public-Local Laws."
Conflicting laws repealed.

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 15th day of May, A.D. 1933.

H. B. 1700  CHAPTER 245
AN ACT TO PROVIDE FOR THE APPOINTMENT OF A MAYOR AND FOUR COMMISSIONERS FOR THE TOWN OF COATS, HARNETT COUNTY.

Whereas, in the Democratic primary held in April, one thousand nine hundred and thirty-three, in the town of Coats, Harnett County, a majority of the qualified voters of the town participating therein, the following were chosen as nominees for town officials: Mayor, W. E. Nichols; Commissioners, Malcolm Stewart, Owen Beasley, A. C. Grimes and Charlie Turlington; and

Whereas, the present town officials failed to call an election in said town of Coats following the said primary: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the following be and they are hereby appointed officials for the town of Coats to hold office until the next biennial election on the first Monday in May, one thousand nine hundred and thirty-five, or until their successors are elected and qualified: Mayor, W. E. Nichols; Commissioners, Malcolm Stewart, Owen Beasley, A. C. Grimes and Charlie Turlington.

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 15th day of May, A.D. 1933.

S. B. 753  CHAPTER 246
AN ACT TO REPEAL SENATE BILL NO. 695, 1933 SESSION OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, AND RE-ENACT CHAPTER 176 OF THE PRIVATE LAWS OF 1927, RELATING TO THE OPERATION OF POOL ROOMS IN THE VILLAGE OF HAW RIVER, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill number six hundred and ninety-five of the Session 1933 of the General Assembly of North Carolina, entitled "An act to repeal Chapter 176 of the Private Laws of 1927," be and the same is hereby repealed.
SEC. 2. That Chapter one hundred and seventy-six of the Private Laws of North Carolina, enacted by the General Assembly of nineteen hundred and twenty-seven, prohibiting the operation of pool rooms in the village of Haw River, North Carolina, be and the same is hereby re-enacted.

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 effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

STATE OF NORTH CAROLINA,
OFFICE OF SECRETARY OF STATE,
RALEIGH, MAY 17, 1933.

I, STACEY W. WADE, 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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