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H. B. 279  

CHAPTER 1

AN ACT TO ENCOURAGE THE LOG CABIN ASSOCIATION, AN ELEemosynary ORGANIZATION IN PROMOTING REFORESTATION AND BETTER FARMING METHODS IN JACKSON COUNTY.

Whereas, the Log Cabin Association is a non-profit, charitable institution, created, organized and existing under the laws of the State of North Carolina, for the purpose of improving social and living conditions and promoting the well-being of mankind throughout the world, and to use any means to that end which, from time to time, may seem expedient to it, including research, publication and education, the establishment and maintenance of charitable and benevolent institutions, agencies and activities, and the aid of any such institutions or activities already established; and

Whereas, The Log Cabin Association is the owner of a tract of land in Jackson County, North Carolina, containing six hundred eighty-four acres; and is desirous of and planning to acquire additional property for carrying out the above-stated program; and

Whereas, the land is now being prepared for future development to accomplish the purposes as above set out; and

Whereas, the said Association, for the purpose of encouraging the reforestation and conservation program in said County and adjoining counties, has established a nursery on said property, and has given seven hundred fifty thousand seedlings to the farmers of said section, free of charge, and will continue to supply seedlings to the farmers of said County and adjoining counties for the purpose of rehabilitating the depleted forests, without cost, and will give them the benefits derived from experiments carried on at said property at a great cost to said Association; and

Whereas, said Association is demonstrating improved methods of farming on said property for the benefit of the farmers of said County, and is employing fifteen men and expending twelve thousand ($12,000.00) dollars per year in said County for the purpose of carrying on said work; and in addition thereto, is contributing large amounts in gifts to the needy of that community; and
Whereas, the Board of Commissioners of Jackson County, by resolution, has exempted said property from taxes for the years one thousand nine hundred twenty-nine to one thousand nine hundred thirty-six, inclusive, and is desirous of continuing said exemption; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all the lands belonging to The Log Cabin Association in Jackson County be from the ratification of this Act free and exempt from the payment of any and all taxes levied by said County.

SEC. 2. That any land hereafter acquired by the said Log Cabin Association and used for the purposes of said Association shall be exempt from any taxes levied by Jackson County.

SEC. 3. That said exemption from taxation shall continue so long as said lands are owned by the Log Cabin Association and are used for the purpose of said Association.

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.

In the General Assembly read three times and ratified, this the 11th day of February, A.D. 1937.

H. B. 196

CHAPTER 2

AN ACT TO AUTHORIZE THE REVENUE COMMISSIONER TO REFUND SEVENTY DOLLARS TAX PAID, ON GASOLINE USED IN GINNING COTTON.

Whereas, J. C. Norville of Rutherfordton, R. F. D. two, during the quarter ending December thirty-first, one thousand nine hundred and thirty-five, used one thousand four hundred gallons of tax-paid gasoline in ginning cotton, on which the refund tax amounted to seventy dollars; and

Whereas, claim for gasoline tax refund was duly executed and mailed to the Revenue Commissioner on January fifteenth, one thousand nine hundred and thirty-six, but same was not received by the Commissioner until January seventeenth, one thousand nine hundred and thirty-six, two days beyond the time prescribed by law for filing claim for such refund; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Commissioner of Revenue is hereby authorized and directed to refund to J. C. Norville the sum of seventy dollars, or so much thereof as may be due as per application for refund filed with the Revenue Commissioner on January seventeenth, one thousand nine hundred and thirty-six, as would have been paid had said application been received on January fifteenth, one thousand nine hundred and thirty-six, according to law, the said amount being the gas tax at five
cents per gallon on one thousand four hundred gallons of tax-
paid gas used by him during the quarter ending December
thirty-first, one thousand nine hundred and thirty-five, in ginn-
ing cotton.

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

In the General Assembly read three times and ratified, this
the 15th day of February, A.D. 1937.

H. B. 251   CHAPTER 3
AN ACT TO AMEND CHAPTER NUMBER TEN OF THE
PRIVATE LAWS OF NINETEEN HUNDRED AND THIR-
TY-ONE, ENTITLED “AN ACT TO CREATE A COM-
MISSIONER OF THE WILLOW DALE CEMETERY
FUND FOR THE CITY OF GOLDSBORO, NORTH CARO-
LINA.”

The General Assembly of North Carolina do enact:

Section 1. That section two of chapter ten of the Private
Laws of nineteen hundred and thirty-one be amended by insert-
ing after the word “Carolina” in the tenth line of said section
two and before the word “and” the following: “and/or of the
County of Wayne, North Carolina, and/or of the City of Golds-
boro, North Carolina.”

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

In the General Assembly read three times and ratified, this
the 15th day of February, A.D. 1937.

S. B. 38   CHAPTER 4
AN ACT TO AUTHORIZE THE REGISTRATION OF A
COPY OF THE H. W. ROBINSON MAP OF HICKORY.

Whereas, the late W. P. Ivey, during the years one thousand
eight hundred sixty-five and one thousand eight hundred
seventy prepared a map of the Henry W. Robinson lands in the
town of then known as Hickory Tavern and now known as
Hickory; and

Whereas, W. P. Ivey did not recall the variation of the mag-
netic needle at the time of his survey and the map could not
be registered under the provisions of chapter fifty-five, Public
Laws of North Carolina, session of one thousand nine hundred
and eleven; and

Whereas, the original map is upon brown paper, is very frag-
ile and cannot be safely handled; and

Whereas, the aforesaid map shows the division of the Robin-
son lands into lots and designates numerous streets dedicated to
the public use; and
Whereas, the City of Hickory, during the year one thousand nine hundred and thirty-one, had Messrs. C. M. Sawyer and W. W. Hampton to reproduce said map and make a number of copies thereof: Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. The Clerk of Superior Court of Catawba County is hereby authorized and directed to order Register of Deeds to record reproduction of map, Robinson map.

SECTION 2. The aforesaid reproduced map and the record thereof shall be competent as evidence and shall be deemed to be prima facie correct.

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

In the General Assembly read three times and ratified, this the 17th day of February, A.D. 1937.

H. B. 213

CHAPTER 5

AN ACT TO AUTHORIZE THE COMMISSIONERS OF UNION COUNTY TO COMPENSATE GROVER CLEVELAND MOORE FOR INJURIES RECEIVED WHILE WORKING ON THE HIGHWAY.

Whereas, Grover Cleveland Moore, of Union County, was injured on August fifth, one thousand nine hundred twenty-seven, while working on the highway; and

Whereas, as a result of said injury, the said Grover Cleveland Moore became totally disabled and has been continuously disabled since the date of his injury and is at the present time unable to work; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Union County be, and they are hereby authorized and empowered, in their discretion, to compensate said Grover Cleveland Moore for the injury received while at work for the county by paying to him
an amount which they may deem adequate in one payment or by
the payment to him of a stipulated sum each month so long as
he may remain disabled and unable to work, as in their discre-
tion they may deem advisable.

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

In the General Assembly read three times and ratified, this
the 1st day of March, A.D. 1937.

H. B. 421

CHAPTER 6

AN ACT TO PERMIT S. A. HUBBARD AND CHARLES A.
TAYLOR, FORMER OFFICERS OF THE DEFUNCT
CENTRAL BANK AND TRUST COMPANY IN BUN-
COMBE COUNTY TO FORECLOSE DEEDS OF TRUST,
IN WHICH THE SAID BANK IS THE NAMED TRUSTEE.

Whereas, the Central Bank and Trust Company of Asheville
in Buncombe County, North Carolina, was finally liquidated on
or about December first, one thousand nine hundred thirty-six; and

Whereas, the said bank was and is the named trustee in many
instruments of writing concerning real estate owned by others,
in which said bank had no beneficial interest; and

Whereas, many of said instruments have not been foreclosed,
settled, or released; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That S. A. Hubbard and Charles A. Taylor, for-
merly vice president and secretary of the Central Bank and
Trust Company, a corporation in the City of Asheville, be given
the same power, authority, and duty with reference to the power
of sale and other powers given in said instruments and with
respect to foreclosure thereof by suit at law, or otherwise, as
was originally vested in the said bank or corporate trustee.

SEC. 2. That all foreclosures instituted and completed by the
said Central Bank and Trust Company since its liquidation on
December first, one thousand nine hundred thirty-six, be and
the same are hereby validated and approved to the same extent
as if such foreclosures had been instituted and completed in
accordance with the provisions of this Act.

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.

In the General Assembly read three times and ratified, this
the 1st day of March, A.D. 1937.
H. B. 505  CHAPTER 7

AN ACT TO AMEND THE CHARTER OF THE YOUNG MEN'S CHRISTIAN ASSOCIATION, OF ASHEVILLE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter ninety-two of the Private Laws of North Carolina, session of one thousand eight hundred ninety-one, be, and the same is hereby amended by striking out the phrase "not to exceed seventy-five thousand ($75,000.00) dollars" immediately following the word "hereditaments" in said section.

SEC. 2. That chapter ninety-two of the Private Laws of North Carolina, session of one thousand eight hundred ninety-one be amended by striking out present section four thereof, and inserting a new section four to read as follows:

"Sec. 4. The property, business and affairs of said association shall be managed and controlled by a board of directors to consist of not less than twelve and no more than thirty members. The number, qualifications, terms of office and method of election of the directors shall be as fixed and determined by the Constitution and By-Laws of said association. Said association shall be able and capable in law by and with the consent of its board of directors, to bargain, sell, grant, convey and mortgage to any person or corporation all such lands, tenements, rents, annuities and other hereditaments which it now owns or may hereafter acquire for the use and benefit of said association, but said land and real estate shall not be liable for any future debt or obligation of said association unless the same shall have been contracted with the approval of said board of directors."

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.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 151  CHAPTER 8

AN ACT CREATING THE RICHMOND FLYING CLUB OF ROCKINGHAM, NORTH CAROLINA

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created the Richmond Flying Club of Rockingham, North Carolina, which shall be a non-stock, non-profit organization, and non-property owning.

SEC. 2. That the purpose of said club shall be to promote the art and science of flying.
SEC. 3. That this club shall not have the power to contract debts of any kind whatsoever, and shall not have the power to employ or authorize any person to obligate the club in any manner.

SEC. 4. The club shall not be liable for or responsible for the acts of any one or more of its members, and the club or its members, shall not be liable for any tort or other liability—creating act committed by another of its members.

SEC. 5. That said club shall not have the right to sue in any court, and the club shall be immune from damages of any character.

SEC. 6. That said club shall not be liable for any injuries sustained by any of its members, or the death of any of its members.

SEC. 7. That the members of said club shall adopt by-laws consistent with the provisions of this Act, and each member shall in the presence of another member execute in his own hand said by-laws. That said club shall elect a president and secretary, and said officers shall execute and deliver to each member a card of membership.

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

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

In the General Assembly read three times and ratified, this the 5th day of March, A.D. 1937.

S. B. 135

CHAPTER 9

AN ACT TO AUTHORIZE THE BUNCOMBE COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN LANDS TO THE AMERICAN ENKA CORPORATION.

Whereas, the American Enka Corporation, of Enka, Buncombe County, North Carolina, purchased and became the owner of a tract of land of some two thousand acres in the County of Buncombe in the year one thousand nine hundred and twenty-eight, situated partly in what was then Sand Hill School District and Choctaw School District; and

Whereas, the Choctaw School District has been consolidated with and has become a part of the Sand Hill School District, and the school building heretofore known as the Choctaw School has been abandoned for school purposes by the Buncombe County Board of Education; and

Whereas, to improve the school facilities within the Sand Hill School District and Choctaw School District, the said American Enka Corporation, on or about September eighth, one thousand nine hundred and thirty, conveyed by deed of gift for which it received no consideration whatever, a certain piece or parcel of

No power to create obligations.

Not liable for acts of members.

No right to sue or be sued.

No liability for injuries to, or death of, members.

By-Laws.

Officers.

Membership card.

Conflicting laws repealed.
land situate, lying and being in Lower Hominy Township, Buncombe County, North Carolina, bounded and more particularly described as follows:

Beginning at a stake standing South 17 deg. 05' East 330 feet from the Southeast corner of the property of the Southern Dairies, which corner is also South 0 deg. 30' West 110.55 feet from a concrete monument standing in the West line of American Enka Corporation and the East line of Southern Dairies, running South 0 deg. 30' West from the center of the main line track of the Murphy Branch of the Southern Railway Company, as shown on plat attached hereto, and runs thence South 17 deg. 05' East 310 feet to a stake; thence North 68 deg. 10' East 717.4 feet to a point located in the center line of the Sand Hill Road; thence North 24 deg. 05' West 319.4 feet with the center line of said Sand Hill Road; thence South 68 deg. 10' West 678.8 feet to a stake; the place beginning; excepting, however, so much of said land as is within the right of way over the Sand Hill Road.

and

Whereas, in order to carry out the intent of the Buncombe County Board of Education, fifty thousand dollars ($50,000.00) of bonds were authorized at a special election for said Sand Hill School District and said bonds were issued and sold and the proceeds therefrom obtained for the purpose of erecting a school building upon the aforesaid tract of land; and

Whereas, the proceeds of the sale of said bonds were deposited in the Central Bank & Trust Company of Asheville and lost when the Central Bank & Trust Company failed, so that the purposes of the conveyance of said land and the intention of the Buncombe County Board of Education to erect thereon a school building could not be carried out; and

Whereas, owing to the value of the property of the American Enka Corporation situated in said Sand Hill School District, the said American Enka Corporation will of necessity pay approximately eighty per cent of the principal and interest of said bonds, or forty thousand dollars ($40,000.00) of the principal of fifty thousand dollars ($50,000.00), for which it will receive no benefit whatever; and

Whereas, the lands hereinabove described have not been used for school purposes by the Buncombe County Board of Education, and it is not the intention of said board now nor at any future date to use said land for school purposes; and

Whereas, the property known as the Choctaw School property is a piece, parcel or tract of land situate, lying and being in Lower Hominy Township, Buncombe County, North Carolina, bounded and more particularly described as follows, to-wit:

Beginning at a stake at the Northwest corner of what was formerly C. O'Kelly's tract in the South line of the T. P. Jones tract and running thence South 11 deg. 0' West 379.50 feet to a point in the center of William Moore's Creek Road; thence with said Road, two calls as follows: North 55 deg. 0' West
198.00 feet; thence North 21 deg. 0' West 297.00 feet; thence leaving said Road, South 88 deg. 0' East 343.20 feet to the beginning. Being the school lot shown upon a plat made by Charles E. Waddell & Company, Engineers, No. 2282-F4-1, and containing approximately 2 acres more or less. Which is entirely surrounded by real property belonging to the American Enka Corporation; and

Whereas, the American Enka Corporation maintained fire insurance coverage in the amount of one thousand dollars ($1,000.00) at its own cost and expense, upon a farm house situated upon the first tract of land hereinabove described; and

Whereas, said farm house was destroyed by fire and American Enka Corporation collected said sum of one thousand dollars ($1,000.00) and, in the meantime, has collected rents from said property in the sum of two hundred twenty-two dollars and fifty cents ($222.50); and

Whereas, on or about the twenty-sixth day of June, one thousand nine hundred and thirty-six, the said American Enka Corporation turned over to the Buncombe County Board of Education the sum of one thousand two hundred twenty-two dollars and fifty cents ($1,222.50), representing the proceeds of said fire insurance and the rents collected as aforesaid; and

Whereas, said Choctaw School District having been consolidated with the Sand Hill School District and the second tract of land hereinabove described, together with the improvement thereon, having been abandoned for school purposes, the Buncombe County Board of Education has no intention now or at any future date of using said Choctaw School property for school purposes; and

Whereas, the proceeds from said fire insurance and rent in the sum of one thousand two hundred twenty-two dollars and fifty cents ($1,222.50) paid by said American Enka Corporation to the Buncombe County Board of Education is far in excess of the value of said Choctaw School property: Now, Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the Buncombe County Board of Education, for the considerations aforesaid, be and it is hereby authorized and empowered to convey by good and sufficient deed or deeds to the American Enka Corporations, its successors or assigns, the real property hereinabove described.

Sec. 2. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A.D. 1937.
CHAPTER 10
AN ACT TO DEFINE THE BOUNDARIES OF CARVERS CREEK CEMETERY, CARVERS CREEK 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 Carvers Creek Township, Bladen County, shall be known and designated as "Carvers Creek Cemetery." The boundaries of said cemetery shall be as follows:

"Lying and being on the West side of the Wilmington-Fayetteville State Highway number twenty-eight and containing approximately ten acres, bounded on the North by the lands of the Carvers Creek Methodist Episcopal Church grounds, on the West by the lands of Alex Stevens, on the South by the lands of James C. Lewis, and on the East by the Wilmington-Fayetteville State Highway number twenty-eight."

SEC. 2. That Charles L. Braddy, W. D. Maultsby, J. Edgar Flowers, Neill M. Gilliam and John W. Bordeaux he, and they are hereby, appointed Trustees of the said Carvers Creek 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 Carvers Creek 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 force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A.D. 1937.

S. B. 235
CHAPTER 11
AN ACT FOR THE RELIEF OF C. B. SKIPPER, CLERK OF THE SUPERIOR COURT OF ROBESON COUNTY.

Whereas, C. B. Skipper, Clerk of the Superior Court of Robeson County, had on deposit in the Planters Bank and Trust Company at the time of its closing on the twenty-first of December, one thousand nine hundred thirty-one, the sum of three thousand nine hundred and five dollars and seven cents ($3,905.07); and

Whereas, said sum has been reduced by dividends of three thousand three hundred and seven dollars and sixty one cents ($3,307.61) leaving a balance due him of five hundred and
ninety seven dollars and forty six cents ($597.46) as shown by Receivers Certificate number three hundred and seventeen; and

Whereas, said C. B. Skipper, had on deposit in the Bank of St. Pauls a Certificate of Deposit which had been delivered to him by J. F. Nash, executor of the estate of N. A. Johnson, for one hundred and twenty eight dollars and ninety five cents ($128.95); and

Whereas, said sum has been reduced by dividends of forty eight dollars and eleven cents ($48.11), leaving the balance due him of eighty dollars and eighty four cents ($80.84), the same being shown by Receivers Certificate number five hundred and thirty, dated the twenty-second of January, one thousand nine hundred and thirty-four; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Robeson County be, and they are hereby authorized and directed to pay to C. B. Skipper, Clerk of the Superior Court of Robeson County, the sum of five hundred and ninety seven dollars and forty six cents ($597.46) for money lost in the Planter's Bank and Trust Company, on his account as Clerk of the Superior Court of Robeson County, North Carolina, and that said Board of Commissioners of Robeson County be, and they are hereby directed to pay to C. B. Skipper, Clerk of the Superior Court of Robeson County, the sum of eighty dollars and eighty four cents ($80.84), making a total of six hundred and seventy eight dollars and thirty cents ($678.30), which said sum of six hundred and seventy eight dollars and thirty cents ($678.30) the said Board of County Commissioners of Robeson County are hereby directed to pay to said C. B. Skipper, Clerk of the Superior Court of Robeson 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 full force from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A.D. 1937.

H. B. 351

CHAPTER 12

AN ACT TO REPEAL CHAPTER THREE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE RELATING TO THE SALE OF PULP TIMBER ON THE WAYNESVILLE WATERSHED.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three of the Private Laws of one thousand nine hundred and thirty-three, providing for the sale of pulp timber on the watershed of the town of Waynesville, be and the same is hereby repealed.
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.

In the General Assembly read three times and ratified, this the 9th day of March, A.D. 1937.

H. B. 234 CHAPTER 13

AN ACT TO AUTHORIZE THE TREASURER TO PAY THE SUM OF FIFTY-THREE DOLLARS AND SIXTY CENTS ($53.60) TO THE CAPITAL PRINTING COMPANY, RALEIGH, NORTH CAROLINA, FOR PRINTING FOR THE OFFICE OF THE SECRETARY OF STATE.

Whereas, on May ninth, one thousand nine hundred and thirty-five, Capital Printing Company of Raleigh, by order of the Secretary of State, had delivered to him five hundred copies of House Bill number one thousand seventy-seven, known as the Omnibus Justice of the Peace Bill; and,

Whereas, payment has never been made for said work, though its correctness is undisputed, due to the shortage of funds in the office of the said Secretary of State; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the State Auditor is hereby directed to issue a warrant and the State Treasurer to pay to the Capital Printing Company the sum of fifty-three dollars and sixty cents ($53.60) in full satisfaction of account due for printing for the office of the Secretary of State in May, one thousand nine hundred and thirty-five.

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

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 320 CHAPTER 14

AN ACT TO AUTHORIZE AND EMPOWER THE EXECUTIVE COMMITTEE OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTH CAROLINA TO SURRENDER AND RELEASE THE RIGHT, TITLE AND INTEREST OF THE UNIVERSITY UNDER THE LAST WILL AND TESTAMENT OF JUDGE WILLIAM PRESTON BYNUM, DECEASED.

The General Assembly of North Carolina do enact:

SECTION 1. That the Executive Committee of the Board of Trustees of the University of North Carolina be and they are hereby authorized and empowered to surrender and release
unto Mrs. Mary F. Bynum, widow of the late William Preston Bynum, all of the right, title, interest and claim of the university under the last will and testament of the said William Preston Bynum.

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

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 362  CHAPTER 15

AN ACT FOR THE RELIEF OF ROY EDWARD FISHER, FORMER STATE HIGHWAY PATROLMAN, FOR INJURIES RECEIVED IN LINE OF DUTY.

Whereas, Roy Edward Fisher, on the twenty-fifth day of September, one thousand nine hundred and thirty-one, while he was about his official duties as a Highway Patrolman on State Highway number ten, at or near the Town of Burlington, in Alamance County, was thrown from his motorcycle, and suffered severe injuries to his right ankle and foot; and

Whereas, he was taken to various hospitals and doctors for treatment of the bones in said ankle and foot for a period of approximately five years; and

Whereas, the bones in the said ankle and foot being so severely crushed and mutilated that they failed to knit and heal properly, that the said former highway patrolman, due to such constant and severe pain was compelled, in order to relieve himself of further suffering, to have his right leg amputated below the knee; and

Whereas, the said Fisher, not understanding the provisions of the Workmen's Compensation Law, and through no fault of his own, allowed the Statute of Limitations relative to the allowance of further compensation for the injury, which arose out of and in the course of his employment, to run to the extent that he now, under the Workmen's Compensation Law, cannot secure compensation for the loss of his right leg; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That A. J. Maxwell, Commissioner of Revenue, State of North Carolina, be and he is hereby empowered and directed to provide and maintain an artificial limb for the said Roy Edward Fisher, the cost of same to be paid out of the funds of the State Department of Revenue; and he is hereby further authorized and directed to pay to the said Roy Edward Fisher the lump sum of nine hundred ninety-five and no/100 dollars, ($995.00), said sum being the amount which would have been paid him had he been compensated for the loss of a limb under
the provisions of the North Carolina Workmen's Compensation Act.

SEC. 2. The Commissioner of Revenue is hereby further authorized and directed to reimburse the said Roy Edward Fisher for his actual expenses incurred incident to the amputation of his leg in the amount of seventy-nine dollars ($79.00), for hospitalization, and the sum of one hundred fifteen dollars ($115.00) surgeon's fees.

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.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 565  Chapter 16

AN ACT TO CREATE A PEACE OFFICERS' RELIEF FUND FOR THE COUNTY OF HERTFORD.

The General Assembly of North Carolina do enact:

SECTION 1. Short Title. That this Act shall be known and may be cited as the Hertford County Peace Officers' Relief Act.

SEC. 2. Definitions. Peace officers shall be deemed to include all peace officers of the County of Hertford, North Carolina, or sub-divisions thereof including all cities, towns and members of the State Highway Patrol, who are required by the terms of their employment or election to give their full time to the preservation of public order, the protection of life and property, and the detection of crime; and all special officers or citizens who are injured or killed while aiding or assisting regular peace officers or while acting as such peace officer.

SEC. 3. Creation of Association. An association to be known and designated as the Hertford County Peace Officers' Protective Association shall be formed, the membership of which shall include all peace officers in Hertford County and the members of the State Highway Patrol as defined above.

SEC. 4. Registration. Peace officers who are entitled to membership in the association, in order to share in the benefits provided for in this Act, shall make application for membership in the association on blanks to be furnished for that purpose, giving such information as may be required by said association, and shall pay an initiation fee and annual dues to be fixed by the Executive Board, hereinafter provided for, provided, however, that such initiation fee shall not exceed five dollars ($5.00) and such dues shall not exceed twelve dollars ($12.00) per annum. Provided further, that the provisions of this section shall not apply to special officers or citizens who have not had a reasonable time from date they were appointed, summoned or deputized, to register with said association. And
provided further, that said reasonable time shall not exceed thirty days.

SEC. 5. Creation of Executive Board. The Executive Board shall consist of the Mayor of Ahoskie, the Mayor of Winton, the Mayor of Murfreesboro, the Chief of Police of Murfreesboro, the Chief of Police of Ahoskie, and the County Commissioner of Maney's Neck Township and the Sheriff of Hertford County. The said board shall elect a chairman at its first meeting in each year. A majority of the members of said Executive Board shall constitute a quorum for the transaction of business.

SEC. 6. Source of Revenue. That in all criminal cases in Hertford County, North Carolina, brought in all courts where-in the defendant enters a plea of nolo contendere, a plea of guilty, or shall be adjudged guilty by the court or found guilty by a jury, wherein the costs of the action are paid by the defendant, there shall be taxed in the bill of costs a fee of one dollar ($1.00) to be known as the Peace Officers' Emergency Fee, and shall be collected as other costs in criminal cases are collected, by the justice of the peace, clerk, or other officer of the court authorized to receive costs; such funds so received shall be accounted for monthly, a copy of which report shall be sent to the chairman of the Executive Board, and such funds turned over to the Treasurer of the Hertford County Peace Officers' Protective Association to be held by him and securely kept for the purpose of the association. Provided, however, that such officers' emergency fee, shall not be taxed in the costs in cases where the cost is paid by the county. Donations and contributions to said Hertford County Peace Officers' Protective Association may be received from any source approved by the Executive Board.

SEC. 7. Application of Fund. The money so paid into the hands of the Treasurer of the Hertford County Peace Officers' Protective Association shall be known as the Hertford County Peace Officers' Relief Fund, and shall be used as a fund for the relief of members of said association who may be injured or rendered sick by disease contracted in the actual discharge of duty as a peace officer, and for the relief of their widows and children and if there be no widows and children, then dependent mothers of such officers killed or dying from injuries or disease so contracted in such discharge of duty, and as a pension fund for peace officers grown old in line of duty, and also for the benefit of special officer or citizens injured as such peace officers. All persons entitled to benefits under this section shall make application to the Executive Board, above provided for, and said Executive Board shall investigate each such application and shall determine what benefits shall be paid. The decision of the Executive Board shall be final and conclusive as to what persons are entitled to benefits and as to the amount of the benefit to be paid, and said Executive Board shall
have power to increase or decrease monthly benefits at any
time, and no action at law or suit in equity shall be maintained
against said association to enforce any claim or recover any
benefit under this article or under the Constitution and By-
Laws of said association; but if any officer or committee of
said association omit or refuse to perform any duty imposed
upon him or them, nothing therein contained shall be construed
to prevent any proceedings against said officer or committee to
compel him or them to perform such duty.

SEC. 8. The Treasurer shall be The County Accountant of
Hertford County, North Carolina. The treasurer shall give good
and sufficient surety in a sum not less than the amount of money
on hand, such bond to be paid for out of the funds of the asso-
ciation, and shall make annual reports to the Executive Board
showing the total amount of money in his hands at the time of
the filing of the report, and also an account of receipts and ex-
penditures since his last report. The accumulated funds of the
association may be invested in bonds and securities unanimously
approved by the Executive Board. All interest and other
income received from investment or deposits shall be added to
the principal of said fund. Expenditures shall only be made
upon vouchers properly signed by the chairman of the Execu-
tive Board, the secretary, and the treasurer.

SEC. 9. Salaries and Expenses. All officers and members
of the Executive Board shall serve without compensation, and
no salaries shall be paid except an appropriation of five dol-
ars ($5.00) per month for a secretary who shall be appointed
by the Executive Board. Necessary office and stationery sup-
plies shall be paid for out of the funds of the association.

SEC. 10. The Hertford County Peace Officers’ Protective As-
sociation shall adopt a Constitution and By-Laws, to be appro-
ved by the Executive Board, suitable for carrying out the provi-
sions and purposes of this Act.

SEC. 11. The Executive Board shall have authority to in-
sure the members of the Hertford County Peace Officers’ Pro-
tective Association against death or disability, or both, dur-
ing the terms of their employment or terms of office, under
forms of insurance known as group insurance or other insur-
ance, and the premiums on such insurance to be payable out
of the funds of the association.

SEC. 12. Funds not Taxable. The current or accumulated
funds of the association shall not be subject to state, county, or
municipal taxation.

SEC. 13. This Act shall be in full force and effect from and
after its ratification.

SEC. 14. Any person, firm or corporation guilty of violating
any provisions of this Act shall be guilty of a misdemeanor and
shall be fined or imprisoned or both within the discretion of
court.

In the General Assembly read three times and ratified, this
the 10th day of March, A.D. 1937.
CHAPTER 17

AN ACT AUTHORIZING KNOX M. LEWIS, OF ROBESON COUNTY, TO PRACTICE VETERINARY MEDICINE OR SURGERY IN ROBESON AND HOKE COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That Knox M. Lewis, of Robeson County, is hereby authorized and empowered to practice veterinary medicine or surgery within the Counties of Robeson and Hoke, with all the rights and authority now possessed or hereafter possessed, by veterinary practitioners licensed by the North Carolina State Veterinary Medical Association, and his said practice shall be confined exclusively to the said Counties of Robeson and Hoke.

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

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

CHAPTER 18

AN ACT TO ENCOURAGE INDUSTRIAL AND CIVIC DEVELOPMENT OF THE TOWN OF BURNSVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of County Commissioners of Yancey County and the governing authorities of the Town of Burnsville, be, and they are hereby, vested with the power to exempt from taxation any community or club building held and used by the civic clubs, American Legion and the Masonic Order, situate in the Town of Burnsville, but the exercise of said power shall be discretionary with the Board of County Commissioners of Yancey County and the governing authorities of the Town of Burnsville.

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 from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

CHAPTER 19

AN ACT IN RELATION TO THE DEATH OF ELMER L. HEDGEPETH, JR., OF FAIRMONT, NORTH CAROLINA.

Whereas, on November fifteen, one thousand nine hundred thirty-five, at Fairmont, North Carolina, Elmer L. Hedgepeth, Jr., a pupil in the Robeson County Schools, was stricken and fatally injured by a school bus; and

Preamble: Elmer L. Hedgepeth, Jr., pupil, Robeson County Schools, killed by school bus.
Whereas, it is not now provided by general statute for compensation in such cases when the injured party was not a passenger on a school bus; and

Whereas, the said Elmer L. Hedgepeth, Jr., was traveling along the sidewalk near the Fairmont Graded School building in connection with his attendance at said school and was fatally injured by the negligence of the driver of a school bus operated by the State of North Carolina; and

Whereas, the local board of the Fairmont School District and the Robeson County Board of Education request that relief be granted on account of the death of Elmer L. Hedgepeth, Jr., as herein set out, which request is approved by the Board of Commissioners of Robeson County; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the State School Commission be and it is hereby authorized and directed to pay Elmer L. Hedgepeth, Sr., father of Elmer L. Hedgepeth, Jr., actual expenses incurred by him relative to the injury and subsequent death of his son, including funeral expenses, not to exceed the sum of six hundred dollars, ($600.00). The right to compensation authorized by this Act shall not be paid unless and until an itemized, verified statement has been presented to the State School Commission and approved by it.

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.

In the General Assembly read three times and ratified, this the 18th day of March, A.D. 1937.

H. B. 224

CHAPTER 20

AN ACT RELATIVE TO THE DEATH OF DORIS HUGHES, OF BERTIE COUNTY, NORTH CAROLINA.

Whereas, during the school year one thousand nine hundred and thirty-six-thirty-seven, while en route home from school on the Merry Hill Road in Bertie County on January eleventh, one thousand nine hundred and thirty-seven, without fault on her part, Doris Hughes, an eight year old pupil, daughter of Charlie Hughes, immediately after having alighted from a school bus and while crossing the road in front of it, through the negligence of the driver of said school bus, was stricken down, run over by said bus, and suffered injuries from which she later died; and,

Whereas, the said Charlie Hughes is unable to pay the doctor’s fees, hospitalization, and funeral expenses which were incurred by him as a result of the accident and subsequent injury and death of his daughter, and
Whereas, the said Charlie Hughes has no remedy at law; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the State School Commission be and it is hereby authorized and directed to pay to Charlie Hughes actual expenses incurred by him relative to the injury and subsequent death of his daughter, including funeral expenses, not to exceed the sum of six hundred dollars ($600.00). The right to compensation authorized by this Act shall not be paid unless and until an itemized, verified statement has been presented to the State School Commission and approved by it.

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.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 398 CHAPTER 21

AN ACT RATIFYING AND VALIDATING THE ACTS OF WILLIAM A. STROUD, FORMER CLERK OF THE SUPERIOR COURT OF WILKES COUNTY, IN APPOINTING TRUSTEES TO TAKE CHARGE OF AND MANAGE THE AFFAIRS OF THE NORTH WILKESBORO ACADEMICAL AND INDUSTRIAL INSTITUTE FOR THE COLORED RACE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Acts of William A. Stroud under date of September twenty-sixth, one thousand nine hundred thirty-four, Clerk of the Superior Court, appointing the following named persons as trustees of the North Wilkesboro Academical and Industrial Institute for the colored race, be, and the same are, hereby in all respects validated and ratified, and the following named persons are appointed as trustees to take charge of and manage the property in the County of Wilkes known as the North Wilkesboro Academical and Industrial Institute for the colored race, to-wit: W. A. Watkins, S. C. Turner, C. I. Watkins, L. F. Harris, E. L. Goldin, S. A. Grimes, Joseph Bowers, C. M. Petty, S. T. Davenport, R. C. Barber, C. C. Luper and Harrison Glenn.

SEC. 2. That the above named trustees shall have the same power and duties as the original trustees heretofore appointed under Act of the General Assembly under date of the twenty-third day of February, one thousand eight hundred ninety-five.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.
Sec. 4. That the Act shall be in force from and after its
ratification.
In the General Assembly read three times and ratified, this
the 13th day of March, A.D. 1937.

H. B. 483

CHAPTER 22

AN ACT TO AMEND CHAPTER ONE OF THE PRIVATE
LAWS OF THE SESSION OF ONE THOUSAND NINE
HUNDRED THIRTY-ONE, RELATING TO COMPENSATION
OF COTTON WEIGHER FOR MONROE, NORTH
CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one of the Private Laws of the
State of North Carolina, session of one thousand nine hundred
thirty-one, be amended as follows:
By striking out the word "eight" in line two of section one
and in lines three and four of section two and substituting
in place thereof the word "ten."

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

SEC. 3. That this Act shall be in force from and after its
ratification.
In the General Assembly read three times and ratified, this
the 13th day of March, A.D. 1937.

H. B. 714

CHAPTER 23

AN ACT TO AMEND CHAPTER FOUR HUNDRED AND
NINETY-SEVEN OF THE PRIVATE LAWS OF NORTH
CAROLINA, SESSION ONE THOUSAND NINE HUN-
DRED AND SEVEN, RELATING TO THE LIMITS OF
THE TOWN OF BURGAW.

Whereas, at the one thousand nine hundred and seven session
of the General Assembly of North Carolina, an Act was pass-
ed, relating to the limits of the Town of Burgaw, North Caro-
lina, same being chapter four hundred and ninety-seven of the
Private Laws of North Carolina, session one thousand nine
hundred and seven, amending chapter twenty-three of the Pri-
vate Laws of North Carolina, session one thousand eight hun-
dred and seventy-nine; and

Whereas, in drafting the bill for enactment, the draftsman
inadvertently made an error by transposing certain words in
line six, of section one of said chapter four hundred and ninety-
seven of said Private Laws of North Carolina, session one
thousand nine hundred and seven, causing the words to read
"two miles square," when in fact it was the intention of the
draftsman and of the General Assembly that said words should
read "two square miles;" and

Whereas, the officials of the Town of Burgaw have since that
date regarded the area of said town to be "two square miles," in
levying and assessing taxes; and

Whereas, it is the purpose and intention of this Act to make
the necessary correction which will speak the truth and intent of
said former Act; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Private Laws of the State of North Caro-
linha, session one thousand nine hundred and seven, chapter four
hundred and ninety-seven, be amended by striking out the words
"two miles square" in line six of section one, and inserting in
lieu thereof the words "two square miles."

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.

In the General Assembly read three times and ratified, this
the 13th day of March, A.D. 1937.

H. B. 781

CHAPTER 24

AN ACT TO AMEND HOUSE BILL NUMBER SIX HUN-
DRED THIRTY-FOUR OF THE PRESENT SESSION OF
THE GENERAL ASSEMBLY OF NORTH CAROLINA,
RELATIVE TO THE FIREMEN'S PENSION FUND OF
WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number six hundred thirty-four
of the present session of the General Assembly of North Caro-
linha, be amended as follows: By striking out at the end of sec-
tion eleven the "period" and adding the following: "that G. T.
Williamson be given credit for the total amount of years
served in said department regardless of consecutive service in
computing his said pension, and the said G. T. Williamson and
R. M. Padrick shall be entitled to a pension under this Act
upon each reaching the age of fifty-five years, or after having
served twenty years in the service of said Fire Department,
and may be retired by said Board of Trustees with the full
benefits as provided in said Pension Bill."

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.

In the General Assembly read three times and ratified, this
the 13th day of March, A.D. 1937.
H. B. 632  
CHAPTER 25

AN ACT TO PROVIDE COMPENSATION TO ISAAC H. EDWARDS FOR INJURY SUSTAINED BY HIS DAUGHTER, LUCILLE EDWARDS, WHILE RIDING ON A SCHOOL BUS NEAR CHOCOWINITY IN BEAUFORT COUNTY.

Whereas, during the school term of the year one thousand nine hundred thirty-three-thirty-four while riding on a school bus at or near Chocowinity in Beaufort County, without fault on her part, Lucille Edwards, daughter of Isaac H. Edwards, school girl, fourteen years of age, was thrown off a seat in the bus, breaking her back in two places; and

Whereas, the said Isaac H. Edwards, father of Lucille Edwards, is unable to pay doctors' fees and hospitalization which have been incurred in the course of treatment of said injuries; and

Whereas, the said Isaac H. Edwards has no remedy at law; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the State School Commission of North Carolina be and it is hereby authorized and directed to pay Isaac H. Edwards of Beaufort County, North Carolina, the father of Lucille Edwards, who was injured as above set forth, the sum of two hundred eighty-seven dollars and seventy-five cents ($287.75), this being the actual expense incurred by the said Isaac H. Edwards for care and treatment of his daughter for her injuries; Provided, that funds necessary to carry out the provisions of this Act shall be paid out of the Emergency Fund, in the event funds are not available out of the appropriations made for public schools.

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.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 634  
CHAPTER 26

AN ACT TO CREATE A BOARD OF TRUSTEES FOR THE FIREMEN'S PENSION FUND OF WILMINGTON, NORTH CAROLINA, AND TO ESTABLISH A PERMANENT FUND FOR THE PURPOSES HERINEIN SET OUT.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created a board of trustees in the City of Wilmington to be known as the "Board of Trustees for the Firemen's Pension Fund of Wilmington, North
Carolina,” and the said board shall consist of six men to be selected as follows: Two by the members of the Wilmington Fire Department, two by the Commissioners of the City of Wilmington, one by the State Insurance Commissioner, and the City Clerk and Treasurer of the City of Wilmington is hereby designated as a member of said board of trustees without voting power. The said trustees shall be appointed by the Board of City Commissioners of the City of Wilmington to serve until the first day of January, one thousand nine hundred and thirty-eight, and on the first day of January, one thousand nine hundred and thirty-eight and each two years thereafter, there shall be selected as herefore set out, members of said board who shall serve without compensation, and the City Clerk and Treasurer of the City of Wilmington shall be and is hereby appointed as Clerk and Treasurer of the Wilmington Firemen’s Pension Fund, and shall receive for his services a compensation to be allowed by board of trustees for the treasurer or clerical assistant.

(1) To safeguard members of the Fire Department of the City of Wilmington from becoming dependent in their advanced age and by reason of permanent disability, under such rules and regulations as may be included in this Act or may hereafter from time to time be adopted by the said board of trustees.

(2) To provide a reasonable support for widows and minors actually dependent upon a fireman of the City of Wilmington who may lose his life in the fire service of said city, either by accident, injury, or from disease contracted by reason of said service, as in this Act provided.

(3) To pension any permanently disabled or superannuated member of the fire department of said city, as hereinafter provided, and to provide necessary funds to continue payments of pensions for those men who are now, or may be placed on the pension roll of the Wilmington Fire Department.

Sec. 2. That any funds now held by the Board of Trustees of the Firemen’s Pension and Relief Fund of the City of Wilmington, or at the time of the ratification of this Act being administered by it, shall be paid over by the said trustees to the Treasurer of the Board of Trustees of the Firemen’s Pension Fund of Wilmington, North Carolina, created by this Act and by the latter board held, administered, managed, and disbursed under the provisions of this Act for the purposes and benefits herein defined.

(1) That the city clerk and treasurer shall collect from the monthly salaries of each officer and firemen of the Wilmington Fire Department two per cent (2%) of their said salary, the said sum to be paid to the Wilmington Firemen’s Pension Fund to be distributed as herein set forth.

(2) All fines imposed by the Commissioners of the City of Wilmington by way of discipline of member of the fire depart-
Receipt of gifts for fund authorized.

Trustees authorized to invest funds in certain bonds.

Interest and accretions constitute part of Fund.

Annual report of status of Fund to Commissioners of Wilmington.

Duty of City Attorney to advise Board.

Duty to represent Board in suits.

Board authorized to make regulations for management of fund.

Pass upon pension applications.

Decisions of Board, not inconsistent with Act, final.

Records required.

Pension regulations:

Members incurring 50% disability, physically or mentally, because of service, placed on pension roll.
vice in said department, and regardless of the length of service, the said board of trustees shall, after causing a physical examination to be made and finding that such disability exists, retire such disabled fireman from the service in said department and place him on the pension roll; the member so retiring shall receive from the pension fund during his life a monthly pension of one-half of the monthly compensation allowed to such members as his salary in the department at the time of retirement; however, not to exceed the sum of ninety ($90.00) dollars per month.

(2) Any member of the Fire Department of the City of Wilmington who has served in said department for a period of not less than twenty years or has reached the age of fifty-five may in the discretion of the board be retired by the said board and be placed on the pension roll: Provided, that any member of said fire department who has served in said department not less than twenty-five consecutive years may have the privilege upon his own application without any medical examination, of retiring and members eligible for pension under this section shall receive from the pension fund during his life a monthly pension of one-half of the monthly compensation allowed to such member as his salary in the department at the time of retirement, however, not to exceed the sum of ninety ($90.00) dollars per month: Provided further, that the monthly pension allowed under this section shall be increased five ($5.00) dollars for each additional five years of service by the member of said department over twenty-five years of service by the member of said department over twenty-five consecutive years of service.

(3) That in all instances where the service of a physician appointed by the board of trustees shall be secured for the examination of an applicant seeking a pension, or where such is granted, the certificate of such physician or surgeon shall be secured by the board, and be carefully preserved by it. The term 'member' as applied to the fire department in this Act shall include all officers and men who are now or may hereafter be in the active service of the Fire Department of the City of Wilmington, including former active members now receiving pensions from the Firemen's Pension and Relief Fund.

(4) In case any member of said fire department dies, other than by injury received in the service of said department or from the results of injury, then the board of trustees shall pay the sum of two hundred ($200.00) dollars to the widow, and if no widow survives then to the dependent beneficiary of the deceased member.

(5) No pension provided for in this Act to be granted hereunder shall either before or after its order of distribution by said board of such disabled and pensioned member of said fire department, or beneficiary, be held, taken, subject to, or retained, or levied on by virtue of any attachment, execution, in-

Monthly pension of ½ monthly salary at time of retirement, for life.

Maximum fixed.

Members in service 20 years or 55 years old, placed on pension roll, in Board's discretion.

Members in service 25 consecutive years placed on roll.

Monthly pension of ½, monthly salary at retirement, for life.

Maximum.

Monthly pension increased $5 for each five years service over 25 consecutive years.

Preservation of Physicians' certificates required.

"Member" defined.

Benefits payable upon death of member from cause not connected with service.

Pensions exempt from execution, attachment, etc. against member or beneficiary.
juncture, writ, interlocutory, or other decree of court or any process or proceedings whatever issued out of any court in this state for the payment or satisfaction in whole or in part of any debt, damage, claim, demand, or judgment against any such member or beneficiary; but the said fund shall be held, kept, secure, and distributed for the purpose of pensioning or relieving the persons or the payment of funeral expenses as named in this Act, and for no other purpose whatsoever.

(6) If any member of the fire department be killed or dies from injuries or the results thereof or from disease contracted in the performance of duty as a member of the fire department, and such deceased member leaves a widow surviving, said widow, during widowhood, shall receive, and be paid by the Board of Trustees of the Firemen's Pension Fund, a monthly pension in the sum of thirty ($30.00) dollars per month, and ten ($10.00) dollars per month for each dependent left by said deceased member, the total amount paid to such widow and such minor children shall in no event exceed the sum of sixty-two dollars and fifty cents ($62.50) monthly. Such pension, however, shall not be paid to said widow so long as she receives benefit payments from the North Carolina Industrial Commission, and such pension, as provided herein, for the benefit of such widow, shall begin only after the expiration of amounts awarded to her by the said Industrial Commission. In the event of the death of any fireman then a member in good standing of the Wilmington Fire Department from causes defined in this sub-section, leaving no widow surviving but leaving surviving, however, dependent minor children, the said Board of Trustees of the Firemen's Pension Fund is authorized and directed to pay for and on account of the support and maintenance of said minor children, during their minority, monthly, amounts not exceeding ten ($10.00) dollars, payments for said dependent minors to begin within thirty days after the completion of the payment of such amounts, if any, as may be allowed by the North Carolina Industrial Commission on account of the death of the deceased fireman whose death resulted from causes defined in this section. In any event, payments herein authorized for dependent minor children of such deceased member shall cease upon the children respectively arriving at the age of sixteen years.

SEC. 8. That there shall be kept in the office of said board of trustees by its secretary a book to be known as the "List of Retired Firemen." This book shall give a full and complete history and record of all the actions of the board of trustees in retiring any and all persons under this Act; such records shall give names, dates of joining the department, date of retirement and the reason therefor of any and all persons retired.

SEC. 9. That the Commissioners of the City of Wilmington are hereby authorized and directed to appropriate from the general funds of the City of Wilmington such additional amount
of money from time to time as may be necessary to carry out the provisions of this Act, the same to be paid to the Treasurer of the Board of Trustees of the Firemen's Pension Fund of Wilmington, North Carolina.

SEC. 10. That the pension fund herein provided for shall be exempt from taxation.

SEC. 11. That the board of trustees shall hold all funds collected, upon the trusts and for the purposes set out in this Act, and shall be clothed with all the power and authority and subject to all the duties and restrictions in this Act contained.

SEC. 12. That if any section of this Act shall be declared unconstitutional or invalid, it shall in no way invalidate any other section.

SEC. 13. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 14. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 679

CHAPTER 27

AN ACT TO REPEAL THE CHARTER OF CLAREMONT COLLEGE AT HICKORY, NORTH CAROLINA.

Whereas, on the twenty-eighth day of July, one thousand eight hundred and eighty, J. F. Murrill, J. G. Hall, A. A. Shuford, and others, obtained a charter from the Superior Court of Catawba County incorporating an institution for the promotion of religion, morality and learning therein, named Claremont Female College, and for a number of years thereafter maintained a school and acquired valuable real and personal property in Hickory, North Carolina, held by them and their successors, as trustees, under said name; and

Whereas, said trustees, in the promotion of the objects of said charter, placed the said school and its property under the control of the Classis of North Carolina Reformed Church in the United States; and

Whereas, the said charter was amended by the General Assembly of North Carolina, as contained in chapter fifty-eight, Private Laws for the year one thousand nine hundred and nine, section one of said Act changing the name of said institution from Claremont Female College to Claremont College; and

Whereas, section two of said Act provided that in the event said Classis of North Carolina Reformed Church in the United States should fail for two years to maintain a female college, as provided by the charter of Claremont College, or should fail to carry out the conditions of maintenance and preservation of the property assumed by said Classis, which said Classis of...
Reformed Church in North Carolina have failed to do for a period of more than two years since the passage of the private Act as aforesaid; and

Whereas, for a period of more than twenty years no school of learning has been maintained at Claremont College, Hickory, North Carolina, and the purposes for which the said institution was created have ceased; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Acts of incorporation creating Claremont Female College are hereby repealed.

SEC. 2. That chapter fifty-eight of the Private Laws of North Carolina for the year one thousand nine hundred and nine, be, and the same is hereby repealed.

SEC. 3. That all property rights heretofore vested in the Trustees of Claremont College, Incorporated, shall, from and after the passage of this Act, vest in the Consistory of Corinth Congregation of the Evangelical and Reformed Church in the United States, Hickory, North Carolina, and their successors in office, who shall have the same authority in the holding, conveying or managing of all property formerly belonging to Claremont Female College, or Claremont College, as the trustees of said institution had in the Articles of Incorporation under date of the twenty-eighth of July, one thousand eight hundred and eighty, or in chapter fifty-eight of the Private Laws of the General Assembly of North Carolina for the year one thousand nine hundred and nine, or in any deeds of conveyance previously made to the aforesaid Trustees of Claremont Female College or Claremont College.

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

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 811

CHAPTER 28

AN ACT TO AMEND CHAPTER ONE HUNDRED NINETY-THREE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-THREE, RELATING TO SALARIES OF TOWN OFFICIALS OF THE TOWN OF ENFIELD, HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter one hundred ninety-three, Private Laws of one thousand nine hundred and twenty-three, be amended by striking out in line twenty-five, the words and figures "the sum of four dollars ($4.00) each per month" and inserting in lieu thereof the following: "a sum not to exceed six dollars ($6.00) each per month," and by striking out in line twenty-eight the words and figures "three hundred dollars
($300.00)" and by inserting in lieu thereof the following: "six hundred dollars ($600.00) per annum."

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.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 371

CHAPTER 29

AN ACT TO AMEND CHAPTER THREE HUNDRED FOURTY-FOUR OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED SEVEN, AS AMENDED, RELATING TO THE CHARTER OF THE CITY OF CONCORD.

The General Assembly of North Carolina do enact:

SECTION 1. That sections twenty-five to thirty-five inclusive of chapter three hundred forty-four of the Private Laws, session one thousand nine hundred seven, as amended, being the sections relating to the police justice in an Act entitled "An Act to amend, revise and consolidate the Charter of the City of Concord, etc." be, and the same are hereby repealed.

Secs. 25-35, inclusive, Ch. 344, Private Laws, 1907, as amended, repealed.

References in Ch. 344, Private Laws, 1907, to "police justice" and/or "police justice's court," repealed.

Sec. 2. That wherever the words "police justice" and/or "police justice's court" appear, and wherever powers and duties of said police justice are defined or granted, and wherever jurisdiction and/or procedure of said police justice or said court is granted or prescribed in chapter three hundred forty-four of the Private Laws, section one thousand nine hundred seven, as amended, that references thereto be stricken out, and be, and the same are hereby repealed.

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.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

H. B. 853

CHAPTER 30

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY TO REMIT TAXES DUE ON MUNICIPAL GOLF COURSE PROPERTY OWNED AND OPERATED BY THE TOWN OF BREVARD.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of Transylvania County are hereby authorized and empowered, within their dis-
Transylvania County Commissioners authorized to remit taxes on certain properties.

Conflicting laws repealed.

creation, to remit any and all taxes due said county on the property which has been purchased, or shall be purchased, by the Town of Brevard, the use of which shall be devoted exclusively for public purposes, including the operation thereon of a golf course, swimming pool, and other like purposes.

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

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

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

H. B. 915  CHAPTER 31

AN ACT TO APPOINT A MEMBER OF THE BOARD OF TRUSTEES OF THE POLICE PENSION FUND FOR WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That Harry M. Solomon is hereby appointed a Trustee of the Police Pension Fund, Wilmington, North Carolina, to fill the vacancy caused by the expiration of the term of F. A. Lord, which term is hereby declared to have terminated and is at an end; the said Harry M. Solomon shall serve for a term of six years.

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

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

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 963  CHAPTER 32

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ROWAN COUNTY AND THE CITY COUNCIL OF SALISBURY, NORTH CAROLINA TO MAKE CERTAIN TAX ADJUSTMENTS WITH THE KLUMAC COTTON MILLS, INC., OF SALISBURY, NORTH CAROLINA.

Whereas, the Klumac Cotton Mills, Inc., of Salisbury, North Carolina has been idle for a period of more than two years during which time its physical property deteriorated in value on account of leaks in the roof and the non-use of its machinery and equipment, and

Whereas, its operation and consequent employment of a number of people is desirable: Now, Therefore,
The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners for Rowan County and the City Council of the City of Salisbury, North Carolina, be, and they are each hereby authorized and empowered to make such adjustments in the city and county taxes assessed against the Klumac Cotton Mills, Inc., during its period of idleness as they may deem right and proper.

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 its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

S. B. 120  CHAPTER 33

AN ACT IN RELATION TO THE DEATH OF NETTIE EDWARDS OF PERSON COUNTY, NORTH CAROLINA, INJURED FATALY BY A SCHOOL BUS.

Whereas, on November eighteen, one thousand nine hundred and thirty-five in Person County, North Carolina, Nettie Edwards, age twelve, a pupil in Bushy Fork School, was stricken and fatally injured by a school bus; and

Whereas, it is not now provided by general statute for compensation in such cases when the injured party was not actually riding on a school bus at the time of injury; and

Whereas, the said Nettie Edwards was being transported in a school bus from Bushy Fork School enroute to her home and the driver of said school bus stopped at a rural store on said route and before reaching the point of discharge for the children therein, permitted said children to alight therefrom, suddenly and negligently backed the bus, striking and fatally injuring Nettie Edwards; and

Whereas, the Person County Board of Education has requested that relief be granted on account of the death of Nettie Edwards, as herein set out, which request is approved by the Board of Commissioners of Person County: Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the State School Commission be, and it is hereby, authorized and directed to pay to Joe Edwards, father of Nettie Edwards, actual expenses incurred by him relative to the injury and subsequent death of his daughter, including funeral expenses, not to exceed the sum of six hundred ($600.00) dollars. The right to compensation authorized by this Act shall not be paid unless and until an itemized, verified statement has
been presented to the State School Commission and approved by it.

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.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

S. B. 134  CHAPTER 34

AN ACT TO PROVIDE COMPENSATION TO THE PARENTS OF ZULA MAE TURNER, DECEASED, WHO WAS KILLED BY A SCHOOL BUS AT VENABLE SCHOOL IN BUNCOMBE COUNTY.

Whereas, on the tenth day of March, one thousand nine hundred thirty-six, Zula Mae Turner, age fifteen, a student at Venable School in Buncombe County, with other children, was standing in front of said school building, adjacent the school garage, awaiting the arrival of a school bus to transport them from said school to their homes, and, without fault on her part, the driver of said school bus negligently, and without looking, caused said school bus to be backed out of the highway running in front of said school and up an embankment at a point and place where he could not see behind said bus, and caused said bus to be driven into a crowd of small school children, at which said time the said Zula Mae Turner was under the care of said garage in order to keep out of the rain and said bus was backed through said crowd of children and against said garage building, catching the said Zula Mae Turner between said bus and said garage, and seriously and permanently injuring her internally, from which injuries she died on the same date; and

Whereas, the parents of the said Zula Mae Turner were and are unable to defray the burial expenses of said child; and

Whereas, on May fourth, one thousand nine hundred thirty-six, the parents of the said Zula Mae Turner filed an itemized statement with the State School Commission, Raleigh, North Carolina, for the sum of five hundred eighty-seven dollars ($587.00), representing the expenses incurred in the treatment and burial of the said Zula Mae Turner; and

Whereas, by chapter two hundred forty-five of the Public Laws of North Carolina, one thousand nine hundred thirty-five, the State School Commission was authorized and directed to set up in its budget for the operation of public schools of the state, a sum of money which it deemed sufficient to pay to parents, guardians, executors and administrators of any school child who might be injured and/or whose death results from injuries received while such child is riding on a school bus to and from the
public schools of the state, medical, surgical, hospital and funeral expenses incurred on account of such injuries and/or death of such child in an amount not to exceed the sum of six hundred dollars ($600.00); and

Whereas, by section six of said Act, it was provided that the state should not be liable, among other things, for personal injuries sustained while not actually riding on the bus to and from the school and from personal injuries received otherwise than by reason of the operation of such bus; and

Whereas, after said claim was filed by the parents of Zula Mae Turner with the State School Commission, as aforesaid, for the sum of five hundred eighty-seven dollars ($587.00), representing the expenses incurred in the treatment and burial of the said Zula Mae Turner, the State School Commission, while not rejecting said claim, has failed to approve and pay the same due to the fact that the said Zula Mae Turner was not actually riding on said bus at the time of the accident; and

Whereas, the parents of the said Zula Mae Turner have no remedy at law; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the State School Commission of North Carolina shall be and it is hereby authorized and directed to pay to J. E. Turner of Buncombe County, North Carolina, the father of the said Zula Mae Turner, who was killed, as set out in the preamble of this Act, the sum of five hundred eighty-seven dollars ($587.00), the expenses incurred in the treatment and burial of his daughter, Zula Mae Turner. Provided, that funds necessary to carry out the provisions of this Act shall be paid out of the emergency fund in the event funds are not available out of the appropriations made for public schools.

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.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

S. B. 307

CHAPTER 35

AN ACT IN RELATION TO THE DEATH OF MARVIN KING, SON OF FELIX KING, OF RICHLANDS, R. F. D., NORTH CAROLINA.

Whereas, on March twenty-third, one thousand nine hundred and thirty-five, at R. F. D., Richlands, North Carolina, Marvin King, a school child of the Comfort Jones County School, was fatally injured by a school bus; and
WHEREAS, it is not now provided by general statutes for compensation in such cases when the injured party was not a passenger on a school bus; and

WHEREAS, the said Marvin King, son of Felix King, was playing in and around the curtilge of his home and a school truck driven by one John Rhodes was turning around in the yard and accidentally backed into and over said child, and said child was fatally injured by the negligence of the driver of said school bus operated by the State of North Carolina; and

WHEREAS, the local board of the Tuckahoe school district and the Jones County Board of Education resolve and request that relief be granted on account of the death of the said Marvin King, son of Felix King, as herein set out, which request was approved by the Board of County Commissioners for Jones County: Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the sum of five hundred dollars ($500.00) be and the same is hereby appropriated payable to Felix King, father of said deceased, Marvin King, on account of the death of his son.

SEC. 2. That the State Auditor be, and he is hereby authorized to draw his warrant payable to Felix King in the sum of five hundred dollars ($500.00) on the State Treasurer, which warrant shall constitute when received by the said payee a valid disbursement of the above appropriation.

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

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

S. B. 299 CHAPTER 36

AN ACT TO AMEND CHAPTER TWENTY-TWO, SECTION FIFTEEN, OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATIVE TO UTILITIES COMMISSION FOR THE CITY OF LEXINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter twenty-two of the Private Laws of one thousand nine hundred thirty-five, section fifteen, be amended as follows:

By striking out the following words, beginning in line six of section fifteen, after the word “salary,” and ending with the word “annum” in line eight, the words to be stricken out being “not to exceed the sum of thirty-six hundred ($3600.00) dollars per annum.”

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 the date of its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 340  CHAPTER 37

AN ACT FOR THE RELIEF OF H. V. ROSE, CLERK OF THE SUPERIOR COURT OF JOHNSTON COUNTY.

Whereas, on the night of January sixteenth, one thousand nine hundred and thirty-seven, some unknown person or persons broke into and entered the office of H. V. Rose, Clerk of the Superior Court of Johnston County, and stole the sum of three hundred and thirty-six dollars ($336.00) in cash which had been received after banking hours and it appears that the clerk and his several deputies had on that day and at all times prior thereto, exercised a great degree of diligence in the care and preservation of the funds belonging to his said office, and that the said larceny is not traceable to the negligence of the clerk and/or his deputies; and

Whereas, the Board of Commissioners of Johnston County has passed a resolution requesting that the said H. V. Rose be relieved by the present General Assembly, of personal liability of said loss; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That H. V. Rose, Clerk of the Superior Court of Johnston County, be and he is hereby relieved of personal liability for the loss of three hundred and thirty-six dollars ($336.00) in money which was stolen from his office on the night of January sixteenth, one thousand nine hundred and thirty-seven, and that the several funds affected thereby be charged with their pro rata part of the loss sustained.

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

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 624  CHAPTER 38

AN ACT TO REIMBURSE C. N. MEASE, CHIEF STATE REFUGE WARDEN, FOR PROPERTY OF HIS DESTROYED IN THE STATE FAIR FIRE OF ONE THOUSAND NINE HUNDRED THIRTY-FOUR.

Whereas, C. N. Mease loaned to the state, to be exhibited in the State Fair during the year one thousand nine hundred thirty-four, a valuable exhibit of mounted wild life belonging to him; and

Preamble: Funds stolen from office of H. V. Rose, C. S. C., Johnston County.

Diligence exercised in care of funds.

Relief from personal liability requested.

H. V. Rose, C. S. C., Johnston County, relieved of personal liability for loss of public funds stolen.

Loss prorated among funds affected.

Preamble: Mounted wild life exhibit loaned to State by C. N. Mease, for use at State Fair.
Whereas, in the fire which destroyed a part of the buildings on said ground the said exhibit was completely destroyed; and

Whereas, an amount was paid by the insurance company in adjustment of the loss sustained at said fair by the Department of Conservation and Development, and there apparently exists no authority at law for reimbursing the said Mease for the loss sustained by him by reason of said loan of exhibit: Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. The State Department of Conservation and Development, and/or the State Department of Agriculture are hereby authorized and directed to reimburse the said C. N. Mease from the insurance adjustment payment for the loss thereof sustained to the extent of one hundred eight dollars and fifty cents ($108.50), which represents the actual cost of preparing the said exhibit, the real value thereof being much greater than that amount.

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

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

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 866  CHAPrer 39

AN ACT FOR THE RELIEF OF THE ESTATE OF SAM W. PINNELL OF WARREN COUNTY, ON ACCOUNT OF DEATH RECEIVED WHILE IN THE COURSE OF ACTING AND BEING DEPUTIZED TO ASSIST IN THE PERFORMANCE OF DUTIES OF DEPUTY SHERIFF.

Whereas, on May third, one thousand nine hundred twenty-nine, Sam W. Pinnell of Warren County, while engaged in assisting Robert L. Pinnell, Jr., as deputy sheriff, said Sam W. Pinnell having been deputized to assist Robert L. Pinnell, Jr., his brother in attempting to arrest one John Macon for the crime of murder, was shot and killed; and

Whereas, on account of the said death the estate of Sam W. Pinnell, consisting of Alice Pridgen, his wife, Sam W. Pinnell, Jr., and Hart Pinnell, both minors, his children, have suffered injury to the extent of at least two thousand ($2000.00) dollars by the loss of the said Sam W. Pinnell; and

Whereas, it is proper and just that the said estate of Sam W. Pinnell should be reimbursed by public authority for expenditure so incurred: Now, Therefore,
The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Warren County be, and they are hereby authorized, empowered, and directed to appropriate and pay to the estate of Sam W. Pinnell the sum of two thousand ($2000.00) dollars out of the general fund of the said county as partial reimbursement to the wife and minor children of the deceased Sam W. Pinnell; said sum to be paid five hundred ($500.00) dollars on April first, one thousand nine hundred thirty-seven, five hundred ($500.00) dollars, December first, one thousand nine hundred thirty-seven, five hundred dollars ($500.00), April 1st, one thousand nine hundred thirty-eight, five hundred dollars ($500.00) December first, one thousand nine hundred thirty-eight.

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

SEC. 3. All laws, or groups of laws, in conflict hereto, are hereby repealed.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 904

CHAPTER 40

AN ACT TO CREATE A PENSION AND RELIEF FUND FOR THE MEMBERS OF THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF GREENVILLE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created the Board of Trustees of the Fire and Police Department Pension and Relief Fund of the City of Greenville, North Carolina, to consist of five members. The Mayor of the City of Greenville shall serve ex officio as chairman of said board, and the Chief of Police and the Chief of the Fire Department of said city shall serve ex officio as members thereof. The remaining two members shall be appointed by the City Council. The original appointees of the council shall serve one for two years and one for four years, and thereafter their successors shall be appointed for four years. Said original appointments shall be made at the first regular meeting of said council in July, one thousand nine hundred thirty-seven; and the appointments of successors for regular terms shall be made at the first regular meeting in July of each year in which an appointment is to be made. The terms of such appointees shall begin on the day following their appointment. The terms of the ex officio members shall begin and be coterminous with their terms as mayor and chief, respectively, and their duties as members of said board shall in all respects be considered as a part of their duties as officials of the City of Greenville.
Any vacancy occurring on said board in a membership filled by appointment of the council shall be filled, for the unexpired term, by appointment of the council.

SEC. 2. That the City Treasurer of the City of Greenville shall serve as secretary and treasurer of said board, without additional compensation, and he shall furnish such bond as may be required of him by said board. The premium on any such bond shall be paid by the board from the funds under its supervision.

SEC. 3. There is hereby created the Fire and Police Department Pension and Relief Fund of the City of Greenville, North Carolina, hereinafter called the Fund, which shall in all respects be subject to the management, supervision and control of said board.

SEC. 4. That said fund shall consist of: (1) a deduction from the salaries of the officers and employees of the Fire and Police Departments, including the chiefs thereof, in a percentage to be fixed by said board, not exceeding five per centum of such salaries, which said amount shall be withheld from said salaries and paid directly into said fund by the City of Greenville; and (2) an amount equal to the total deductions made from said salaries, which said amount shall be paid by the City of Greenville to said fund from any moneys not otherwise appropriated.

It shall be the duty of the City Council of said city to provide, by taxation or otherwise, the amount so required to be paid by the city, and such amount shall be paid to said fund at such time or times that at all times the money so paid by the city shall at least equal the amount of deductions from said salaries paid into said fund.

The payments provided by this section shall begin with the fiscal year beginning the first day of July, one thousand nine hundred thirty-seven.

SEC. 5. That it shall be the duty of said board to study and investigate pension and relief plans, and to establish such a plan for the administration of the fund provided by this Act.

Said plan may provide, in the discretion of said board, for:

(1) Retirement of superannuated officers and employees of said departments at such times and ages and at such retirement pay as said board may prescribe.

(2) Benefits to officers and employees of said departments who are injured or disabled in the line of duty or whose health is impaired in the line of duty, under such terms and conditions and in such amount as the board may prescribe.

(3) Benefits to dependents of officers and employees of said departments who may die or be killed while in the service of such departments, under such terms and conditions and in such amounts as said board may prescribe.

In prescribing the terms and conditions under which such payments from the fund shall be made, and in fixing the amounts of such payments, it shall be the duty of said board to consider
all pertinent factors to the end that such fund shall be administered upon as sound an actuarial basis as possible.

The amount of any award made by said board may be revised by said board at any time, and no prospective recipient thereof shall have any vested rights therein; and the awards made shall not, prior to the actual payment thereof, be assignable or subject to the claims of creditors.

Said board may, in its discretion, vary the amounts awarded from said fund in accordance with rank, length of service, amounts paid in as salary deductions, the financial circumstances of the beneficiaries, and any other pertinent factors.

SEC. 6. That the investment of all moneys in said fund shall be within the discretion of said board.

SEC. 7. That all expenses of administering said fund shall be paid from said fund, provided that not more than five per centum of such fund may be used for administration without the consent of the City Council.

SEC. 8. That the board shall have no power to borrow money on behalf of said fund.

That to this end, it shall be the duty of said board, whenever it may become apparent that the awards made will, if paid in full, exceed the amount available for the payment thereof, to revise said awards so that total payments from said fund will not exceed the amount on hand available therefor.

SEC. 9. That the board shall report its activities and proceedings in full to the City Council at least annually, setting forth in detail all awards made and payments made during the preceding year and setting forth the condition of the fund. The council may demand additional reports at any time, and it shall be the duty of said board to comply with all reasonable demands of the council in this respect.

If at any time the council finds as a fact, after public hearing on ten day's notice to the members of said board, that said fund is being mismanaged or is being used for purposes unauthorized by this Act, the council may suspend the payments herein required to be made by the city and order suspension of all deductions from salaries until said board has satisfied the council that such mismanagement or diversion of funds has ceased, or until the members of said board have posted bond, conditioned on faithful performance of the duties imposed upon them, in an amount equal to at least fifty per centum of the annual payments into said fund. The members of said board may appeal any such order to the Superior Court of Pitt County by filing a written notice of appeal with the Clerk to the Council; and it shall be the duty of said clerk, upon the filing of such notice, to transfer to said court all books, papers, documents and records on which the order of the council was based.

Nothing herein shall be construed as imposing upon the members of said board any personal liability except for wilful or fraudulent mismanagement of said fund.
SEC. 10. That the members of said board are hereby vested with all power and authority necessary for the administration of the purposes of this Act, including, but not restricted to, the power to employ expert advice in the establishment of award and benefit schedules, and the power to make arrangements for such supplies and office space as may be necessary.

SEC. 11. That all laws and clauses of laws in conflict with the provisions of this Act are, to the extent of such conflict, hereby repealed.

SEC. 12. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 472  
CHAPTER 41
AN ACT TO AUTHORIZE THE BOARD OF EDUCATION OF DAVIE COUNTY TO MAKE DEED TO CERTAIN SCHOOL PROPERTY ADJOINING FORK BAPTIST CHURCH.

Whereas, the Fork Baptist Church conveyed to the Board of Education of Davie County a part of the property of said church to be used for school purposes; and

Whereas, the state and county have abandoned said property and it is now no longer used for school purposes; and

Whereas, said property adjoins the property of the said Fork Baptist Church; and

Whereas, said church desires to use said property as a community building; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That T. I. Caudle, Jacob Grubb and Wiley Seaford, be and they are hereby constituted a Board of Trustees for the property hereinafter described who shall serve for a period of two years, their successors to be elected by the Fork Baptist Church for a like term.

SEC. 2. That the Board of Education of Davie County be and they are hereby authorized and empowered to convey to said Board of Trustees, and their successors the property which was previously conveyed to said Board of Education by the Fork Baptist Church, the said property to be held in trust for the Fork Baptist Church and the Fork Community and to be used as a community building and center.

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.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.
CHAPTER 42

AN ACT TO PROVIDE COMPENSATION TO ERNEST COSTNER, FATHER OF HAZEL COSTNER, DECEASED, FOR INJURY RESULTING IN THE DEATH OF HAZEL COSTNER WHILE RIDING ON A SCHOOL BUS NEAR THE BAN-OAK SCHOOL IN CATAWBA COUNTY.

Whereas, Hazel Costner, thirteen years of age, daughter of Ernest Costner, was killed in attempting to alight from a school bus in which she was riding to her home from the Ban-Oak School in Catawba County, her death occurring without fault on her part, being due entirely to a broken floor board near the door of the bus which caught her coat, and the driver, failing to note that fact, closed the door with lever control, started up the bus and dragged the child approximately eight hundred feet, where her dead body was discovered; and

Whereas, the said Ernest Costner, father of Hazel Costner sustained damage in the sum of four hundred and forty-five dollars and ninety-five cents ($445.95) by reason of the injury and death of his daughter, for which he has not been compensated; and

Whereas, the said Ernest Costner has no remedy at law:

Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the State School Commission of North Carolina be, and it is hereby authorized and directed to pay to Ernest Costner of Catawba County, North Carolina, the father of Hazel Costner, who was killed as above set forth, the sum of four hundred forty-five dollars and ninety-five cents ($445.95), this being the damage sustained by the said Ernest Costner by reason of the death of his daughter, Hazel Costner: Provided, that funds necessary to carry out the provisions of this Act shall be paid out of the contingent Emergency Fund.

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.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.
S. B. 344  CHAPTER 43

AN ACT TO AMEND CHAPTER TWO HUNDRED FORTY-THREE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED ELEVEN, AND TO VALIDATE CERTAIN ACTS OF THE PRESENT BOARD OF ALDERMEN AND THE GOVERNING BODY OF THE CITY OF STATESVILLE AND ALL PRIOR BOARDS OF ALDERMEN AND GOVERNING BODIES OF THE CITY OF STATESVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter two hundred forty-three of the Private Laws of one thousand nine hundred eleven be amended by inserting in line two thereof after the word "mayor" the words "from the city at large" and by inserting in line four thereof between the word "mayor" and the word "and" the following: "from the city at large."

SECTION 2. That section nine of chapter two hundred forty-three of the Private Laws of one thousand nine hundred eleven be amended by striking out the word "two" between the word "shall" and the word "dollars" in line seven thereof and inserting the word "five."

SECTION 3. That the acts of the present Board of Aldermen and governing body of the City of Statesville and all boards of aldermen and governing bodies elected prior to the present board of aldermen and governing bodies as they relate to the payment of the Aldermen for the City of Statesville be and the same are hereby validated.

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

SECTION 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 588  CHAPTER 44

AN ACT TO AMEND CHAPTER TWO HUNDRED AND SIXTY-ONE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, SO AS TO PERMIT THE SALE OF FAMILY GROCERIES WHEREVER THE SALE OF MEAT AND/OR SEA FOOD IS PERMITTED IN ELIZABETH CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred and sixty-one, Private Laws of one thousand nine hundred and thirty-five, be, and the same is hereby, amended by adding immediately after the words "offer for sale" in said section one, the following: "family groceries."
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.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 909
CHAPTER 45

AN ACT TO REIMBURSE THE CHEMISTS OF THE GASOLINE AND OIL INSPECTION LABORATORY OF THE DEPARTMENT OF REVENUE FOR LOSSES INCURRED IN A LABORATORY FIRE ON NOVEMBER NINTH, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

Whereas, on the ninth day of November, one thousand nine hundred thirty-five, gasoline which was stored in the laboratory ignited; and

Whereas, in an effort to save the laboratory equipment, the chemists endangered their lives by remaining in the laboratory and trying to save the equipment; and

Whereas, the said chemists were unable to save their personal property; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That J. B. Joyner, T. A. Fowler, and H. L. Shankle, Chemists of the Gasoline and Oil Inspection Laboratory of the Department of Revenue, be, and they are hereby reimbursed for the following losses incurred in the fire of November ninth, one thousand nine hundred thirty-five:

Joyner, J. B.
1 Leather jacket ........................................... $ 5.00
1 Hat .......................................................... 5.00
1 Coat to suit ............................................... 15.00
1 Fountain pen ............................................... 5.00

$30.00

Fowler, T. A.
1 Hat .......................................................... $ 5.00
1 Coat to suit ............................................... 15.00
1 Overcoat ................................................... 32.50

$52.50

Shankle, H. L.
1 Coat and vest ............................................. $25.00
1 Hat .......................................................... 5.00
1 Brief case ................................................... 12.50
1 Laboratory coat .......................................... 2.00
1 German dictionary .................................... 3.00
1 Quantitative Analysis by Fales ..................... 4.00

Preamble: Ignition of gasoline stored in State laboratory.
Lives of chemists endangered in attempt to save equipment.
Chemists unable to save their personal property.
Loss by J. B. Joyner.
Loss by T. A. Fowler.
Loss by H. L. Shankle.
1 Log. book ................................................. 1.40
2 Relays ..................................................... 20.00
9 Dollars cash ............................................. 9.00
1 Fountain pen ............................................. 5.00

$86.90

State Treasurer authorized to make reimbursement in amounts specified.

Sec. 2. That the State Treasurer be and he is hereby authorized to issue a voucher to J. B. Joyner in the sum of thirty dollars ($30.00); a voucher to T. A. Fowler in the sum of fifty-two dollars and fifty cents ($52.50); and a voucher to H. L. Shankle in the sum of eighty-six dollars and ninety cents ($86.90), in payment of their respective losses sustained as above described.

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

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 969

CHAPTER 46

AN ACT TO AMEND CHAPTER ONE HUNDRED AND TWENTY-FOUR, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-FIVE, AMENDING THE CHARTER OF THE TOWN OF BANNER ELK.

The General Assembly of North Carolina do enact:

SECTION 1. That section eight chapter one hundred and twenty-four, Private Laws of one thousand nine hundred and twenty-five, be, and the same is hereby amended by striking out in line eight the words “fifty cents” and substituting in lieu therefor the words “one dollar.”

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

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

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1245

CHAPTER 47

AN ACT TO AMEND THE CHARTER OF THE TOWN OF WINTON, HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

Sec. 2, Ch. 16, Private Laws, Extra Session, 1921, amended.
(1,760) yards” in lines four and five of said section and inserting in lieu thereof the words and figures “two thousand yards.”

Sec. 2. That section six of chapter sixteen of the Private Laws of the Extra Session one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out the words “The chief of police shall act as tax collector” in lines twenty-seven and twenty-eight of said section.

Sec. 3. That section sixteen of chapter sixteen of the Private Laws of the Extra Session of one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out the last sentence in said section and inserting in lieu thereof the following: “The rate of taxation shall be governed by the State Municipal Finance Act.”

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.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1255  
CHAPTER 48

AN ACT TO AUTHORIZE PAYMENT TO J. B. ARMSTRONG, OF PENDER COUNTY, FOR INJURIES TO HIS DAUGHTER, DORIS ARMSTRONG, IN A SCHOOL BUS ACCIDENT.

Whereas, on January thirtieth, one thousand nine hundred thirty-seven, Doris Armstrong, a minor child of J. B. Armstrong, of Pender County, sustained serious injuries, resulting in the cutting and laceration of one of her hands, injuring the flesh, sinew, on account of overturning of the school bus in which she was riding, since which time she has incurred hospital, medical and other expenses of the sum of four hundred ($400.00) dollars and neither she nor her father have any means with which to pay same; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That J. B. Armstrong, of Pender County, be paid from contingency and emergency fund the sum of four hundred ($400.00) dollars to cover hospital, medical bill and other expenses, and for services rendered to his minor daughter, Doris Armstrong, as the result of serious and permanent injuries sustained in the school bus accident on January thirtieth, one thousand nine hundred thirty-seven.

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

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.
H. B. 1288  CHAPTER 49

AN ACT TO AMEND SECTION FOUR, CHAPTER ONE HUNDRED FOUR OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE, RELATING TO SALE OF MARKET HOUSE IN THE TOWN OF ELIZABETH CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four, chapter one hundred four of the Private Laws of one thousand nine hundred thirty-one, be, and the same is hereby amended by striking out in lines twenty-one and twenty-two the words "twenty-two thousand five hundred dollars" and inserting in lieu thereof the words "twelve thousand dollars."

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

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

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

S. B. 468  CHAPTER 50

AN ACT TO PROVIDE COMPENSATION TO IRA A. BROADAWAY, CLARENCE HARTLEY AND SCOTT WEANT, FATHERS OF PUBLIC SCHOOL CHILDREN, GRADY WEANT, CURTIS HARTLEY, FRANCES LOUISE BROADAWAY, MARY J. BROADAWAY AND AMANDA BROADAWAY, WHO WERE KILLED WHILE RIDING IN A PUBLIC SCHOOL BUS TO WOODLEAF PUBLIC SCHOOL IN ROWAN COUNTY; AND TO IRA A. BROADAWAY AND J. W. McCULLOUGH, FATHERS OF PUBLIC SCHOOL CHILDREN, ROY BROADAWAY AND NELL McCULLOUGH, WHO WERE SERIOUSLY INJURED IN THE SAME WRECK.

Whereas, for a number of years the transportation of public school children by motor bus to and from the public schools within the State of North Carolina, has been a necessity under the compulsory system of public schools obtaining in this state; and

Whereas, it is mandatory that public school children of given age must be by their parents sent to public schools; and

Whereas, the consolidation of public schools within the state has made it necessary that a large number of public school children within school age be by the school authorities of the state transported from their respective homes to the public schools in busses owned and operated by the state; and

Whereas, within the past several years deaths and serious
injuries among said public school children riding on said public school busses have occurred without any fault or negligence whatever on the part of said public school children or their parents, and that in most instances said parents are not financially able to pay the hospital, medical and funeral bills incurred in consequence of such deaths or injuries; and

Whereas, on the morning of the twenty-first of April, in the year one thousand nine hundred and thirty-three, while riding in a public school bus in Franklin Township, Rowan County, North Carolina, en route from their respective homes to the Woodleaf Public School in said county, and as the said school bus in which they, together with forty-four other public school children, were then riding was rounding a sharp, blind curve on a narrow dirt road, which had been designated by the public school authorities as the transportation route for said bus, and when said bus, in which they were riding, at the middle of said sharp, blind curve was side-swiped by another public school bus, coming with speed from the opposite direction, the following public school children, being residents of said township, and without any fault or negligence on their part, were killed, namely:

Grady Weant, aged thirteen, son of Scott Weant;
Curtis Hartley, aged twelve years, son of Clarence Hartley;
Frances Louise Broadaway, aged eleven years, daughter of Ira A. Broadaway;
Mary J. Broadaway, aged thirteen years, daughter of Ira A. Broadaway; and Amanda Broadaway, aged thirteen years, daughter of Ira A. Broadaway; and the following school children, without any fault or negligence on their part, were seriously and permanently injured; namely:

Roy Broadaway, aged twelve years, son of Ira A. Broadaway, permanently injured in his head and body and a patient in a local hospital for eleven months thereafter;

Nell McCullough, aged sixteen years, daughter of J. W. McCullough, permanently injured in her body and a patient in a local hospital for weeks thereafter; and

Whereas, both of said public school busses were at said time being operated by chauffeurs employed by the proper public school authorities of the state, over a narrow, crooked dirt road which had been designated by public school authorities as the transportation route to carry said school children to said school, notwithstanding there was another wider and straighter, though longer, dirt road available and a still longer but straighter and wider concrete road available, such designation being in pursuance of the State Economy Program directed by statute; and

Whereas, said fathers are either tenant farmers or men of moderate means who could ill afford to pay the hospital, medical and funeral expenses imposed by the deaths or injuries of their said children; and

Whereas, the said fathers have no remedy at law: Now, Therefore,

Deaths and serious injuries among children riding on school busses.
Inability of parents to pay medical and funeral expenses.
Circumstances of accident resulting in death and injury of certain school children, Franklin Township, Rowan County.
Children killed.
Children injured.
Additional facts concerning said accident.
Hardship on fathers to pay medical and funeral expenses.
No remedy at law.
The General Assembly of North Carolina do enact:

SECTION 1. That the State School Commission of North Carolina be and it is hereby authorized and directed to pay the said Ira A. Broadway, Clarence Hartley and Scott Weant, fathers of said public school children, who were killed as set out in the preamble of this Act, the following respective sums of money, to wit: Eighteen hundred dollars ($1,800.00) to said Ira A. Broadway, father of said Frances Louise Broadway, Mary J. Broadway and Amanda Broadway; and Six hundred dollars, ($600.00) to said Scott Weant, father of said Grady Weant, and Six hundred dollars ($600.00) to the said Clarence Hartley, father of Curtis Hartley; and pay to the said Ira B. Broadway the expenses incurred for medical treatment, doctors and hospitalization for his said injured son, Roy Broadway, not to exceed the sum of Six hundred dollars ($600.00), and pay to the said J. W. McCullough the expenses incurred for medical treatment, doctors and hospitalization for his said injured daughter, Nell B. McCullough, not to exceed Six hundred dollars ($600.00); provided that funds necessary to carry out the provisions of this Act shall be paid out of the Emergency Fund in the event funds are not available out of the appropriations made for public schools. Provided, however, that the rights to compensation authorized by this Act to Ira A. Broadway for said personal injuries to his son, Roy Broadway, and to J. W. McCullough for said personal injuries to his daughter, Nell McCullough, respectively, shall not be paid unless and until an itemized verified statement thereof shall have been presented by said respective father to the State School Commission and approved by it.

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.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 912  CHAPTER 51

AN ACT TO REIMBURSE GORDON BROOKS, OF CHATHAM COUNTY, NORTH CAROLINA, FOR AND ON ACCOUNT OF MONEY EXPENDED BY HIM AS RESULT OF AN INJURY SUSTAINED ON THE SECOND DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND THIRTY-SIX, WHILE HE WAS EMPLOYED AS A TRUCK DRIVER FOR THE NORTH CAROLINA STATE HIGHWAY COMMISSION.

Whereas, Gordon Brooks, of Chatham County, North Carolina, employed by the State Highway Commission, on the second day of March, one thousand nine hundred and thirty-six,
was injured without any fault on his part and while oiling a truck belonging to the State Highway Commission at its truck barn at the State Prison Camp, near Siler City in Chatham County, North Carolina, and as a result of such injury done and sustained was obliged to pay medical and hospital expenses in the sum of four hundred eighty-eight dollars and ten cents ($488.10); Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the said Gordon Brooks be paid from the Highway Fund of the State of North Carolina the sum of four hundred eighty-eight dollars and ten cents ($488.10), and the State Highway Commission is authorized to pay to him such sum upon his filing with the Chairman of the State Highway Commission evidence showing and establishing the payment by him of such sum for hospital and medical treatment.

Sec. 2. That the provisions of this Act shall not take effect unless approved by the Chairman of the State Highway Commission: Provided, further, that if Gordon Brooks receives any amount under the provisions of this Act he shall not be entitled to recover any sums under the Workman's Compensation Act.

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.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 976 CHAPTER 52

AN ACT TO RELIEVE OR COMPENSATE EMERSON GILMER FOR PERMANENT INJURIES RECEIVED WHILE HE WAS ENGAGED IN THE ACT OF SAWING WOOD FOR THE DUDLEY HIGH SCHOOL LOCATED IN THE CITY OF GREENSBORO, NORTH CAROLINA.

Whereas, Emerson Gilmer is fifteen years old and is a student at Dudley High School, Greensboro, North Carolina, and was a student in said high school on or about November sixteenth, one thousand nine hundred thirty-six. On said date, he received permanent injuries to his left hand while engaged in the use of an electric saw in said school for school purposes. His injuries are more described in detail as follows: loss of one phalanx of the thumb, loss of two phalanxes of the middle or second fingers, and loss of two phalanxes of the third or ring finger. The outer side of the first phalanx of the index or ring finger was deeply gashed; and

Whereas, said Emerson Gilmer is poor and in need of aid, and his injuries are permanent and of such a nature that he
injury not covered by compensation provisions of School Law.

Appropriation made for relief of Emerson Gilmer, payable to C. S. C., Guilford County.

Conflicting laws repealed.

will be handicapped for the rest of his life in his efforts to make a livelihood; and

Whereas, this type of injury is not covered by any compensation provisions of the School Law of one thousand nine hundred thirty-five; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the sum of three hundred dollars ($300.00) is hereby appropriated to be paid to A. Wayland Cooke, Clerk of the Superior Court of Guilford County for the benefit and relief of Emerson Gilmer.

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.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1268  CHAPTER 53

AN ACT TO INCORPORATE THE CALVARY BAPTIST CHURCH OF THE CITY OF RALEIGH, WAKE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the Calvary Baptist Church of Raleigh, North Carolina, be, and the same is hereby incorporated and created a corporate body politic under the name and style of "Calvary Baptist Church, Incorporated of Raleigh, North Carolina," for the purpose of engaging in religious service and promoting the spiritual, moral, and social welfare of its membership and community; and that the governing body of the said incorporated Calvary Baptist Church of Raleigh, North Carolina shall be known as the Board of Deacons, which Board of Deacons shall consist of twelve, or more, active members of the said church, who shall be elected by the membership at large at the annual church conference, or at a specially called church conference.

The duties of the Board of Deacons shall be to govern the affairs and policies of the said church, and shall serve the membership in an advisory capacity in accordance with the principle of the Southern Baptist Convention and to act in other capacities as deacons of the Baptist denomination may require in keeping with the general organization.

SEC. 2. That Clarence E. Mitchell, W. A. Baker, Jr., W. O. Floyd, Walter J. Ray, and Sherwood W. Brantley, their successors and associates, be, and are hereby named, designated, and created a body politic and corporate under the name and style of the "Trustees of Calvary Baptist Church, Incorporated, of Raleigh, North Carolina," with power to hold, purchase, sell,
lease, mortgage, or convey all property of the said church, to contract and be contracted with, and to do all other acts and things which may be necessary for the holding, purchasing, selling, mortgaging, leasing, conveyance, or management of the property of the said church, subject, however, to the approval of a majority of the membership present at any regular or specially called conference of said church.

Clarence E. Mitchell and W. A. Baker, Jr. shall hold office and serve for a period of four years; Walter J. Ray, for three years; W. O. Floyd, for two years; Sherwood W. Brantley for one year, the membership of the said church at a specially called conference to so designate and approve the terms of the above named trustees; and, upon a vacancy or expiration of the term of any of the above named trustees, such vacancy or expired term shall be filled by a person or persons selected from the membership at a special or annual conference of the membership of said church.

Sec. 3. In order to carry out the purposes of "Calvary Baptist Church, Incorporated, of Raleigh, North Carolina" the following offices are created:

(a) Financial Secretary. That a Financial Secretary shall be elected annually by the majority of the membership present at the annual church conference, or at a special call conference whose duties shall be to keep an accurate membership roll, with the names and addresses of all members, active or otherwise, in a book furnished by the Church. The said Financial Secretary shall keep an accurate record of all contributions to the church from all members or other sources, in a book furnished by the church, and shall turn over all moneys so collected weekly to the Treasurer of the Church, receiving a receipt for the same signed by said treasurer.

(b) Treasurer. That there shall be a Treasurer elected annually by the majority of the membership present at the annual church conference, or at a special call conference, whose duties shall be to keep an accurate account of all moneys received from the financial secretary, or other sources. In addition to receiving said funds, it shall be the duty of the treasurer of said church to disburse all fund with proper voucher on approval of the Chairman of the Finance Committee, who shall countersign all vouchers issued for any and all purposes.

(c) Finance Committee. That there is hereby created a Finance Committee elected annually by the majority of the membership present at the annual conference, or at a special called conference, who shall approve all purchases of any nature and shall authorize the payment of all bills to the treasurer before payment is made, and the chairman of said Finance Committee shall countersign all vouchers made out by the treasurer before payment on bills are made.

Sec. 4. That such church may at any specially called or annual conference of said church designate such by-laws, rules and regulations as may be deemed proper to carry out the pur-
poses of said corporation, for its efficient management, and to
elect, constitute and appoint such officers, committees, teachers,
and assistants as may be deemed expedient.

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.

In the General Assembly read three times and ratified, this
the 23rd day of March, A.D. 1937.

H. B. 1039  CHAPTER 54

AN ACT TO AMEND CHAPTER SEVENTY-THREE OF
THE PUBLIC PRIVATE LAWS OF ONE THOUSAND
EIGHT HUNDRED NINETY-SEVEN AS AMENDED BY
CHAPTER FOUR HUNDRED SEVENTY OF THE
PUBLIC PRIVATE LAWS OF ONE THOUSAND NINE
HUNDRED ELEVEN, RELATING TO THE CHARTER OF THE GRAND LODGE OF THE KNIGHTS OF PYTHIAS
OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seventy-three of the Public Private
Laws of one thousand eight hundred ninety-seven as amended
by chapter four hundred seventy of the Public Private Laws of
one thousand nine hundred eleven, be, and the same is hereby
amended by adding at the end of the first paragraph after the
words "North Carolina" the following: "Including the power to
provide for, establish and maintain an orphan home for minors,
also a home for aged Pythians and their wives, and to establish
and maintain an endowment fund for either or both of these
homes."

Sec. 2. That the second paragraph, be, and the same is hereby
amended by striking out the word "one" in line three, and in-
serting in lieu thereof the word "five."

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

In the General Assembly read three times and ratified, this
the 23rd day of March, A.D. 1937.

H. B. 1091  CHAPTER 55

AN ACT TO AUTHORIZE PAYMENT TO E. D. CHRISTEN-
BURY, OF MONTGOMERY COUNTY, FOR INJURIES TO
HIS DAUGHTER IN A SCHOOL BUS ACCIDENT.

Whereas, on March twenty-second, one thousand nine hun-
dred thirty-four, Alta Christenbury, a minor child of E. D.
Christenbury, of Montgomery County, sustained serious and per-
manent injuries resulting in the loss of a leg from a collision of
a school bus in which she was riding with a truck driven and owned by a person of no financial means, since which time she has incurred hospital and medical expenses of seven hundred forty dollars and ten cents ($740.10) and neither she nor her father have any means to pay the same; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That E. D. Christenbury of Montgomery County, be paid from the contingency and emergency fund the sum of five hundred dollars ($500.00) to cover the hospital and medical bill for services rendered to his minor daughter, Alta Christenbury, seriously injured in a school bus accident on March twenty-second, one thousand nine hundred and thirty-four.

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

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

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STATE OF NORTH CAROLINA
OFFICE OF SECRETARY OF STATE
RALEIGH, N. C., MARCH 23, 1937

I, THAD EURE, 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.