PUBLIC LAWS AND RESOLUTIONS
OF THE
STATE OF NORTH CAROLINA
PASSED BY THE
GENERAL ASSEMBLY
AT ITS
EXTRA SESSION OF 1908,
BEGUN AND HELD IN THE CITY OF RALEIGH
ON

PUBLISHED BY AUTHORITY.

RALEIGH:
E. M. Uzzell & Co., State Printers and Binders.
1908.
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<td>Resolutions</td>
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OFFICIAL REGISTER
FOR THE YEAR 1908.

STATE GOVERNMENT.

EXECUTIVE DEPARTMENT.

Robert B. Glenn ........................................... Governor ........................................ Forsyth.
Francis D. Winston ....................................... Lieutenant-Governor ............................ Bertie.
J. Bryan Grimes ........................................... Secretary of State ............................... Pitt.
Benjamin F. Dixon ......................................... Auditor ............................................. Cleveland.
Benjamin R. Lacy ........................................... Treasurer ......................................... Wake.
Robert D. Gilmer .......................................... Attorney-General ................................. Haywood.
J. Y. Joyner .................................................. Superintendent of Public Instruction .......... Guilford.
Samuel L. Patterson ....................................... Commissioner of Agriculture .................. Caldwell.
Henry B. Varner ........................................... Commissioner of Labor and Printing .......... Davidson.
T. R. Robertson ........................................... Adjutant-General ................................. Mecklenburg.
Alfred Williams ........................................... Assistant Adjutant-General ...................... Wake.
M. O. Sherrill .............................................. State Librarian ................................. Catawba.
James R. Young ........................................... Insurance Commissioner ......................... Vance.
A. H. Arrington ........................................... Private Secretary to Governor ................. Nash.
Miss Lillian M. Thompson ............................... Executive Clerk ................................... Wake.
George W. Norwood ....................................... Grant Clerk ......................................... Wake.
W. S. Wilson ................................................ Corporation Clerk ................................. Caswell.
Miss Minnie M. Bagwell ................................... Clerk and Stenographer ......................... Wake.
Joseph E. Sawyer ......................................... Clerk and Stenographer ......................... Wake.
E. H. Baker .................................................. Chief Clerk to Auditor .......................... Franklin.
Baxter Durham ............................................. Tax Clerk ........................................... Wake.
Miss F. W. Smith ........................................... Pension Clerk and Stenographer ................. Wake.
W. F. Moody ................................................ Chief Clerk of Treasury Department ............. Mecklenburg.
P. B. Fleming .............................................. Teller ................................................. Franklin.
H. M. Reese ................................................ Clerk of Institutions ............................... Wake.
Miss M. F. Jones .......................................... Clerk and Stenographer ......................... Buncombe.
Hayden Clement .......................................... Assistant Attorney-General ....................... Rowan.
Miss Sarah Burkhead ..................................... Clerk and Stenographer to Attorney-General-Columbus.
A. J. Barwick .............................................. Chief Clerk to Supt. Public Instruction ........ Lenoir.
C. H. Mebane .............................................. Clerk of Loan Fund ............................... Catawba.
Miss Hattie Arrington ..................................... Clerk and Stenographer ......................... Wake.
Miss C. E. Broughton ..................................... Assistant Librarian ................................. Wake.
Miss Daisy Thompson ..................................... Clerk and Stenographer ......................... Wake.
D. H. Milton ................................................ Clerk to Insurance Commissioner .............. Rockingham.
A. H. Mowbray ........................................... Actuary ............................................. Wake.
Miss Ida Montgomery .................................... Stenographer and Cashier ......................... Wake.
Miss Stella Jordan ....................................... Bookkeeper and File Clerk ......................... Wake.
A. H. Yearby ................................................ License Clerk ......................................... Wake.
C. C. Cherry ................................................ Superintendent Public Buildings ............. Edgecombe.
L. H. Lumsden ............................................. State Standard Keeper ............................ Wake.
Edmund B. Norvell ....................................... Enrolling Clerk ..................................... Cherokee.
E. M. Uzzell ................................................ State Printer ......................................... Wake.
## Judicial Officers

### Corporation Commission

<table>
<thead>
<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Franklin McNeill</td>
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<tr>
<td>Samuel L. Rogers</td>
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<td>Commissioner</td>
<td>Wake</td>
</tr>
<tr>
<td>Henry C. Brown</td>
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<td>Surry</td>
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<td>Stedman Thompson</td>
<td>Clerk</td>
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<tr>
<td>Miss E. G. Riddick</td>
<td>Stenographer</td>
<td>Wilson</td>
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### Judicial Department

#### Supreme Court Judges

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<thead>
<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Walter Clark</td>
<td>Chief Justice</td>
<td>Raleigh</td>
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<tr>
<td>Henry G. Connor</td>
<td>Associate Justice</td>
<td>Wilson</td>
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<tr>
<td>Platt D. Walker</td>
<td>Associate Justice</td>
<td>Charlotte</td>
</tr>
<tr>
<td>George H. Brown</td>
<td>Associate Justice</td>
<td>Washington</td>
</tr>
<tr>
<td>William A. Hoke</td>
<td>Associate Justice</td>
<td>Lincoln</td>
</tr>
<tr>
<td>Thomas S. Kenan</td>
<td>Clerk</td>
<td>Raleigh</td>
</tr>
<tr>
<td>J. L. Seawell</td>
<td>Office Clerk</td>
<td>Raleigh</td>
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<tr>
<td>Robert H. Bradley</td>
<td>Marshal and Librarian</td>
<td>Raleigh</td>
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<tr>
<td>Robert C. Strong</td>
<td>Reporter</td>
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#### Superior Court Judges

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<td>George W. Ward</td>
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<td>Charles M. Cooke</td>
<td>Louisburg</td>
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<tr>
<td>Chatham Calhoun Lyon</td>
<td>Elizabethtown</td>
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<tr>
<td>Walter H. Neal</td>
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<tr>
<td>J. Crawford Biggs</td>
<td>Durham</td>
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<tr>
<td>Benjamin F. Long</td>
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<td>Erastus B. Jones</td>
<td>Winston</td>
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<tr>
<td>James L. Webb</td>
<td>Shelby</td>
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<td>W. B. Council</td>
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<tr>
<td>M. H. Justice</td>
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<td>Frederick Moore</td>
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#### Solicitors

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<tr>
<td>Hallett S. Ward</td>
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<td>S. P. Graves</td>
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<tr>
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<tr>
<td>Thad. D. Bryson</td>
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MEMBERS OF THE GENERAL ASSEMBLY.

CONVENES BIENNIALY IN THE CITY OF RALEIGH ON WEDNESDAY AFTER THE FIRST MONDAY IN JANUARY.

SENATORS.

HON. FRANCIS D. WINSTON, LIEUTENANT-GOVERNOR, PRESIDENT, WINDSOR.

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<th>District</th>
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<td>A. Pilson Godwin</td>
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<td>R. Bruce Etheridge</td>
<td>Manteo</td>
<td>Dare</td>
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<td>H. W. Stubbs</td>
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<td>Martin</td>
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<td>Nash</td>
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<td>Onslow</td>
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<td>Culberson</td>
<td>Cherokee</td>
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## SENATE OFFICERS.

<table>
<thead>
<tr>
<th>Name</th>
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<tr>
<td>A. J. Maxwell</td>
<td>Principal Clerk</td>
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<td>Stacey Wade</td>
<td>Assistant Principal Clerk</td>
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<tr>
<td>Otis Self</td>
<td>Assistant to Principal Clerk</td>
<td>Webster</td>
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<td>L. B. Pegram</td>
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<td>Robert N. Staley</td>
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<tr>
<td>Miss Mordecai Bledsoe</td>
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<td>Miss Caro Gray</td>
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<tr>
<td>John A. Pickett</td>
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## House Officers

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<tr>
<td>Frank D. Hackett</td>
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<td>F. B. Arendell</td>
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<tr>
<td>M. D. Kinsland</td>
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<tr>
<td>J. A. Lisk</td>
<td>Troy</td>
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</tr>
<tr>
<td>D. H. James</td>
<td>Scotland Neck</td>
<td>Assistant Doorkeeper.</td>
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<tr>
<td>Alexander Lassiter</td>
<td>Windsor</td>
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<tr>
<td>T. G. Cobb</td>
<td>Morganton</td>
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<tr>
<td>R. O. Frye</td>
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<td>R. L. Huffman</td>
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<tr>
<td>Thomas P. Bumgarner</td>
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<tr>
<td>Roy Leatherwood</td>
<td>Webster</td>
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<tr>
<td>W. N. H. Smith</td>
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<tr>
<td>Frank D. Hackett, Jr.</td>
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<tr>
<td>Jarvis Davis</td>
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<tr>
<td>W. J. Hooks</td>
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<tr>
<td>Miss Minnie Boyd</td>
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<td>Miss Florence I. Gordon</td>
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<tr>
<td>S. W. Withers</td>
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<tr>
<td>George C. Fisher</td>
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## Enrolling Department

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<tr>
<td>E. B. Norvell</td>
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<tr>
<td>J. R. Swann</td>
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<tr>
<td>Bagley, E. G.</td>
<td>Danville, Va.</td>
<td>March 12, 1908</td>
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<tr>
<td>Braman, Joseph B.</td>
<td>120 Broadway, New York City</td>
<td>June 3, 1909</td>
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<td>Braman, Ella F.</td>
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<td>Brinkley, Harry A.</td>
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<td>Rundt, Charles S.</td>
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<td>Burnett, Harry E.</td>
<td>228 S. 4th St., Philadelphia, Pa.</td>
<td>February 14, 1910</td>
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<tr>
<td>Corey, George H.</td>
<td>56 Wall St., New York</td>
<td>November 11, 1909</td>
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<td>Elliott, Gilmer T.</td>
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<td>December 21, 1909</td>
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<td>Fairman, Francis E.</td>
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<td>Fisher, Abraham H.</td>
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<td>Gilliam, Robert</td>
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<td>Harrison, Joseph T.</td>
<td>120 4th St., Cincinnati, O.</td>
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<td>Hendry, J. Burke</td>
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*1908.*
CONSTITUTION

OF THE

STATE OF NORTH CAROLINA.

PREAMBLE.

We, the people of the State of North Carolina, grateful to Almighty God, the Sovereign Ruler of Nations, for the preservation of the American Union, and the existence of our civil, political and religious liberties, and acknowledging our dependence upon Him for the continuance of those blessings to us and our posterity, do for the more certain security thereof, and for the better government of this State, ordain and establish this Constitution:

ARTICLE I.

DECLARATION OF RIGHTS.

That the great, general and essential principles of liberty and free government may be recognized and established, and that the relations of this State to the Union and Government of the United States, and those of the people of this State to the rest of the American people, may be defined and affirmed, we do declare:

Section 1. That we hold it to be self-evident that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, the enjoyment of the fruits of their own labor, and the pursuit of happiness.

Sec. 2. That all political power is vested in, and derived from, the people; all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.

Sec. 3. That the people of this State have the inherent, sole and exclusive right of regulating the internal government and police thereof, and of altering and abolishing their Constitution and form of government whenever it may be necessary for their safety and happiness; but every such right should be exercised in pursuance of law, and consistently with the Constitution of the United States.

Sec. 4. That this State shall ever remain a member of the American Union; that the people thereof are a part of the American Nation; that there is no right on the part of the State to secede, and that all attempts, from whatever source or upon whatever
Of allegiance to the U. S. government.

Public debt.

Bonds issued under ordinance of Convention of 1868 and under acts of 1868, 1868-9, 1869-70, declared invalid.

Exception.

Exclusive emoluments, etc.

The legislative, executive and judicial powers distinct.

Of the power of suspending laws.

Elections free.

In criminal prosecutions.

Answers to criminal charges.

Right of jury.

Constitution of North Carolina.

pretex\text{t, to dissolve said Union, or to sever said Nation, ought to be resisted with the whole power of the State.}

SEC. 5. That every citizen of this State owes paramount allegiance to the Constitution and Government of the United States, and, that no law or ordinance of the State in contravention or subversion thereof can have any binding force.

SEC. 6. The State shall never assume or pay, or authorize the collection of any debt or obligation, express or implied, incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; nor shall the General Assembly assume or pay, or authorize the collection of any tax to pay, either directly or indirectly, expressed or implied, any debt or bond incurred, or issued, by authority of the Convention of the year one thousand eight hundred and sixty-eight, nor any debt or bond incurred or issued by the Legislature of the year one thousand eight hundred and sixty-eight, at its special session of the year one thousand eight hundred and sixty-eight, or at its regular sessions of the years one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, except the bonds issued to fund the interest on the old debt of the State, unless the proposing to pay the same shall have first been submitted to the people and by them ratified by the vote of a majority of all the qualified voters of the State, at a regular election held for that purpose.

SEC. 7. No man or set of men are entitled to exclusive or separate emoluments or privileges from the community but in consideration of public services.

SEC. 8. The legislative, executive and supreme judicial powers of the government ought to be forever separate and distinct from each other.

SEC. 9. All power of suspending laws, or the execution of laws, by any authority, without the consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

SEC. 10. All elections ought to be free.

SEC. 11. In all criminal prosecutions, every man has the right to be informed of the accusation against him and to confront the accusers and witnesses with other testimony, and to have counsel for his defence, and not to be compelled to give evidence against himself, or to pay costs, jail fees, or necessary witness fees of the defence, unless found guilty.

SEC. 12. No person shall be put to answer any criminal charge, except as hereinafter allowed, but by indictment, presentment or impeachment.

SEC. 13. No person shall be convicted of any crime but by the unanimous verdict of a jury of good and lawful men in open
court. The Legislature may, however, provide other means of trial for petty misdemeanors, with the right of appeal.

Sec. 14. Excessive bail should not be required, nor excessive excessive bail. fines imposed, nor cruel or unusual punishments inflicted.

Sec. 15. General warrants, whereby any officer or messenger General warrants, may be commanded to search suspected places, without evidence of the act committed, or to seize any person or persons not named, whose offence is not particularly described and supported by evidence, are dangerous to liberty and ought not to be granted.

Sec. 16. There shall be no imprisonment for debt in this State, imprisonment for except in cases of fraud.

Sec. 17. No person ought to be taken, imprisoned, or diseized of his freehold, liberties or privileges, or outlawed or exiled, or in any manner deprived of his life, liberty or property, but by the law of the land.

Sec. 18. Every person restrained of his liberty is entitled to a remedy to enquire into the lawfulness thereof, and to remove the same, if unlawful; and such remedy ought not to be denied or delayed.

Sec. 19. In all controversies at law respecting property, the ancient mode of trial by jury is one of the best securities of the rights of the people, and ought to remain sacred and inviolable.

Sec. 20. The freedom of the press is one of the great bulwarks of liberty, and therefore ought never to be restrained, but every individual shall be held responsible for the abuse of the same.

Sec. 21. The privileges of the writ of habeas corpus shall not be suspened.

Sec. 22. As political rights and privileges are not dependent upon, or modified by, property, therefore no property qualification ought to affect the right to vote or hold office.

Sec. 23. The people of the State ought not to be taxed, or made subject to the payment of any impost or duty, without the consent of themselves, or their representatives in General Assembly freely given.

Sec. 24. A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed; and, as standing armies in time of peace are dangerous to liberty, they ought not to be kept up, and the military should be kept under strict subordination to, and governed by, the civil power. Nothing herein contained shall justify the practice of carrying concealed weapons, or prevent the Legislature from enacting penal statutes against said practice.

Sec. 25. The people have a right to assemble together to consult Right of the peo- ple to assemble together. for their common good, to instruct their representatives, and to apply to the Legislature for redress of grievances. But secret political societies are dangerous to the liberties of a free people, and should not be tolerated.
Religious liberty.  

Sec. 26. All men have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences, and no human authority should, in any case whatever, control or interfere with the rights of conscience.

Education.

Sec. 27. The people have the right to the privilege of education, and it is the duty of the State to guard and maintain that right.

Elections should be frequent.

Sec. 28. For redress of grievances, and for amending and strengthening the laws, elections should be often held.

Recurrence to fundamental principles.

Sec. 29. A frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty.

Hereditary emoluments, etc.

Sec. 30. No hereditary emoluments, privileges or honors ought to be granted or conferred in this State.

Perpetuities, etc.

Sec. 31. Perpetuities and monopolies are contrary to the genius of a free State and ought not to be allowed.

Ex post facto laws.

Sec. 32. Retrospective laws, punishing acts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust and incompatible with liberty; wherefore no ex post facto law ought to be made. No law taxing retrospectively sales, purchases, or other acts previously done, ought to be passed.

Slavery prohibited.

Sec. 33. Slavery and involuntary servitude, otherwise than for crime, whereof the parties shall have been duly convicted, shall be and are hereby forever prohibited within the State.

State boundaries.

Sec. 34. The limits and boundaries of the State shall be and remain as they now are.

Courts shall be open.

Sec. 35. All courts shall be open; and every person for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial or delay.

Soldiers in time of peace.

Sec. 36. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war but in a manner prescribed by the law.

Other rights of the people.

Sec. 37. This enumeration of rights shall not be construed to impair or deny others retained by the people; and all powers not herein delegated remain with the people.

ARTICLE II.

LEGISLATIVE DEPARTMENT.

Section 1. The legislative authority shall be vested in two distinct branches, both dependent on the people; to-wit, a Senate and House of Representatives.

Sec. 2. The Senate and House of Representatives shall meet biennially on the first Wednesday after the first Monday in January next after their election; and, when assembled, shall be denominated the General Assembly. Neither House shall proceed
upon public business unless a majority of all the members are actually present.

Sec. 3. The Senate shall be composed of fifty Senators, biennially chosen by ballot.

Sec. 4. The Senate Districts shall be so altered by the General Assembly, at the first session after the return of every enumeration by order of Congress, that each Senate District shall contain as near as may be, an equal number of inhabitants, excluding aliens and Indians not taxed, and shall remain unaltered until the return of another enumeration, and shall at all times consist of contiguous territory; and no county shall be divided in the formation of a Senate District, unless such county shall be equitably entitled to two or more Senators.

Sec. 5. The House of Representatives shall be composed of one hundred and twenty Representatives, biennially chosen by ballot, to be elected by the counties respectively, according to their population, and each county shall have at least one Representative in the House of Representatives, although it may not contain the requisite ratio of representation; this apportionment shall be made by the General Assembly at the respective times and periods when the Districts of the Senate are hereinbefore directed to be laid off.

Sec. 6. In making the apportionment in the House of Representatives, the ratio of representation shall be ascertained by dividing the amount of the population of the State, exclusive of that comprehended within those counties which do not severally contain the one hundred and twentieth part of the population of the State, by the number of Representatives, less the number assigned to such counties; and in ascertaining the number of the population of the State, aliens and Indians not taxed shall not be included. To each county containing the said ratio and not twice the said ratio, there shall be assigned one Representative; to each county containing two but not three times the said ratio, there shall be assigned two Representatives, and so on progressively, and then the remaining Representatives shall be assigned severally to the counties having the largest fractions.

Sec. 7. Each member of the Senate shall not be less than twenty-five years of age, shall have resided in the State as a citizen two years, and shall have usually resided in the District for which he is chosen one year immediately preceding his election.

Sec. 8. Each member of the House of Representatives shall be a qualified elector of the State, and shall have resided in the county for which he is chosen for one year immediately preceding his election.

Sec. 9. In the election of all officers, whose appointment shall be conferred upon the General Assembly by the Constitution, the vote shall be 


viva voce.

Constitution of North Carolina.
Powers in relation to divorce and alimony.

Sec. 10. The General Assembly shall have the power to pass general laws regulating divorce and alimony, but shall not have power to grant a divorce or secure alimony in any individual case.

Private laws in relation to names of persons, etc.

Sec. 11. The General Assembly shall not have power to pass any private law to alter the name of any person, or to legitimate any person not born in lawful wedlock, or to restore to the rights of citizenship any person convicted of an infamous crime, but shall have power to pass general laws regulating the same.

Thirty days' notice shall be given anterior to passage of private laws.

Sec. 12. The General Assembly shall not pass any private law, unless it shall be made to appear that thirty days' notice of application to pass such a law shall have been given, under such direction and in such manner as shall be provided by law.

Vacancies.

Sec. 13. If vacancies shall occur in the General Assembly by death, resignation or otherwise, writs of election shall be issued by the Governor under such regulations as may be prescribed by law.

Revenue.

Sec. 14. No law shall be passed to raise money on the credit of the State, or to pledge the faith of the State, directly or indirectly, for the payment of any debt, or to impose any tax upon the people of the State, or allow the counties, cities or towns to do so, unless the bill for the purpose shall have been read three several times in each House of the General Assembly and passed three several readings, which readings shall have been on three different days, and agreed to by each House respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal.

Entails.

Sec. 15. The General Assembly shall regulate entails in such manner as to prevent perpetuities.

Journals.

Sec. 16. Each House shall keep a journal of its proceedings, which shall be printed and made public immediately after the adjournment of the General Assembly.

Protest.

Sec. 17. Any member of either House may dissent from and protest against any act or resolve, which he may think injurious to the public, or any individual, and have the reasons of his dissent entered on the journal.

Officers of the House.

Sec. 18. The House of Representatives shall choose their own Speaker and other officers.

President of the Senate.

Sec. 19. The Lieutenant-Governor shall preside in the Senate, but shall have no vote unless it may be equally divided.

Other senatorial officers.

Sec. 20. The Senate shall choose its other officers and also a Speaker (pro tempore) in the absence of the Lieutenant-Governor, or when he shall exercise the office of Governor.

Style of the acts.

Sec. 21. The style of the acts shall be: “The General Assembly of North Carolina do enact.”

Powers of the General Assembly.

Sec. 22. Each House shall be judge of the qualifications and election of its own members, shall sit upon its own adjournment
from day to day, prepare bills to be passed into laws; and the two
Houses may also jointly adjourn to any future day or other place.

Sec. 23. All bills and resolutions of a legislative nature shall be
read three times in each House, before they pass into laws; and
shall be signed by the presiding officer of both Houses.

Sec. 24. Each member of the General Assembly, before taking Oath of members,
his seat, shall take an oath or affirmation that he will support the
Constitution and laws of the United States, and the Constitution
of the State of North Carolina, and will faithfully discharge his
duty as a member of the Senate or House of Representatives.

Sec. 25. The terms of office for Senators and members of the Terms of office,
House of Representatives shall commence at the time of their
election.

Sec. 26. Upon motion made and seconded in either House by Yeas and nays,
one-fifth of the members present, the yeas and nays upon any
question shall be taken and entered upon the journals.

Sec. 27. The election for members of the General Assembly shall
be held for the respective districts and counties, at the places
where they are now held, or may be directed hereafter to be held,
in such manner as may be prescribed by law, on the first Thurs-
day in August, in the year one thousand eight hundred and sev-
enty, and every two years thereafter. But the General Assembly
may change the time of holding the elections.

Sec. 28. The members of the General Assembly for the term for
which they have been elected shall receive as a compensation for
their services the sum of four dollars per day for each day of
their session, for a period not exceeding sixty days; and should
they remain longer in session they shall serve without compensa-
tion. They shall also be entitled to receive ten cents per mile,
both while coming to the seat of government and while returning
home, the said distance to be computed by the nearest line or route
of public travel. The compensation of the presiding officers of
the two Houses shall be six dollars per day and mileage. Should
an extra session of the General Assembly be called, the members
and presiding officers shall receive a like rate of compensation for
a period not exceeding twenty days.

ARTICLE III.

EXECUTIVE DEPARTMENT.

Section 1. The Executive Department shall consist of a Gov-
ernor, in whom shall be vested the supreme executive power of
the State, a Lieutenant-Governor, a Secretary of State, an Auditor,
a Treasurer, a Superintendent of Public Instruction, and an Attor-
ney-General, who shall be elected for a term of four years by the Terms of office.
qualified electors of the State, at the same time and places and in
the same manner as members of the General Assembly are elected.
Their term of office shall commence on the first day of January

Bills and resolutions to be read
three times, etc.
next after their election, and continue until their successors are
elected and qualified: Provided, that the officers first elected shall
assume the duties of their office ten days after the approval of
this Constitution by the Congress of the United States, and shall
hold their offices four years from and after the first day of
January.

SEC. 2. No person shall be eligible as Governor or Lieutenant-
Governor unless he shall have attained the age of thirty years,
shall have been a citizen of the United States five years, and shall
have been a resident of this State for two years next before the
election; nor shall the person elected to either of these two offices
be eligible to the same office more than four years in any term of
eight years, unless the office shall have been cast upon him as
Lieutenant-Governor or President of the Senate.

SEC. 3. The return of every election for officers of the Executive
Department shall be sealed up and transmitted to the seat of gov-
ernment by the returning officers, directed to the Speaker of the
House of Representatives, who shall open and publish the same
in the presence of a majority of the members of both Houses of
the General Assembly. The person having the highest number of
votes respectively shall be declared duly elected; but if two or
more be equal and highest in votes for the same office, the one of
them shall be chosen by joint ballot of both Houses of the General
Assembly. Contested election shall be determined by a joint ballot
of both Houses of the General Assembly in such manner as shall
be prescribed by law.

SEC. 4. The Governor, before entering upon the duties of his
office, shall, in the presence of the members of both branches of
the General Assembly, or before any Justice of the Supreme Court,
take an oath or affirmation that he will support the Constitution
and laws of the United States, and of the State of North Carolina,
and that he will faithfully perform the duties appertaining to the
office of Governor, to which he has been elected.

SEC. 5. The Governor shall reside at the seat of government of
this State, and he shall, from time to time, give the General As-
sembly information of the affairs of the State, and recommend to
their consideration such measures as he shall deem expedient.

SEC. 6. The Governor shall have power to grant reprieves, com-
mutations and pardons, after conviction, for all offences (except in
cases of impeachment), upon such conditions as he may think
proper, subject to such regulations as may be provided by law
relative to the manner of applying for pardons. He shall bienni-
ally communicate to the General Assembly each case of reprieve,
commutation or pardon granted, stating the name of each convict,
the crime for which he was convicted, the sentence and its date,
the date of the commutation, pardon or reprieve and the reasons
therefor.
CONSTITUTION OF NORTH CAROLINA.

Sec. 7. The officers of the Executive Department and of the public institutions of the State shall, at least five days previous to each regular session of the General Assembly, severally report to the Governor, who shall transmit such reports with his message to the General Assembly; and the Governor may, at any time, require information in writing from the officers in the Executive Department upon any subject relating to the duties of their respective offices, and shall take care that the laws be faithfully executed.

Sec. 8. The Governor shall be Commander in Chief of the militia of the State, except when they shall be called into the service of the United States.

Sec. 9. The Governor shall have power, on extraordinary occasions, by and with the advice of the Council of State, to convene the General Assembly in extra session by his proclamation, stating therein the purpose or purposes for which they are thus convened.

Sec. 10. The Governor shall nominate and, by and with the advice and consent of a majority of the Senators-elect, appoint all officers whose offices are established by this Constitution and whose appointments are not otherwise provided for.

Sec. 11. The Lieutenant-Governor shall be President of the Senate, but shall have no vote unless the Senate be equally divided. He shall, whilst acting as President of the Senate, receive for his services the same pay which shall, for the same period, be allowed to the Speaker of the House of Representatives; and he shall receive no other compensation except when he is acting as Governor.

Sec. 12. In case of the impeachment of the Governor, his failure to qualify, his absence from the State, his inability to discharge the duties of his office, or, in case the office of Governor shall in any wise become vacant, the powers, duties and emoluments of the office shall devolve upon the Lieutenant-Governor until the disability shall cease or a new Governor shall be elected and qualified. In every case in which the Lieutenant-Governor shall be unable to preside over the Senate, the Senators shall elect one of their own number President of their body; and the powers, duties and emoluments of the office of Governor shall devolve upon him whenever the Lieutenant-Governor shall, for any reason, be prevented from discharging the duties of such office as above provided, and he shall continue as acting Governor until the disabilities are removed, or a new Governor or Lieutenant-Governor shall be elected and qualified. Whenever, during the recess of the General Assembly, it shall become necessary for the President of the Senate to administer the government, the Secretary of State shall convene the Senate, that they may select such President.
Sec. 13. The respective duties of the Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, and Attorney-General shall be prescribed by law. If the office of any of said officers shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to appoint another until the disability be removed or his successor be elected and qualified. Every such vacancy shall be filled by election at the first general election that occurs more than thirty days after the vacancy has taken place, and the persons chosen shall hold the office for the remainder of the unexpired term fixed in the first section of this article.

Sec. 14. The Secretary of State, Auditor, Treasurer and Superintendent of Public Instruction shall constitute, ex officio, the Council of State, who shall advise the Governor in the execution of his office, and three of whom shall constitute a quorum. Their advice and proceedings in this capacity shall be entered in a journal to be kept for this purpose exclusively, and signed by the members present, from any part of which any member may enter his dissent; and such journal shall be placed before the General Assembly when called for by either House. The Attorney-General shall be, ex officio, the legal advisor of the Executive Department.

Sec. 15. The officers mentioned in this article, shall, at stated periods receive for their services a compensation to be established by law, which shall neither be increased nor diminished during the time for which they shall have been elected, and the said officers shall receive no other emolument or allowance whatever.

Sec. 16. There shall be a seal of the State, which shall be kept by the Governor, and used by him as occasion may require, and shall be called "The Great Seal of the State of North Carolina." All grants and commissions shall be issued in the name and by the authority of the State of North Carolina, sealed with "The Great Seal of the State," signed by the Governor and countersigned by the Secretary of State.

Sec. 17. The General Assembly shall establish a Department of Agriculture, Immigration and Statistics, under such regulations as may best promote the agricultural interests of the State, and shall enact laws for the adequate protection and encouragement of sheep husbandry.

ARTICLE IV.

JUDICIAL DEPARTMENT.

Section 1. The distinctions between actions at law and suits in equity, and the forms of all such actions and suits, shall be abolished; and there shall be in this State but one form of action for the enforcement or protection of private rights or the redress of private wrongs, which shall be denominated a civil action; and
every action prosecuted by the people of the State as a party against a person charged with a public offense, for the punishment of the same, shall be termed a criminal action. Feigned issues shall also be abolished, and the fact at issue tried by order of Court before a jury.

SEC. 2. The judicial power of the State shall be vested in a Division of judicial Court for the Trial of Impeachments, a Supreme Court, Superior Courts, Courts of Justice of the Peace, and such other Courts inferior to the Supreme Court as may be established by law.

SEC. 3. The Court for the Trial of Impeachments shall be the Trial Court of Senate. A majority of the members shall be necessary to a quorum, and the judgment shall not extend beyond removal from, and disqualification to hold, office in this State; but the party shall be liable to indictment and punishment according to law.

SEC. 4. The House of Representatives solely shall have the Impeachment power of impeaching. No person shall be convicted without the concurrence of two-thirds of the Senators present. When the Governor is impeached, the Chief Justice shall preside.

SEC. 5. Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open Court. No conviction of treason or attainder shall work corruption of blood or forfeiture.

SEC. 6. The Supreme Court shall consist of a Chief Justice and four Associate Justices.

SEC. 7. The terms of the Supreme Court shall be held in the city of Raleigh, as now, unless otherwise provided by the General Assembly.

SEC. 8. The Supreme Court shall have jurisdiction to review, upon appeal, any decision of the Courts below, upon any matter of law or legal inference. And the jurisdiction of said Court over "issues of fact" and "questions of fact" shall be the same exercised by it before the adoption of the Constitution of one thousand eight hundred and sixty-eight, and the Court shall have the power to issue any remedial writs necessary to give it a general supervision and control over the proceedings of the inferior Courts.

SEC. 9. The Supreme Court shall have original jurisdiction to hear claims against the State, but its decisions shall be merely recommendatory; no process in the nature of execution shall issue thereon; they shall be reported to the next session of the General Assembly for its action.

SEC. 10. The State shall be divided into nine judicial districts, for each of which a Judge shall be chosen; and there shall be held a Superior Court in each county at least twice in each year, to continue for such time in each county as may be prescribed by
law. But the General Assembly may reduce or increase the number of districts.

Sec. 11. Every Judge of the Superior Court shall reside in the district for which he is elected. The Judges shall preside in the Courts of the different districts successively, but no Judge shall hold the Courts in the same district oftener than once in four years; but in case of the protracted illness of the Judge assigned to preside in any district, or of any other unavoidable accident to him, by reason of which he shall be unable to preside, the Governor may require any Judge to hold one or more specified terms in said district, in lieu of the Judge assigned to hold the Courts of the said district.

Sec. 12. The General Assembly shall have no power to deprive the Judicial Department of any power or jurisdiction which rightfully pertains to it as a co-ordinate department of the government; but the General Assembly shall allot and distribute that portion of this power and jurisdiction which does not pertain to the Supreme Court, among other Courts prescribed in this Constitution or which may be established by law, in such manner as it may deem best; provide also a proper system of appeals, and regulate by law, when necessary, the methods of proceedings in the exercise of their powers, of all the courts below the Supreme Court, so far as the same may be done without conflict with other provisions of this Constitution.

Sec. 13. In all issues of fact, joined in any Court, the parties may waive the right to have the same determined by a jury, in which case the finding of the Judge upon the facts shall have the force and effect of a verdict by a jury.

Sec. 14. The General Assembly shall provide for the establishment of Special Courts, for the trial of misdemeanors, in cities and towns where the same may be necessary.

Sec. 15. The Clerk of the Supreme Court shall be appointed by the Court, and shall hold his office for eight years.

Sec. 16. A Clerk of the Superior Court for each county shall be elected by the qualified voters thereof, at the time and in the manner prescribed by law for the election of members of the General Assembly.

Sec. 17. Clerks of the Superior Courts shall hold their offices for four years.

Sec. 18. The General Assembly shall prescribe and regulate the fees, salaries and emoluments of all officers provided for in this article; but the salaries of the Judges shall not be diminished during their continuance in office.

Sec. 19. The laws of North Carolina, not repugnant to this Constitution, or the Constitution and laws of the United States, shall be in force until lawfully altered.
SEC. 20. Actions at law, and suits in equity, pending when this Constitution shall go into effect, shall be transferred to the Courts having jurisdiction thereof, without prejudice by reason of the change; and all such actions and suits commenced before, and pending at the adoption by the General Assembly of the rules of practice and procedure herein provided for, shall be heard and determined according to the practice now in use, unless otherwise provided for by said rules.

SEC. 21. The Justices of the Supreme Court shall be elected by the qualified voters of the State, as is provided for the election of members of the General Assembly. They shall hold their offices for eight years. The Judges of the Superior Courts, elected at the first election under this amendment, shall be elected in like manner as is provided for Justices of the Supreme Court, and shall hold their offices for eight years. The General Assembly may, from time to time, provide by law that the Judges of the Superior Courts, chosen at succeeding elections, instead of being elected by the voters of the whole State, as is herein provided for, shall be elected by the voters of their respective districts.

SEC. 22. The Superior Court shall be at all times open for the transaction of all business within their jurisdiction, except the trial of issues of fact requiring a jury.

SEC. 23. A Solicitor shall be elected for each Judicial District by the qualified voters thereof, as is prescribed for members of the General Assembly, who shall hold office for the term of four years, and prosecute on behalf of the State, in all criminal actions in the Superior Courts, and advise the officers of justice in his district.

SEC. 24. In each county a Sheriff and Coroner shall be elected by the qualified voters thereof, as is prescribed for members of the General Assembly, and shall hold their offices for two years. In each township there shall be a Constable elected in like manner by the voters thereof, who shall hold his office for two years. When there is no Coroner in a county, the Clerk of the Superior Court for the county may appoint one for special cases. In case of a vacancy existing for any cause in any of the offices created by this section, the Commissioners of the county may appoint to such office for the unexpired term.

SEC. 25. All vacancies occurring in the offices provided for by this article of the Constitution shall be filled by the appointment of the Governor, unless otherwise provided for, and the appointees shall hold their places until the next regular election for members of the General Assembly, when elections shall be held to fill such offices. If any person, elected or appointed to any of said offices, shall neglect and fail to qualify, such offices shall be appointed to, held and filled as provided in case of vacancies occurring therein. All incumbents of said office shall hold until their successors are qualified.
Terms of office of first officers under this article.

Jurisdiction of justices of the peace.

Vacancies in office of justices.

Vacancies in office of Superior Court Clerk.

Officers of other courts inferior to Supreme Court.

Removal of judges of the various courts for inability.

SEC. 26. The officers elected at the first election held under this Constitution shall hold their offices for the terms prescribed for them respectively, next ensuing after the next regular election for members of the General Assembly. But their terms shall begin upon the approval of this Constitution by the Congress of the United States.

SEC. 27. The several Justices of the Peace shall have jurisdiction, under such regulations as the General Assembly shall prescribe, of civil actions, founded on contract, wherein the sum demanded shall not exceed two hundred dollars, and wherein the title to real estate shall not be in controversy; and of all criminal matters arising within their counties where the punishment cannot exceed a fine of fifty dollars or imprisonment for thirty days. And the General Assembly may give to Justices of the Peace jurisdiction of other civil actions, wherein the value of the property in controversy does not exceed fifty dollars. When an issue of fact shall be joined before a Justice, on demand of either party thereto, he shall cause a jury of six men to be summoned, who shall try the same. The party against whom judgment shall be rendered in any civil action may appeal to the Superior Court from the same. In all cases of a criminal nature, the party against whom judgment is given may appeal to the Superior Court, where the matter shall be heard anew. In all cases brought before a Justice, he shall make a record of the proceedings and file same with the Clerk of the Superior Court for his county.

SEC. 28. When the office of Justice of the Peace shall become vacant otherwise than by expiration of the term, and in case of a failure by the voters of any district to elect, the Clerk of the Superior Court for the county shall appoint to fill the vacancy for the unexpired term.

SEC. 29. In case the office of Clerk of a Superior Court for a county shall become vacant otherwise than by the expiration of the term, and in case of a failure by the people to elect, the Judge of the Superior Court for the county shall appoint to fill the vacancy until an election can be regularly held.

SEC. 30. In case the General Assembly shall establish other Courts inferior to the Supreme Court, the presiding officers and clerks thereof shall be elected in such manner as the General Assembly may from time to time prescribe, and they shall hold their offices for a term not exceeding eight years.

SEC. 31. Any Judge of the Supreme Court or of the Superior Courts, and the presiding officers of such Courts inferior to the Supreme Court as may be established by law, may be removed from office for mental or physical inability, upon a concurrent resolution of two-thirds of both Houses of the General Assembly. The Judge or presiding officer, against whom the General Assembly may be about to proceed, shall receive notice thereof, accompanied
by a copy of the causes alleged for his removal, at least twenty
days before the day on which either House of the General Assembly
shall act thereon.

SEC. 32. Any Clerk of the Supreme Court, or of the Superior Amendment
Courts, or of such Courts inferior to the Supreme Court as may
be established by law, may be removed from office for mental or
physical inability; the Clerk of the Supreme Court by the Judges
of said Court, the Clerks of the Superior Courts by the Judge
riding the district, and the Clerks of such Courts inferior to the
Supreme Court as may be established by law by the presiding
officers of said Courts. The clerk against whom proceedings are
instituted shall receive notice thereof, accompanied by a copy of
the causes alleged for his removal, at least ten days before the
day appointed to act thereon, and the clerk shall be entitled to an
appeal to the next term of the Superior Court, and thence to the
Supreme Court as provided in other cases of appeals.

SEC. 33. The amendments made to the Constitution of North Ammendments not
Carolina by this Convention shall not have the effect to vacate to vacate existing
any office or term of office now existing under the Constitution of offices.
the State and filled or held by virtue of any election or appointment
under the said Constitution and the laws of the State made
in pursuance thereof.

ARTICLE V.

REVENUE AND TAXATION.

SECTION 1. The General Assembly shall levy a capitation tax on every male inhabitant in the State over twenty-one and under
fifty years of age, which shall be equal on each to the tax on property valued at three hundred dollars in cash. The Commissioners of the several counties may exempt from capitation tax in special cases, on account of poverty and infirmity, and the State and county capitation tax combined shall never exceed two dollars on the head.

SEC. 2. The proceeds of the State and county capitation tax shall be applied to the purposes of education and the support of the poor, but in no one year shall more than twenty-five per cent thereof be appropriated to the latter purpose.

SEC. 3. Laws shall be passed taxing, by a uniform rule, all money, credits, investments in bonds, stocks, joint-stock companies, or otherwise; and, also, all real and personal property, according to its true value in money. The General Assembly may also tax trades, professions, franchises, and incomes: Provided, that no income shall be taxed when the property from which the income is derived is taxed.

SEC. 4. Until the bonds of the State shall be at par, the General Assembly shall have no power to contract any new debt or pecuniary obligation in behalf of the State, except to supply a
casual deficit, or for suppressing invasions or insurrections, unless it shall in the same bill levy a special tax to pay the interest annually. And the General Assembly shall have no power to give or lend the credit of the State in aid of any person, association or corporation, except to aid in the completion of such railroads as may be unfinished at the time of the adoption of this Constitution, or in which the State has a direct pecuniary interest, unless the subject be submitted to a direct vote of the people of the State, and be approved by the majority of those who shall vote thereon.

Sec. 5. Property belonging to the State, or to municipal corporations, shall be exempt from taxation. The General Assembly may exempt cemeteries and property held for educational, scientific, literary, charitable or religious purposes; also wearing apparel, arms for muster, household and kitchen furniture, the mechanical and agricultural implements of mechanics and farmers, libraries and scientific instruments, or any other personal property, to a value not exceeding three hundred dollars.

Sec. 6. The taxes levied by the Commissioners of the several counties for county purposes shall be levied in like manner with the State taxes, and shall never exceed the double of the State tax, except for a special purpose, and with the special approval of the General Assembly.

Sec. 7. Every act of the General Assembly levying a tax shall state the special object to which it is to be applied, and it shall be applied to no other purpose.

ARTICLE VI.

SUFFRAGE AND ELIGIBILITY TO OFFICE.

Section 1. Every male person born in the United States, and every male person who has been naturalized, twenty-one years of age, and possessing the qualifications set out in this article, shall be entitled to vote at any election by the people in the State, except as herein otherwise provided.

Sec. 2. He shall have resided in the State of North Carolina for two years, in the county six months, and in the precinct, ward or other election district, in which he offers to vote, four months next preceding the election: Provided, that removal from one precinct, ward or other election district, to another in the same county, shall not operate to deprive any person of the right to vote in the precinct, ward or other election district from which he has removed until four months after such removal. No person who has been convicted, or who has confessed his guilt in open Court upon indictment, of any crime, the punishment of which now is or may hereafter be imprisonment in the State's Prison, shall be permitted to vote unless the said person shall be first restored to citizenship in the manner prescribed by law.
Sec. 3. Every person offering to vote shall be at the time a legally registered voter as herein prescribed and in the manner hereafter provided by law, and the General Assembly of North Carolina shall enact general registration laws to carry into effect the provisions of this article.

Sec. 4. Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language; and before he shall be entitled to vote he shall have paid, on or before the first day of May of the year in which he proposes to vote, his poll tax for the previous year as prescribed by Article V, sec. 1, of the Constitution. But no male person who was on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any State in the United States wherein he then resided, and no lineal descendant of any such person, shall be deprived the right to register and vote at any election in this State by reason of his failure to possess the educational qualifications herein prescribed: Provided, he shall have registered in accordance with the terms of this section prior to December 1, 1908. The General Assembly shall provide for the registration of all persons entitled to vote without the educational qualifications herein prescribed, and shall, on or before November 1, 1908, provide for making of a permanent record of such registration, and all persons so registered shall forever thereafter have the right to vote in all elections by the people in this State, unless disqualified under section 2 of this article: Provided, such person shall have paid his poll tax as above required.

Sec. 5. That this amendment to the Constitution is presented and adopted as one indivisible plan for the regulation of the suffrage, with the intent and purpose to so connect the different parts and to make them so dependent upon each other that the whole shall stand or fall together.

Sec. 6. All elections by the people shall be by ballot, and all elections by the General Assembly shall be viva voce.

Sec. 7. Every voter in North Carolina, except as in this article disqualified, shall be eligible to office, but before entering upon the duties of the office he shall take and subscribe the following oath:

"I, ........., do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as ......... So help me, God."

Sec. 8. The following classes of persons shall be disqualified for office: First, all persons who shall deny the being of Almighty God. Second, all persons who shall have been convicted or confessed their guilt on indictment pending, and whether sentenced or not, or under judgment suspended, of any treason or felony, or of any other crime for which the punishment may be imprison-
Constitution of North Carolina.

Appendix

ment in the penitentiary, since becoming citizens of the United States, or of corruption or malpractice in office, unless such person shall be restored to the rights of citizenship in a manner prescribed by law.

Sec. 9. That this amendment to the Constitution shall go into effect on the first day of July, nineteen hundred and two, if a majority of votes cast at the next general election shall be cast in favor of this suffrage amendment.

Article VII.

Municipal Corporations.

Section 1. In each county there shall be elected biennially by the qualified voters thereof, as provided for the election of members of the General Assembly, the following officers: A Treasurer, Register of Deeds, Surveyor and five Commissioners.

Sec. 2. It shall be the duty of the Commissioners to exercise a general supervision and control of the penal and charitable institutions, schools, roads, bridges, levying of taxes, and finances of the county, as may be prescribed by law. The Register of Deeds shall be, ex officio, Clerk of the Board of Commissioners.

Sec. 3. It shall be the duty of the Commissioners first elected in each county to divide the same into convenient districts, and to report the same to the General Assembly before the first day of January, 1869.

Sec. 4. Upon the approval of the reports provided for in the foregoing section by the General Assembly, the said districts shall have corporate powers for the necessary purposes of local government, and shall be known as townships.

Sec. 5. In each township there shall be biennially elected by the qualified voters thereof a Clerk and two Justices of the Peace, who shall constitute a Board of Trustees, and shall, under the supervision of the County Commissioners, have control of the taxes and finances, roads and bridges of the townships, as may be prescribed by law. The General Assembly may provide for the election of a larger number of the Justices of the Peace in cities and towns and in those townships in which cities and towns are situated. In every township there shall also be biennially elected a School Committee, consisting of three persons, whose duties shall be prescribed by law.

Sec. 6. The Township Board of Trustees shall assess the taxable property of their townships and make returns to the County Commissioners for revision, as may be prescribed by law. The Clerk shall be, ex officio, Treasurer of the township.

Sec. 7. No county, city, town or other municipal corporation shall contract any debt, pledge its faith or loan its credit, nor shall any tax be levied or collected by any officers of the same
except for the necessary expenses thereof, unless by a vote of the
majority of the qualified voters therein.

Sec. 8. No money shall be drawn from any county or township Drawing of money.
except treasury by authority of law.

Sec. 9. All taxes levied by any county, city, town or township shall be uniform and ad valorem upon all property in the same, except property exempted by this Constitution.

Sec. 10. The county officers first elected under the provisions of this article shall enter upon their duties ten days after the approval of this Constitution by the Congress of the United States.

Sec. 11. The Governor shall appoint a sufficient number of Justices of the Peace in each county, who shall hold their places until sections four, five and six of this article shall have been carried into effect.

Sec. 12. All charters, ordinances and provisions relating to municipal corporations shall remain in force until legally changed, unless inconsistent with the provisions of this Constitution.

Sec. 13. No county, city, town or other municipal corporation shall assume to pay, nor shall any tax be levied or collected for the payment of any debt, or the interest upon any debt, contracted directly or indirectly in aid or support of the rebellion.

Sec. 14. The General Assembly shall have full power by statute to modify, change or abrogate any and all of the provisions of this article and substitute others in their place, except sections seven, nine and thirteen.

ARTICLE VIII.

CORPORATIONS OTHER THAN MUNICIPAL.

SECTION 1. Corporations may be formed under general laws, but shall not be created by special act except for municipal purposes and in cases where, in the judgment of the Legislature, the object of the corporation cannot be attained under general laws. All general laws and special acts passed pursuant to this section may be altered from time to time or repealed.

Sec. 2. Dues from corporations shall be secured by such individual liabilities of the corporations and other means as may be prescribed by law.

Sec. 3. The term corporation, as used in this article, shall be construed to include all associations and joint-stock companies having any of the powers and privileges of corporations not possessed by individuals or partnerships. And all corporations shall have the right to sue and shall be subject to be sued in all courts in like cases as natural persons.

Sec. 4. It shall be the duty of the Legislature to provide for the organization of cities, towns and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, so as to prevent abuses in assessment and in contracting debts by such municipal corporations.
## ARTICLE IX.

**EDUCATION.**

### Section 1. Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.

**Sec. 2.** The General Assembly, at its first session under this Constitution, shall provide by taxation and otherwise for a general and uniform system of public schools, wherein tuition shall be free of charge to all the children of the State between the ages of six and twenty-one years. And the children of the white race and the children of the colored race shall be taught in separate public schools; but there shall be no discrimination in favor of or to the prejudice of either race.

**Sec. 3.** Each county of the State shall be divided into a convenient number of districts, in which one or more public schools shall be maintained at least four months in every year; and if the Commissioners of any county shall fail to comply with the aforesaid requirements of this section they shall be liable to indictment.

**Sec. 4.** The proceeds of all lands that have been or hereafter may be granted by the United States to this State and not otherwise appropriated by this State or the United States, also all moneys, stocks, bonds and other property now belonging to any State fund for purposes of education, also the net proceeds of all sales of the swamp lands belonging to the State, and all other grants, gifts or devises that have been or hereafter may be made to the State and not otherwise appropriated by the State or by the terms of the grant, gift or devise, shall be paid into the State Treasury, and, together with so much of the ordinary revenue of the State as may be by law set apart for that purpose, shall be faithfully appropriated for establishing and maintaining in this State a system of free public schools and for no other uses or purposes whatsoever.

**Sec. 5.** All moneys, stocks, bonds and other property belonging to a county school fund, also the net proceeds from the sale of estrays, also the clear proceeds of all penalties and forfeitures and of all fines collected in the several counties for any breach of the penal or military laws of the State, and all moneys which shall be paid by persons as an equivalent for exemption from military duty, shall belong to and remain in the several counties, and shall be faithfully appropriated for establishing and maintaining free public schools in the several counties in this State: Provided, that the amount collected in each county shall be annually reported to the Superintendent of Public Instruction.

**Sec. 6.** The General Assembly shall have power to provide for the election of Trustees of the University of North Carolina, in whom, when chosen, shall be vested all the privileges, rights, franchises and endowments thereof in anywise granted to or conferred

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upon the Trustees of said University and the General Assembly may make such provisions, laws and regulations from time to time as may be necessary and expedient for the maintenance and management of said University.

Sec. 7. The General Assembly shall provide that the benefits of the University, as far as practicable, be extended to the youth of the State free of expense for tuition; also that all the property which has heretofore accrued to the State or shall hereafter accrue from escheats, unclaimed dividends or distributive shares of the estates of deceased persons, shall be appropriated to the use of the University.

Sec. 8. The Governor, Lieutenant-Governor, Secretary of State, Treasurer, Auditor, Superintendent of Public Instruction and Attorney-General shall constitute a State Board of Education.

Sec. 9. The Governor shall be President and the Superintendent President and Secretary of Public Instruction shall be Secretary of the Board of Education.

Sec. 10. The Board of Education shall succeed to all the powers Power of board, and trusts of the President and Directors of the Literary Fund of North Carolina, and shall have full power to legislate and make all needful rules and regulations in relation to free public schools and the educational fund of the State; but all acts, rules and regulations of said Board may be altered, amended or repealed by the General Assembly, and when so altered, amended or repealed they shall not be re-enacted by the Board.

Sec. 11. The first session of the Board of Education shall be First session of board held at the capital of the State within fifteen days after the organization of the State Government under this Constitution; the time of future meetings may be determined by the Board.

Sec. 12. A majority of the Board shall constitute a quorum for Quorum, the transaction of business.

Sec. 13. The contingent expenses of the Board shall be provided Expenses. by the General Assembly.

Sec. 14. As soon as practicable after the adoption of this Constitution the General Assembly shall establish and maintain in connection with the University a department of agriculture, of mechanicals, of mining and of normal instruction.

Sec. 15. The General Assembly is hereby empowered to enact Children must that every child of sufficient mental and physical ability shall attend the public schools during the period between the ages of six and eighteen years for a term of not less than sixteen months, unless educated by other means.

ARTICLE X.

HOMESTEADS AND EXEMPTIONS.

SECTION 1. The personal property of any resident of this State Exemption, to the value of five hundred dollars, to be selected by such resident, shall be and is hereby exempted from sale under execution
or other final process of any court issued for the collection of any
debt.

Sec. 2. Every homestead, and the dwellings and buildings used
therewith, not exceeding in value one thousand dollars, to be
selected by the owner thereof, or in lieu thereof, at the option
of the owner, any lot in a city or village, with the dwellings and
buildings used thereon, owned and occupied by any resident of this
State, and not exceeding the value of one thousand dollars, shall
be exempt from sale under execution or other final process ob-
tained on any debt. But no property shall be exempt from sale
for taxes or for payment of obligations contracted for the pur-
chase of said premises.

Sec. 3. The homestead, after the death of the owner thereof,
shall be exempt from the payment of any debt during the minor-
ity of his children or any one of them.

Sec. 4. The provisions of sections one and two of this article
shall not be so construed as to prevent a laborer's lien for work
done and performed for the person claiming such exemption, or
a mechanic's lien for work done on the premises.

Sec. 5. If the owner of a homestead die, leaving a widow but
no children, the same shall be exempt from the debts of her hus-
band, and the rents and profits thereof shall inure to her benefit
during her widowhood, unless she be the owner of a homestead
in her own right.

Sec. 6. The real and personal property of any female in this
State acquired before marriage, and all property, real and per-
sonal, to which she may, after marriage, become in any manner
entitled, shall be and remain the sole and separate estate and
property of such female, and shall not be liable for any debts,
obligations or engagements of her husband, and may be devised
and bequeathed, and, with the written assent of her husband,
conveyed by her as if she were unmarried.

Sec. 7. The husband may insure his own life for the sole use
and benefit of his wife and children, and in case of the death
of the husband the amount thus insured shall be paid over to the
wife and children, or to the guardian if under age, for her or their
own use, free from all the claims of the representatives of her
husband or any of his creditors.

Sec. 8. Nothing contained in the foregoing sections of this
article shall operate to prevent the owner of a homestead from
disposing of the same by deed; but no deed made by the owner
of a homestead shall be valid without the voluntary signature and
assent of his wife, signified on her private examination according
to law.
Punishments, Penal Institutions and Public Charities.

Section 1. The following punishments only shall be known to Punishments. the laws of this State, viz., death, imprisonment with or without hard labor, fines, removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under this State. The foregoing provision for imprisonment with hard labor shall be construed to authorize the employment of such convict labor Convict labor. on public works or highways, or other labor for public benefit, and the farming out thereof, where and in such manner as may be provided by law; but no convict shall be farmed out who has been sentenced on a charge of murder, manslaughter, rape, attempt to commit rape, or arson: Provided, that no convict whose labor Proviso. may be farmed out shall be punished for any failure of duty as a laborer except by a responsible officer of the State; but the convicts so farmed out shall be at all times under the supervision and control, as to their government and discipline, of the Penitentiary Board or some officer of the State.

Sec. 2. The object of punishment being not only to satisfy just- Death punishment. tice, but also to reform the offender, and thus prevent crime, murder, arson, burglary and rape, and these only, may be punishable with death, if the General Assembly shall so enact.

Sec. 3. The General Assembly shall, at its first meeting, make Penitentiary. provision for the erection and conduct of a State's Prison or Penitentiary at some central and accessible point within the State.

Sec. 4. The General Assembly may provide for the erection of a House of cor- House of Correction, where vagrants and persons guilty of misde- rection. meanors shall be restrained and usefully employed.

Sec. 5. A House or Houses of Refuge may be established when- Houses of refuge. ever the public interests may require it, for the correction and in- struction of other classes of offenders.

Sec. 6. It shall be required by competent legislation that the The sexes to be separated. structure and superintendence of penal institutions of the State, the county jails and city police prisons secure the health and comfort of the prisoners, and that male and female prisoners be never confined in the same room or cell.

Sec. 7. Beneficent provisions for the poor, the unfortunate and Provision for the poor and orphans. orphans being one of the first duties of a civilized and Christian State, the General Assembly shall, at its first session, appoint and define the duties of a Board of Public Charities, to whom shall be entrusted the supervision of all charitable and penal State institutions, and who shall annually report to the Governor upon their condition, with suggestions for their improvement.

Sec. 8. There shall also, as soon as practicable, be measures de- Orphan houses. vised by the State for the establishment of one or more orphan
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houses, where destitute orphans may be cared for, educated and taught some business or trade.

Sec. 9. It shall be the duty of the Legislature, as soon as practicable, to devise means for the education of idiots and inebriates.

Sec. 10. The General Assembly may provide that the indigent deaf-mute, blind and insane of the State shall be cared for at the charge of the State.

Sec. 11. It shall be steadily kept in view by the Legislature and the Board of Public Charities, that all penal and charitable institutions should be made as nearly self-supporting as is consistent with the purposes of their creation.

ARTICLE XII.

MILITIA.

SECTION 1. All able-bodied male citizens of the State of North Carolina, between the ages of twenty-one and forty years, who are citizens of the United States, shall be liable to do duty in the militia: Provided, that all persons who may be averse to bearing arms, from religious scruples, shall be exempt therefrom.

Sec. 2. The General Assembly shall provide for the organizing, arming, equipping and discipline of the militia, and for paying the same, when called into active service.

Sec. 3. The Governor shall be Commander in Chief, and shall have power to call out the militia to execute the law, suppress riots or insurrection, and to repel invasion.

Sec. 4. The General Assembly shall have power to make such exemptions as may be deemed necessary, and enact laws that may be expedient for the government of the militia.

ARTICLE XIII.

AMENDMENTS.

SECTION 1. No convention of the people of this State shall ever be called by the General Assembly, unless by the concurrence of two-thirds of all the members of each House of the General Assembly, and except the proposition, Convention or No Convention, be first submitted to the qualified voters of the whole State, at the next general election in a manner to be prescribed by law. And should a majority of the votes cast be in favor of said convention, it shall assemble on such day as may be prescribed by the General Assembly.

Sec. 2. No part of the Constitution of this State shall be altered unless a bill to alter the same shall have been agreed to by three-fifths of each House of the General Assembly. And the amendment or amendments so agreed to shall be submitted at the next
general election to the qualified voters of the whole State, in such a manner as may be prescribed by law. And in the event of their adoption by a majority of the votes cast, such amendment or amendments shall become part of the Constitution of the State.

ARTICLE XIV.

MISCELLANEOUS.

Section 1. All indictments which shall have been found, or may Indictments hereafter be found, for any crime or offense committed before this Constitution takes effect, may be proceeded upon in the proper Courts, but no punishment shall be inflicted which is forbidden by this Constitution.

Sec. 2. No person who shall hereafter fight a duel, or assist in the same as a second, or send, accept, or knowingly carry a challenge therefor, or agree to go out of the State to fight a duel, shall hold any office in this State.

Sec. 3. No money shall be drawn from the Treasury but in Drawing money, consequence of appropriations made by law; and an accurate account of the receipts and expenditures of the public money shall be annually published.

Sec. 4. The General Assembly shall provide, by proper legisla-Mechanic's lien. tion, for giving to mechanics and laborers an adequate lien on the subject-matter of their labor.

Sec. 5. In the absence of any contrary provision, all officers of Governor to make this State, whether heretofore elected, or appointed by the Gov- ernor, shall hold their positions only until other appointments are made by the Governor, or, if the officers are elective, until their successors shall have been chosen and duly qualified according to the provisions of this Constitution.

Sec. 6. The seat of government of this State shall remain at the Seat of govern- city of Raleigh.

Sec. 7. No person, who shall hold any office or place of trust or Holding office. profit under the United States, or any department thereof, or under this State, or under any other State or Government, shall hold or exercise any other office or place of trust or profit under the authority of this State, or be eligible to a seat in either House of the General Assembly: Provided, that nothing herein contained shall extend to officers in the militia, Justices of the Peace, Commissioners of Public Charities, or commissioners for special purposes.

Sec. 8. All marriages between a white person and a negro, or Intermarriage of between a white person and white person of negro descent to the whites and negroes third generation inclusive, are hereby forever prohibited.
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PUBLIC LAWS

OF THE

STATE OF NORTH CAROLINA

EXTRA SESSION 1908.
PUBLIC LAWS
OF THE
STATE OF NORTH CAROLINA.
EXTRA SESSION 1908.

CHAPTER 1.
AN ACT TO PROTECT GAME IN THE COUNTY OF RICHMOND.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful to hunt with gun or dog in the county of Richmond between the first day of April and the first day of September of any year.

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 27th day of January, A. D. 1908.

CHAPTER 2.
AN ACT TO STRIKE OUT COUNTY OF RICHMOND FROM THE PROVISIONS OF CHAPTER 358 OF THE PUBLIC LAWS OF NORTH CAROLINA OF THE SESSION OF 1907.

The General Assembly of North Carolina do enact:

Section 1. That the word “Richmond,” in line two of section five of chapter three hundred and fifty-eight of the Public Laws of North Carolina of the session one thousand nine hundred and seven be and the same is hereby stricken out.

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

In the General Assembly read three times, and ratified this the 27th day of January, A. D. 1908.
CHAPTER 3.

AN ACT TO AMEND CHAPTER 380 OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION OF 1907, RELATING TO THE SALE OF INTOXICATING LIQUORS IN RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and eighty (380) of the Public Laws of North Carolina, session of one thousand nine hundred and seven (1907), be amended by inserting between the words "sell" and "any," in line two of section one (1) the following words, to-wit: "or keep for sale," and by inserting between the words "sell" and "said," in line five (5) of said section one (1) the following words, to-wit: "and keep for sale."

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

In the General Assembly read three times, and ratified this the 27th day of January, A. D. 1908.

CHAPTER 4.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF RUTHERFORD COUNTY TO CHANGE THE SITE OF THE RUTHERFORD COUNTY COURTHOUSE.

Whereas, the courthouse of Rutherford County, in Rutherfordton, North Carolina, was destroyed by fire on the twenty-fourth day of December, one thousand nine hundred and seven; and whereas, the county commissioners may find it practicable and advisable to build the new Rutherford County courthouse upon a different site than the site of the destroyed courthouse; and whereas, under the existing law the site of said courthouse cannot be changed or removed except at the regular December meeting of the county commissioners: now, therefore, in order to permit and authorize the said County Commissioners of Rutherford County to change the site of said courthouse,

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Rutherford County are hereby authorized and empowered to build the new courthouse of Rutherford County, at Rutherfordton, North Carolina, upon a site different from the present site: Provided, said new site shall be designated by the unanimous vote of said county commissioners; and, Provided further, that said new site of the said Rutherford County courthouse shall not be more than one-half
mile distant from the present site; and, *Provided,* that the power herein conferred shall be exercised at any regular or special meeting of said County Commissioners of Rutherford County held prior to the first day of May, one thousand nine hundred and eight.

Sec. 2. That the County Commissioners of Rutherford County are empowered, if they decide to change the site of the Rutherford County courthouse, to sell the land which comprises the present site of the Rutherford County courthouse at the best price obtainable, and they are also empowered to purchase land for the new site of the courthouse.

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 27th day of January, A. D. 1908.

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CHAPTER 5.

AN ACT TO AMEND CHAPTER 348, PUBLIC LAWS OF 1901, RELATING TO STOCK LAW IN CERTAIN PORTIONS OF PITT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That sections one and two of chapter three hundred and forty-eight, Public Laws of one thousand nine hundred and one, be repealed, and in lieu thereof the following be substituted:

"Sec. 1. That the following described territory on the south side of Tar River and on the north side of the main road leading from Washington to Greenville be and the same is hereby declared to be stock-law territory, to-wit: Beginning at the mouth of Bear Creek on Tar River, and running up Bear Creek to Bear Creek Branch; and thence with Bear Creek Branch to the main road leading from Washington to Greenville; and thence up Washington and Greenville Road to the land of Levi Holliday; thence with Levi Holliday's and N. W. Campbell's fences southwestwardly to Ballard Bridge Road, near old tobacco barn; thence southwestwardly with Proctor's and Sam. Davis' fences to Black Jack and Boyd's Ferry Road; thence with Proctor's back fence on west side of said road north near the Masonic Lodge or near A. M. Paramore's house, the point to be determined by the fence commissioners; and thence with the Greenville and Washington Road to the fence-law territory around Greenville. That this territory as above described on the one side, and Tar River on the other, shall constitute a stock-law territory for the purposes..."
of this act, and that the fence commissioners hereinafter provided for may enlarge this stock-law territory to embrace the lands of all persons who may in writing petition to be included in the stock-law territory, if the fence commissioners deem it proper to so extend this territory; but the fence commissioners shall have no power to include in this extended stock-law territory any freeholder without his written consent.

"Sec. 2. That each of the freeholders in the territory described in section one shall keep up and maintain along the outside boundary of his lands, which are included in this fence-law district, a strong and stock-proof fence so far as his lands shall extend, and until the land of his adjoining freeholder is reached, and that Bear Creek from its mouth to the public landing be and is hereby declared a lawful fence. That the Town Commissioners of the Town of Grimesland shall keep up and maintain gates on each public road leading into the town that enters this fence-law district at, inside of or within half a mile of the corporate limits of the town, said gates to cost not more than twenty dollars each, to be paid for out of any money now in the treasury, or out of the first moneys received from the collections, fines or taxes levied in said town, and if the town commissioners fail to erect these gates promptly, or to maintain the same, they shall be guilty of a misdemeanor and fined not exceeding fifty dollars each."

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

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

In the General Assembly read three times, and ratified this the 27th day of January, A. D. 1908.

CHAPTER 6.

AN ACT TO REPEAL CHAPTER 311 OF THE PUBLIC LAWS OF 1905, RELATING TO FISHING IN THE NORTH FORK OF NEW-RIVER, IN ASHE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred and eleven (311) of the Public Laws of North Carolina, relating to fishing in the North Fork of New River, in Ashe County, be and the same is hereby repealed.

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 27th day of January, A. D. 1908.
CHAPTER 7.

AN ACT TO EXEMPT THE SHERIFF OF WARREN COUNTY FROM ATTENDING THE DIFFERENT TOWNSHIPS OF SAID COUNTY FOR THE PURPOSE OF RECEIVING TAXES.

The General Assembly of North Carolina do enact:

Section 1. That the Sheriff of Warren County shall not be required to attend at least one day during the month of October of each year at one or more places in each township for the purpose of receiving taxes, as is provided in section two thousand eight hundred and seventy of the Revised.

Sec. 2. That all laws and clauses of laws in conflict with this law 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 27th day of January, A. D. 1908.

CHAPTER 8.

AN ACT AUTHORIZING THE BOARD OF ALDERMEN OF THE CITY OF WILMINGTON AND THE COUNTY COMMISSIONERS OF NEW HANOVER COUNTY TO AID IN MAKING WILMINGTON A GATEWAY PORT.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Aldermen of the City of Wilmington and the Commissioners of New Hanover County be and they are each hereby authorized and empowered to appropriate and expend through the North Carolina Water Ways Association, or any other similar association, the sum of one thousand dollars annually, for the purpose of collecting facts and figures showing the advantages of Wilmington as a gateway port, and the benefit of inland water ways, and properly presenting them, in order to secure needed legislation by Congress.

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

In the General Assembly read three times, and ratified this the 27th day of January, A. D. 1908.
CHAPTER 9.

AN ACT TO REPEAL CHAPTER 510 OF THE PUBLIC LAWS OF 1907, RELATING TO THE PUBLIC ROADS OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

Road law repealed.  

SECTION 1. That chapter five hundred and ten (510) of the Public Laws of one thousand nine hundred and seven, entitled an act to establish, construct and maintain a system of public roads for Madison County, be and the same is hereby repealed.

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

In the General Assembly read three times, and ratified this the 27th day of January, A. D. 1908.

CHAPTER 10.

AN ACT TO AMEND CHAPTER 521, PUBLIC LAWS OF 1907.

The General Assembly of North Carolina do enact:

Mileage of jurors in Robeson County.

SECTION 1. That section one, chapter five hundred and twenty-one, Public Laws of one thousand nine hundred and seven, be amended by striking out in line three the words "one way," and insert in lieu thereof the words "both ways."

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

In the General Assembly read three times, and ratified this the 27th day of January, A. D. 1908.

CHAPTER 11.

AN ACT PROVIDING FOR TWO ADDITIONAL TERMS OF THE SUPERIOR COURT FOR ASHE COUNTY.

Two additional terms.

Date and continuation of terms.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be two additional terms of the Superior Court for Ashe County, North Carolina, for the year of one thousand nine hundred and eight (1908) and each year thereafter, said terms of the Superior Court for said county to be held on the fourth Monday after the first Monday in March,
1908—Chapter 11—12.

and on the eighth Monday before the first Monday in September, each term of said court to continue for two weeks, for the trial of both criminal cases and civil causes.

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 27th day of January, A. D. 1908

CHAPTER 12.

AN ACT TO MAKE IT UNLAWFUL TO KEEP LIQUOR FOR SALE IN GASTON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm or corporation, other than duly licensed druggists under the State laws, to have or keep for sale, barter or exchange, or dispose of for gain within the county of Gaston, any spirituous, vinous, malt or other intoxicating liquors, or any drink containing alcohol, by whatever name known or called.

Sec. 2. That if any person, firm or corporation, other than duly licensed druggists, shall have or keep in his possession liquors to the quantity of more than one-half gallon, within the county of Gaston, it shall be prima facie evidence of his keeping it for sale, within the meaning of this act.

Sec. 3. That upon the filing of an affidavit by any person before a justice of the peace, or the mayor of any incorporated town of Gaston County, that any person, firm or corporation is violating this act, or that such affiant has reason to believe that any person, firm or corporation is keeping for sale liquors as prohibited by this act, which reason shall be set forth in said affidavit, and if such justice of the peace or mayor shall deem such reason sufficient, it shall be the duty of such justice of the peace or mayor of an incorporated town to issue a warrant to any lawful officer, directing him to search the suspected premises, and if he shall find any liquors thereon in excess of one-half gallon, it shall be his duty to take all liquor so found into his possession, to be used as evidence on the trial of the warrant against the said person for violating this act, and it shall be prima facie evidence of his keeping it for sale in violation of this act. All liquor held as evidence, if not claimed within a reasonable time, shall be by order of the court poured out and destroyed.

Liquor taken into possession as evidence.

Possession prima facie evidence.

Search warrants.

Liquor held as evidence to be destroyed.
Misdemeanor. Punishment.

Sec. 4. That any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court.

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

In the General Assembly read three times, and ratified this the 28th day of January, A. D. 1908.

CHAPTER 13.

AN ACT TO AMEND CHAPTER 612, PUBLIC LAWS 1907, RELATING TO THE REGULATION OF SPEED OF AUTOMOBILES AND OTHER VEHICLES IN ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter six hundred and twelve of the Public Laws of North Carolina, session of one thousand nine hundred and seven, be and the same is hereby amended by inserting between the words “Wayne” and “and” the words “Rockingham, Orange and Caswell,” in line thirteen in section one thereof; and be further amended by inserting between the words “Wayne” and “and,” in line three of section two thereof the words “Rockingham, Orange and Caswell.”

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

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

In the General Assembly read three times, and ratified this the 25th day of January, A. D. 1908.

CHAPTER 14.

AN ACT TO AMEND CHAPTER 486, PUBLIC LAWS OF 1907, BEING AN ACT TO ENLARGE THE WHITTIER STOCK-LAW BOUNDARY, IN SWAIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred and eighty-six, Public Laws of one thousand nine hundred and seven, being an act to enlarge the Whittier stock-law boundary, in Swain County, be amended by striking out the word “twenty-five,” in line four of section three, and inserting in lieu thereof the word “fifty.”
CHAPTER 15.

AN ACT TO ALLOW THE COUNTY COMMISSIONERS OF ONSLOW COUNTY TO SELL THE OLD COUNTY HOME.

The General Assembly of North Carolina do enact:

Section 1. That the Commissioners of Onslow County are hereby authorized and empowered to sell and convey the old county home, together with land upon which it is situated, heretofore purchased from C. Stephens, at public or private sale, for cash or on time with security, and to apply the proceeds of the sale to the building of a new county home on the county farm recently purchased by them.

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

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

In the General Assembly read three times, and ratified this the 28th day of January, A. D. 1908.

CHAPTER 16.

AN ACT TO INCREASE THE PAY OF JURORS IN MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Mecklenburg County are hereby authorized at their discretion to fix the pay of all regular jurors and such veniremen as shall be taken or accepted in the trial of capital cases at not more than two dollars per day, and mileage as now provided by law.

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

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

In the General Assembly read three times, and ratified this the 28th day of January, A. D. 1908.
CHAPTER 17.

AN ACT TO AMEND CHAPTER 846, PUBLIC LAWS OF 1907.

The General Assembly of North Carolina do enact:

Section 1. That after the word "written," in line two, section three of chapter eight hundred and forty-six, the words "or printed" be inserted.

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

In the General Assembly read three times, and ratified this the 28th day of January, A. D. 1908

CHAPTER 18.

AN ACT APPOINTING SAM. W. DAVIS A JUSTICE OF THE PEACE FOR NEW LIGHT TOWNSHIP, WAKE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Appointment.

Section 1. That Sam. W. Davis be and he is hereby appointed a justice of the peace in and for New Light Township, Wake County, North Carolina.

Term of office.

Sec. 2. That his term of office shall be for six years, dating from the ratification of this act.

Sec. 3. 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 28th day of January, A. D. 1908.

CHAPTER 19.

AN ACT TO AMEND SECTION 2448 OF THE REVISAL OF 1905, RELATING TO PULLING NET STAKES.

The General Assembly of North Carolina do enact:

Certain net stakes to be removed.

Section 1. That section two thousand four hundred and forty-eight of the Revisal of one thousand nine hundred and five be amended by inserting the words "broken, decayed and abandoned" between the words "their" and "net," in line four (4) of said section: Provided, this act shall not apply to Currituck County.

Proviso: exception.

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

In the General Assembly read three times, and ratified this the 28th day of January, A. D. 1908.
CHAPTER 20.

AN ACT TO AMEND CHAPTER 28 OF THE REVISAL OF 1905, RELATING TO THE TERMS OF COURT IN ONSLOW COUNTY, AND TO REPEAL CHAPTER 31 OF THE PUBLIC LAWS OF 1907, RELATING TO THE MARCH TERM OF ONSLow SUPERIOR COURT.

The General Assembly of North Carolina do enact:

Section 1. That section one thousand five hundred and six of chapter twenty-eight of the Revisal of one thousand nine hundred and five be and the same is hereby amended as follows: Strike out all after the word "week," in line thirty-seven of that paragraph of said section which relates to holding the court of the Fifth Judicial District, down to and including the word "county," in line forty-two of said paragraph.

Sec. 2. That chapter thirty-one of the Public Laws of one thousand nine hundred and seven be and the same is hereby repealed.

Sec. 3. That the terms of the Superior Court for Onslow County shall be held as follows: The first Monday in March: seventh Monday after the first Monday in March: seventh Monday before the first Monday in September: sixth Monday after the first Monday in September, each to continue one week: Provided, that all civil cases now on the civil docket of Onslow Superior Court, and any criminal case now pending or which may arise before the March term herein provided for, may stand for and be triable at the first March term herein provided for.

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

Sec. 5. 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 28th day of January, A. D. 1908.

CHAPTER 21.

AN ACT TO MAKE IT UNLAWFUL TO KEEP LIQUOR FOR SALE IN RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, company, firm or corporation, other than duly licensed druggists under the State laws, to have or keep for sale, barter or exchange or dispose of for gain within the county of Richmond any spirituous, vinous, malt or other intoxicating liquors, or drink containing alcohol, by whatever name known or called.

Pub.—4
Sec. 2. That if any person, firm or corporation, other than duly licensed druggists, shall have or keep in his possession liquors to the quantity of more than one quart, within the county of Richmond, it shall be *prima facie* evidence of his keeping it for sale, within the meaning of this act.

Sec. 3. That upon the filing of an affidavit by any person before a justice of the peace or the mayor of any incorporated town of Richmond County, that any person, firm or corporation is violating this act, or that such affiant has reason to believe that any person, firm or corporation is keeping for sale liquors as prohibited by this act, which reason shall be set forth in said affidavit, and if such justice of the peace or mayor shall deem such reason sufficient, it shall be the duty of such justice of the peace or mayor of an incorporated town to issue a warrant to any lawful officer directing him to search the suspected premises, and if he shall find any liquors thereon in excess of one quart, it shall be his duty to take all liquor so found into his possession to be used as evidence on the trial of the warrant against the said person for violating this act, and it shall be *prima facie* evidence of his keeping it for sale in violation of this act.

Sec. 4. That any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court.

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

In the General Assembly read three times, and ratified this the 28th day of January, A. D. 1908.

CHAPTER 22.

AN ACT TO AMEND THE DEER LAWS OF HERTFORD COUNTY.

*The General Assembly of North Carolina do enact:*

Section 1. That section one of chapter four hundred and twenty-three (423) of the Public Laws of one thousand nine hundred and seven be amended by striking out all words of said section after "to-wit," in line four of said section, and inserting in lieu thereof the following words: "Hertford, from February first to October first."

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

In the General Assembly read three times, and ratified this the 28th day of January, A. D. 1908.
CHAPTER 23.

AN ACT TO AMEND CHAPTER 695 OF THE PUBLIC LAWS OF 1907, BY MAKING SUBSECTIONS C, D AND E OF SECTION ONE APPLY TO LINCOLN AND GASTON COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. That subsections C, D and E of section one of chapter six hundred and ninety-five of the Public Laws of one thousand nine hundred and seven shall apply to Lincoln and Gaston Counties.

Sec. 2. That all laws and clauses of laws in conflict herewith be and the same 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 25th day of January, A. D. 1908.

CHAPTER 24.

AN ACT TO AMEND CHAPTER 362 OF THE PUBLIC LAWS OF 1907, TO PROVIDE FOR THE APPOINTMENT OF COURT STENOGRAPHER FOR THE COUNTY OF CABARRUS.

The General Assembly of North Carolina do enact:

Section 1. That section eight of chapter three hundred and sixty-two of the Public Laws of one thousand nine hundred and seven be repealed, and the following inserted in lieu thereof: 'For the purpose of providing a fund for the payment of said official stenographer, there shall be taxed by the clerk of the court in all criminal actions, as a part of the costs, and to be paid as the other costs in said actions are paid, the sum of two dollars in all misdemeanors and three dollars for all felonies, except capital felonies, in which the sum of ten dollars shall be taxed as part of the cost: Provided, that the presiding judge may in his discretion increase the amount of said tax if he shall deem it advisable so to do: Provided further, that in all capital cases in which no jury is empaneled no fee shall be taxed.'

Sec. 2. That in all civil actions in which any decree or judgment is signed, or in which issue is joined, there shall be taxed a fee of one dollar, and in addition to the fee of one dollar there shall be taxed a fee of one dollar per hour for the time consumed in the trial of any case in the introduction of the evidence, the
Additional fees allowed by judge.

Fees of witnesses in Wake County.

Special tax authorized.

charges of the court to the jury, and the making and taking of exceptions therein, or making any orders of any kind in said case, which time shall be kept by the clerk of said court, but the clerk of said court in estimating said time shall not include the time taken for argument by counsel. And in addition to the above fees to be charged in any case the presiding judge may fix any additional fee that he may deem just, to be paid to said official stenographer, to be taxed as a part of the costs.

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 28th day of January, A. D. 1908.

CHAPTER 25.

AN ACT AMENDING CHAPTER 204, PUBLIC LAWS OF 1907.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred and four of the Public Laws of one thousand nine hundred and seven be amended by striking out the word "or," in line four of section one of said act, and by substituting the following words: "The county shall be liable for one-half fees to State's witnesses"; and by inserting between the word "imprisoned." and the word "the." in line five of said section one of said act the following words: "The county shall be liable for full fees to State's witnesses, and."

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

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 26.

AN ACT PROVIDING FOR ROAD TAX IN ROCKINGHAM AND WOLF PIT TOWNSHIPS.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be the duty of the Board of County Commissioners of Richmond County, or other public authority charged by law with the duty of levying county taxes, at the time for levying other county taxes, to levy and assess annually against all of the real and personal property and polls in the townships of Rockingham and Wolf Pit in said county a special
tax sufficient to work, maintain and keep in repair the public roads of said townships, not exceeding twenty-five cents on the one hundred dollars' worth of property and seventy-five cents on the poll in Rockingham Township, and not exceeding forty cents on the one hundred dollars' worth of property and one dollar and twenty cents on the poll in Wolf Pit Township; said special taxes to be collected as other taxes of the county are collected, and to be used and disbursed upon the order of the township road commissioners of said township, as is now provided by law.

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 27.
AN ACT TO REPEAL CHAPTER 727 OF THE PUBLIC LAWS OF ONE THOUSAND NINE HUNDRED AND SEVEN, RELATIVE TO NONRESIDENTS OBTAINING LICENSE TO HUNT IN RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

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

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 28.
AN ACT TO AMEND CHAPTER 773 OF THE PUBLIC LAWS OF 1907, RELATING TO THE PUBLIC ROADS OF ALEXANDER COUNTY.

Whereas, at a general election held under the Public Laws of Preamble North Carolina, session of one thousand nine hundred and seven, chapter seven hundred and seventy-three, Ellendale and Little River Townships, in Alexander County, adopted the road law therein enacted, but failed to elect the road commissioners as provided in said act.

The General Assembly of North Carolina do enact:

SECTION 1. That E. L. Johnson be and he is hereby constituted a road commissioner for Ellendale township, and W. L. Kerley
be and he is hereby appointed road commissioner for Little River Township, and they are invested with all the rights, powers and duties mentioned in said act, until their successors are elected and qualified as required by said act.

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 29.

AN ACT TO AUTHORIZE THE SCHOOL COMMITTEE OF RALEIGH TOWNSHIP TO SUBMIT THE QUESTION TO THE VOTERS OF SAID TOWNSHIP OF LEVING A SPECIAL TAX FOR THE PUBLIC SCHOOLS OF RALEIGH TOWNSHIP; AND TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS TO LEVY AND COLLECT SAID TAXES.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Wake County, upon a written request of the School Committee of Raleigh Township, made by the chairman of said committee, shall order an election to be held within Raleigh Township to ascertain the will of said people within said township whether there shall be levied in said township a special annual tax of not less than ten cents nor more than twenty cents on the one hundred dollars valuation of property, and not less than thirty cents nor more than sixty cents on each poll, in addition to all other taxes levied for all other purposes, including any special tax that may be now levied for school purposes. Such tax shall be used for general school purposes in Raleigh Township. The board of county commissioners, upon such election being called, shall give thirty days' notice thereof by publication in some newspaper published in the city of Raleigh; and said election shall be held in said township under the law governing elections, as near as may be, for county officers and members of the General Assembly, and the same polling places and election precincts as were established for the election of county officers in the November election, 1906, or such change as the county board of elections may have made since that time, shall be the election or voting precincts for this election. At the time of calling said election the board of county commissioners shall appoint registrars and other officers of election, and shall give notice of and require a new registration of the voters in Raleigh Township for the purpose of this election, and the expenses of such election shall be paid out of the general county
school fund; and at said election those who are in favor of the tickets.
levying and collection of said taxes shall vote a ticket on which shall be printed or written the words "For School Taxes," and those who are opposed shall vote a ticket on which shall be printed or written the words "Against School Taxes." In case a majority of the qualified voters at said election shall vote "For School Taxes," then so much of the taxes on property and polls herein provided for as in the judgment of the School Committee of Raleigh Township may be necessary, which shall be certified to the Board of County Commissioners of Wake County by the School Committee of Raleigh Township, shall be annually levied by the Board of Commissioners of Wake County, and collected in the manner and at the time prescribed for the levying and collecting of other taxes. All moneys levied under the provisions of this act shall, upon collection, be paid to the Treasurer of Wake County, who shall place the same to the credit of the public school fund of Raleigh Township, to be used for general public school purposes within said township, and shall be expended and paid out in the same manner as the other public school funds of Raleigh Township are expended.

Sec. 2. That if at any election held under the provisions of this act the majority of qualified voters shall fail to vote "For School Taxes," it shall not prevent the board of county commissioners, upon the written request of the School Committee of Raleigh Township, made by its chairman so to do, from ordering another election under this act, under the same rules and provisions herein provided for the first election, at any time after the elapse of two months from date of such former election, and if at such other election a majority of the qualified voters shall vote "For School Taxes," it shall have the same force and effect as if no election had been previously held.

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

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 30.

AN ACT TO CREATE AND ESTABLISH AN AUDITOR'S OFFICE IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the office of Auditor for Guilford County is Office created, hereby instituted and created; and the auditor of said county Salary.
shall receive a salary, the same to be fixed by the board of county commissioners, and shall furnish bond in some bonding company in the sum of five thousand dollars, payable to the county of Guilford, conditioned that he shall diligently, truly and faithfully perform all the duties of his office, and that he shall be responsible for all penalties or any moneys of other kinds which may be recoverable against him for any negligence, default, malfeasance or misconduct in office, premiums of said bond to be paid by said county.

SEC. 2. It shall be the duty of the Auditor of Guilford County to make out one copy of the tax list of each township as a permanent copy, and to deliver the original copy to the tax collector of said county, and to perform all duties required by section seventy-four of the Public Laws of one thousand nine hundred and five of the register of deeds, to make out and prepare for publication all annual statements required by law, to investigate and to inquire for all delinquent taxpayers and to require all delinquent property, including polls, to be placed on the tax list; to keep a record of all real estate transfers, with prices paid for same, to instruct tax listers and assessors; to act as accountant for the county, settling with the county officers; to supervise, scrutinize and examine at least one in every calendar month all books, accounts, receipts and vouchers and other records of all the officers of Guilford County which show fees and commissions collected and received by them; to examine at least twice each year the dockets of all justices of the peace and mayors of said county; and he is hereby authorized to administer oaths on verification of claims which may be filed against the county, and to open a set of account books in which shall be shown the total monthly receipts of fees and commissions of all of the officers of said county in an expert and intelligent manner, assigning distinct and separate accounts for each and every of said officers, which book shall be permanently kept as the records of his office and always open to public inspection; he shall likewise visit the county jail and other county institutions and examine same, also the books and accounts kept by the jailer and others; it shall likewise be his duty to audit all bills and claims presented to the board of county commissioners of said county for payment, and no claim or bill filed with said board of commissioners shall be allowed or paid until it has been audited and approved by said auditor; and all warrants drawn upon claims or bills allowed by said board of commissioners shall be countersigned and approved by said auditor before they shall be honored or paid by the treasurer of said county.

SEC. 3. That it shall be the duty of said auditor to familiarize himself with the market prices, and to assist in buying the supplies of said county.

Bond.

Duties of auditor.

To administer oaths.
Account books.

Books open for inspection.
To visit county institutions and examine accounts.

No claims allowed until audited.

Bills to be countersigned by auditor.

To assist in buying supplies.
Sec. 4. That the Auditor of Guilford County shall be appointed by the board of commissioners of said county, and shall hold office under the control and direction of the said board of county commissioners, and he shall open and keep an office to be selected and furnished by the board of commissioners of said county, in which shall be safely and securely kept the records of his office.

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 31.

AN ACT FOR WORKING AND IMPROVING THE PUBLIC ROADS OF STEELES, MINERAL SPRINGS AND BLACK JACK TOWNSHIPS, RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of rebuilding, repairing, grading and working the public roads of Steeles Township, Mineral Springs Township and Black Jack Township, Richmond County, it shall be the duty of the board of commissioners of said county, and it is hereby authorized and directed to levy and assess annually against all the real and personal property and polls in the townships named, at the time for levying the other county taxes, a special tax sufficient to work, build and maintain said roads, not exceeding sixty-six and two-thirds cents on the one hundred dollars' ($100) worth of property, and two dollars ($2) on the poll, said special tax to be collected as other taxes of the county are collected, and to be used and disbursed upon the order of the township road commissioners of said township as shall be provided by law. Provided, in case the said commissioners sell the bonds provided for in chapter five hundred and twelve, Acts of one thousand nine hundred and seven, they shall not be required to levy the taxes herein authorized.

Sec. 2. That the justices of the peace in each of the aforesaid townships shall convene within thirty days after the ratification of this act at some place in said townships to be agreed upon in writing by a majority of said justices of the peace, and after one day's notice of the hour and place of meeting to each justice, shall proceed to elect three township road commissioners, who shall hold office for two years from the date of their election and until their successors shall be elected and qualified. In said elections by said justices, the majority shall elect and give to each township road commissioner written commission of office, and said justices shall convene at the expiration of the terms of office of their successors.
sion of said township road commissioners and elect their successors under the rules and regulations governing the first election of said commissioners, and shall under the same rules and regulations by a majority of votes fill all vacancies occurring by death, resignation or any other cause whatsoever. Said township road commissioners shall be residents of and freeholders in the townships for which they are elected.

Sec. 3. That sections six, seven, eight, nine, ten, eleven and twelve of chapter three hundred and eighty-four, Laws of one thousand nine hundred and five, are hereby re-enacted as sections four, five, six, seven, eight, nine and ten of this act.

Sec. 11. Any resident of said county liable to tax poll under the general law who shall fail to pay his road poll tax on or before the first day of May next after the same shall have been levied, shall be liable to work six days on the public roads of the township wherein he resides, under the supervision and control of the public road authorities thereof, for every such omission and failure. It shall be the duty of the sheriff to furnish the township road supervisor, on or before the first day of June in each year, a list of all persons in said township who have failed to pay said tax for the preceding year, and the supervisor shall notify such person or persons, either orally or by leaving a written notice at the residence or place of business, to attend and work on said public roads, as herein provided. And any person so liable who shall, after being notified, fail or refuse to attend and work on said public roads, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten nor more than fifty dollars, or imprisoned at hard labor upon the public roads of said township for not less than ten nor more than thirty days.

Sec. 12. That it shall be the duty of the township road commissioners now in office in said county, and those hereafter elected in any of the townships thereof, to submit to the board of county commissioners, on or before the first Monday in July, October, January and April in each year, an itemized account of all the road funds expended by them or ordered paid for the preceding three months, and the same shall be entered in the record of settlements of county officers. Said account shall be signed by one or more of said township road commissioners, and shall show in detail, as near as possible, the various amounts, the persons to whom and the purpose for which the same were paid. Said township road commissioners may employ and pay for necessary clerical assistance in making said account, and shall pay the register of deeds for entering the said account on the record, out of the township road funds.

Sec. 13. That the commissioners of said county are hereby expressly empowered and authorized to borrow money and advance to the road commissioners of the said townships, the same to be
repaid out of the future tax levies and assessments herein provided for.

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

Sec. 15. 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 30th day of January, A. D. 1908.

CHAPTER 32.

AN ACT TO AMEND SECTION 1, CHAPTER 900, PUBLIC LAWS OF 1907, RELATIVE TO PUBLIC DRUNKENNESS IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one, chapter nine hundred of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by striking out in lines one and two of said section the words "three thousand three hundred and seventy-three," and inserting in lieu thereof the words "three thousand seven hundred and thirty-three."

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 33.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF RUTHERFORD COUNTY TO ISSUE COURTHOUSE CONSTRUCTION BONDS, AND TO LEVY A TAX TO PROVIDE FOR THE PAYMENT OF THE SAME.

The General Assembly of North Carolina do enact:

Section 1. That in order to provide funds with which to rebuild the Rutherford County courthouse, at Rutherfordton, North Carolina, which was destroyed by fire on December twenty-fourth, one thousand nine hundred and seven, the County Commissioners of Rutherford County are hereby authorized and empowered to issue fifty thousand dollars of bonds of Rutherford County. The denomination of bonds hereby authorized shall be of the denomination of one thousand dollars each, shall bear interest at the rate of five and one-half (5½) per centum per annum, interest payable semi-
1908—Chapter 33—34.

AN ACT TO BUILD A BRIDGE IN CRABTREE TOWNSHIP, IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Haywood County shall be and are hereby authorized and directed at the regular meeting in June, one thousand nine hundred and eight (1908), and annually thereafter as long as may be necessary, to levy a special tax of not to exceed five cents on the one hundred dollars' ($100) worth of property situated and being in the county of Haywood, and fifteen cents on each poll, observing the constitutional equation at all times, for the purpose of raising funds with which to build and construct a bridge across Crabtree Creek, in Crabtree Township, in Haywood County, at some point between W. D. McCracken's and Winfield Ferguson's, or at a point that the commissioners may designate.

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.
CHAPTER 35.

AN ACT TO APPOINT J. O. BELL AND M. L. OWENS JUSTICES OF THE PEACE FOR GREEN RIVER TOWNSHIP, IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That J. O. Bell and M. L. Owens are hereby appointed justices of the peace for Green River Township, in Henderson County, for a period of one year.

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 30th day of January, A. D. 1908.

CHAPTER 36.

AN ACT TO AMEND CHAPTER 942 OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION 1907, RELATING TO THE COLLECTION OF TAXES FOR BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section nine of chapter nine hundred and forty-two of the Public Laws of North Carolina, session one thousand nine hundred and seven, be and the same is hereby amended by adding after the word “year,” in line five the following: “but the board of county commissioners may in its discretion extend the time of such settlements until the first day of June.”

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 37.

AN ACT TO PROVIDE FOR THE PAYMENT OF BURIAL EXPENSES OF CONFEDERATE PENSIONERS.

The General Assembly of North Carolina do enact:

Section 1. That whenever in any county of this State a Confederate pensioner on the pension roll of said county shall die.
it shall be the duty of the board of commissioners of such county, upon the certificate of said fact by the Clerk of the Superior Court, and recommendation of the chairman of the pension board of said county, to order the payment out of the general fund of the county of a sum not exceeding twenty dollars ($20) to be applied toward the defraying of the burial expenses of such deceased pensioner.

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 38.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF YANCEY COUNTY TO CHANGE THE SITE OF THE COURTHOUSE AND JAIL.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Yancey County be and it is hereby authorized and empowered to change the site of the courthouse in said county by removing the same to a place lately purchased by said board, and being not over three hundred feet from the old site, and being within the incorporate limits of the town of Burnsville, the county seat of Yancey County.

Sec. 2. That the Board of County Commissioners of Yancey County be and it is hereby authorized to change the site of the jail in said county to some place thought by it to be a suitable place for said jail, and the new site to be within the incorporate limits of the town of Burnsville: Provided, that this act shall not affect any suit or suits now pending in any court.

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 30th day of January, A. D. 1908.

CHAPTER 39.

AN ACT APPOINTING H. P. ALLISON AND THOMAS ELLIOTT JUSTICES OF THE PEACE FOR CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That H. P. Allison be and he is hereby appointed a justice of the peace for Number Four Township, Cleveland
County, North Carolina, for the term of six years, beginning June first, one thousand nine hundred and eight, and ending June first, one thousand nine hundred and fourteen.

Sec. 2. That Thomas Elliott be and he is hereby appointed a justice of the peace for Number Five Township, Cleveland County, North Carolina, for the term of two years, beginning February fifteenth, one thousand nine hundred and eight, and ending February fifteenth, one thousand nine hundred and ten.

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 30th day of January, A. D. 1908.

CHAPTER 40.

AN ACT TO AMEND CHAPTER 573 OF THE PUBLIC LAWS OF 1907, RELATING TO THE ESTABLISHMENT OF A RECORDER'S COURT IN THE CITY OF WINSTON.

The General Assembly of North Carolina do enact:

Section 1. That chapter five hundred and seventy-three of the Salary of recorder. Public Laws of North Carolina, session one thousand nine hundred and seven, be amended by striking out the word "seventy-five," in line ten of section three, and inserting in lieu thereof "one hundred and twenty-five."

Sec. 2. That section eighteen of said act be amended by striking out the words "three hundred," in line ten of said act, and inserting in lieu thereof "nine hundred."

Sec. 3. That section thirteen of said act be amended by adding at the end of said section the following: "The recorder shall have the right to change the sentence of any one who shall be adjudged guilty by him, whether said court shall have adjourned to another day or not, or to allow a person working on the public roads under sentence of said court to pay a fine for any unexpired time of his sentence. All prisoners may be delivered to the Sheriff of Forsyth County each day after sentence, and sent directly to the public roads without being returned to the county jail."

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 30th day of January, A. D. 1908.
CHAPTER 41.

AN ACT TO AMEND CHAPTER 860 OF THE PUBLIC LAWS OF 1907, REGULATING COSTS IN THE RECORDER'S COURT.

The General Assembly of North Carolina do enact:

Section 1. That section two of chapter eight hundred and sixty of the Public Laws of one thousand nine hundred and seven be amended by striking out all the words after the word "for," in line six and before the word "there," in line eight in said section.

Sec. 2. That said chapter be further amended by adding section eighteen and one-half, which shall read as follows: "That in taxing the costs in any case the recorder shall be governed by the rules of costs applicable to courts of justices of the peace in all cases in which they now have final jurisdiction, and in all other cases by the laws applicable to costs in the Superior Court, and that witnesses' fees shall be taxed under the rule just stated."

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 30th day of January, A. D. 1908.

CHAPTER 42.

AN ACT FOR HOLDING THE COURTS IN CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred, Public Laws of North Carolina, session one thousand nine hundred and seven, entitled an act to amend section one thousand five hundred and six of the Revisal of one thousand nine hundred and five, relative to the Superior Courts of the Thirteenth Judicial District, be amended by adding to section one of said act providing for holding the courts in Caldwell County that, in addition to the courts already provided for said county, there shall be another term for said county, to be held the thirteenth Monday after the first Monday in March, for the trial of civil cases only, to continue two weeks.

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 30th day of January, A. D. 1908.
CHAPTER 43.
AN ACT TO AMEND SECTION 63, SUBSECTION 5, CHAPTER 258 OF THE PUBLIC LAWS OF 1907.

The General Assembly of North Carolina do enact:

Section 1. That section sixty-three, subsection five of chapter two hundred and fifty-eight of the Public Laws of one thousand nine hundred and seven be amended by adding at the end of said subsection the following: “and also the rents and profits of any real estate used exclusively for such charitable, religious or educational purposes.”

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

In the General Assembly read three times, and ratified this the 30th day of January, A.D. 1908.

CHAPTER 44.
AN ACT TO AUTHORIZE THE GOVERNOR TO EMPLOY COUNSEL BEFORE INTERSTATE COMMERCE COMMISSION.

The General Assembly of North Carolina do enact:

Section 1. That the Governor be authorized, in his discretion, to employ counsel before the Interstate Commerce Commission to argue such matters as affect freight rates, where discrimination now exists against points in the State of North Carolina, and to draw from the Treasurer a sum not exceeding five thousand dollars to pay such counsel.

Sec. 2. That this act shall take effect from its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A.D. 1908.

CHAPTER 45.
AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF SWAIN COUNTY TO ERECT A NEW COURTHOUSE, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Swain County be and it is hereby empowered and authorized to erect a new county courthouse, and to change the site for the same to Change of site.
some other place within the corporate limits of the town of Bryson City, other than that occupied by the old courthouse, and to purchase a suitable site upon which to erect the same, if in its judgment it deems it proper.

Sec. 2. That the said Commissioners of Swain County are hereby authorized and empowered to sell any or all of the brick or other material in the old courthouse, or use the same if feasible in the erection of the new courthouse, if they deem it proper.

Sec. 3. That the said commissioners are hereby authorized and empowered to provide funds for defraying the expenses necessary for the purchasing of a new site and for the erection and furnishing of said new courthouse, either by the issuing of bonds or otherwise, as they may deem proper; but the cost of said site and courthouse, together with its furnishings, shall in no event be more than thirty-five thousand dollars ($35,000).

Sec. 4. That should the said commissioners deem it proper to issue bonds to provide funds to carry out the purposes mentioned in this act, they are hereby fully authorized and empowered to issue the bonds of Swain County in denominations of not less than one hundred and not more than one thousand dollars each, to an amount not exceeding thirty-five thousand dollars ($35,000). The said bonds to be payable at any period not more than twenty years from the date thereof, bearing a rate of interest not exceeding six per cent. per annum, payable semiannually. The said bonds shall be signed by the chairman of the board of county commissioners, and countersigned by the register of deeds of said county, and sealed with the county seal; and the interest coupons attached to said bonds shall be signed by the chairman of the said board, and countersigned by the register of deeds: Provided, it shall be sufficient for a facsimile of the signatures of the chairman and register to be lithographed upon said coupons instead of the same being actually signed.

Sec. 5. That the Board of County Commissioners of Swain County shall sell any bonds issued by virtue of the preceding sections of this act in such manner as it may deem best: Provided, however, that it shall not sell any bonds so issued by it for less than par value of the same, and the proceeds of the sale of said bonds, if any shall be issued, shall be applied to the payment of the expense incurred in purchasing a site and the erection and furnishing of said courthouse.

Sec. 6. That for the purpose of paying the interest accruing on said bonds, as the same shall fall due, and for the purpose of providing a sinking fund for paying off and liquidating the principal of any bonds issued under the authority of this act, the county commissioners are hereby authorized and empowered to collect as other taxes a sufficient annual tax upon all property and polls subject to taxation in said county with which to pay the interest
1908—Chapter 45—46.

and principal of said bonds: Provided, however, that the county commissioners shall have power and authority to pay off and retire any bonds issued by virtue of this act at any time when there shall have accumulated sufficient funds out of the tax levy hereby authorized: Provided further, that in the event the county commissioners shall not deem it advisable to pay off and retire said bonds or any of them before maturity, they shall invest any money so collected as a sinking fund at interest, in such manner as to always have the same ready at any time it may be necessary to use the same for the purpose of liquidating and retiring said bonds or any of them.

Sec. 7. That the taxes collected by virtue of this act shall be used for no other purpose than herein specified, and any failure to levy, collect or apply the same as herein provided shall be deemed a misdemeanor and punished according to law.

Sec. 8. That the coupons attached to said bonds shall be received for all county taxes.

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 30th day of January, A. D. 1908.

CHAPTER 46.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF HERTFORD COUNTY TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Hertford County be and it is hereby authorized and empowered to levy a special tax during the years one thousand nine hundred and eight and one thousand nine hundred and nine, not exceeding in Tax limit, either year ten cents on one hundred dollars valuation of real and personal property and thirty cents on the poll, for the purpose of paying the debts of the county contracted in paying the ordinary expenses of the county and building bridges in the county as parts of the highways of the county.

SEC. 2. This act to take effect from and after its ratification.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.
CHAPTER 47.

An Act to Amend Sections 2081 and 2089 of the Revisal of 1905, relating to marriage ceremony.

The General Assembly of North Carolina do enact:

Section 1. That section two thousand and eighty-one of the Revisal of one thousand nine hundred and five be amended by inserting the words "or authorized" between the words "ordained" and "minister authorized by his church," in line four of said section.

Sec. 2. That section two thousand and eighty-nine of the Revisal of one thousand nine hundred and five be amended by inserting the words "or authorized" between the words "ordained" and "minister authorized by his church," in line three of said section.

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

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 48.

An Act for the Relief of George B. McLeod, Ex-Sheriff of Robeson County.

Whereas, under the system of working the public roads of Robeson County, during the years one thousand nine hundred and three and one thousand nine hundred and four, it was the duty of the sheriff of said county to open an account with each township within said county and to collect all road taxes levied by the board of commissioners of said county and to pay over to the proper authorities of each township all amounts collected from property and polls within the township for road purposes, to the end that each township should receive credit for all road taxes raised within the township for the benefit of the public roads therein; and whereas, under the provisions of the law as it then existed, George B. McLeod, who was then Sheriff of Robeson County, did collect the road taxes for the years one thousand nine hundred and three and one thousand nine hundred and four, and did account to the proper authorities of each township within the county for all road taxes due by him for said years except as is hereinafter set forth; and whereas, the Finance Committee of Robeson County has found and determined that the said George
B. McLeod is due to the road funds of the following townships the following balances on account of road taxes due said townships for the years one thousand nine hundred and three and one thousand nine hundred and four, to-wit: To Howellsville Township, $70.02; to Lumber Bridge Township, $809.47; to Lumberton Township, $124.22; to Parkton Township, $210.27; to Saddletree Township, $4.58; to Saint Pauls Township, $2.03; to Whitehouse Township, $123.91; to Wishart's Township, $156.96; making an aggregate total of balances due by Sheriff McLeod of $1,561.16; and whereas, the said finance committee has further found and determined that the said George B. McLeod as sheriff paid the following townships the following amounts over and above the amounts due for road taxes collected by him, and due the said townships for the years one thousand nine hundred and three and one thousand nine hundred and four, to-wit: Overpaid Alfordsville Township, $35.75; overpaid Back Swamp Township, $74.50; overpaid Blue Springs Township, $35.33; overpaid Burnt Swamp Township, $14.10; overpaid Britts Township, $541.57; overpaid Maxton Township, $306.63; overpaid Raft Swamp Township, $4.48; overpaid Red Springs Township, $114.03; overpaid Smiths Township, $1.32; overpaid Sterlings Township, $50.39; overpaid Thompsons Township, $55.68; making aggregate overpayments by Sheriff McLeod to the above townships of $1,363.89: and whereas, the said finance committee has found and determined that the difference between the amounts overpaid by said George B. McLeod to the townships above set forth and the balances due by him to other townships as above stated is the sum of one hundred and ninety-seven dollars and twenty-seven cents, which said sum, together with interest thereon at six per cent. per annum from average date of September first, one thousand nine hundred and four, has been paid by said George B. McLeod to the Treasurer of Robeson County; and whereas, if the said George B. McLeod is allowed credit for the amounts overpaid by him to the townships above set forth, he has accounted in the aggregate for all road taxes collected by him for the years one thousand nine hundred and three and one thousand nine hundred and four, except the sum of one hundred and ninety-seven dollars and twenty-seven cents, with interest as aforesaid; and whereas, it is just and proper that the amount of such overpayments, together with interest thereon, be allowed to said George B. McLeod, in final settlement of his road-tax accounts for the said years one thousand nine hundred and three and one thousand nine hundred and four: now, therefore.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Road Supervisors of the County of Robeson and the treasurer of said county be and they are hereby authorized, instructed and directed to make and effect a
Credits to be allowed.

Road tax accounts between townships to be adjusted.

Method of adjustment.

Proviso: payment of balances.

Sheriff discharged on payment of balance found.

final settlement with ex-Sheriff George B. McLeod of his road-tax accounts for the years one thousand nine hundred and three and one thousand nine hundred and four, and that in said final settlement the said board of road supervisors and treasurer are hereby authorized, empowered and directed to allow to said George B. McLeod credit for the aggregate amount of his overpayments to the several townships within the county, in the amounts set forth in the preamble hereto, together with interest thereon from average date of September first, one thousand nine hundred and four, upon an accounting to be had as directed in section two of this act.

SEC. 2. That the Board of Road Supervisors of the County of Robeson and the treasurer of said county be and they are hereby authorized, instructed and directed to make and effect an adjustment of the road-tax accounts for the years one thousand nine hundred and three and one thousand nine hundred and four between the several townships within the county of Robeson upon the following basis: They will charge each of the townships overpaid by Sheriff McLeod with the amount of such overpayment, together with interest thereon at the rate of six per centum per annum from average date of September first, one thousand nine hundred and four; and will credit each of the townships to whom balance is due the amount of such balance as above set forth, together with interest thereon at the rate of six per centum per annum from the average of September first, one thousand nine hundred and four, and they will collect from the said townships so overpaid the amount of such overpayments, with interest as aforesaid, and place the amounts so collected to the credit of the townships to which balances are due in accordance with the amount of such balances as above set forth: Provided, that the balances due by the townships overpaid as above set forth may be collected from funds now to the credit of the road fund of said townships, or from funds which may hereafter be collected for the benefit of said townships in the discretion of the said Board of Road Supervisors of the County of Robeson.

SEC. 3. That ex-Sheriff George B. McLeod and the sureties upon his official bond be and they are hereby released, relieved and discharged from any and all liability of whatsoever nature, character and description on account of road taxes collected by Sheriff McLeod for the years one thousand nine hundred and three and one thousand nine hundred and four, or due by him to any of the townships within the county of Robeson for said years, upon his accounting for and paying over to the Treasurer of Robeson County the amount found due upon an accounting to be had as herein directed.
Sec. 4. That all laws or clauses of laws in conflict with this act be and the same are hereby repealed in so far as they affect the provisions of this act.

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 49.

AN ACT TO AMEND CHAPTER 224, PUBLIC LAWS OF 1907, RELATING TO PRISONERS IN JAIL AWAITING TRIAL.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and twenty-four, Public Laws of one thousand nine hundred and seven, be and the same is hereby amended so that section two of said act shall read: "This act shall apply only to the counties of Pitt and Duplin."

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

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.

CHAPTER 50.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF UNION COUNTY TO HOLD AN ELECTION TO ASCERTAIN WHETHER OR NOT CERTAIN LANDS BELONGING TO SAID COUNTY SHALL BE DONATED FOR HOSPITAL PURPOSES.

The General Assembly of North Carolina do enact:

Section 1. The County Commissioners of Union County are hereby authorized to call, whenever in their opinion public sentiment in said county justifies it, an election for said county to ascertain whether or not four acres or less, to be surveyed by said commissioners, including that part of the lands now belonging to Union County, which, of the county home tract, is enclosed, shall be donated for hospital purposes.

Sec. 2. Said election, if called, shall be held under the same rules and regulations as shall then be in force in regard to the election of representatives to the General Assembly, so far as may be possible; but no new registration of voters shall be had therefor.
Sec. 3. That at said election those favoring such donation shall vote a ballot on which shall be written or printed the words "For Hospital," and those opposing such donation shall vote a ballot on which shall be written or printed the words "Against Hospital."

Sec. 4. That if at such election a majority of the qualified voters of Union County shall vote in favor of such donation, then it shall be the duty of the Commissioners of Union County at their next regular meeting to deed the aforesaid lands belonging to Union County, that is to say that part of the county home tract lying and being in the town of Monroe, North Carolina, and being within the enclosure at said county home, together with the buildings thereon, to the Union County Hospital Company, which said Union County Hospital Company shall, after the said election shall have resulted in favor of such donation, be thereby constituted a corporation, with power to sue and liability to be sued; but that the said lands thus deeded shall, in the event of a nonuser for hospital purposes for the space of three months, revert to the county of Union, and a provision to that effect be inserted in said deed.

Sec. 5. That in the event said election shall result in favor of such donation, the Commissioners of Union County at their next regular meeting after said election shall appoint five commissioners for the management of the same, who shall hold office for the term of four years from the date of their appointment, and in case of any vacancy caused by death, resignation, removal, expiration of term of office or otherwise, the Commissioners of Union County shall fill the same at their next regular meeting; that by virtue of his office the Superintendent of Health of Union County shall also be a commissioner for the management of said hospital, and shall be chairman of said commissioners.

Sec. 6. That the Commissioners of Union County shall send to the said hospital, in case of its establishment by said election as aforesaid, all persons resident in said county and all persons who are liable to become a county charge that are in need of medical or surgical attention, who shall be treated and maintained at said hospital so long as such treatment will be of benefit to their health, by said hospital authorities without charge to the said county of Union.

Sec. 7. That the said hospital shall also receive as pay patients all residents of Union County; but these shall be charged only at such a rate as shall pay the estimated total expenses of the institution.

Sec. 8. All laws and clauses of laws in conflict with this act are hereby repealed.

In the General Assembly read three times, and ratified this the 30th day of January, A. D. 1908.
CHAPTER 51.

AN ACT TO CHANGE THE JURISDICTION OF THE SPRING TERM OF THE SUPERIOR COURT OF RICHMOND COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and seventy-six of the Law of 1907 Public Laws of North Carolina of session one thousand nine hundred and seven be and the same is hereby repealed.

Sec. 2. That section one thousand five hundred and six, chapter twenty-eight of the Revisal of one thousand nine hundred and five of North Carolina, page four hundred and fifty-one, line six, be and the same is hereby amended as follows: By inserting the words "or criminal" between the words "civil" and "cases," in said line, and by striking out the word "exclusively" between the words "cases" and "first" in said line six.

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

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 31st day of January, A. D. 1908.

CHAPTER 52.

AN ACT REGULATING THE MANAGEMENT AND CONTROL OF MOTOR VEHICLES UPON THE PUBLIC ROADS AND HIGHWAYS OF SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. All persons driving any motor cycle, locomobile, automobile or other motor vehicle upon any public road or highway of Scotland County shall, on meeting carriages or vehicles of any kind or description other than cycles or motor vehicles, keep to the right, so as to leave two-thirds of the road free whenever and wherever the width and condition of the road render it practicable to do so: Provided, however, that any person operating a locomobile, automobile, motor cycle or other motor vehicle within the limits of any municipality of or in the county of Scotland, shall not operate the same at a greater rate of speed than eight miles an hour in the business and closely built up portions of such municipalities, nor more than fifteen miles an hour in the other portions of such municipalities, nor more than four miles an hour at street crossings and sharp curves in the streets and
in turning corners at street crossings, which rates of speed in any municipality in said county shall not be diminished nor prohibited by any ordinances, rules or regulations of any such municipalities, board or other authority except the public safety shall require it: and, Provided, that at a sharp curve in any public road or highway, or at a crossing of the same, outside of any municipality in said county, the rate of speed shall not exceed eight miles an hour: and, Provided, that any person or persons operating a locomobile, automobile, motor cycle or other motor vehicle on any such public road or highway, any public street or place in said county, shall at request or on signal by putting up the hand from the person riding, leading or driving a horse or horses or other animals, bring such locomobile, automobile, motor cycle or other motor vehicle to a stop, and if traveling in the opposite direction shall remain stationary so long as may be reasonably necessary to allow such horse, horses or other animals to pass (and in case such horse, horses or other animals appear to be frightened, and he is requested to do so, the person operating such locomobile, automobile, motor cycle or other motor vehicle shall cause the motor thereof to cease running so long as shall be necessary to prevent accident and insure the safety of persons using such public road, highway or public place), and if traveling in the same direction use reasonable care and caution in thereafter passing such horse, horses or other animals: Provided, however, that it shall be the duty of any and all persons riding, leading or driving any horse or horses or other animals upon any public road, highway or public place in said county, on meeting any locomobile, automobile, motor cycle or other motor vehicle, to keep to the right, and on being approached by any such motor vehicle going in the same direction to drive aside at the first place upon such public road, highway or place, when it can be done with safety, and permit such motor vehicle to pass: and, Provided, that such locomobile, automobile, motor cycle or other motor vehicle shall, while being operated during the period from one hour after sunset to one hour before sunrise, exhibit a light or lights for a reasonable distance in the direction toward which such vehicle is proceeding, and shall also be provided with (and shall use at all necessary and proper times) a good and sufficient brake, and a suitable bell, horn or other such signal: and, Provided, that no person shall through mischief or without reasonable cause request any person or persons operating a locomobile, automobile, motor cycle or other motor vehicle, or signal him by putting up the hand, to stop. If any person purposely and willfully neglects or refuses to comply with or violates any of the provisions of this section, or in any other manner willfully hinders or purposely obstructs any person in the free passage of any such road or highway, he shall be guilty of a misdemeanor, and on conviction thereof before any justice of the peace or other court.
having jurisdiction, for every such offense be fined not more than fifty dollars or imprisoned not more than thirty days.

SEC. 2. That all laws and clauses of laws in conflict with this act be and the same are hereby, in so far as they are in conflict herewith, repealed.

SEC. 3. That section five of chapter three hundred and fifty-eight of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by striking out the word "Scotland" wherever it appears in said section.

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 31st day of January, A. D. 1908.

CHAPTER 53.

AN ACT TO APPOINT JOSEPH T. ROSS A JUSTICE OF THE PEACE FOR WASHINGTON TOWNSHIP, BEAUFORT COUNTY, AND TO APPOINT JOHN L. WATERMAN A JUSTICE OF THE PEACE FOR GASTON TOWNSHIP, IN NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Joseph T. Ross be and he is hereby appointed a justice of the peace for Washington Township, in Beaufort County, for the term of four years.

SEC. 2. That John L. Waterman be and he is hereby appointed a justice of the peace for Gaston Township, in Northampton County, for the term of six years from and after the ratification of this act.

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 54.

AN ACT TO APPOINT JUSTICE OF THE PEACE IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That R. W. Collins be and he is hereby appointed a justice of the peace for Burgaw Township, in Pender County, for a term of two years.

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.
CHAPTER 55.
AN ACT TO AMEND CHAPTER 41 OF THE PUBLIC LAWS OF 1907, IT BEING AN ACT TO AMEND SECTION 5437 OF THE REVISAL OF 1905, RELATING TO VETERINARY SURGEONS.

The General Assembly of North Carolina do enact:

Section 1. That chapter forty-one of the Public Laws of one thousand nine hundred and seven be amended by inserting before the word "eight," in line five thereof the words "March first."

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 56.
AN ACT TO AMEND SECTION 3030 OF THE REVISAL OF 1905, RELATIVE TO WAREHOUSE BONDS.

The General Assembly of North Carolina do enact:

Section 1. That section three thousand and thirty of the Revisal of one thousand nine hundred and five be amended as follows: By adding after the word "company," in line five these words: "or an individual bond with sufficient sureties."

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 57.
AN ACT TO AMEND CHAPTER 795 OF THE PUBLIC LAWS OF 1905, RELATING TO PRIMARY ELECTIONS IN NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two of chapter seven hundred and ninety-five of the Laws of one thousand nine hundred and five be amended by striking out all of section two after the word "primary," in line four.
Sec. 2. Amend section twelve by adding at the end thereof the following: “That in primary elections for city officers the city shall pay the expenses of said primary election as to registrars and managers or officers of elections, and in State and county elections the county shall pay the expenses of said primary election as to registrars and managers or officers of elections.”

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 31st day of January, A. D. 1908.

CHAPTER 58.

AN ACT TO APPOINT JUSTICES OF THE PEACE FOR CROSS ROADS TOWNSHIP, MARTIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That J. L. Rodgerson, J. H. D. Peel and B. R. Perry be and they are hereby appointed justices of the peace for Cross Roads Township, in said Martin County, for the term of three years.

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 59.

AN ACT TO AMEND CHAPTER 213 OF PUBLIC LAWS OF 1905, ENTITLED “AN ACT TO COMPEL ATTENDANCE OF INDIANS AT SCHOOL.”

The General Assembly of North Carolina do enact:

Section 1. That in line two of section two of chapter two hundred and thirteen, Public Laws of one thousand nine hundred and five, the word “nine” be stricken out, and the word “ten” be inserted in lieu thereof; and in line two of section five the word “one-eighth” be stricken out, and the word “one-sixteenth” be inserted in lieu thereof.

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.
CHAPTER 60.

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF ONSLOW COUNTY TO ISSUE BONDS FOR THE PURPOSE OF BUILDING A COUNTY HOME, AND TO AUTHORIZE AND EMPOWER SAID BOARD OF COMMISSIONERS TO LEVY A SPECIAL TAX TO PAY THE INTEREST THEREON AND TO PROVIDE FOR A SINKING FUND.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Onslow County is hereby authorized and empowered to issue bonds in the name of the County of Onslow, in such denominations and forms as the said board may determine, to an amount not exceeding five thousand dollars ($5,000), payable at such times and places as the said board of county commissioners may prescribe: Provided, that the time of payment of such bonds shall not be less than ten (10) years nor more than twenty (20) years from their date: Provided further, that said bonds may be made payable in sums of one thousand dollars ($1,000) annually at and after the expiration of ten (10) years from their date.

Sec. 2. That the said bonds shall bear interest at a rate to be determined by the board of commissioners of said county, not greater than five per cent. per annum, and the interest shall be made payable annually or semiannually, as the said board may prescribe.

Sec. 3. That the said bonds shall be signed by the chairman of the Board of County Commissioners of Onslow, attested by the clerk of said board, and sealed with a seal of said board, and shall have the interest coupons [attached] thereto; which said bonds and their coupons shall be exempt from State, county and municipal taxation until after they become due and payable, and the coupons shall be receivable in the payment of State, county and municipal taxes. That for the purpose of paying the said bonds at maturity and the said coupons as they become due, it shall be the duty of the said board of county commissioners of said Onslow County and it is hereby authorized and empowered to levy and collect, as all other taxes are levied and collected, each year a sufficient special tax upon all subjects of taxation which are now or may hereafter be embraced in the subjects of taxation under the general law of the State: Provided, that the said board of county commissioners shall use its discretion in regard to the rate of taxation to be levied each year for the purpose of paying the interest coupons and providing a sinking fund to pay the said bonds at maturity: Provided further, that the money derived from the sale of the bonds herein provided for shall be used...
by the County Commissioners of Onslow County in erecting and building a comfortable and commodious home for the aged and infirm of the county of Onslow; and, Provided further, that any sum which may be left over from the sale of said bonds after building the home herein provided for, said commissioners are hereby authorized to use the same for any general county purpose.

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 61.

AN ACT TO APPOINT JUSTICES OF THE PEACE FOR ONslow COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the following justices of the peace be and they are hereby appointed to the office of justice of the peace of Onslow County, as follows. A. B. Yopp and J. D. Batts for Stump Sound Township; J. W. Bryan and W. E. Rouse for Richlands Township; E. F. Craft and Owen B. Kellum for Jacksonville Township; R. C. Morton for Swansboro Township and W. H. Willis for White Oak Township, each for a term of five years from the date of his qualification: Provided, they shall qualify on or before the first Monday in March, one thousand nine hundred and eight.

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 62.

AN ACT TO AMEND CHAPTER 354, PUBLIC LAWS OF 1907, WITH REFERENCE TO SALARIES OF OFFICERS IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of said act be amended by striking out the words "one thousand," in line six of said section, and inserting in lieu thereof the words "twelve hundred and fifty."

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.
CHAPTER 63.

AN ACT TO AMEND SECTION 2944 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand nine hundred and forty-four of the Revival of one thousand nine hundred and fifty be amended by adding thereto after the word "Fayetteville" and before the word "and," in line three of said section the following: "and Greensboro."

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

In the General Assembly read three times, and ratified this the 31st day of January, A.D. 1908.

CHAPTER 64.

AN ACT TO AMEND CHAPTER 633 OF THE PUBLIC LAWS OF 1907, IN REGARD TO TALES JURORS IN ALAMANCE AND ORANGE COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter six hundred and thirty-three of the Public Laws of one thousand nine hundred and seven be amended by adding at the end of aforesaid section: "shall be allowed to regular jurors, and also to tales jurors if required to serve more than one day."

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

In the General Assembly read three times, and ratified this the 31st day of January, A.D. 1908.

CHAPTER 65.

AN ACT TO REGULATE HUNTING DEER IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to kill any deer in Jackson County between the fifteenth day of December and the fifteenth day of October of each year.

Sec. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be
fined not less than five dollars nor more than one hundred dollars, or
imprisoned at the discretion of the court.

Sec. 3. That this bill shall only apply to Jackson County.

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

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 66.

AN ACT TO AMEND CHAPTER 484 OF THE PUBLIC LAWS OF 1907, RELATING TO THE FUNDING THE BONDED DEBT OF ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Public Laws of one thousand nine hundred and seven, chapter four hundred and eighty-four, be amended by inserting after the word "Onslow" and before the word "for," in line six, section two of said act, the following: "or the State of North Carolina or any municipality therein, if the same shall be held by any bona fide resident of Onslow County."

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

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 67.

AN ACT TO AMEND CHAPTER 331 OF THE PUBLIC LAWS OF 1899, ENTITLED "AN ACT TO PROTECT THE FISH OF TRANSYLVANIA COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter three hundred and thirty-one of the Public Laws of one thousand eight hundred and ninety-nine be and the same is hereby repealed: Provided, however, that nothing contained herein shall permit the catching of mountain speckled and brook trout with a seine or net.

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.
CHAPTER 68.

AN ACT TO APPOINT A JUSTICE OF THE PEACE FOR TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That George T. Lyday be and he is hereby appointed a justice of the peace for Boyd Township, in said county, for the term of four years.

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 69.

AN ACT FOR THE RELIEF OF INDIGENT DEAF AND BLIND CHILDREN ATTENDING SCHOOL.

The General Assembly of North Carolina do enact:

Section 1. That chapter eighty-nine, section four thousand one hundred and ninety-nine of the Revisal of one thousand nine hundred and five be and the same is hereby so amended as to insert at the end of said section the words "in addition to such amount as may be required to defray all necessary traveling expenses of said pupil."

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.

CHAPTER 70.

AN ACT TO APPOINT A JUSTICE OF THE PEACE FOR LINCOLNTON TOWNSHIP, LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That M. C. Padgett be and he is hereby appointed a justice of the peace in and for Lincolnton Township, Lincoln County, for a term of one year.

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.
CHAPTER 71.
AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF INTOXICATING LIQUORS IN NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person or persons, firm or corporation to manufacture or in any manner make, or sell, or otherwise dispose of, for gain, any spirituous, vinous, fermented or malt liquors or intoxicating bitters within the State of North Carolina: Provided, this act shall not be construed to forbid the sale of such spirituous, vinous, fermented or malt liquors or intoxicating bitters by a legalized medical depository, or by any licensed and registered pharmacist, for sickness, upon the written prescription of a regular licensed and actively practicing physician or surgeon having the person for whom such prescription is made under his charge, which said prescription shall specify the amount of spirits required: Provided further, that wines and ciders may be manufactured or made from grapes, berries or fruits, and wine sold at the place of manufacture only, and only in sealed or crated packages containing not less than two and a half gallons per package; but no wine, when sold, shall be drunk upon the premises where sold, nor shall the package containing the same be opened on said premises: and, Provided further, that nothing herein contained shall be construed to prevent the sale of cider, in any quantity, by the manufacturer from fruits grown on his lands within the State of North Carolina.

Section 2. That all liquors or mixtures thereof, by whatever name called, that will produce intoxication shall be construed and held to be intoxicating liquors within the meaning of this act: Provided, that medicinal preparations manufactured in accordance with formulas prescribed by the United States Pharmacopoeia and National Formulary which contain no more alcohol than is necessary to extract the medicinal properties of the drugs contained in such preparations, and no more alcohol than is necessary to hold the medicinal agents in solution, and which are manufactured and sold as medicines and not as beverages, shall not be held or construed to be or to come within the meaning or provisions of this act.

Section 3. That any physician or surgeon who shall make any prescription (except in case of sickness) for the purpose of aiding or abetting any person or persons who are not bona fide under his charge to purchase any intoxicating liquors, contrary to the provisions of this act, and any licensed and registered pharmacist who shall sell or otherwise dispose of, for gain, any spirituous, vinous, fermented or malt liquors or intoxicating bitters without
the written prescription of a legally qualified physician or surgeon, or who shall duplicate the prescription of a physician or surgeon for intoxicating liquors for any person or persons not bona fide under such physician's or surgeon's charge, without the written direction of the physician or surgeon who gave the same, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court, for each and every offense; and all licensed and registered pharmacists selling intoxicating liquors by prescription as aforesaid shall keep a record thereof, which shall bear the true dates of the sales, the names of all persons to whom sales were made, the names of physicians or surgeons upon whose prescriptions the sales were made, which said record shall be subject at all times to the inspection of the solicitor of the district, the sheriff and other peace officers of the county, the mayor and police officers of the city or town in which said licensed and registered pharmacist's business is located, and all other persons; and any licensed and registered pharmacist failing to keep the record aforesaid, or refusing to permit the examination of such record by the officers named or other persons, shall be guilty of a misdemeanor, and upon conviction be fined or imprisoned, or both, in the discretion of the court.

SEC. 4. The place where delivery of any intoxicating liquors is made in the State of North Carolina shall be construed and held to be the place of sale thereof, and any station or other place within said State to which any person shall ship or convey any intoxicating liquors for the purpose of delivering or carrying the same to a purchaser shall be construed to be the place of sale: Provided, that nothing in this act shall be construed to prevent the delivery of any intoxicating liquor to any licensed and registered pharmacist in sufficient quantities for medical purposes only.

SEC. 5. Nothing in this act shall be construed as making it unlawful to sell to any minister of religion or other officer of a church wine to be used for religious or sacramental purposes.

SEC. 6. That nothing in this act shall be construed to prevent the county commissioners or governing body of any city or town from prohibiting the sale of spirituous, vinous, fermented or malt liquors or intoxicating bitters by any licensed and registered pharmacist in their respective counties, cities or towns: Provided further, that said county commissioners or governing body of any city or town may levy a special privilege tax upon any licensed pharmacist licensed to sell spirituous, vinous or malt liquors.

SEC. 7. That all laws or parts of laws in conflict with this act be and the same are hereby, to the extent of such conflict, repealed: Provided, however, that nothing in this act shall operate to repeal any of the local or special acts of the General Assembly of North Carolina prohibiting the manufacture or sale or other
disposition of any of the liquors mentioned in this act; but all such acts shall continue in full force and effect and in concurrence herewith; and indictment or prosecution may be had either under this act or any special or local act relating to the same subject: Provided, that, if the provisions of sections one to nine (inclusive) of this act shall fail to go into effect on the first day of January, one thousand nine hundred and nine, because of the failure of a majority of the votes cast in the election hereinafter provided for to be "Against the Manufacture and Sale of Intoxicating Liquors," then this act shall not be construed as a repeal of any laws under which prohibition or a dispensary has been established; nor shall it have the effect of restoring license where prohibition or a dispensary now obtains.

Sec. 8. Any person violating any of the provisions of this act shall be guilty of a misdemeanor.

Sec. 9. That the foregoing provisions of this act shall go into effect on the first day of January, in the year of our Lord one thousand nine hundred and nine, if a majority of the votes cast at the election hereinafter provided for shall be "Against the Manufacture and Sale of Intoxicating Liquors."

Sec. 10. That, on the last Tuesday in May in the year of our Lord one thousand nine hundred and eight, an election shall be held in the several election precincts in each county of the State of North Carolina to determine whether the provisions of sections one to nine (inclusive) of this act shall become effective. Said election shall be conducted and held under the same rules and regulations and in the same manner as elections for State officers; and, unless otherwise provided in this act, the general laws regulating elections, as set forth in chapter ninety of the Revisal of one thousand nine hundred and five of North Carolina, and the amendments thereto, shall be applicable to said election. At said election every person qualified to vote for members of the General Assembly shall have the right to vote. At each election precinct there shall be a ballot box provided for the purpose of said election, which shall be labeled in plain Roman letters, "For or Against the Manufacture and Sale of Intoxicating Liquors." In all other respects said ballot box shall be in conformity with the general laws regulating elections, as set forth in chapter ninety of the Revisal of one thousand nine hundred and five of North Carolina and the amendments thereto. At said election every qualified voter shall have the right to vote a written or printed ballot, or ballot partly written and partly printed, bearing the words "For the Manufacture and Sale of Intoxicating Liquors," or a written or printed ballot, or a ballot partly written and partly printed, bearing the words "Against the Manufacture and Sale of Intoxicating Liquors." The ballots shall be of white paper.
Count, return and canvass of votes.

and shall be without device. The votes cast at said election shall be counted, compared, returned, canvassed, certified and reported under the same rules and regulations and in the same manner as the vote for State officers, as provided in the general laws of the State above referred to, except that the Board of State Canvassers shall, immediately after it has completed its canvass of the returns of the said election from the abstracts transmitted to the Secretary of State, certify to the Governor a statement of the result of such canvass, and the Governor shall forthwith issue his proclamation announcing and declaring the result, and such proclamation by the Governor shall have the effect to determine the result of said election. The State Board of Elections and the several county boards of elections are hereby authorized, empowered and directed to take all such actions as may be necessary to fully provide for the election to be held in accordance with this act. The several county boards of elections shall meet in their respective counties, not later than the second day of April in the year of our Lord one thousand nine hundred and eight, and arrange for the holding of said election, by selecting and appointing a registrar and two judges of election for each election precinct in their respective counties, the duties and powers of whom shall be in all respects as provided in the general election laws of the State, as above referred to. In making the appointments of judges of election the county boards of elections shall, if possible, each appoint for each election precinct one competent person generally known to be in favor of the manufacture and sale of intoxicating liquors in the State of North Carolina and one competent person generally known to be opposed to the manufacture and sale of intoxicating liquors in the State of North Carolina. The several county boards of elections shall make publication of the names of the registrars and judges of election and serve notice upon them as required by the general election laws of the State. The compensation of all officers engaged in the said election shall be the same as is provided by law for similar service in case of general State elections. In order to fully effectuate the purposes of this act, and to carry out the true intent and meaning of the same, it is hereby provided that the State Board of Elections, in matters affecting the entire State, and the several county boards of elections, in matters affecting their respective counties, shall respectively have full power and authority, and they are hereby directed, to make all such rules and regulations and to do and perform all such acts and things as shall be necessary to complete the details for the holding of said election, and to conform the same as nearly as possible to the general laws of the State regulating State elections, as set forth in chapter ninety of the Revisal of one thousand nine hundred and five of North Carolina and
the amendments thereto now or hereafter adopted; and if any
officer shall willfully neglect or fail to perform any duty, act, mat-
ter or thing required or directed in the time, manner and form in
which such duty, act, matter or thing is required to be performed
by the terms of this act, the person so offending shall be guilty of
a misdemeanor.
Sec. 11. This act shall be in force from and after its ratifica-
tion.
In the General Assembly read three times, and ratified this the
31st day of January, 1908.

CHAPTER 72.

AN ACT TO PROVIDE FOR THE WORKING OF THE PUBLIC
ROADS AND HIGHWAYS OF PINE LEVEL TOWNSHIP, IN
THE COUNTY OF JOHNSTON.

The General Assembly of North Carolina do enact:

Section 1. That in order to provide for the proper construction, Special road tax
improvement and maintenance of the public roads of Pine Level
Township, in the county of Johnston, the board of county com-
misisoners of said county, at its regular meeting in June, one
thousand nine hundred and eight, and at each regular annual
meeting thereafter [is authorized], and it is hereby made its duty
to levy a tax on all property subject to taxation under the State
law in Pine Level Township, in the said county, of not more than Tax limit.
twenty-five (25) cents on the one hundred dollars' ($100) worth
of property and seventy-five (75) cents on the poll.

Sec. 2. That the Board of County Commissioners of Johnston Tax list.
County is hereby directed and required annually to cause to be
made out a full and complete tax list in accordance with section
one of this act, to be placed in a separate column on the regular
Tow book of the county for Pine Level Township, to be turned
over to the sheriff of said county of Johnston for collection as re-
quired by law, and the sheriff aforesaid is required to collect said Sheriff to collect
taxes and to account for the same under the same rules and laws
and penalties as he is required to collect and account for the
State and county taxes, and he shall receive the same compensa-
tion therefore; that the said sheriff and his bond shall be liable
for said taxes in like manner as he is liable and responsible for
the State and county taxes.

Sec. 3. That the sheriff aforesaid shall account to the Treas- Sheriff to pay over
urer of Pine Level Road Fund, to be elected by the Pine Level taxes.
Township Road Supervisors hereinafter appointed, in like manner
as he accounts to the Treasurer of Johnston County for State and
county taxes by him collected.
Treasurer of road fund to receipt for taxes.

Accounts.
Accounts open for inspection.

Annual reports.

Monthly reports.
Compensation of treasurer.

Supervisors appointed.

Official designation.
Term of office.

Election of successors.

Election on failure of supervisors to nominate.

Present board abolished.

Pay of supervisors.

Sec. 4. That the Treasurer of Pine Level Road Fund, to be hereafter appointed or elected, as above prescribed, shall receive and hold said taxes and give his receipt to the sheriff aforesaid for the same, and he is required to keep an account of his receipts and disbursements in a book kept for this purpose, which book shall at all times be open for the inspection of the supervisors aforesaid. That said treasurer shall make annual report to the Commissioners of Johnston County the first Monday in December of each year, and shall make monthly reports to the Pine Level Township Road Supervisors. That said treasurer shall receive in compensation for said work a commission of not more than three per cent. on the disbursements, to be fixed by the Pine Level Township Road Supervisors.

Sec. 5. That D. B. Oliver, W. L. Creech and Joseph Crocker are hereby appointed Supervisors of the Public Roads of Pine Level Township, Johnston County, and shall be known as the Pine Level Township Supervisors, and shall hold their offices respectively for one, two and three years, and each shall continue in office until the election and qualification of his successor. That upon the expiration of the term of any or either of the supervisors, the two supervisors whose terms have not expired shall nominate a freeholder of said township to fill the vacancy, which said nomination shall be ratified by the County Commissioners of Johnston County, after which said nominee shall become a road supervisor of said township. Should said county commissioners not ratify the nomination made by the road supervisors aforesaid, then the said supervisors shall nominate another or others until one has been approved by the county commissioners. If for any cause the Pine Level Township Road Supervisors shall fall for thirty (30) days to nominate a supervisor to succeed the one whose term has expired, then it should be the duty of the board of county commissioners to elect a freeholder and citizen of said township to fill the office and vacancy. That the office of the present board of road supervisors in Pine Level Township be and the same is hereby abolished, and said supervisors will turn over to the Pine Level Township Road Supervisors herein appointed all books, records and other property now in their possession. The Pine Level Township Road Supervisors are hereby each allowed the sum of one dollar ($1) per day while actually engaged in the carrying out of the requirements of this act, and in the discharge of their official duty. This shall be paid to the treasurer of said Pine Level Township Road Fund upon a warrant of the chairman of the Pine Level Township Road Supervisors.

Sec. 6. That the Pine Level Township Road Supervisors shall at their first meeting after the ratification of this act, elect one of their number as treasurer, who shall be known as Treasurer
of Pine Level Township Road Fund, and who shall hold his Term of office. office for one year and until his successor is elected and qualifies. And said Pine Level Township Road Supervisors shall annually thereafter at their regular meeting in June elect a treasurer, whom they may allow a sum not exceeding three per cent. on the disbursements as compensation for his services, said allowance to be made at the time of his annual settlement with the said supervisors.

Sec. 7. That the Pine Level Township Road Supervisors and their successors in office, before entering upon the discharge of their duties, shall each enter into a bond in the sum of two hundred dollars ($200) for the faithful performance of the duties required in this act, and the treasurer hereinbefore provided for shall likewise enter into a bond in the sum of five hundred dollars ($500) for the faithful performance of his duties. and each of said supervisors and the treasurer shall take and subscribe an oath faithfully to discharge and perform the duties of their respective offices, which bonds shall be filed with and approved by the Board of County Commissioners of Johnston County.

Sec. 8. That the Pine Level Township Road Supervisors shall elect a superintendent of roads, who shall have charge and the management of hands, labor, teams, tools and other apparatus and machinery used on the said public roads, subject, however, to the supervision of the supervisors of said roads. That said superintendent shall give a bond in the sum to be fixed by the said supervisors, and shall take and subscribe an oath for the faithful discharge of his duties as required by this act, which said bond and oath shall be filed with the said supervisors, and the said bond by them approved. The superintendent shall receive such salary as may be prescribed by the Pine Level Township Road Supervisors. It shall be the further duty of said superintendent to keep a registry in which he shall record each day an itemized statement of the number of persons working on said roads, the number of hours of work performed by each and the amount paid each hand, together with a list of all tools, implements, carts, wagons, machinery or other apparatus received, and the disposition of the same.

Sec. 9. That the Pine Level Township Road Supervisors are hereby invested with the full power and authority to purchase such material, apparatus, implements and machinery, such as shovels, picks, road scrapers, rollers and all other necessary material, tools or machinery as in their discretion are to the advantage and necessary for the work of the said roads as well as to purchase such mules, horses or other teams, and to employ such labor as may be necessary to carry on said work, and shall issue their warrant on the Treasurer of Pine Level Township Road Fund in payment for the same.
Sec. 10. That the superintendent aforesaid shall make out all pay rolls, which shall be submitted to the chairman of the Pine Level Township Road Supervisors, and by him approved, which shall then be and operate as a warrant on the treasurer for the amount of money specified and called for in the said payment [pay rolls]; and the said superintendent shall make out a monthly report and an annual statement of all his works and doings, with the report of the number of days, hands who worked on the roads in the said township and the amount paid each for the aforesaid work so performed. He shall also include in the said report his statement of all tools and implements he may have on hand at that time.

Sec. 11. That the Pine Level Township Road Supervisors shall issue their warrants on the Treasurer of Pine Level Township Road Fund to pay all bills and debts incurred for machinery, tools, teams or other necessary expenditures incurred in working said roads, which shall be approved by the chairman, whereupon the treasurer will pay the same out of any funds he may have in hand. That each warrant shall plainly state on its face, to whom payable, the amount and for what purpose drawn.

Sec. 12. That the Pine Level Township Road Supervisors be and they are hereby authorized and empowered to widen any of the public roads of said Pine Level Township, wherever and whenever in their opinion wider roads are needed for the convenience and accommodation of the traveling public, not exceeding, however, twenty-five (25) feet wide, and an equal amount shall be taken from each side of any such roads. That the Pine Level Township Road Supervisors shall make a quarterly report to the Board of Commissioners of Johnston County of all moneys received in said road-tax fund, and for what purposes the same were expended, which report shall be recorded by the Register of Deeds of Johnston County in a book kept for this purpose, which shall be labelled "Reports of Pine Level Township Road Supervisors," and the register of deeds shall be paid the usual fees for the recording of said reports, which shall be paid by the Treasurer of the Pine Level Township Road Fund upon warrant of the supervisors.

Sec. 13. That the justices of the peace of Johnston County and the mayor of any town in said county are hereby authorized and empowered in their discretion to sentence all persons convicted in their respective courts, wherein they have jurisdiction, to work on the public roads of Pine Level Township.

Sec. 14. That if any road supervisor or superintendent or other officer herein designated shall willfully fail or neglect to perform any of the duties of his office, as by this act required, he shall be guilty of a misdemeanor. He shall be fined not more than fifty dollars ($50), or imprisoned not more than thirty (30) days.
Sec. 15. That the Pine Level Township Road Supervisors are hereby required to make quarterly settlements with the Sheriff of Johnston County and with the Treasurer of Pine Level Township Road Fund for taxes collected, and shall file copies of said settlements as a part of their quarterly report with the Board of Commissioners of Johnston County.

Sec. 16. That it shall be unlawful for any person in any way to block or fill up any ditch or water way by the side of or across any public road in Pine Level Township by plowing into, felling trees into or dumping trash, rubbish or underbrush into any such ditch or water way, or in any way interfering with or preventing the free and uninterrupted flow of water down or through any such ditch or water way. Any such person violating this section shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars ($50) or imprisoned not more than thirty (30) days, in the discretion of the court.

Sec. 17. That the Board of Commissioners of the County of Johnston is hereby required and directed to call and order a special election to be held in the town of Pine Level, for Pine Level Township, on Tuesday after the second Monday in April, one thousand nine hundred and eight, under the same rules, regulations and laws as are now provided for the election of members for the General Assembly. Upon the ratification of the levy of said special tax, as set out in section one of this act, by a majority of all the votes cast at said election, then this act shall be in full force and effect. If a majority of all the votes cast in said election be against the levy of said tax, then this act shall be inoperative and of no force. All those favoring the levying of said special tax shall vote a written or printed ballot containing the words "For Special Tax," and all those opposing the levying of said special tax shall vote a written or printed ballot containing the words "Against Special Tax."

Sec. 18. That this act shall be in full force and effect from and after its ratification and adoption by a majority of all votes cast at the election hereinbefore provided for.

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

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.
CHAPTER 73.

AN ACT TO AMEND CHAPTER 508, PUBLIC LAWS OF 1907, BY ADDING THE WORD "DUPLIN."

The General Assembly of North Carolina do enact:

Section 1. That chapter five hundred and eight, Public Laws of one thousand nine hundred and seven, be and is hereby amended, by adding after the word "Buncombe," in line two, section one of said act, and before the word "and" in said line, the word "Duplin."

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 74.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF LINCOLN COUNTY TO ISSUE BONDS TO MACADAMIZE AND IMPROVE THE PUBLIC ROADS THEREOF.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of macadamizing and otherwise improving the public roads of Lincoln County the board of commissioners of said county is hereby authorized, empowered and directed to issue bonds of the county to an amount not exceeding three hundred thousand dollars, bearing interest from the date thereof, at a rate not to exceed five per cent. per annum, with interest coupons attached, payable semiannually at such time and place as may be deemed advisable by said board of county commissioners, such bonds to be of such form and tenor and transferable in such way, and the principal thereof payable at such time or times not exceeding thirty years from the date thereof and at such place or places as the board of county commissioners may determine: Provided, that none of said bonds authorized by this act shall be disposed of either by sale, exchange, hypothecation or otherwise for a less price than their face value.

Sec. 2. The bonds and coupons shall be numbered and shall be signed by the chairman of said board of commissioners, and countersigned and attested by the treasurer of said county, and bear the corporate seal of said county of Lincoln.
SEC. 3. A record shall be kept by said board of commissioners in a separate book for that purpose of all bonds sold and to whom, the amount and date of sale and the maturity of each bond and its number.

SEC. 4. In order to pay the interest on said bonds, said commissioners or other authority vested with levying taxes for said county shall annually compute and levy at the time of levying other county taxes a sufficient special tax on all polls, all real estate and personal property and all other subjects of taxation which said commissioners or other authorities now or hereafter may be allowed to levy taxes upon for any purpose whatever, always observing the constitutional equation between the tax on property and the tax on polls.

SEC. 5. That said taxes when collected shall be kept separate and apart from all other taxes, and shall be used only for the purposes for which they were collected.

SEC. 6. That after the expiration of ten years, the said commissioners or other authorities vested with the power of levying taxes in order to create a sinking fund for the purpose of taking up said bonds at maturity shall le\'vy a special tax not exceeding ten cents on the one hundred dollars' worth of property and thirty cents on the poll, in addition to the special tax to pay the interest.

SEC. 7. That it shall be the duty of said commissioners to annually invest any and all moneys from the special tax for a sinking fund in the purchase of any of said bonds at a price deemed advantageous to said county by said commissioners, but in the case said county bonds cannot be purchased said commissioners shall invest said sinking fund in North Carolina four per cent. bonds, as collateral security for said loan.

SEC. 8. That any money of said sinking fund so loaned shall have the legal rate of interest in North Carolina, and any interest from said fund shall be annually reinvested in the same way.

SEC. 9. That the money arising from the sale of said bonds shall be used to purchase and provide road working machinery in macadamizing and otherwise improving the public roads of said county, and in guarding and maintaining such convict force as may from time to time be assigned to work on said roads.

SEC. 10. That the bonds hereinbefore provided for shall be deposited in some safe deposit company or bank to be designated by said board of county commissioners and only drawn out on the joint order of the chairman of the said board and the treasurer of said county, the proceeds of which shall be applied in the way hereinbefore provided for.

SEC. 11. For the purpose of ascertaining the wishes of the voters of Lincoln County upon the question of issuing bonds and improving the roads, as is provided in this act, an election shall
be held in all the voting precincts of said county of Lincoln on
Tuesday after the first Monday in February, one thousand nine
hundred and nine, it being the ... day of said month of Feb-
uary. At said election all qualified voters in said county may
vote written or printed tickets. Those who favor the purpose of
this act shall vote a ticket with the words "For Bonds for Road
Improvements" written or printed thereon, and those who oppose
the purpose of this act shall vote a ticket with the words
"Against Bonds for Road Improvements" written or printed
thereon, and if the majority of the qualified voters of said elec-
tion shall be for road improvements, then the bonds provided for
in this act shall be issued and sold according to the provisions
herein contained. The said election shall be held in the manner
provided for by law for the election of the General Assembly,
except as provided differently in this act. There shall be a new
registration of the voters of said county for said election, and
the registration books for said new registration shall be opened on
the first day of January, one thousand nine hundred and nine,
at twelve o'clock, noon, and shall be closed on the thirty-first day
of January, at sundown. The registrar and poll holders of each
precinct shall meet on the first day of February, at nine o'clock
A. M., and shall hear any complaint for refusal of registration,
and also all challenges which may be made against persons ad-
mitted to registration, but no names shall be erased from the
registration list without notice to the said person and a hearing.
Said hearing may be had any day after the registration books
have closed, to and including the day of election. The registrars
and judges of election shall be appointed by the Commissioners
of Lincoln County not later than the first Monday in December,
one thousand nine hundred and eight, and the list of persons so
appointed shall be published for two weeks in some newspaper
published in Lincoln County during the month of December, one
thousand nine hundred and eight. There shall be appointed one
registrar and two judges of election for each precinct, and if
practicable to do so the commissioners shall appoint one judge of
election favorable to road improvement and one opposed thereto,
and the said registration and election shall be held in all respects
like the elections of the General Assembly are held, except as
may be provided otherwise in this act. At the close of the elec-
tion in each precinct the votes shall be counted and returned
over the signatures of the registrars and judges of election to
the board of county commissioners. Abstracts or blanks for this
purpose shall be prepared by the board of county commissioners
and furnished each precinct, and the registrar or one judge of
election shall be chosen as messenger to transmit the said returns
to the board of commissioners. Said returns shall be executed
in triplicate; one copy shall be transmitted as aforesaid to the
board of commissioners, one copy to the Clerk of the Superior Court of said county, and one copy retained by the registrar of each precinct. On the second Monday in February, one thousand nine hundred and nine, being the ...... day of the month and the Monday succeeding the election, the Commissioners of Lincoln County shall meet as a canvassing board and shall receive the returns of said election, canvass and judicially pass upon the same, and declare the result of the election. If a majority of the voters of Lincoln County qualified to vote at said election shall have voted for bonds for road improvements, then the bonds provided for in this act shall be issued and sold, but if a majority of the qualified voters in said county shall fail to vote for road improvements at said election, then and in that event, on Tuesday after the first Monday in February, one thousand nine hundred and ten, the question may be again submitted to the voters of Lincoln County, under the same rules and regulations as the election herein provided to be held in the year one thousand nine hundred and nine, unless one of the days named for doing of said act during the year one thousand nine hundred and ten fall upon Sunday, in which case said act shall be done on the day preceding said day. If at said election a majority of the qualified voters of said county shall vote for road improvements, the commissioners of said county shall issue and sell the bonds as hereinbefore provided, but if a majority of the said voters shall fail to vote for bonds for road improvements at said election, this act shall become null and of no effect. At any election held under this act, any person who shall not have been entitled to registration while the said registration books were open for registration, but shall have become entitled to registration after said books have closed, on or before the day of election, shall be entitled to register on the day of election and vote.

Sec. 12. That there shall not be at any time levied in the county of Lincoln for the purpose of road improvements, and including all expenditures made necessary by this act, a tax greater than twenty-five cents on the one hundred dollars' worth of property and seventy-five cents on the poll.

Sec. 13. 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 1st day of February, A. D. 1908.
CHAPTER 75.

AN ACT TO AMEND CHAPTER 88 OF VOLUME II OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

Section 1. That chapter eighty-eight of volume two of the Revisal of one thousand nine hundred and five be amended as follows: The corporations organized under chapter eighty-eight, section three thousand nine hundred and ninety-six to four thousand and ten, inclusive, of volume two of the Revisal of one thousand nine hundred and five are authorized to issue bonds to such an amount and in such denomination as they may elect, payable at such times as may be provided, and to sell the same at not less than par, the proceeds of the sale of said bonds to be used for the payment of the costs of survey, construction and maintenance of said canal, the said bonds to constitute a lien upon the lands drained or improved by said canal as described in the reports of the commissioners.

Sec. 2. That upon default of the payment of the interest or principal of said bonds, the holders of the said bonds of the corporations organized under chapter eighty-eight of the Revisal of one thousand nine hundred and five, shall have a right to enforce the lien created by this act by civil actions in the Superior Courts of the State.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 76.

AN ACT TO AMEND SECTION 5063 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

Section 1. That section five thousand and sixty-three of the Revisal of one thousand nine hundred and five be and the same is hereby amended as follows: By striking out all after the word "issue," in line nine of said section.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.
CHAPTER 77.

AN ACT FOR THE RELIEF OF THE CLERK OF SUPERIOR COURT OF CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Clerk of the Superior Court of Caldwell County be and he is hereby permitted to absent himself from his office one-Monday in each month: Provided, the same is not the first Monday of the month: Provided further, that he leaves a competent deputy in his office to transact the duties thereof.

(a) That the relief provided for the Clerk of the Superior Court of Caldwell County shall also be extended to the Clerk of the Superior Court of Yadkin County, and under like provisions as contained in section one of this act.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 78.

AN ACT TO AMEND CHAPTER 917 OF THE PUBLIC LAWS OF 1907, CONCERNING THE DEPREDATIONS OF DOMESTIC FOWLS.

The General Assembly of North Carolina do enact:

Section 1. That chapter nine hundred and seventeen (917) of the Public Laws of North Carolina, passed at the session of one thousand nine hundred and seven of this General Assembly, be and the same is hereby amended by striking out all the words in section two (2) thereof, and inserting the following as said section, to-wit: "That this act shall not have force or operation in Greene County between the fifteenth day of October in any year and the fifteenth day of February in the next following year.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

Pub.—7
CHAPTER 79.

AN ACT TO REPEAL CHAPTER 100, PUBLIC LAWS OF 1907, RELATING TO SUMNER TOWNSHIP, IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred, Public Laws of one thousand nine hundred and seven, be and the same is hereby repealed.

SEC. 2. That the name of said township be and hereby is renamed "Sumner," in honor of General Jethro Sumner.

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 1st day of February, A. D. 1908.

CHAPTER 80.

AN ACT TO CREATE THE OFFICE OF COURT STENOGRApher FOR THE FOURTEENTH JUDICIAL DISTRICT, AND TO PRESCRIBE THE DUTIES AND FEES OF SUCH OFFICE.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of court stenographer for the Fourteenth Judicial District is hereby created, and it shall be the duty of the resident Judge of the Superior Court for the Fourteenth Judicial District, as soon after the ratification of this act as practicable, to appoint a competent stenographer to said office.

SEC. 2. Before entering upon the duties of said office, such stenographer shall take and subscribe an oath to faithfully, correctly, honestly and conscientiously discharge his duties as prescribed by this act, and shall file an undertaking, with good and sufficient sureties, in the sum of two thousand dollars, conditioned upon the faithful performance of his duties; said oath is to be taken and subscribed before some officer qualified to administer oaths in the Fourteenth Judicial District, and the oath and bond shall be filed with a Clerk of the Superior Court of one of the counties in the Fourteenth Judicial District, and the clerk with whom said oath and bond shall be filed shall certify copies of the same to the Clerks of the Superior Courts of the remaining counties in said judicial district, to be filed by them in their respective offices.
SEC. 3. It shall be the duty of the court stenographer for the Fourteenth Judicial District to attend all regular or special terms of the Superior Court held in said district, and to take full and complete stenographic notes in every case, criminal or civil, tried or heard during any term of the Superior Court held in said judicial district; said stenographic notes shall include all the oral testimony, the admissions made by either party, all objections to testimony, all rulings of the court thereon and all exceptions taken thereto, all motions and matters heard and passed upon by the court arising upon matters controverted by parties, all remarks made by counsel for either side (except arguments of counsel to the jury after the close of the evidence) or by the court in the presence of the jury, the charges of the court to the jury, and notes indicating what documentary evidence was introduced by either side or party. Such stenographic notes shall be transcribed into longhand with a typewriter, and the transcribed notes shall be signed by the court stenographer and filed with the Clerk of the Superior Court of the county in which the case was tried, and shall become a part of the records of the court. It shall also be the duty of the court stenographer appointed by this act to furnish a typewritten copy of his stenographic notes to the court and to counsel for each side, when requested by counsel of either party: Provided, however, it shall not be his duty to furnish such copy during the trial of the case in which the evidence is being taken, unless request for such copy is made in writing, signed by counsel for the party desiring such copy, at or before the examination of the first witness in the case.

SEC. 4. In all cases of appeal to the Supreme Court the court stenographer shall, as soon as practicable, and within five days after the adjournment of the court, unless further time is granted, furnish one copy of his stenographic notes to counsel for each party, of the entire record of the case as taken by him. In making up the transcript of appeal to the Supreme Court, the Clerk of the Superior Court shall include in such transcript only so much of the transcribed notes of the court stenographer as counsel for appellant may designate: Provided, however, if counsel for appellee desires additional matter contained in said notes to be sent up with the transcript upon appeal, the Clerk of the Superior Court shall send such matter with the transcript, if counsel for appellee shall pay the clerk his fees for transcribing and certifying so much as counsel for appellee requests, and if the judgment of the Supreme Court is in favor of appellee and based upon such additional matter transcribed, appellee shall recover from appellant the amount of fees paid by appellee to the Clerk of the Superior Court to procure the additional matter sent to the Supreme Court.
Term of office. 

Sec. 5. The court stenographer for the Fourteenth Judicial District shall hold office for the term of four years: Provided, however, that the first court stenographer appointed under this act shall hold office until January first, one thousand nine hundred and ten, and his successor shall be appointed by the resident Judge of the Fourteenth Judicial District; and, Provided further, that he may be removed at any time for cause or upon complaint of ten practicing attorneys of the Fourteenth Judicial District, after a hearing by the resident Judge of the Superior Court of the Fourteenth Judicial District; and in case of a vacancy caused by removal, resignation, death or for any other cause, the Judge of the Superior Court of said district shall proceed to fill the vacancy for the unexpired term.

Vacancy.

Sec. 6. In case of sickness or the unavoidable absence of the court stenographer at any term of court or during a term of court, the Judge of the Superior Court presiding at said term of court shall appoint a competent stenographer to act in the place of the court stenographer, and the person so appointed shall have the same duties as the court stenographer, and shall receive the same fees: Provided, however, before entering upon the duties of the position, the person appointed shall take and subscribe an oath similar to the one prescribed for the court stenographer.

Substitute stenographer.

Sec. 7. That the court stenographer shall receive the following fees, to-wit: In all misdemeanors the sum of two dollars, and in all felonies, except capital felonies, the sum of three dollars, and in capital felonies the sum of ten dollars, which fees shall be taxed by the Clerk of the Superior Court as a part of the costs, and in all civil actions in which a jury is empaneled the sum of three dollars shall be taxed as a part of the cost: Provided, however, the presiding Judge may, in his discretion, in capital cases and in civil actions, increase the amount of fees to be taxed for the court stenographer: and, Provided further, that no fee shall be taxed for the court stenographer in any cases in which no jury is empaneled: and, Provided further, that the fees taxed in criminal cases against the county shall be paid in full by the county, except in cases where the State shall fail to convicts only half fees shall be paid. In appeals to the Supreme Court, the court stenographer shall receive five cents per copy sheet for furnishing typewritten copies of his stenographic notes, charge being made for only one copy, to be paid to him in the same manner as the Clerk of the Superior Court is paid for transcript of record to the Supreme Court; and the fees of the Clerks of the Superior Courts of the Fourteenth Judicial district, after the appointment of the court stenographer provided for by this act, shall be five cents per copy sheet instead of ten cents as at present.

Substitute to be sworn.

Sec. 8. That the Secretary of State shall certify copies of this act to the Clerks of the Superior Courts of the Counties of Burke,
Henderson and Rutherford, and to the Judge of the Superior Court of the Fourteenth Judicial District, within twenty days after the ratification of this act.

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 1st day of February, A. D. 1908.

CHAPTER 81.

AN ACT TO AMEND CHAPTER 409 OF THE PUBLIC LAWS OF THE GENERAL ASSEMBLY OF 1897, RELATIVE TO SURRY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That after the word "commissioners," in line sixteen of Section six of the said chapter, add the following: "Provided, that, before the said road commissioners shall make any change or alteration in any roads provided for in this chapter, the owners of the lands affected by such change or alteration shall be notified at least ten days prior to the making such change or alteration: Provided also, that either the county of Surry or any one of the land owners shall have the right to appeal to the Superior Court of Surry County from the assessment of damages made by the said road commissioners in any case." Provided, that this act shall not be construed to affect any litigation now pending, civil or criminal.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 82.

AN ACT TO PROHIBIT THE FISHING OF POUND OR DUTCH NETS WITHIN FIFTY YARDS OF THE RAILROAD BRIDGE ACROSS SCUPPERNONG RIVER, IN TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person to fish any fishing pound or pound or dutch nets within fifty yards of the Norfolk and Western Railroad bridge across Scuppernong River.
Sec. 2. That any person violating this act shall be guilty of a misdemeanor and punished by a fine of not more than one hundred dollars nor less than twenty-five dollars, in the discretion of the court.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 83.

AN ACT TO AMEND CHAPTER 436 OF THE PUBLIC LAWS OF 1907, RELATIVE TO THE UNLAWFUL SALE OF INTOXICATING LIQUORS IN CABARRUS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred and thirty-six of the Public Laws of one thousand nine hundred and seven be amended by adding at the end of section two the following words: "Provided, that if the said board of commissioners of said county shall be unable to sell the spirituous, vinous or malt liquors seized and confiscated as above set out, the said board shall order the said liquors to be destroyed, and the vessels containing said liquors shall be confiscated and be sold by the said board of commissioners in any manner deemed most advantageous, and the money arising therefrom shall be used in the payment of the costs in making the seizure of said liquors."

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 84.

AN ACT FOR THE IMPROVEMENT OF THE PUBLIC ROADS IN MURPHY TOWNSHIP, CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Cherokee County are hereby authorized, empowered and directed to levy on the first Monday in June, one thousand nine hundred and eight, and annually thereafter a tax of not less than thirty-three and a third cents and not more than fifty cents on every hundred dollars valuation of property, and not less than one dollar nor more than one dollar and fifty cents on each taxable poll in Murphy Town-
ship for the improvement and betterment of the public roads of Purpose.

Murphy Township, Cherokee County.

Sec. 2. The money raised by virtue of any levy made under Expenditure of this act shall be expended by a supervisor of roads to be elected on the first Monday in March, one thousand nine hundred and eight, for that purpose by the County Commissioners of Cherokee County, and under the orders and direction of said county commissioners, and as hereinafter provided.

Sec. 3. That the supervisor of roads provided for under the Election of supervisor provisions of this act shall be elected by the county commissioners at their regular meeting in March, one thousand nine hundred and eight, and shall hold his office until the first Monday in Dec- Term of office. ember, one thousand nine hundred and eight, and shall receive Compensation. such compensation as may be agreed upon between him and the said board of county commissioners.

Sec. 4. That there shall be elected on the first Tuesday after Date of election of supervisors. the first Monday in November, one thousand nine hundred and eight, and every two years thereafter, a Supervisor of Roads of Murphy Township, Cherokee County, for the purpose of expend- ing the money raised by any levy under this act and supervising the roads of said township under the orders and direction of the county commissioners, and shall receive as his compensation not to exceed two dollars and fifty cents per day, and such supervisor so elected shall begin his term of office on the first Monday in December, one thousand nine hundred and eight, and hold for two years or until his successor shall be elected and qualified.

Sec. 5. Any person elected supervisor of roads under the prov- Supervisor to give sions of this act shall, before entering upon the duties provided for under the same, execute a bond in the sum of two thousand dollars, with approved security payable to the State of North Carolina, and conditioned for the faithful performance of his duties as such supervisor.

Sec. 6. That the County Commissioners of Cherokee County County commis- sioners to prescribe rules for road work. shall have authority and power to make such rules and regulations as they may deem proper for the working and improving the public roads in Murphy Township, and all supervisors of roads and persons liable to road duty in said township, outside of any incorporated town, shall be subject to and obey the orders and rules of the said county commissioners.

Sec. 7. That the County Commissioners of Cherokee County Semiannual reports. shall make and publish a report of the work done and money expended under this act on the first Monday in December, one thousand nine hundred and eight, and every six months there- after.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.
CHAPTER 85.

AN ACT AUTHORIZING THE DISPOSITION OF LIQUORS OWNED BY THE RALEIGH DISPENSARY.

The General Assembly of North Carolina do enact:

Section 1. That the Mayor and Board of Aldermen of the City of Raleigh, North Carolina, be and they are hereby authorized and empowered to sell and deliver to any one or more of the dispensaries now in operation in the State of North Carolina the stock of liquors, wines, beers and other goods now on hand in the city of Raleigh by reason of the discontinuance of the dispensary heretofore conducted in said city, by virtue of an election held therein on the twenty-sixth day of December, one thousand nine hundred and seven. That said sale may be made upon such terms, in such manner and for such prices as may be determined by said Mayor and Board of Aldermen of the city of Raleigh.

Sec. 2. That the profits derived from such sale shall be divided as required by law, and their respective proportions thereof shall be paid over to the persons or corporate bodies entitled thereto.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 86.

AN ACT TO AMEND CHAPTER 895, PUBLIC LAWS OF 1907, RELATING TO THE PROTECTION OF GAME IN CAR-TERET COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two of chapter eight hundred and ninety-five of the Laws of one thousand nine hundred and seven is hereby repealed.

Sec. 2. That section three be amended by adding after the word "offense," in line three, the following words: "Provided, that it may be lawful to shoot loons during the month of April."

Sec. 3. That section four of chapter eight hundred and ninety-five of the laws of one thousand nine hundred and seven be amended by adding in line two after the word "except" and before the word "Tuesday" the word "Monday."
Sec. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.
Sec. 5. This act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 87.

AN ACT TO AMEND SECTION 3 OF CHAPTER 141 OF THE LAWS OF 1885, RELATING TO THE SCHOOL COMMITTEE OF RALEIGH TOWNSHIP.

The General Assembly of North Carolina do enact:

Section 1. That section three of chapter one hundred and forty-one of the Laws of one thousand eight hundred and eighty-five be and the same is hereby amended as follows: By striking out in line three of said section three the following words: “Superintendent relieved of duty as principal.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 88.

AN ACT TO PROVIDE FOR THE ERECTION OF A BRIDGE ACROSS HIAWASSEE RIVER, IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Cherokee County are hereby authorized, empowered and directed to forthwith erect a steel or iron bridge across Hiawassee River, in Cherokee County, at a point between the mouth of Beech Creek and not below the shallow ford that crosses about six miles below Murphy. Said bridge shall be constructed in such manner and according to such plans as may be adopted and approved by the County Commissioners of Cherokee County, but said bridge shall have a track of not less than sixteen feet wide in the clear.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.
CHAPTER 89.

AN ACT TO PLACE PERQUIMANS COUNTY UNDER THE GENERAL ROAD LAW.

The General Assembly of North Carolina do enact:

Section 1. That the county of Perquimans shall have as its road law the general road law of the State of North Carolina.

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

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 90.

AN ACT TO AMEND SECTION 9, OF CHAPTER 97 OF THE PUBLIC LAWS OF 1903, ENTITLED "AN ACT TO PROVIDE A BETTER SYSTEM FOR WORKING AND MAINTAINING THE PUBLIC ROADS IN JACKSON COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That line eight in section nine of chapter ninety-seven of the Public Laws of one thousand nine hundred and three be amended by striking out the words "seventy-five" and the figures "($.75)," and inserting in lieu thereof the words "one dollar" and the figures "($1.00)."

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 91.

AN ACT TO PROHIBIT THE SALE OF INTOXICATING LIQUORS IN THE TOWN OF PINE LEVEL, JOHNSTON COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, persons, firm or corporation to sell or in any manner dispose of for gain any spirituous, vinous, fermented or malt liquors or intoxicating bitters or tonics or liquors or drugs of any description within the town of Pine Level, in Johnston County, North Carolina.
SEC. 2. That any person violating any of the provisions of this Misdemeanor act shall be guilty of a misdemeanor.

SEC. 3. That this act shall be in force and effect from and after the first day of March, one thousand nine hundred and eight.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 92.

AN ACT TO AMEND CHAPTER 624 OF THE PUBLIC LAWS OF 1907, RELATING TO THE ESTABLISHMENT OF THE COUNTY OF LEE.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and twenty-four of the Public Laws of North Carolina of one thousand nine hundred and seven is hereby amended as follows: By striking out the words “within the month of April,” in section four, line eleven, and inserting in lieu thereof the words “on or before the first day of April”; by striking out the words “fifteenth day of March,” in line first of section five, and inserting in lieu thereof the words “tenth day of February”; by striking out the words “first Monday in April,” in the last line of section five, and inserting in lieu thereof the words “third Monday in February,” and by adding to said section five, at the end thereof, the words “Provided, the Board of Commissioners of the County of Lee may, by its order, extend the time within which the other officers named in this section must file the bonds required in their respective offices, or qualify and enter into the duties of the said offices”; by striking out the words “first Monday in April” wherever the same occur in section six of said chapter six hundred and twenty-four, and inserting in lieu thereof the words “third Monday in February”: by adding to section seven, at the end thereof, the words: “And the Board of Commissioners of the County of Lee shall have power to arrange and contract with the board of commissioners of any adjoining county or counties for the confinement and safe-keeping of prisoners in the jail of the said county, and it shall be lawful for any court, judge, justice of the peace or other proper officer of Lee County having the power or authority in the premises to commit or sentence any prisoner to the common jail of the county of Lee, to commit or sentence the said prisoner to the common jail of said adjoining county, for safe-keeping or after conviction, as the case may be, and the commitment or order of the said court, judge, justice of the peace or other proper court or official of the county of Lee shall be sufficient warrant.
for the detention of the said prisoner”; by striking out all of section eight of said chapter six hundred and twenty-four, and inserting in lieu thereof the following:

“Sec. 8. That all civil and criminal cases pending in the Superior Courts of Moore and Chatham Counties, or in any other county courts held in said counties of Moore and Chatham, which would have been properly triable in the county of Lee if the said county of Lee had existed at the time said cause was instituted or the right of action therein accrued, or where the criminal offense charged was committed in the territory embraced in the said county of Lee, shall, upon the motion of any defendant in criminal cases pending, or upon motion of any party to civil causes, be transferred to the Superior or other proper court of Lee County. Such motion for removal shall be made at the first term of the court wherein a cause shall be pending, which shall sit or be holden after the third Monday in February, one thousand nine hundred and eight, and such transfer shall in no way work any preference or prejudice. It shall be the duty of the Clerks of Superior Courts of Moore and Chatham Counties to transmit the original papers in all such cases removed, together with a proper record of all such causes removed, to the Clerk of the Superior Court of Lee County. All actions, causes, proceedings, matters and things pending before the Clerk of the Superior Court of the County of Moore, or the Clerk of the Superior Court of the County of Chatham, which would have been within the jurisdiction of the Clerk of the Superior Court of Lee County, had the county of Lee existed at the time said cause, proceeding or matter was begun, or the right therein accrued, shall upon motion of any party thereto or interested therein be transferred to the county of Lee and to the jurisdiction of the Clerk of the Superior Court of said county, to be heard, determined, or proceeded with before him in all respects as if the said cause, matter or proceeding had been begun in said county of Lee. Upon such removal it shall be the duty of the Clerk of the Superior Court of the county from which the removal is made to transmit to the Clerk of the Superior Court of the County of Lee the original papers in such cause, matter or proceeding, together with a proper record thereof.”

Sec. 2. It shall be the duty of the Registers of Deeds or clerks of the Boards of Commissioners of the Counties of Moore and Chatham to transmit to the Register of Deeds or clerk of the Board of Commissioners of the County of Lee, on or before the first Monday in March, one thousand nine hundred and eight, a certified list of persons liable to jury duty residing within the detached portions of their respective counties and within the county of Lee, which shall constitute the jury list for the county of Lee, subject to the changes and revisions thereof required by
law. The Board of Commissioners of the County of Lee shall revise the
jury list at its meeting on the first Monday in March, A. D. one thousand nine hundred and eight, in the manner prescribed by law for the revision of the jury list at other times, and shall have power to adjourn from time to time to complete said revision, or to postpone the said revision until the next regular meeting, when the said revision shall be done.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 93.

AN ACT TO PROVIDE FOR THE PAYMENT FOR THE LOT OF LAND AT THE JAMESTOWN EXPOSITION, ON WHICH THE NORTH CAROLINA BUILDING IS LOCATED, AND FOR THE SALE THEREOF.

Whereas, on the eighth day of February, one thousand nine hundred and seven, the Jamestown Exposition Company, a corporation duly chartered and organized under the laws of the State of Virginia, contracted in writing to sell to the North Carolina Commission to the Jamestown Tercentennial Exposition a lot of land known as Lot Number Thirty-eight on the map of said Exposition Company, and to convey the same upon the payment of the purchase price, which was twenty-five cents per square foot: Provided, it was paid on or before the expiration of ninety days from the closing of the Jamestown Tercentennial Exposition; whereas, the said North Carolina Commission had erected on said lot of land a building and other improvements at a cost of about nineteen thousand five hundred dollars, and under said contract said building is forfeited to said Exposition Company unless the purchase price of the land is paid within the time aforesaid: therefore,

The General Assembly of North Carolina do enact:

Section 1. That the Auditor of the State is hereby directed to draw his warrant on the Treasurer of the State in favor of the Governor of the State for an amount not to exceed four thousand dollars, to pay for the said Lot Number Thirty-eight, and described in the contract of February eighth, one thousand nine hundred and seven, and on record in the clerk's office of Norfolk County, in the State of Virginia, and to secure a deed therefor, and the Treasurer is hereby directed to pay said warrant when presented.
Govemor to have payment made on tender of title.

Sale and conveyance authorized.

Purchase money to be paid into treasury.

Governor to make conveyance.

Exposition commissioners to perfect title.

Sec. 2. That the Governor of this State shall cause the purchase money for said lot to be paid upon the tendering to him the good and valid title for said lot for the State of North Carolina.'

Sec. 3. That after securing the title to said property, the Governor of the State, with the consent and advice of the Council of State, whenever they deem it to the interest of the State, shall sell and convey said lot of land, together with all improvements thereon and appurtenances thereto belonging, and after paying the expenses of making said sale, the remainder of the purchase money arising from the sale of the said lot and improvements thereon shall be paid into the treasury of the State for the use of the State.

Sec. 4. That in conveying the said property the Governor is hereby authorized and directed to convey the same to the purchaser by deed duly executed by him.

Sec. 5. That all title, interest and estate in said land and improvements of the said North Carolina Commission to the Jamestown Tercentennial Exposition, are hereby declared to be in the State of North Carolina, and it is directed to execute any paper necessary to perfect the title to said lot of land and improvements, if such a requirement should be demanded by the purchaser.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 94.

AN ACT TO AMEND CHAPTER 426 OF THE PUBLIC LAWS OF 1901, ENTITLED "AN ACT TO ALLOW JACKSON COUNTY TO ISSUE BONDS FOR THE PURPOSE OF CONSTRUCTING OR AIDING IN THE CONSTRUCTION OF A RAILROAD TO OR BY THE TOWN OF WEBSTER, IN JACKSON COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred and twenty-six of the Laws of one thousand nine hundred and one be amended as follows, to-wit: That section nine of said act be extended as follows: "Provided further, that the County Commissioners of Jackson County are empowered, authorized and required, at their June meeting after this act may become effective by the issuing and delivering of the bonds in accordance with the provisions of this
act, and annually thereafter until said bonds are liquidated, to levy a tax of sufficient amount to meet the interest on said bonds and provide a sinking fund to liquidate the same at maturity. Said levy not to exceed six cents on the hundred dollars' worth Tax limit. of property and eighteen cents on the poll, and said commissioners Investment of are authorized and required to invest the excess, after paying the excess. interest on said bonds. In such interest-bearing securities as in their judgment are solvent and safe, at six per cent. interest, payable annually. Said excess fund and interest to be reinvested and kept inviolate for the purpose of liquidating said bonds at maturity."

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 95.

AN ACT TO AMEND CHAPTER 581, PUBLIC LAWS OF 1899, RELATING TO THE ROAD LAW OF THE TOWNSHIP OF WARRENTON, IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and eighty-one, Public Duties, rights and powers. Laws of one thousand eight hundred and ninety-nine, as applied to the township of Warrenton, in said Warren County, be and the same is hereby amended as follows: That J. M. Jamison, J. A. Special road commission. Hudgins and H. T. Macon shall be and the same are hereby constituted a special road commission for said township, who shall Term of office. hold their offices until the first Monday in December, one thousand nine hundred and eight, or until their successors shall have qualified, which road commission, in carrying out the provisions of Duties, rights and powers (except that of levying taxes) otherwise in said act as applied to said township, is hereby vested with all duties, rights and powers (except that of levying taxes) otherwise in said act conferred upon the county commissioners. The Levy of road tax. county commissioners, under this act, shall levy such, and only such, road tax for the above township, within the limits prescribed in section one of said chapter five hundred and eighty-one of Public Laws of one thousand eight hundred and ninety-nine, as may be recommended by said board of road commissioners, and all moneys arising therefrom shall be kept separate by the county treasurer, and shall be expended in the above-named township. The road commissioners are to be elected biennially by the Election of road commissioners. qualified voters in said township, the first election being held at the general election for State officers in November, one thousand
Vacancies. Pay of road commissioners.

Commutation for road work.

Moneys to be paid over to road commission.

nine hundred and ten. Vacancies on said board of road commissioners shall be filled by the board of county commissioners, and its members shall be paid out of the township road fund of the said township, not exceeding one dollar per day each, while actually engaged in the necessary work of the commission, for not more than three days in any month. Such money as may be paid in lieu of the labor in said township may be collected by the township supervisors of the roads, elected by the said road commission, and deposited by them for road purposes in such manner and with such person or bank, and expended, as may be designated by the said road commission.

Sec. 2. The County Commissioners and Treasurer of Warren County are hereby directed and authorized to pay over to said special road commission such moneys derived from said road tax as were collected or may be collected in said township during the year ending May thirty-first, one thousand nine hundred and eight.

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

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 96.

AN ACT TO AMEND SECTION 210 OF THE REVISAL OF 1905, SO AS TO PERMIT R. S. FOLGER, A JUSTICE OF THE PEACE OF SURRY COUNTY, TO PRACTICE LAW AND REMAIN A JUSTICE OF THE PEACE.

The General Assembly of North Carolina do enact:

Section 1. That R. S. Folger, a justice of the peace of Surry County, be and is hereby authorized and allowed to practice law and remain a justice of the peace, and that section two hundred and ten of the Revisal of one thousand nine hundred and five shall not apply to him.

Sec. 2. That this act shall not be construed to allow said R. S. Folger to appear as an attorney in any case which he has tried as a justice of the peace.

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 1st day of February, A. D. 1908.
CHAPTER 97.

AN ACT ALLOWING SHERIFFS A FEE FOR SEIZING ILLEGAL DISTILLERIES.

The General Assembly of North Carolina do enact:

Section 1. That section two thousand seven hundred and seventy-seven (2777) of the Revisal of one thousand nine hundred and five be amended by adding at the end thereof the following words: "For every illicit distillery seized as required by section three thousand five hundred and thirty-three (3533) of this Revisal, the sheriff shall receive the sum of twenty dollars, which shall be allowed by the commissioners of the county in which the seizure was made."

Sec. 2. Provided, that the provisions of this act shall apply only to Transylvania, Haywood, Lincoln and Pitt Counties.

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

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

In the General Assembly read three times; and ratified this the 1st day of February, A. D. 1908.

CHAPTER 98.

AN ACT TO AMEND SECTION 17 OF CHAPTER 487 OF THE PUBLIC LAWS OF 1907, ENTITLED "AN ACT TO PROVIDE FOR THE WORKING OF THE PUBLIC ROADS OF TRANSYLVANIA COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That section seventeen of chapter four hundred and eighty-seven of the Public Laws of one thousand nine hundred and seven be amended by striking out all of said section beginning with the word "every" in line one down to the word "receipt" in line eight of said section, and inserting in lieu thereof the following: "Every person, firm or corporation engaged in the business of hauling lumber, saw logs, wood for manufacturing or tannic acid purposes, tan bark, or any other material for manufacture or shipment in Transylvania County, shall pay to the overseer of the public roads of the township in which the greater part of the said hauling is done the following license tax; for each wagon or vehicle drawn by one horse, mule, steer or other animal, the

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sum of twenty-five cents per month or fractional part of the month; for each wagon or vehicle drawn by two horses, mules, steers or other animals, the sum of fifty cents per month or fractional part thereof; for each wagon or vehicle drawn by three or more horses, mules or other animals, the sum of seventy-five cents per month or fractional part thereof. For such payment said overseer shall give his receipt, which receipt shall entitle said person to haul over said roads for the time stated in said receipt.”

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 99.

AN ACT TO AMEND SECTION 2686 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

Section 1. That section two thousand six hundred and eighty-six of the Revisal of one thousand nine hundred and five be amended as follows: Insert after the word “person,” in line six the following: “or along any creek or water course, for the purpose of floating logs or other timber or lumber”; and by inserting in line seven after the word “railway” the following: “right of way or water course for floating any logs or other lumber or timber.”

Sec. 2. That this act shall apply only to the county of Ashe.

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 1st day of February, A. D. 1908.

CHAPTER 100.

AN ACT TO REGULATE THE HOLDING OF THE COURTS OF PITTS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter twenty-eight, section one thousand five hundred and six, entitled “Third District,” paragraph “Pitt County,” of the Revisal of one thousand nine hundred and five be and the same is hereby amended by adding at the end of said paragraph the following: “eleventh Monday after the first Monday in March, for the trial of civil causes only.”
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 1st day of February, A. D. 1908.

CHAPTER 101.

AN ACT TO AMEND SECTION 4113 OF REVISAL OF 1905.

The General Assembly of North Carolina do enact:

Section 1. That section four thousand one hundred and thirteen of the Revisal of one thousand nine hundred and five be amended by adding at the end of said section the following:

"Provided, that a special high school tax district may be formed by the County Board of Education of Person County without regard to township lines when one-fourth of the freeholders of such district shall petition said board for the same, and upon the formation of any such district the board of commissioners, with the approval of the county board of education, shall call an election in such high school tax district in the same manner and for the same purposes as prescribed in this section for township high school tax elections, and any district high school so established by such an election under this act shall be regulated, controlled, maintained and operated, and the special tax levied and collected in said district, in the same manner as if the same were a special township high school."

Sec. 2. That this act shall apply only to Person County, and shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 102.

AN ACT TO PROVIDE FOR A SUITABLE COMPENSATION FOR THE CLERK OF THE SUPERIOR COURT OF SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners in and for the county of Scotland be and it is hereby authorized to make allowance to the Clerk of the Superior Court of said county for keeping and preserving the records of the said court, and transcribing the minutes thereof, and for making and compiling the docket.
thereof, by paying said clerk the sum of seventy-five dollars for each and every term of court held in said county for the trial of either civil or criminal cases, or both, said allowance to be paid out of the taxes levied for general county purposes.

Sec. 2. That any and all payments heretofore made to the said clerk by said board of commissioners are hereby validated to all intents and purposes.

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

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 103.

AN ACT TO AMEND CHAPTER 441, PUBLIC LAWS 1907, RELATIVE TO THE PUBLIC ROADS OF MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That said chapter four hundred and forty-one, Public Laws one thousand nine hundred and seven, be and the same is hereby amended by adding to the end of section nine of said act the following: "and the commissioners of said county and their successors in office shall have the right to let at contract the roads in any towns or townships, or any part thereof, to a competent contractor, who will give good and sufficient bond for the faithful building or maintaining of such roads or sections thereof as may be let according to the specifications of such roads or sections of roads, as are set forth in the provisions of this act, and under the direction of the road supervisors and superintendent of said township or townships; said contractor or contractors not to be released from liability upon their bonds until said roads or sections of roads as may be built shall have been approved by said board and supervisors and superintendents and reported to the county commissioners and record of same made."

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.
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CHAPTER 104.

AN ACT TO AMEND CHAPTER 336, PUBLIC LAWS OF NORTH CAROLINA OF THE SESSION OF 1907, SO AS TO MAKE IT UNLAWFUL TO KEEP INTOXICATING LIQUORS FOR SALE IN CERTAIN TERRITORY IN MOORE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred and thirty-six of the public Laws of one thousand nine hundred and seven is hereby amended by inserting between the word “Cleveland” and the word “any,” in the fourth line of section first of said chapter the words “or within any part of Moore County where the sale of such liquors is prohibited by law”; by inserting in line four of section second of said chapter, after the word “Cleveland” and before the words “it shall be,” in said line, the words “or within any territory in the county of Moore where the sale of such liquors is prohibited by law”; by inserting after the words Search warrants, “Cleveland County,” in the third line of the third section of said chapter, the words “or Moore County,” and inserting between the word “act” and the word “or,” in line four of section third, “in said county.”

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 105.

AN ACT TO VALIDATE CERTAIN PROBATES OF DEEDS, AND TO REPEAL SECTION 3 OF CHAPTER 1003, PUBLIC LAWS OF NORTH CAROLINA, SESSION 1907.

The General Assembly of North Carolina do enact:

Section 1. That section two of chapter one thousand and three hundred and nine hundred and seven, be amended by striking out the word “seven,” the last word in line three of said section, and inserting in lieu thereof the word “eight.”

Sec. 2. That section three of chapter one thousand and three hundred and nine hundred and seven, be and the same is hereby repealed, and that the following section be substituted therefor:

“Sec. 3. That no practicing attorney at law shall have power to administer any oath to a person to any paper writing to be used in any legal proceeding in which he appears as attorney.”
Sec. 3. That the proof and acknowledgment of deeds, mortgages, deeds of trust or other papers or instruments required by law to be registered in the office of the register of deeds of a county, and all privy examinations of a *feme covert* to any such deed, mortgage, deed of trust or other instrument which have been made, taken by or before any notary public on or since March eleventh, one thousand nine hundred and seven, are hereby in all respects declared to be valid and sufficient, notwithstanding the notary may have been interested as attorney, counsel or otherwise in the said deeds, mortgages, deeds of trust or instruments.

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 1st day of February, A.D. 1908.

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CHAPTER 106.

AN ACT TO PROVIDE FOR THE RECORDING OF WILLS IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Brunswick County is hereby authorized and directed to have all unrecorded wills dated prior to January first, one thousand eight hundred and seventy-five, now filed in the office of the Clerk of the Superior Court of said county, and which have been duly proved in form required by law, and bearing the adjudication certificate of the proper officer, recorded in the book of wills kept in the said office and properly indexed; and to have all wills that are now recorded in the minutes of the Court of Pleas and Quarter Sessions or other books of record in said office transcribed and indexed in said book of wills; and to have all wills that are now recorded in the office of the register of deeds of said county properly indexed in the book kept for the purpose in the office of the Clerk of the Superior Court of said county.

Sec. 2. That all instruments recorded under the provisions of this act shall upon the record thereof bear a reference to this act naming the date of ratification thereof.

Sec. 3. That the record of any instrument or certified copy thereof recorded under the provisions of this act shall be admitted in evidence in the trial of any cause subject to the same rules upon which other wills are admitted.

Sec. 4. That the work of recording the instruments enumerated in section one shall be done by the Clerk of the Superior Court of Brunswick County under the supervision of the board of county
commissioners or some person appointed by it, and for the said work the said clerk of the court shall receive such pay for his services as the said board of county commissioners shall deem just and proper.

SEC. 5. That the board of county commissioners is authorized to expend a sum not exceeding in all two hundred and fifty dollars from the general county fund of said county for the work authorized by this act.

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

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 107.

AN ACT VALIDATING ALL ACTS DONE BY THE ASSISTANT ATTORNEY-GENERAL.

Whereas, the General Assembly of one thousand nine hundred and seven did create by chapter nine hundred and ninety-four, Public Laws of one thousand nine hundred and seven, an assistant for and during the remainder of the term of office of the present Attorney-General; and whereas, it was necessary for the assistant to do and perform certain acts and things during the absence of the Attorney-General, which powers are expressly conferred upon the Attorney-General: now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all acts done or which hereafter shall be done by the Assistant Attorney-General, under and by virtue of laws empowering the Attorney-General to perform certain duties, are hereby ratified and declared valid, and upon the Assistant Attorney-General are conferred all powers and duties equally with those conferred upon the Attorney-General: Provided, that this act shall not be operative nor have any force or effect after the expiration of the present term of office of the Attorney-General.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.
CHAPTER 108.

AN ACT TO SHORTEN THE OPEN SEASON FOR QUAIL HUNTING IN GREENE COUNTY FOR A CERTAIN PERIOD.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to hunt, shoot, kill, trap or capture quail in the county of Greene between the first day of February and the first day of December in any year: Provided, however, that this act shall have force and effect only until the first day of December in the year one thousand nine hundred and eleven (1911), and shall cease to be operative thereafter, at which time the law heretofore existing as to the subject matter of this act shall again become and remain operative and in full force.

Sec. 2. That this act shall be in force from and after the first day of March in the present year.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 109.

AN ACT FOR THE RELIEF OF THE SHERIFFS OF CHATHAM AND MOORE COUNTIES, ALLOWING THEM TO COLLECT TAXES DUE IN THE TERRITORY EMBRACED IN LEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Sheriffs of Moore and Chatham Counties, and tax collectors in said counties who by virtue of their office have had the tax list for the purpose of collecting the taxes of their respective counties in their hands for the years one thousand nine hundred and five, one thousand nine hundred and six and one thousand nine hundred and seven, and in cases of death or default their personal representatives, bondsmen or any agents they may designate, are hereby authorized and empowered to collect arrears of taxes for each of the years aforesaid, under such rules and regulations as are now or may hereafter be provided for collecting of taxes, in the territory embraced by the boundaries of Lee County.

Sec. 2. That nothing herein contained shall be construed to relieve the aforesaid sheriffs, tax collectors, their representatives or bondsmen from the liability imposed by law to pay the State, county or other taxes at the time and place required by law.
Sec. 3. That the authority herein given shall cease and determine on the thirty-first of May, one thousand nine hundred and nine.

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 1st day of February, A. D. 1908.

CHAPTER 110.

AN ACT TO PROVIDE FOR THE PAYMENT OF A CERTAIN SCHOOL CLAIM IN ASHE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Treasurer of Ashe County, North Carolina, out of the general county funds shall pay to J. W. Jones, a public school teacher for said county, the sum of eight dollars ($8) for a balance due on a school taught by the said Jones in School District Number Four of Clifton Township, in said county, in the years one thousand nine hundred and five and one thousand nine hundred and six, but the above claim shall not be paid until said claim is ordered by the school committee of said district, and approved by the Board of Education of Ashe County, and countersigned by the superintendent of public schools for said county.

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 1st day of February, A. D. 1908.

CHAPTER 111:

AN ACT APPOINTING CERTAIN JUSTICES OF THE PEACE FOR BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Charles L. Malone, Sr., be and he is hereby appointed a justice of the peace for Asheville Township, Buncombe County, for a term of two years.

Sec. 2. That William C. Eller be and he is hereby appointed a Flat Creek Township justice of the peace for Flat Creek Township, in said county, for a term of two years.

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 1st day of February, A. D. 1908.
AN ACT TO AMEND CHAPTER 275, SECTION 9 OF THE ACTS OF 1907, SO AS TO PROVIDE FOR AN ELECTION TO LEVY A SPECIAL TAX FOR THE IMPROVEMENT OF PUBLIC ROADS IN YADKIN COUNTY.

The General Assembly of North Carolina do enact:

CHAPTER 112.

Section 1. Add at the end of line four, section seven of said act the words "and eight."

Section 2. Strike out in section nine all provisions for an election to be held the first Tuesday in May, one thousand nine hundred and seven, and substitute therefor the provision that "said election shall be held at the general election in the year one thousand nine hundred and eight, under the powers, provisions and authority contained in said act."

Section 3. Strike out in section one, lines two and three, the words "the first Monday in June, 1907 (one thousand nine hundred and seven)," and substitute therefor the words "the first Monday in December, 1908 (one thousand nine hundred and eight)." Also strike out the similar provision for the appointment of a road supervisor on the "first Monday in June, 1907 (one thousand nine hundred and seven)," and substitute therefor the provision that "said appointment shall be made on the first Monday in December, 1908 (one thousand nine hundred and eight)."

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 113.

AN ACT TO AMEND SECTION 3733 OF THE REVISAL OF 1905, BY ADDING LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section three thousand seven hundred and thirty-three of the Revisal of one thousand nine hundred and five be and is hereby amended by adding "Lincoln" after the word "Mecklenburg."

Section 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 1st day of February, A. D. 1908.
CHAPTER 114.

AN ACT TO AMEND CHAPTER 754 OF THE PUBLIC LAWS OF 1907.

The General Assembly of North Carolina do enact:

SECTION 1. That the words "one thousand," in line two, section four of chapter seven hundred and fifty-four of the Public Laws of one thousand nine hundred and seven be stricken out, and the words "fifteen hundred" be inserted in lieu thereof.

SEC. 2. That all of section five of said chapter, after the word "duties," in line three of said section, down to and including the word "him," in line five of said section, be stricken out.

SEC. 3. That the words "twelve hundred," in line three of section six of said chapter be stricken out, and the words "fifteen hundred" be inserted in lieu thereof.

SEC. 4. That the words "seven hundred and fifty," in line two of section seven of said chapter be stricken out, and the words "one thousand" be inserted in lieu thereof.

SEC. 5. That this act shall be in force from and after the first Monday of December, one thousand nine hundred and eight.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 115.

AN ACT TO IMPROVE THE PUBLIC ROADS OF SMITHVILLE TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Brunswick County be and is hereby authorized, empowered and directed, upon the petition of one-fourth of the qualified voters of Smithville Township, to submit, within sixty days after said petition is received and acted upon, to the qualified voters of said Smithville Township the question as to whether or not the said Smithville Township shall issue bonds in the sum of twelve thousand dollars, the proceeds from the sale of which to be used for the purpose of laying out, altering and improving the public roads of said township: Provided, that if a majority of the qualified voters of said township shall not vote to issue said bonds at an election under this act, the board of county commissioners may, at any time after one year from the date of said election, upon a new petition of one-fourth of the said qualified voters, again submit the same question under the provisions of this act.
Notice of elections.

Sec. 2. That the board of county commissioners shall give at least twenty days' notice of any election held under this act by publishing notice in some newspaper published in Brunswick County, if one be published, and also by posting at four public places in said Smithville Township; and any election held under the provisions of this act shall be held and conducted in the same manner, except as herein otherwise specified, as is now or may hereafter be prescribed by law for holding elections for members of the General Assembly: Provided, however, that the said county commissioners shall appoint the registrars, judges and other election officers; and, Provided further, that a new registration of the voters of said township shall be ordered by the board of county commissioners for any election under this act. The vote shall be counted at the close of the polls and returned to the board of county commissioners on Tuesday next following the election, and the said board of county commissioners shall tabulate the said returns and declare the result of said election, which shall be recorded in the minutes of the said board of county commissioners and in the record of elections, and no other recording and declaration of results of said election shall be necessary.

Sec. 3. That at said election the ballots tendered and cast by the qualified voters shall be of convenient size and shall have written or printed upon them "For Good Roads Bonds" or "Against Good Roads Bonds," and all qualified voters who favor issuing said bonds and the levying of the necessary taxes for the payment of the same and the interest thereon, shall vote "For Good Roads Bonds," and all qualified voters who oppose the issue of said bonds and the levy of the necessary tax for the payment of the same shall vote "Against Good Roads Bonds."

Sec. 4. That if a majority of the qualified voters of said Smithville Township shall in such election cast their votes "For Good Roads Bonds," and the result be so declared and recorded, the board of county commissioners shall as soon as practicable there-after issue and sell to the best advantage the said bonds in denominations of not less than one hundred dollars and not more than one thousand dollars, the total amount not to exceed twelve thousand dollars: Provided, that no bond shall be sold or disposed of by said board at less than its face value. And said bonds shall bear the rate of interest of not more than five per cent. per annum, with interest coupons attached, payable annually on the first Monday in April of each year during their running at the office of the Treasurer of Brunswick County, and the principal thereof shall be payable or redeemed twenty years from the date of their issue. Said bonds and coupons shall be signed by the chairman of the board of county commissioners and counter-signed by the clerk of said board, and the said bonds shall have upon them the seal of said county, and shall be styled "Smithville
Township Public Roads Bonds. The bonds and the coupons shall, when the bonds are issued, be numbered consecutively, beginning with the number one, and the coupons attached and issued with them shall bear the numbers of the bonds to which they are attached, and the bonds and coupons shall show on their face when they are due and where payable, and the bonds shall show by what authority they are issued. The said board of county commissioners shall have all their proceedings in respect to said bonds recorded in its minutes, and when the said bonds are issued, the number of the bond, the date, the denomination, to whom sold and the number of coupons attached to each bond shall be recorded in said minutes.

Sec. 5. That in case the result of the said election under this Special tax, act be in favor of issuing the bonds as aforesaid, the Board of County Commissioners of Brunswick County shall levy annually on the first Monday in June in each year a special road tax for said Smithville Township, not exceeding ten cents on the one hundred dollars' worth of property and thirty cents on each poll (the constitutional equation always to be observed). The subjects of taxation and levy of taxes shall be the same on which the said board of county commissioners now or may hereafter be authorized to lay and levy taxes upon for general county purposes, and the levy herein provided for shall be limited to said Smithville Township. The taxes so levied shall be collected as other taxes, and paid to the county treasurer as other taxes are paid, and the same shall be a separate fund and applied by the board of county commissioners, first, to the payment of interest on the said bonds herein provided for, and then to the creation of a sinking fund for the redemption of said bonds. Said sinking fund shall be held by the board of county commissioners on special trust for the payment of the bonds issued under this act, and neither the principal thereof nor the interest thereon shall be expended for any other purpose. Said fund shall be deposited at interest by said board of county commissioners in any bank or banks in North Carolina that it may deem safe, or shall invest in North Carolina interest-bearing bonds: Provided, that said board may in its discretion from time to time use any (and) all of said fund for the purchase in the open market of any bonds issued under the provisions of this act, and if so purchased the said bonds shall be cancelled, and a record made of the same in the minutes of the said board. And after the expiration of ten years from the date of issue, the board of county commissioners [shall] be and is hereby authorized and directed to levy at the same time and manner that other taxes are levied an additional tax of not exceeding ten cents on the one hundred dollars' worth of property and thirty cents on the poll in said township, which tax shall be collected as other taxes, and deposited as a part of
the sinking fund created for the redemption of said bonds, and shall be held and applied as above set forth by the Board of County Commissioners of Brunswick County.

Sec. 6. When any of the said bonds are sold, the proceeds of the same shall be turned over to the Treasurer of Brunswick County, who shall keep said fund separate and apart from all other funds, and shall keep a separate official account of the same: Provided, the said treasurer shall first execute an approved official bond payable in the usual manner in a penal sum of at least fifty per cent, greater than the sum which may come into his hands by reason of this act, conditioned upon the faithful and safe keeping of the said funds and the rendering of true accounts in respect thereto. All orders for the payment of money under this act shall state on their face that they are Smithville Township public road orders, and to what account they are chargeable, and shall be signed by the chairman of the board of road trustees hereinafter provided for, and countersigned by the secretary of said board. The treasurer shall make and file a separate itemized statement of the receipts and disbursements of this fund at the time for making his official annual report, and whenever required by the board of county commissioners or the board of road trustees: Provided, that if the said bonds are issued and sold as herein provided the expense of holding the election and all necessary expense incident to the preparation and sale of the said bonds shall be paid from the road fund provided by this act, but the expense of any necessary meetings of the board of county commissioners shall not be paid from the said fund.

Sec. 7. That in the event that a majority of the qualified voters of Smithville Township shall vote "For Good Roads Bonds," and the result shall be so declared and recorded, the Board of County Commissioners of Brunswick County shall at the meeting when the said election result is declared, and every two years thereafter, appoint a board to be known as the Board of Road Trustees of Smithville Township, said board to be composed of three members, each of whom shall be a qualified elector of said Smithville Township, and shall hold office for a term of two years and until their successors are appointed and qualified: Provided, however, that if the said election shall be held at any time during the year one thousand nine hundred and eight, and the bonds issued as herein provided, that W. H. Pyke, Jens Berg and John H. Smith shall constitute the said board of road trustees, and in that event they are hereby constituted such board with full powers to act, and it shall not be necessary for the said county commissioners to make appointments in such case, if the above appointees shall qualify. The board of county commissioners shall have power to fill vacancies upon said board of trustees in case of death, resignation, removal or otherwise for the remainder of the unexpired
term. As soon as practicable after appointment, the trustees shall meet and take and subscribe an oath, before some person authorized to administer oaths, to perform the duties of said office to the best of their skill and ability, and the said oaths shall be filed with the clerk of the board of county commissioners. Said board shall then organize by electing one of its number as chairman and another as secretary, and shall pass such rules for its government as it may deem best. The members of said board shall receive as compensation for their services two dollars per day for such time only as they are actually engaged in attending upon the active duties prescribed by this act.

Sec. 8. The said board of road trustees shall keep a record of the minutes of its proceedings; it shall make a report annually after the date of its appointment to the board of county commissioners, stating therein the nature, character and where work has been done, an itemized statement of the moneys expended, tools purchased, tools and material on hand, and such other matters as it may see proper to report. The chairman of the said board of road trustees, by authority of the said board, shall sign all orders on the treasurer for the payment of money to be expended under this act, and such orders shall be countersigned by the secretary, who shall keep a separate book and account of all orders, in addition to the regular minutes of the proceedings of the board; but no order shall be passed for the payment of money by the said board until a statement of the nature of the claim, verified by the oath of the payee that no part of the same has been paid, shall be filed and approved by said board. And the funds provided for in this act shall not be used for any other purpose than to carry out the provisions of this act.

Sec 9. That said board of road trustees shall have power to purchase and hold tools and machinery for working the roads of said township; to employ such foremen and laborers as it may deem necessary to perform such work; to hire such teams, machinery and tools as it may deem necessary; to purchase necessary material for building roads; to accept donations of money and labor for the improvement of the roads; to improve the roads by such methods and in such manner as it may deem proper; to lay out, straighten and alter, and, by and with the consent of the county commissioners of said county, discontinue or establish any public road in said township: Provided, that persons aggrieved by the enforcement of this clause may appeal from the order therein made as provided in section two thousand six hundred and ninety of the Revisal of one thousand nine hundred and five; to provide for the working of a chain gang or convict force on the roads of said township; and to have all power and authority to do all things necessary to carry into effect the provisions of this act.
General law to remain in effect.

Sec. 10. That nothing herein contained shall be construed to modify or change in any respect the general law which provides for working the public roads in said township, but the same shall remain in full force and effect: Provided, that upon the change of any public road which may be accepted by the board of county commissioners, road hands shall be allotted in accordance therewith under the general law.

Proviso: allotment of hands.

Sec. 11. That the board of county commissioners shall have power to remove from office, for good and sufficient cause, any member of the board of road trustees for any official neglect or misconduct in office after notice and a hearing, and fill the vacancy so created: Provided, that an appeal may be had to the Superior Court from such order of removal, but the road trustee so removed shall not exercise any of the duties of office pending the appeal.

Trustees removable for cause.

Entry on lands for material and drains.

Sec. 12. That the board of road trustees and its foreman, superintend and laborers are hereby empowered and authorized to enter upon any uncultivated lands near to or adjoining such roads, and to cut and carry away timber (except trees or groves on improved land left for ornamental purposes), and to dig and carry away any sand, gravel or clay which may be necessary to construct, improve or repair such roads, and to enter upon adjoining lands and dig such drainage ditches as may be necessary for the betterment of the roads. If the owner of any lands from which timber, sand, clay or gravel be taken as aforesaid, or the owner of lands on which the new part or parts of any road or roads shall be located, shall claim damages therefor, and the same be not settled within thirty days after demand, he may file his petition with the secretary of the board of road trustees asking for a jury, which shall be three disinterested freeholders, which jury shall be selected and summoned by the sheriff from the qualified electors in said Smithville Township, as provided by law, who shall give the landowner forty-eight hours' notice of the time and place where said jury shall meet to assess his damages claimed, and said jury, after being duly sworn, shall, in considering the question of damages, also take into consideration the benefits to the owner of the lands to follow the improvements made, and if said benefits be equal to or greater than the damages sustained, the jury shall so declare, and if not, it shall so assess the amount of damages to which it finds the petitioner entitled, and shall make report of its findings in writing, signed by each member of the jury, to the board of road trustees for confirmation or revision; Provided, that an appeal from such order may be had to the Superior Court. And the judge may in his discretion require a bond for costs from the said landowner in case of a continuance or an appeal to the Supreme Court.
Sec. 13. That any Judge of the Superior Court holding courts in any county in the State may in his discretion sentence any person convicted of crime to work on the public roads of said Smithville Township: Provided, that the board of road trustees shall provide for a convict force and request the county commissioners of said Brunswick County, who shall make application to the judges of said court for said convicts. And the justices of the peace and mayors of incorporated towns in Brunswick County before whom a person shall be tried and convicted, may, in the exercise of their jurisdiction prescribed by law, when the punishment inflicted by law be imprisonment, sentence said convicted person to work on the public roads in Smithville Township for the prescribed time that he would be imprisoned for the offense: Provided, that a convict force be provided for by the board of road trustees and in operation.

Sec. 14. That any official who shall willfully misappropriate any funds provided for in this act shall be guilty of a misdemeanor, and be fined or imprisoned in the discretion of the court.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 116.

AN ACT TO REGULATE THE WRITING OF PRESCRIPTIONS BY PHYSICIANS AND SURGEONS.

The General Assembly of North Carolina do enact:

Section 1. That no practicing physician or surgeon shall prescribe any spirituous, vinous or malt liquors for any person, or write for such person any order or prescription for the purpose of enabling him or her to procure from any drug store such liquors so prescribed, unless such person shall then be in good faith a patient of said physician or surgeon, and in actual need of such liquor for medicinal purposes. Any physician or surgeon violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court.

Sec. 2. That upon the criminal prosecution of any physician or surgeon for the violation of the provisions of section one hereof, proof that such physician or surgeon wrote for any person, then physically able to go about from place to place, a prescription for any spirituous, vinous or malt liquors, and that such physician or surgeon had not previously written for such per-
son any prescription or prescriptions except for such liquors, shall be prima facie evidence that such person was not then in actual need of such liquors for medicinal purposes, and was not a bona fide patient of such physician or surgeon.

Sec. 3. That upon the criminal prosecution of any physician or surgeon for violating the provisions of section one of this act, it shall be competent for the State, for the purpose of disproving the alleged good faith of the transaction, to show the total number of prescriptions for spirituous, vinous and malt liquors written and given by said physician or surgeon within three months next from the date of the prescription for the unlawful giving of which said physician or surgeon is then being prosecuted, and likewise to show that the persons to whom such prescriptions were given were either not bona fide patients of said physician or surgeon or not in actual need of such liquors for medicinal purposes.

Sec. 4. That the words “spirituous, vinous or malt liquors,” as used in this act, shall also embrace and include any and all compounds, concoctions or so-called medicines which contain a sufficient quantity of either spirituous, vinous or malt liquors to produce intoxication, when drunk in such quantities and with such frequency as intoxicants are usually drunk when used as a beverage.

Sec. 5. That nothing in this act contained shall be so construed as to repeal existing laws not in conflict with the provisions thereof.

Sec. 6. That this act shall apply only to the county of Gaston.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 117.

AN ACT TO AMEND SECTION 3444, SUBSECTION 6, OF CHAPTER 81. REVISAL OF 1905. RELATING TO THE USE OF SACCHARINE.

The General Assembly of North Carolina do enact:

Section 1. That section three thousand four hundred and forty-four, subdivision six of chapter eighty-one, Revisal of one thousand nine hundred and five, be and the same is hereby amended by striking out the word “saccharine,” in line six of said subdivision six, and by inserting between the word “sugar,” in line
seven, and the word "paraffine," partly in line seven and partly in line eight of said subdivision six, the words "except saccharine."

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 118.
AN ACT TO PREVENT TRAVELING SALESMEN FROM SOLICITING ORDERS OR PROPOSALS FOR THE PURCHASE OF INTOXICATING LIQUORS IN PROHIBITION TERRITORY IN NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, for himself or as an agent or traveling salesman for any person, firm or corporation, to solicit orders or proposals of purchase by the jug or bottle or otherwise of intoxicating liquors within the borders of any or all counties, townships, precincts, towns and cities in the State of North Carolina wherein prohibition prevails or the sale of intoxicating liquors is prohibited by law: Provided, that this section shall not be construed to prohibit the sale of intoxicating liquors in not less than five gallon packages to all parties or persons who are duly authorized by law to sell intoxicating liquors.

Sec. 2. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

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 1st day of February, A. D. 1908.

CHAPTER 119.
AN ACT TO AMEND SECTIONS 2567 AND 2574, CHAPTER 61, REVISAL OF 1905, TO PREVENT RAILROAD COMPANIES FROM MERGING WITH OR SECURING STOCK IN COMPETING LINES.

The General Assembly of North Carolina do enact:

Section 1. That subsection thirteen, section two thousand five hundred and sixty-seven of the Revisal of one thousand nine hundred and five be amended by adding to the end thereof the
following: "But no railroad or other transportation company or its officers shall acquire, hold or guarantee the bonds or stock of, or lease or be leased to, or purchase or buy or consolidate with or be merged into, any parallel or competing railroad or transportation company, nor shall any railroad or other transportation company or its officers sell any of its stock or bonds to any holding or voting company or its officers, whereby such consolidation or merger may be effected, and any such purchase, contract, merger or sale shall be void."

SEC. 2. That section two thousand five hundred and seventy-four of the Revisal of one thousand nine hundred and five be amended by adding thereto the following: "Provided, that no railroad or transportation company or its officers, now or hereafter doing business in this State, shall purchase, lease, absorb, take over, buy stock in, merge with or in any way secure an interest in a competing line of railroad or transportation company, nor shall any railroad or transportation company or its officers enter into any contract, agreement or understanding with a competing line of railroad or transportation company calculated to defeat or which may defeat or lessen competition in this State, and any violation of this section shall make the corporation or persons so offending guilty of a misdemeanor, and on conviction shall be fined in the discretion of the court, and all such contracts, purchases or sales shall be void."

SEC. 3. This act shall not prevent railroads independently owned and operated in this State, and not exceeding one hundred miles in length, from selling their roads and property.

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

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 120.

AN ACT TO SUBMIT TO THE VOTERS OF LOUISBURG TOWNSHIP, FRANKLIN COUNTY, THE QUESTION OF DISPENSARY OR NO DISPENSARY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and seventy-five of the Public Laws of one thousand eight hundred and ninety-seven, entitled an act to provide a dispensary for the town and township of Louisburg, Franklin County, be and the same is hereby repealed.
SEC. 2. That the manufacture, sale, barter or exchange, receipt or acceptance for unlawful use, delivery, storing and keeping in possession within the town and township of Louisburg, in Franklin County, of any spirituous, malt, vinous, fermented, brewed or other liquors, any compounds or mixtures thereof, by whatever name called or known, which contain alcohol and are used as a beverage, by any firm, person or corporation, except as herein-after provided for, is hereby made unlawful; and any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifteen hundred dollars or imprisoned, or both, at the discretion of the court; and upon a second and subsequent conviction of any similar offense, committed subsequent to his first conviction, such Felony, person shall be guilty of a felony, and fined not less than two thousand dollars or imprisoned not less than two years, or both, at the discretion of the court.

SEC. 3. That the Board of County Commissioners of Franklin County shall at its first meeting in September, one thousand nine hundred and eight, and annually thereafter, appoint some suitable and fit person, who is entitled under the laws of this State to vote in said township, to be known as the manager of the medical depository for such township, and who shall hold such office for a term of twelve months and until his successor has been appointed and qualified. It shall be the duty of such person so appointed to qualify before some person authorized to administer oaths, in like manner as all county officers are required to qualify, within two days after notice of his appointment; and he shall enter upon the discharge of his duties as soon as this act shall go into effect. It shall be the duty of such manager herein provided for to keep on hand at such place in the town of Louis-burg as may be designated by said board of commissioners, not less than five nor more than one hundred gallons of pure liquor, to be sold by him in quantities not less than one-half pint nor more than one quart, and then only upon the prescription of a physician authorized under the laws of the State of North Carolina to practice medicine therein, and then only when such prescription shall contain the name of the patient, the dose to be taken and the date, all of which shall be labeled on the bottle: Provided, that said manager shall not be required to sell any liquor upon the prescription of any physician unless he has knowledge that such physician is duly authorized under the laws of North Carolina to practice medicine therein, nor shall he be required to sell any liquor on Sunday or before nine o'clock A. M. or after five o'clock P. M. of any day, but he may do so in case of apparent necessity. The said board shall at all times have the Vacancies, right to fill any vacancy.
Sec. 4. That the board of commissioners for said county of Franklin shall at its regular meeting on the first Monday in September, one thousand nine hundred and eight, and annually thereafter, if it shall be necessary, set apart a certain sum of money, not less than fifty dollars nor more than two hundred dollars, of the general county funds, the amount to be discretionary with the said board, to be used for a medical depository in buying and keeping in stock such liquors as are hereinafter provided for, and the county treasurer shall pay out said fund upon order duly signed by the manager of said depository.

Sec. 5. Said liquors shall be kept and sold for medical purposes only, and for no other purpose, and shall not be sold with a view of profit beyond the actual necessary expenses incurred in keeping and selling the same, and all necessary incidental expenses, including the compensation and reimbursement of the county for the funds advanced by it to establish said depository.

Sec. 6. Said liquor shall be bought by said manager with the approval, as to quality and purity, of the county physician or such other person or persons, not exceeding three, to be named by the board of county commissioners for said county, and shall at all times be kept in sealed packages or bottles of not less than one-half pint nor more than one quart each, bearing the label of the kind and quality contained therein, together with the words "For Medicine Only," and when sold as herein provided for, it shall be labeled with the name of the patient, the dose, the physician who gave the prescription, the number of the prescription and the date.

Sec. 7. Said liquor shall be sold by said manager for cash, and not otherwise, and at such price or prices as may be fixed by the board of commissioners for said county, and said board at all times shall have in view no profit whatever except such as may be actually necessary to meet the actual expenses of buying and selling the same and the reimbursement of the county for the original amount appropriated by it for the establishment of the depository as hereinabove provided.

Sec. 8. The said manager shall receive for his services a salary not to be dependent upon the amount of liquor sold by him, but to be fixed by the Board of Commissioners of Franklin County at a sum not greater than twenty dollars per month, and the said manager is hereby required to keep a true and accurate record in a book to be furnished by the said board of county commissioners, showing each sale, to whom made, the date of sale, the name of the physician giving the prescription, and to keep the same open at all times for the inspection of any one desiring to see the same; and to file with the said board of county commissioners at its regular meeting on the first Monday of each month
a sworn statement of the amount of liquors on hand at the beginning of the preceding month, his purchases and sales during the month, from whom purchased, to whom sold, and the name of the physician upon whose prescription sold, and the balance on hand at the end of the month. He shall attach to such monthly reports all prescriptions received by him during the preceding month.

Sec. 9. That said board of county commissioners shall approve such report if it find the same to be correct, and place the same, together with the attached prescriptions, with the register of deeds of said county for safe keeping, and for the inspection of any person who may desire to see it.

Sec. 10. That if any person acting as such manager shall at any time knowingly and willfully make a false report, or knowingly and willfully swear falsely to his report, or shall willfully refuse to make a report or keep a record as herein provided for, or shall knowingly and willfully bargain, sell or exchange any liquor herein provided to be kept by him contrary to the provisions of this act, or shall make way with, appropriate to his own use, or otherwise dispose of any liquors or the proceeds of the sale of any liquors, contrary to the provisions of this act, or shall refuse or fail to turn over any liquors or pay over any fund which may come into his hands under the provisions of this act, he shall be guilty of a felony, and upon conviction shall be fined two thousand dollars or imprisoned two years, in the discretion of the court, and shall forfeit his office.

Sec. 11. That it shall be unlawful for any person or persons, firm or corporation whatever, druggists and apothecaries not excepted, except as herein provided for, to manufacture, barter, exchange, sell or otherwise dispose of for gain any spirituous, vinous or malt liquors or intoxicating bitters, checkers or intoxicating liquors by whatever name called or known, within said town or township of Louisburg: Provided, this act shall not be construed to prevent any one from making or manufacturing wine, brandy or cider from grapes, berries or fruits raised on the lands of the person so manufacturing the same: Provided further, that this act shall not be construed to apply to sales of cider or wine in quantities of not less than one gallon, or of brandy in quantities of not less than five gallons, where the sale is made on the particular tract of land upon which were grown the grapes, berries or fruits from which the said cider, wine or brandy was manufactured, and the said land is outside of the incorporated limits of the town of Louisburg.

Sec. 12. That it shall be unlawful for any person, firm or corporation, directly or indirectly, to keep or maintain by himself or by association or combining with others any clubroom or other

Prescriptions attached to report.

Report approved and filed.

Enumeration of acts forbidden by manager.

Commission of forbidden acts felony.

Punishment.

Manufacture, barter, sale or other disposal of liquor for gain unlawful.

Proviso: manufacture of wine, brandy or cider.

Proviso: sales of cider, wine or brandy.

Clubrooms forbidden.
place in which intoxicating liquors are received or kept for use, barter or sale as a beverage, or for distribution or division among the members of any club or association by any means whatever. It shall also be unlawful for any person, firm or corporation to have in his, her, their or its possession any spirituous, vinous or malt liquors for the purpose of bartering or selling or exchanging the same, and every person who shall receive, barter, sell, or have in possession for the purpose of selling, bartering or exchanging, any spirituous, vinous or malt liquors, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars or by imprisonment for not less than three months, or by both, in the discretion of the court: Provided, that upon any indictment for a violation of this section of this act, proof of the possession by any person, firm or corporation of more than one quart of liquor shall be prima facie evidence that said person, firm or corporation had such liquor in possession for the purpose of barter, sale or exchange within the meaning of this act.

Sec. 13. It shall be unlawful for any physician to make or give a prescription for any intoxicating liquors, bitters, checkers or other intoxicating liquors or drinks, by whatever name known or called, to or for any person who is not in actual need of such liquors for medicinal purposes, or to make or give a prescription for any such liquors or drinks to or for any person not bona fide under such physician's charge as a patient, and then only in good faith and for medicinal purposes only. Any person violating any of the provisions of this section of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one thousand dollars or imprisoned twelve months. or both. at the discretion of the court; and upon conviction for a second offense committed subsequent to the first conviction, such person shall be debarred from practicing medicine in the county of Franklin for twelve months: Provided, that this act shall not be construed to prevent any physician as hereinabove defined from giving a prescription for any person upon a written representation of another that such person is in actual and urgent need of spirituous, vinous or malt liquor for medicinal purposes: Provided further, that such prescription shall be attached to such written representation, bearing the true date thereof: and, Provided further, that any person who shall willfully and falsely make a representation to any physician for the purpose of procuring any spirituous, vinous or malt liquors for himself or another person shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Sec. 14. That it shall be the duty of the board of county commissioners for the said county of Franklin at its meeting held on
the first Monday in March, one thousand nine hundred and eight, to order an election to be held in and for such township, after Notice of election, thirty days' notice in one or more papers published in said county, the said election to be held on the twenty-sixth day of May, one thousand nine hundred and eight, for the purpose of determining whether or not this act shall go into effect. The said election shall be conducted and held under the same rules and regulations provided by the laws of North Carolina regulating county or general elections, and no new registration shall be required. The board of county commissioners of said county shall appoint some competent elector a registrar for each precinct in such township, and also two judges of election, and they shall report the result to said board, which board at its next regular meeting shall canvass the same and declare the result, and spread the same on its minutes.

Sec. 15. At said election every voter who is in favor of the Tickets, going into effect of this act shall vote a ticket upon which shall be written or printed the words "Against Dispensary." and every voter who is opposed to the going into effect of this act shall vote a ticket upon which shall be written or printed the words "For Dispensary." Such tickets shall be of white paper and without device.

Sec. 16. If at said election a majority of the votes cast shall be Effect of election, "For Dispensary," then none of the provisions of this act shall take effect, and section three hundred and seventy-five of the Public Laws of one thousand eight hundred and ninety-seven shall remain in full force and effect. But if at said election a majority of the votes cast shall be "Against Dispensary," then each and every of the provisions of this act shall go into effect on the first day of December, one thousand nine hundred and eight: Provided, that after the first day of December, one thousand nine hundred and eight, the Commissioners of the Dispensary of the Township of Louisburg shall have a right to sell at wholesale any stock that may remain on hand to any person, firm or corporation outside of the county of Franklin where the sale or delivery of whiskey is not prohibited by law: Provided further, that the said dispensary commissioners shall dispose of all furniture and fixtures of said dispensary under the direction and control of the Commissioners of Franklin County.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.
CHAPTER 121.

AN ACT TO PROTECT BANKS THAT ISSUED SCRIP DURING THE MONEY PANIC OF 1907 AND 1908.

The General Assembly of North Carolina do enact:

SECTION 1. That every person or corporation in pursuance of an arrangement or agreement between two or more banks doing business in North Carolina that issued any bill, due bill, order, ticket, certificate of deposit, promissory note or obligation, or any other kind of security, whatever may be its form or name, with the intent that the same should circulate or pass as the representation of or as substitute for money, or accepted the same, or passed the same as the representative of or as the substitute for money contrary to the laws of North Carolina, during the money panic of one thousand nine hundred and seven and one thousand nine hundred and eight, shall be exempt from the penalty prescribed by law: Provided, that no exemption is extended for violation of said law after the ratification of this act.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 122.

AN ACT TO INCREASE THE COMPENSATION OF THE BOARD OF PENSIONS FOR ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand seven hundred and ninety-three, chapter sixty-six of the Revival of one thousand nine hundred and five, and section twenty-one, chapter six hundred and seventy-four of the Public Laws of one thousand nine hundred and seven, be and are hereby amended by adding at the end of said sections the following: "Provided, that the Pension Board of Robeson County shall receive the same compensation, as to per diem and mileage, as provided for the board of commissioners of said county.

Sec. 2. All laws and clauses of laws as far as they 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 1st day of February, A. D. 1908.
CHAPTER 123.

AN ACT TO AMEND CHAPTER 406 OF THE PUBLIC LAWS OF 1907, RELATING TO THE AGRICULTURAL AND MECHANICAL COLLEGE, WHITE.

Whereas, the water supply at the Agricultural and Mechanical College has been greatly diminished and is liable to fail at any time; and whereas, the present supply of water is so small that water cannot be had for the boilers to furnish heat for the students' rooms and power in the shops and textile rooms; and whereas, the health of the student body has been greatly endangered by the inadequate supply of water and by the injurious quality of the water; and whereas, the money appropriated is insufficient to equip the new heating and power plant and run the college by making additional charge to provide for an increase of supply water; and whereas, the board of trustees is not authorized to borrow any money or enter into any contract to obtain a supply of water for the college: now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred and six of the Public Laws of one thousand nine hundred and seven be amended by adding at the end of section nine the following: "The said board shall have the full power and authority to enter into any contract or agreement with any firm, person or corporation in a sum not exceeding ten thousand dollars to furnish a permanent supply of water for the said college, and the executive committee hereinbefore mentioned is hereby authorized and empowered to carry out and make said contract for the purpose above set out."

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 124.

AN ACT TO AMEND CHAPTER 615 OF THE LAWS OF 1907.

The General Assembly of North Carolina do enact:

Section 1. That section two of chapter six hundred and fifteen of the Public Laws of one thousand nine hundred and seven be amended by striking out the word "waters," in line two thereof, and inserting in lieu thereof the word "run."
Sec. 2. That all persons owning lands adjacent to said creek, upon whose lands any traps of any description or obstruction shall be placed in said creek in violation of this law, shall be guilty of a misdemeanor and punished as provided in section three of said act.

Sec. 3. This act shall only apply to the county of Wilson.

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 1st day of February, A. D. 1908.

CHAPTER 125.

AN ACT TO PROHIBIT DISORDERLY CONDUCT ON THE PUBLIC ROADS IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to act in a disorderly manner by being drunk or using profane, obscene or boisterous language on any public road in Robeson County.

SECTION 2. That any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction before any justice of the peace in Robeson County shall be fined not more than fifty dollars ($50) or sentenced to work on the public roads of said county not more than thirty (30) days.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 126.

AN ACT TO AMEND CHAPTER 217, PUBLIC LAWS OF 1907.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and seventeen of the Public Laws of one thousand nine hundred and seven be amended by adding at the end of section one of said act the following: "Provided further, that the Corporation Commission shall have power, when it is made to appear that it is just to do so, to exempt from the operation of section one of said chapter two hun-
dred and seventeen of the Public Laws of one thousand nine hundred and seven that part of the charges of a joint haul which is over the line or lines of a railroad company, which company now owns, leases or operates not more than one hundred and twenty-five miles of railroad in or out of this State."

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 127.


The General Assembly of North Carolina do enact:

SECTION 1. That William Hart be and he is hereby appointed a justice of the peace for Yadkin County, North Carolina, that W. E. Schenck is hereby appointed a justice of the peace for Guilford County, and that J. C. Bean is hereby appointed a justice of the peace for Healing Springs Township, Davidson County, and that U. E. Sexton is hereby appointed a justice of the peace for Emmons Township, Davidson County.

Sec. 2. That the terms of office of said William Hart and W. E. Schenck and J. C. Bean shall begin from and after the taking of the oath of their office, and shall expire on the first day of November, one thousand nine hundred and ten.

Sec. 3. That the Secretary of State shall notify the Clerks of the Courts of Yadkin and Guilford and Davidson Counties of the passage of this act.

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 1st day of February, A. D. 1908.
CHAPTER 128.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF PENDER COUNTY TO CANCEL CERTAIN TOWNSHIP SUBSCRIPTION BONDS TO THE CAPITAL STOCK OF THE WILMINGTON, ONSLOW AND EAST CAROLINA RAILROAD COMPANY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Pender County be and it is hereby authorized to cancel and mark satisfied and paid bonds evidencing the subscription of Grant Township, of Wilmington, Onslow and East Carolina Railroad Company, which were voted and subscribed under section thirteen of chapter two hundred and thirty-three of the Laws of one thousand eight hundred and eighty-five; which said bonds have been redeemed with funds derived under section fifteen of said act.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 129.

AN ACT TO SUBMIT THE QUESTION OF LEVYING A SPECIAL SCHOOL TAX TO THE VOTERS OF DISTRICT NO. 3, MIDDLE CREEK TOWNSHIP, WAKE COUNTY.

Whereas, during the month of May, one thousand nine hundred and six, an election was held in District Number Three of Middle Creek Township, Wake County, upon the question of levying a special tax for school purposes, under section four thousand one hundred and fifteen of the Revisal of North Carolina of one thousand nine hundred and fifty; and whereas, said election was carried in favor of said tax, and the board of county commissioners have levied and collected a tax of thirty cents on property and ninety cents on each poll within said district; and whereas, the voters of said district are dissatisfied with the amount of tax so levied and have petitioned the Legislature to be allowed to have another election upon said subject, there being no provision of law allowing the same: now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That upon a petition of three-fifths of the freeholders residing within said District Number Three, Middle Creek Township, Wake County, to the Board of County Commissioners...
AN ACT TO SECURE THE ENFORCEMENT OF LAWS AGAINST THE SALE AND MANUFACTURE OF INTOXICATING LIQUORS IN CARTERET COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to deal in for gain or to carry on the business of selling intoxicating liquors, and any person violating the provisions of this section shall be guilty of a misdemeanor.

SECTION 2. That the following facts shall constitute prima facie evidence of a violation of the preceding section, and when proven shall cast the burden of proof on the defendant to show that he is not guilty: first, the possession of a license from the Government of the United States to sell or manufacture intoxicating liquors; or second, the possession of three gallons or more of intoxicating liquors at one time; or third, the delivery to such person or at his place of business of three or more [gallons] of intoxicating liquors in one week; or fourth, the possession of intoxicating liquors as samples to obtain orders thereon.
Allegation not necessary in indictments.

Sec. 3. That, in indictments for violating section one of this act, it shall not be necessary to allege a sale to a particular person, and the violation of law may be proven by circumstantial evidence as well as by direct evidence.

Sec. 4. That, in indictments for selling intoxicating liquors, it shall not be necessary to allege the name of the person to whom the sale was made, and upon trial evidence may be offered of a sale to more than one person, but it shall be the duty of the court before whom the trial is had, on motion of the defendant, to require the officer prosecuting on behalf of the State to file with the clerk of the court a statement of the names of all persons as to whom evidence will be offered, and when such statement is filed, it shall become a part of the record, and no evidence shall be received of a sale to persons other than those named therein, and a conviction or acquittal on such indictment shall be a bar to an indictment for selling to any person named in such statement, but not a bar to an indictment for violating section one of this act.

Warrants and search warrants.

Sec. 5. That any mayor or justice of the peace before whom an affidavit is made on information and belief or otherwise that a person is guilty of violating section one of this act, or of the law against the illegal sale or manufacture of intoxicating liquors, and stating the facts in the affidavit upon which the charge is based, if there appears from the affidavit to be reasonable ground for believing the charge to be true, shall forthwith issue his warrant for the arrest of such person, and shall command the officer authorized to make the arrest to search the premises of the person so charged, and to seize all intoxicating liquors found thereon. All intoxicating liquors seized under this section shall be held, and upon acquittal of the person so charged shall be returned to him, and upon conviction shall be destroyed.

Disposition made of seized liquors.

Sec. 6. That it shall be the duty of the judge at each term of court to call the attention of the grand jury to the provisions of this act, and to other provisions of law regulating the sale and manufacture of intoxicating liquors, and it shall be the duty of the grand jury to make diligent inquiry to discover any violation of the law. The grand jury shall have power to send for persons and to require the production of books and papers.

Judge to charge grand jury on the act.

Sec. 7. That no person shall be excused from testifying on any prosecution for violating this act or any law against the sale or manufacture of intoxicating liquors, but no discovery made by such person shall be used against him in any penal or criminal prosecution, and he shall be altogether pardoned for the offense done or participated in by him.
Sec. 8. That this act shall apply only to Carteret County, 

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 1st day of February, A. D. 1908.

CHAPTER 131.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF LEE COUNTY TO ISSUE BONDS TO BUILD A COURTHOUSE AND JAIL IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. For the purpose of building a courthouse and jail in the county of Lee, the board of commissioners of said county is authorized and empowered to issue bonds of the county of Lee, bearing interest at the rate of not less than five per cent. and not more than six per cent. per annum, to an amount of not less than twenty-five thousand dollars and not more than forty thousand dollars, of the denominations of one hundred dollars and five hundred dollars respectively, at the discretion of the said board of commissioners; and the said bonds shall be payable to bearer not less than ten nor more than thirty years from date of issue, the particular period to be fixed by the board of commissioners at the time of the sale of said bonds. The said bonds shall be payable at the office of the Treasurer of the County of Lee, and shall have coupons attached representing the interest on said bonds, which interest shall be payable semiannually, and the said bonds and coupons shall be prepared under the direction and supervision of the board of commissioners, and the said board of commissioners shall have power and authority to determine any other provisions relating to said bonds in its discretion, where the same is not in conflict with the provisions of this act. Said bonds issued under this act shall be exempt from all county and municipal taxation, and this fact shall appear upon the face of said bonds.

Sec. 2. The said bonds when issued shall be signed by the chairman of the board of commissioners, countersigned by the clerk of the said board, and attested by the official seal of Lee County; and upon the request of any holder of said bonds, the clerk of Registered bonds, the Board of Commissioners of Lee County is authorized and empowered to register the said bonds and make the same payable to the order of the registered holder only; and from the date

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of the said registration, which shall be entered upon the face of the said bonds, they shall cease to be payable to the bearer.

Sec. 3. That for the purpose of paying the accrued interest on said bonds, and to provide a sinking fund for the payment of the principal when due, the Board of Commissioners of Lee County shall levy and cause to be collected annually, as other taxes are levied and collected, a tax upon all real and personal property, rights and credits now or hereafter subject to taxation for general purposes, not exceeding five cents on each one hundred dollars' worth of property, and upon each taxable poll a tax of not exceeding fifteen cents.

Sec. 4. That for the purpose of paying off any of said bonds with any money that may be on hand at any time belonging to the general funds of the county of Lee, the commissioners may, in their discretion, purchase annually, after the lapse of one year from the date of issuance of said bonds, any amount of said bonds issued and outstanding at their par value, with accrued interest.

Sec. 5. That the clerk of the board of commissioners of the said county shall provide a record in his office in which shall be entered and kept the name of every purchaser of said bonds and the numbers and amounts of the bonds purchased; and also a record of the bonds redeemed, together with the date of their redemption; and the bonds and coupons when redeemed shall be recorded as redeemed, and shall be destroyed by fire in the presence of the Board of Commissioners and the Clerk of the Superior Court of Lee County, and a record of such destruction shall be made and dated.

Sec. 6. That before selling the said bonds, the said board of commissioners shall advertise the same for thirty days immediately preceding the day of sale at the courthouse door and in one or more financial newspapers or journals published in the United States, giving the time and place when bids will be opened for the sale of said bonds, and the terms on which said bonds are issued: Provided, that the board of commissioners shall have the right in its discretion to reject any and all bids for said bonds.

Sec. 7. That the proceeds arising from the sale of bonds issued under the provisions of this act shall constitute a separate and distinct fund, to be applied and appropriated for the purpose for which they are issued, as provided herein, and the board of commissioners shall cause the Treasurer of Lee County to open and keep separate accounts of said funds. And the said treasurer shall be liable officially as well as personally to all the requirements of the law now prescribed for other county funds, or which may hereafter be prescribed for the faithful keeping and disbursements of the said funds. And the board of commissioners shall require the said treasurer to give bond for the faithful and honest performance of the duties of his office in respect to said
funds, which bond shall be in an amount not less than the aggregate proceeds of the sale of the said bonds issued under this act. The said treasurer shall receive in full compensation for his services in receiving, keeping and disbursing said funds one-half of one per centum on the amount of his disbursements, but shall receive no commission on receipts: Provided, however, that if the said treasurer shall determine to execute the bond herein provided with corporate surety, as now authorized by law, then the board of commissioners shall, in addition to the commissions herein allowed, repay to the said treasurer the reasonable premiums which he may be required to pay for the execution of the said bonds, the amount to be paid out of the funds arising hereunder.

Sec. 8. That the taxes levied hereunder shall be collected by the sheriff or other officer charged with the collection of other county taxes, and they shall in respect thereto be liable officially as well as personally to all the requirements of law now or hereafter prescribed for the faithful collection and payment of other county taxes, and the bonds given by said officers for the collection of county taxes shall include the taxes levied hereunder.

Sec. 9. That in order to provide for the safe-keeping and investment of the funds arising from the taxes levied under this act over and above the amount necessary to pay interest on said bonds, the Treasurer of Lee County shall open upon his books, as county treasurer, an account known as Building Bonds Sinking Fund, and all amounts received by said treasurer from the taxes levied hereunder which may not be necessary for the payment of accrued and accruing interest on said bonds shall be credited to the building bonds sinking fund account, and shall be kept separate and distinct from all other county funds, for the purpose of paying the principal of said bonds at maturity; and the said treasurer is hereby authorized and directed to invest any amount belonging to said building bonds sinking fund, from time to time, in safe interest-bearing securities, payable to said treasurer for the benefit of said sinking fund: Provided, that no investment of funds shall be made until the security therefor is approved by the Board of Commissioners of Lee County, and also by the Clerk of the Superior Court of Lee County, duly authorized in writing; and, Provided further, that preference be given in making said investment in the purchase, if possible, of the said bonds issued hereunder; and the treasurer shall be liable on his official bond for the faithful and honest performance of the duties imposed by this section.

Sec. 10. That nothing in this section [act] shall be construed to abridge, regulate or affect the power of the board of commissioners, which may already exist by law, to issue bonds or other evidence of indebtedness for the purpose of building the courthouse and jail in said county, or other purpose, or to limit, regul-
late or in any manner affect such contracts as it may by lawful authority make, should the said board of commissioners determine, in its discretion, not to issue the said bonds provided for in this act and by authority thereof.

Sec. 11. That this act shall go into effect from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 132.

AN ACT TO AMEND SECTION 3084 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

Section 1. That section three thousand and eighty-four (3084) of the Revisal of one thousand nine hundred and five shall not be construed so as to compel the jury selected to allot dower to allot the dwelling house in which the husband usually resided, when the widow shall request that the same be allotted in other property.

Sec. 2. That this act shall apply wherever dower has not been assigned, although the husband may have died before the passage of this act.

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 1st day of February, A. D. 1908.

CHAPTER 133.

AN ACT TO PROHIBIT THE ILLEGAL SALE OF LIQUOR IN ANSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, company, firm or corporation, other than the manager of the medical depository for Anson County, to keep for sale, bargain, exchange or dispose of for gain within the county of Anson any spirituous, vinous, malt or other intoxicating liquors.

Sec. 2. That if any person, other than licensed retail dealers under the State laws and the manager of the medical depository for Anson County, shall keep in his possession liquors to the quantity of more than one gallon within said county, it shall be prima facie evidence of his keeping it for sale, within the meaning of this act.
Sec. 3. That if any person shall have in his possession any internal revenue license from the United States government for the sale of liquors, wine or beer, procured after the passage of this act, it shall be prima facie evidence of his keeping liquor for sale as prohibited by this act.

Sec. 4. That upon the filing of an affidavit by any person before a justice of the peace or the mayor of any incorporated town of Anson County that any person is violating this act, or that such affiant has reason to believe that any person is keeping for sale liquors as prohibited by this act, which reason shall be set forth in said affidavit, and if such justice of the peace or mayor shall deem such reason sufficient, it shall be the duty of such justice of the peace or the mayor of an incorporated town to issue a warrant to a lawful officer directing him to search the suspected premises, and if he shall find any liquors thereon in excess of one gallon, it shall be his duty to take all liquor so found into his possession to be used as evidence on the trial of the warrant against the said person for violating this act, and it shall be prima facie evidence of his keeping it for sale in violation of this act.

Sec. 5. That any person, company, firm or corporation bringing into the county of Anson for delivery to any person or corporation, company or firm, any liquors the sale of which is prohibited by this act, shall be guilty of a misdemeanor.

Sec. 6. That any person, firm, company or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court.

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

In the General Assembly read three times, and ratified this the 1st day of February, A.D. 1908.

CHAPTER 134.

AN ACT APPOINTING T. E. RICKS JUSTICE OF THE PEACE OF GRIFFINS TOWNSHIP, NASH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That T. E. Ricks be and he is hereby appointed a justice of the peace of Griffins Township, Nash County, and his term of office shall be for four years from and after the ratification of this act.

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

In the General Assembly read three times, and ratified this the 1st day of February, A.D. 1908.
CHAPTER 135.

AN ACT TO RE-ENACT SECTION 3 OF CHAPTER 202 OF THE PUBLIC LAWS OF 1907.

Whereas, there seems to be a conflict between the provisions of section three of chapter two hundred and two of the Public Laws of one thousand nine hundred and seven and section ninety-one, chapter two hundred and fifty-eight of the Public Laws of one thousand nine hundred and seven; now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That said section three, chapter two hundred and two of the Public Laws of one thousand nine hundred and seven, which section is in the following words: "The Sheriff of the County of Johnston shall receive for collecting taxes a commission of three and a half (3½) per centum of the entire amount collected by him, together with such fees for levying on and selling property in collecting said taxes as are now allowed by law," be and the same is hereby re-enacted.

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

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 136.

AN ACT AFFECTING THE PUBLIC SCHOOL FUNDS OF LEE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That when the Treasurer of Lee County has qualified and filed the bond required by law as treasurer of said county, the Treasurer of Chatham County and the Treasurer of Moore County shall pay over to the said Treasurer of Lee County that part of the public school funds in their hands respectively which has been apportioned and is due the public school districts included in the territory of Lee County, and the same shall be disbursed and distributed by the proper officers of Lee County, as provided by law: Provided, that the Treasurers of Chatham County and Moore County shall have and retain their lawful commissions on said funds, in all respects as if the same were disbursed by them; and, Provided, that any voucher in the hands of the Treasurer of Chatham County or the Treasurer of Moore
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County for moneys properly paid out and disbursed from said fund shall be a proper voucher for the Treasurer of Lee County.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 137.

AN ACT TO AMEND CHAPTER 193 OF THE PUBLIC LAWS OF 1907, ENTITLED "AN ACT TO PROVIDE FOR THE BETTER WORKING OF THE PUBLIC ROADS AND HIGHWAYS OF YANCEY COUNTY."

The General Assembly of North Carolina do enact:

Section 1. Amend section fifteen of said act by adding after the word "damages," in line three thereof, the following: "except in cases of construction of new roads, the commissioners of said county may order the same to be constructed at any time, and may make all necessary orders to carry out the provisions of this amendment."

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 138.

AN ACT IN REGARD TO WILLS MADE BY MARRIED WOMEN.

The General Assembly of North Carolina do enact:

Section 1. That all devises and bequests of land or personal property heretofore or hereafter made by any married woman to her husband shall be null and void if such married woman has thereafter or shall hereafter become insane or non compos mentis, and if such wife has obtained or shall obtain a decree of divorce a vinculo matrimonii or a mensa et thoro from her said husband; or if such husband has obtained or shall obtain a divorce a vinculo matrimonii or a mensa et thoro from his said wife: Provided, that this act shall only apply to Gaston County.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.
CHAPTER 139.

AN ACT TO APPOINT WILLIAM F. BUTTERWORTH A JUSTICE OF THE PEACE FOR HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That William F. Butterworth be and he is hereby appointed a justice of the peace for Scotland Neck Township, Halifax County, North Carolina, for a term of six years from and after the ratification of this act.

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 February, A. D. 1908.

CHAPTER 140.

AN ACT TO APPOINT JOHN R. WILLIAMS A JUSTICE OF THE PEACE FOR DAVIE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That John R. Williams of Fulton Township, Davie County, be and he is hereby appointed a justice of the peace for said township for six years from and after the ratification of this act.

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 141.

AN ACT TO COMPEL BLIND CHILDREN TO ATTEND SCHOOL.

The General Assembly of North Carolina do enact:

Section 1. That every blind child of sound mind and body living in the State of North Carolina shall attend the State School for the Blind and the Deaf, at Raleigh, or some similar school for the education of the blind, for a term of nine months each year, between the ages of seven and seventeen years. The term "blind child" is to be construed as meaning any child whose sight is so defective as to make it impracticable to obtain an education in schools for the seeing.
Sec. 2. That parents, guardians or custodians of any blind child or children between the ages of seven and seventeen years shall send or cause to be sent such child or children to some school for the instruction of the blind at least eight sessions of nine months each.

Sec. 3. That parents, guardians or custodians of any blind child or children between the ages of seven and seventeen years, failing or refusing to send such child or children to some school for the instruction of the blind, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, at the discretion of the court, for each year that said child or children shall be kept out of school between the ages specified: Provided, that this section shall not be enforced against the parents, guardians or custodians of any blind child until such time as the authorities of some school for the instruction of the blind shall serve written notice on such parents, guardians or custodians, directing that such child be sent to the school whereof they have charge: Provided further, that the authorities of the said State School for the Blind and Deaf shall not be compelled to retain in their custody or under instruction any incorrigible person, or person of confirmed immoral habits.

Sec. 4. That it shall be the duty of the school census taker to report name, age and sex of each blind child in his district, and names of parents, guardians or custodians and their postoffice addresses, to the county superintendent of education, who shall send said report of names and addresses to the principal of the State School for the Blind and Deaf, at Raleigh, N. C. That said census taker or county superintendent failing to make report as provided in this act shall be fined five dollars ($5) for each blind child not so reported.

Sec. 5. That said fine as provided in section three (3) of this Disposition of act, and said fine of five dollars ($5) provided in section four (4) of this act, when collected, shall be paid to the public school fund of the county in which such child lives.

Sec. 6. That this act shall take effect and be in force from When act effect- and after the first day of September, one thousand nine hundred and eight.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.
CHAPTER 142.

AN ACT TO AMEND SECTION 2564 OF THE REVISAL OF 1905.

The General Assembly of North Carolina do enact:

Section 1. That section two thousand five hundred and sixty-four of the Revival of one thousand nine hundred and five be and the same is hereby amended by striking out the word "two," in line two, and inserting in lieu thereof the word "three."

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 143.

AN ACT TO AMEND CHAPTER 591, SECTION 2, PUBLIC LAWS 1907, REGULATING JURISDICTION OF THE MAYOR OF THE TOWN OF WHITEVILLE.

The General Assembly of North Carolina do enact:

Section 1. That chapter five hundred and ninety-one, section two of the Public Laws of one thousand nine hundred and seven be and the same is hereby amended by adding "s" to mayor in line one of section two, and "s" to the word "town," in line one, section two, and inserting after the word "Whiteville," in lines one and two of said section, the words "and Chadbourn."

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

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

CHAPTER 144.

AN ACT PRESCRIBING THE MAXIMUM CHARGE WHICH RAILROAD COMPANIES MAY MAKE FOR TRANSPORTING PASSENGERS IN NORTH CAROLINA, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Section 1. That no railroad company doing business as a common carrier of passengers in the State of North Carolina shall charge, demand or receive for transporting any passenger and his or her baggage, not exceeding in weight two hundred pounds,
from any station on its railroad in North Carolina to any other station on its road in North Carolina, a rate in excess of two and one-half cents per mile; and for transporting children under twelve years and over five years, one-half of the rate above prescribed; and for transporting children under five years of age, accompanied by any person paying fare, no charge whatever shall be made: Provided, that where the amount of the ticket at the prescribed rate would amount to any figure between two multiples of five, the price of the ticket shall be the multiple of five which is nearest the price of the ticket at the rate above mentioned; or, in the event that the amount is equidistant between the multiples of five, the price charged for the ticket shall be on the basis of the higher of those two multiples of five: Provided further, that no charge less than ten cents shall be required: Provided further, that independently owned and operated railroad companies in North Carolina, whose mileage of road in said State is one hundred miles or less, may charge a rate not exceeding three cents per mile: Provided further, that independently owned and operated railroad companies in North Carolina, whose mileage of road in said State is ten miles or less, may charge the same rate which is now in existence on said roads. This provision shall not extend to branch lines of railroad companies controlling over one hundred miles of road, whether chartered in or out of the State. Also, that newly constructed railroads, or the portion of railroad which may be newly constructed, be exempt from the operations of this act for two years after completion, to the extent that they may charge a rate in no case to exceed three cents per mile.

A charge of fifteen cents may be added to the fare of any passenger when the same is paid on the train, if the ticket might have been procured within a reasonable time before the departure of the train.

Sec. 2. In the case that any railroad company operating as a common carrier of passengers in the State of North Carolina is owned, controlled or operated by lease or other agreement by any other railroad company doing business in the State, the rate for carrying passengers thereon as prescribed by this act shall be determined for the said railroad company by the rate prescribed by this act for the railroad company which owns, controls or operates the same.

Sec. 3. That any railroad company violating any of the provisions of this act, or counselling, ordering or directing any employee, agent or servant to violate any provisions of this act, by charging, demanding or receiving any rate greater than that fixed by this act, shall be guilty of a misdemeanor, and on conviction shall be fined not less than five hundred dollars and not more.
Violation of act by agent, servant or employee of any railroad company who shall violate this act shall be guilty of a misdemeanor, and on conviction shall be fined or imprisoned, or both, in the discretion of the court.

Sec. 4. That any person or persons, except those permitted by law, who accept free transportation shall be guilty of a misdemeanor, and on conviction shall be fined or imprisoned, or both, in the discretion of the court; and any railroad, or its employees or agents, giving free transportation of any kind whatsoever, except that permitted by law, shall be guilty of a misdemeanor, and on conviction shall be fined not less than five hundred dollars or more than two thousand dollars for each offense.

Sec. 5. That an act entitled "An act prescribing the maximum charges railroads may make for transporting passengers in North Carolina," ratified on the second day of March, one thousand nine hundred and seven, be and the same is hereby repealed.

Sec. 6. That no railroad company, or agent, servant or employee of any railroad company, shall be held liable to any person, or found guilty of any offense in any action, civil or criminal, whether heretofore or hereafter instituted or begun, by reason of anything done or attempted to be done in violation of said act mentioned in the preceding sections hereof, or of any provision thereof.

Sec. 7. That the Corporation Commission of North Carolina shall have no power to change, alter, modify or in any way affect the enforcement of or operation of any of the provisions of this act, or of chapter two hundred and sixteen of the Public Laws of North Carolina of one thousand nine hundred and seven, except as the same shall be therein specifically authorized, or the enforcement of any penalties for violating the provisions thereof; and all laws and parts of laws in conflict herewith are hereby repealed.

Sec. 8. That section two thousand six hundred and eighteen of the Revisal of one thousand nine hundred and five is hereby repealed, and 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 April the first, one thousand nine hundred and eight.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.
RESOLUTIONS
OF THE
GENERAL ASSEMBLY,
EXTRA SESSION, 1908.

JOINT RESOLUTION PROVIDING FOR A COMMITTEE TO NOTIFY THE GOVERNOR.

Resolved by the Senate, the House of Representatives concurring:

That a joint committee of two on the part of the Senate and Committee to be appointed by their respective presiding officers to wait upon his Excellency the Governor, and inform him of the organization of the General Assembly in extraordinary session, and to notify him of its readiness to receive from him any communication it may be his pleasure to make.

In the General Assembly read three times, and ratified this the 24th day of January, A. D. 1908.

RESOLUTION CONCERNING THE ALASKA-YUKON-PACIFIC EXPOSITION.

Resolved by the Senate, the House of Representatives concurring:

That the State of North Carolina heartily endorses the movement in the State of Washington to commemorate the achievements of the Northwest, in which North Carolina's sons have borne so great a part, and to bring about closer trade relations between the United States and the Orient. The Governor is authorized to appoint a commission to represent the State of North Carolina at the Alaska-Yukon-Pacific Exposition at Seattle, in one thousand nine hundred and nine. The said commission shall consist of ten citizens of this State, representative of the sections and industries of the State, and shall have power to select a president, secretary and such other officers as may be necessary to enable it to carry out the purposes of its creation: Provided, that no director, member, agent or servant of said commission shall be entitled to any pay or expenses incident to the duties of his office.

In the General Assembly read three times, and ratified this the 31st day of January, A. D. 1908.
JOINT RESOLUTION IN REGARD TO EXTRA COMPENSATION OF THE PRINCIPAL CLERKS OF THE GENERAL ASSEMBLY FOR THE EXTRA SESSION.

Resolved by the House of Representatives, the Senate concurring:

That the principal clerks of the House of Representatives and Senate shall for their extra compensation for the extra session of one thousand nine hundred and eight receive one-half of the amounts prescribed in chapter sixty-six, section two thousand seven hundred and thirty-two of the Revised of one thousand nine hundred and five, to be paid as therein provided.

In the General Assembly read three times, and ratified this the 30th day of January, A.D. 1908.

RESOLUTION REQUESTING THE ATTORNEY-GENERAL TO TRANSMIT ITEMIZED STATEMENT OF COURT COSTS, ETC., INCURRED IN LITIGATION GROWING OUT OF PASSENGER RATE LAW ENACTED IN 1907.

Resolved by the House of Representatives, the Senate concurring:

That the Attorney-General be requested to transmit to the General Assembly, as early as possible during the present extraordinary session, a full itemized statement of all expenses, including court costs, incurred by the State of North Carolina in the various suits and all litigation growing out of the passenger rate law enacted at the last regular session of this General Assembly.

In the General Assembly read three times, and ratified this the 27th day of January, A.D. 1908.

JOINT RESOLUTION OF THE GENERAL ASSEMBLY RELATIVE TO THE MILEAGE OF MESSENGERS AND EMPLOYEES OF THE HOUSE AND SENATE.

Resolved by the House of Representatives, the Senate concurring:

First. That the messengers, pages and employees of the House and Senate shall receive their actual railroad fare to and from their respective homes, and the principal clerks shall be allowed to issue vouchers to said messengers, pages and employees.

Second. That this resolution 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 February, A.D. 1908.

Resolved by the House of Representatives, the Senate concurring:

That the Public and Private Laws and Resolutions of the special session of one thousand nine hundred and eight shall be bound in one volume, and that the Journals of the Senate and House of Representatives and Public Documents shall be bound in one volume, and that in preparing the captions, side notes and index of the laws and resolutions, and the publication and distribution of the captions, laws and journals and documents, the Secretary of State shall be guided by the laws applicable to regular sessions of the General Assembly so far as, in his discretion, the same may be proper and applicable.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

RESOLUTION IN REGARD TO EXTRA COMPENSATION OF LABORERS, EMPLOYEES AND PAGES OF THE HOUSE AND SENATE.

Resolved by the House of Representatives, the Senate concurring:

That the laborers and the employees of the House and the Senate shall each receive twenty-five cents per day in addition to their salary, and the pages in the House and the Senate shall each receive, in addition to their salary, twenty-five cents per day.

This resolution shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

JOINT RESOLUTION IN REGARD TO PETITIONS FROM EMPLOYEES OF RAILROAD COMPANIES.

Resolved by the Senate, the House of Representatives concurring:

That the numerous petitions from the employees of the railroad companies have received careful consideration, and, with the wish to do the signers full and ample justice, it has been thought desirable to confirm the agreement entered into between the Governor and different railroad companies, putting into effect the rates therein specified, with the hope and belief that its enactment into
law will prove beneficial to all classes, and the railroad companies will not be forced to make any reduction in the wages of their employees. That a copy of this resolution be mailed by the Secretary of State to the secretaries of the Order of Railway Conductors, Brotherhood of Locomotive Engineers and Firemen, Brotherhood of Trainmen and heads of other railroad employees' associations. In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

RESOLUTION RELATIVE TO THE ACCEPTANCE OF THE $17,500 TO PAY THE EXPENSES FOR CONVENING THE GENERAL ASSEMBLY OF ONE THOUSAND NINE HUNDRED AND EIGHT IN EXTRA SESSION.

Resolved by the House of Representatives, the Senate concurring: That the Treasurer of North Carolina be and he is hereby directed to reject from any authority, person or corporation any part of the seventeen thousand five hundred dollars for paying any part of the expenses incurred in convening the extra session of the General Assembly of North Carolina of one thousand nine hundred and eight, to consider railroad rate matters, relative to passenger rates and other purposes. In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.

JOINT RESOLUTION RELATIVE TO ADJOURNMENT.

Resolved by the House of Representatives, the Senate concurring: That the General Assembly adjourn sine die Saturday, February the first, one thousand nine hundred and eight, at two o'clock. In the General Assembly read three times, and ratified this the 1st day of February, A. D. 1908.
STATE OF NORTH CAROLINA,
Office of Secretary of State,
Raleigh, February 3, 1908.

I, J. Bryan Grimes, Secretary of State of the State of North Carolina, hereby certify that the foregoing (manuscript) are true copies of the original acts and resolutions on file in this office.

J. BRYAN GRIMES,
Secretary of State.
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TO THE

PUBLIC LAWS,

EXTRA SESSION 1908.

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